

City of Wimberley
City Hall, 221 Stillwater
Wimberley, Texas 78676
Planning & Zoning Commission
Minutes of Regular Meeting
June 12, 2014 at 6:00 p.m.

Meeting called to order at 6:00 p.m. by Chair Tom Haley. Present were Commissioners Charles Lancaster, Tracey Dean, Charles Savino, and Rick Burleson. Commissioner Beth Mitchell was absent.

Staff Present: City Administrator Don Ferguson and City Secretary Cara McPartland

Citizen Communications:

No citizen comments were heard.

1. Consent Agenda

Approval of minutes of the Regular Planning & Zoning Commission meeting on April 10, 2014.

Commissioner Lancaster moved to approve the minutes, as presented. Commissioner Dean seconded. Motion carried on a vote of 3-0. Commissioners Dean and Savino abstained.

2. Public Hearings and Possible Action

- A. Hold a public hearing and consider making a recommendation to City Council regarding Case CUP-14-003, an application for a conditional use permit to allow for the sale of beer and wine for off-premise consumption on a tract of land zoned Commercial – Moderate Impact (C-2), located at 13710 Ranch Road 12, Suite #4, Wimberley, Hays County, Texas. (*Jim & Andrea Jones, Applicants*)

City Administrator Ferguson reviewed the subject property's location, current/proposed zoning, and the applicant's proposal to sell beer and wine for off-premise consumption as part of their small retail business (*The Hog Pound*), located in the El Dorado shopping center. He stated that the business is open Thursdays through Saturdays from 10 a.m. until 6 p.m., and on Sundays from 11 a.m. until 6 p.m. He noted that a conditional use permit (CUP) was approved several years ago for a wine shop that was located in a different suite in the same shopping center that later moved to another location in downtown Wimberley.

Should the Commission choose to recommend approval, City Administrator Ferguson advised that such approval should be made contingent on the applicants obtaining a variance from the City's distance requirements that relate to the sale of beer and wine

within three hundred feet (300') of a school, church, hospital, or day care facility. The Wimberley Christian Church is located adjacent to the subject property. No comments have been received either for or against the requested CUP and no changes in operating hours are anticipated.

Chairman Haley opened the public hearing.

Applicant Jim Jones spoke on his professional/academic background and cited customer demand as the reason for the CUP request. He did not anticipate extending business dates/hours at this time, and if any future extension occurred, he stated the business would not remain open later than 8:00 p.m.

Chairman Haley closed the public hearing.

Commissioner Dean moved to recommend approval of the item, as presented. Commissioner Lancaster seconded. Discussion did not favor possible additional restrictions on operating hours. Motion carried on a vote of 5-0.

- B. Hold a public hearing and consider making a recommendation to City Council regarding Case ZA-14-002, an application to change the zoning from Rural Acreage (RA) to Neighborhood Services (NS) for property located at 210 Masonic Lodge Road, Wimberley, Hays County, Texas. (*Fish Out of Water LP, Applicant*)

City Administrator Ferguson reviewed the subject property's location, current/proposed zoning, existing vacant commercial building, and historic uses. He advised the applicant seeks to increase the subject property's marketability by requesting NS zoning, which would allow largely low-impact office/commercial uses, provided a CUP is granted for such limited commercial uses. He stated that NS-zoned properties are intended to act as a buffer between residential areas and more intense commercial areas. He noted that the subject property is positioned between property on the FM 3237 commercial corridor and large acreage residential property on Mountain View Road. He advised that no comments have been received on the requested zoning change and recommended approval.

Chairman Haley opened the public hearing.

The applicant's representative, Ron Freeman, spoke on the subject property's historical/grandfathered uses and loss of the property's grandfathered status due to dormancy requirements.

Chairman Haley closed the public hearing.

Discussion addressed buffering requirements, including landscaping/vegetation buffers between commercial and residential areas, which may vary depending on specific types of proposed uses.

Commissioner Dean moved to recommend approval of the item, as presented. Commissioner Lancaster seconded. Motion carried on a vote of 5-0.

- C. Hold a public hearing and consider making a recommendation to City Council regarding Case ZA-14-003, an application to change the zoning from Single Family Residential 2 (R-2) to Rural Residential 1 (R-1) for property located at 600 Southriver, Wimberley, Hays County, Texas. (*Sherry & DeWayne Lancaster, Applicants*)

City Administrator Ferguson stated that the requested zoning change is being made in conjunction with the recent replat to consolidate Lots 14 and 15 into one 3.777 acre tract, thus making it necessary to change the zoning to Rural Residential 1 (R-1) due to the size of the newly created lot. He recommended approval of the zoning change, as presented.

Chairman Haley opened the public hearing. Hearing no comments, Chairman Haley closed the public hearing.

Commissioner Burleson moved to recommend approval of the item, as presented. Commissioner Lancaster seconded. Motion carried on a vote of 5-0.

3. Staff and Commission Reports

- Announcements
- Future Agenda Items

City Administrator Ferguson welcomed new Planning and Zoning member Charles Savino. He advised that Council is finalizing its consideration of Commission appointments and reminded Commission members of Open Meetings Act requirements. He noted that Commission members will be issued iPads in lieu of receiving paper agenda packets.

City Administrator Ferguson reviewed City Council's recently-approved attendance/removal requirements for Planning and Zoning Commission members and clarified specific provisions related to absences, tardiness, and possible attendance via video/teleconferencing, under certain conditions.

Hearing no further announcements or future agenda items, Chairman Haley called the meeting adjourned.

Adjourn at 6:37 p.m.

Recorded by:



Cara McPartland

These minutes approved the 24th of July, 2014.



APPROVED:

A handwritten signature in black ink, appearing to read "Tom Haley".

Tom Haley, Chair