

City of Wimberley
City Hall, 221 Stillwater
Wimberley, Texas 78676
Planning & Zoning Commission
Minutes of Special Meeting
July 24, 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 June 12, 2014.

Commissioner Savino moved to approve the minutes, as presented. Commissioner Dean seconded. Motion carried on a vote of 5-0.

2. Public Hearings and Possible Action

- A. Hold a public hearing and consider making a recommendation to City Council regarding Case CUP-14-002, an application for a conditional use permit to allow for the operation of a vacation rental facility on a tract of land zoned Scenic Corridor (SC), located at 12500 Ranch Road 12, Wimberley, Hays County, Texas. (*Michael and Meredith McClay, Applicants*)

City Administrator Ferguson reviewed the subject property's location, current/proposed zoning, and the applicant's proposal to operate a second vacation rental facility on a 7.58 acre tract. In addition to an occupied commercial building, there are currently two (2) single-family homes on the subject property, one of which is vacant and one that is being used as a vacation rental in accordance with a previously issued conditional use permit (CUP). He advised that the applicants are seeking authorization to use the currently vacant 1,852 square foot, four (4) bedroom home (with a pool, detached garage and carport), as a vacation rental with a maximum occupancy of eight (8) guests. It was noted that on-site parking will be provided and that the applicants have installed a new, properly permitted and functioning on-site septic system facility (OSSF). Based on a review of the OSSF and proposed use, City staff recommended a maximum occupancy of five (5) guests.

City Administrator Ferguson read a list of the applicants' house rules, as well as a list of staff-recommended conditions to be included in the requested CUP, should the Commission recommend approval. He noted the removal of staff-recommended Condition No. 11 pertaining to owner-occupancy requirements, which do not apply to vacation rental CUPs. He asked for the following additions to the aforementioned list of CUP conditions: the subject property owner shall provide the City and property owners within two hundred feet (200') of the subject property with contact information for the local responsible party, and that the local contact shall be able to respond to any incident within thirty (30) minutes of a call. If there is a change in contact information, the property owner shall notify the City and property owners within 200' of the current contact information. Because the entrance to the property is flood-prone, City Administrator Ferguson also requested that a clearly marked emergency exit be provided for the subject property and included in CUP conditions. No comments have been received either for or against the requested CUP.

No public comments were heard.

Discussion addressed the reasoning for the staff-recommended maximum occupancy of five (5) guests; possible future amendment of the CUP's maximum occupancy requirements, if OSSF capacity is upgraded; adequacy of the OSSF to handle eight (8) occupants; possible exception to allow more than five (5) guests; OSSF safeguards against exceeding capacity; and clarification on the emergency exit requirement.

Commissioner Savino moved to recommend approval of the CUP, with a maximum occupancy of eight (8) persons, including the additional staff recommendations relating to contact information and a designated emergency exit. Commissioner Dean seconded.

Chairman Haley called for a vote as follows: Commissioner Lancaster, aye; Commissioner Dean, aye; Commissioner Savino, aye; Commissioner Burleson, aye; Chairman Haley, aye. Motion carried on a vote of 5-0.

- B. Hold a public hearing and consider making a recommendation to City Council regarding an application for the replat of Lot 12R of Woodcreek Ranch Subdivision, Section 1, establishing Lot 12R-1 and Lot 12R-2, located in Wimberley, Hays County, Texas, and a requested variance from Section 154.063 of the City of Wimberley Code of Ordinances relating to the lot shape and lot depth to width ratio requirements. (*Pamela Showalter, Applicant*)

City Administrator Ferguson reviewed the proposed replat of Lot 12R (6.77 acres) to create Lot 12R-1 (4.77 acres) and Lot 12R-2 (2.00 acres) for residential use, with water and wastewater service provided by private well and on-site septic facilities, respectively. As the two newly created lots are less than five acres in size, there will be a need to rezone the subject property as Rural Residential 1 (R-1) (*see following Agenda Item No. 2C*). Due to the subject property's topography and location of existing structures, City Administrator Ferguson advised that the applicant is requesting a

variance from Code §154.063 relating to the City's lot shape and lot depth to width ratio requirements. He recommended approval of the proposed replat and variance, as requested.

No public comments were heard.

Discussion addressed the lot configuration of Lot 12R-2, separate OSSF facilities serving the two residences on the subject property, and shared water well.

Commissioner Lancaster moved to recommend approval of the item, as presented. Commissioner Savino 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-14-004, an application to change the zoning from Residential Acreage (RA) to Rural Residential 1 (R-1) for property located at 501 and 721 Woodcreek Ranch Road, Wimberley, Hays County, Texas. (*Pamela Showalter, Applicant*)

City Administrator Ferguson stated that the requested zoning change is being made in conjunction with the abovementioned replat to create two (2) new lots less than five acres in size, thus making it necessary to change the zoning to Rural Residential 1 (R-1). 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 Dean moved to recommend approval of the item, as presented. Commissioner Lancaster seconded. Motion carried on a vote of 5-0.

- D. Hold a public hearing and consider making a recommendation to City Council regarding Case ZA-14-005, an application to change the zoning from Single Family Residential 2 (R-2) to Rural Residential 1 (R-1) for property located at 1991 Hilltop, Wimberley, Hays County, Texas. (*James and Marta Schreiter, Applicants*)

City Administrator Ferguson reported that the requested zoning change is being made in conjunction with the recent replat of Lots 2A (0.770 acres), 3A (1.349 acres) and 4A (1.165 acres) of the Lookout Subdivision. Because the replat consolidated these three lots into one 3.28 acre tract, it is necessary to change the zoning due to the size of the newly created lot. He advised that the subdivision was necessary to allow the applicants to proceed with plans to expand the existing 2,600 square foot home located on the subject property. No comments for or against the proposed zoning change have been received and staff recommended approval.

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

Discussion addressed the setback requirements, residential zoning designations, and expansion of existing structure.

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

3. Staff and Commission Reports

- Announcements
- Future Agenda Items

City Administrator Ferguson anticipated that a draft Central Wimberley Master Plan will be presented for the Commission's consideration in August. He stressed that concepts presented to date are not finalized and are meant to generate public comment and input. He explained the Plan is designed to provide vision and guidance for future development and outlined the timeframe for public meeting(s) and presentations.

City Administrator Ferguson briefly spoke on the tentative schedule for H-E-B construction and specific features of the development.

Commissioner Savino advised that he will not be able to attend the Commission's August meeting.

Wimberley resident Dave Bass asked to speak on the concepts presented for the Central Wimberley Master Plan and requested more detailed information. City Administrator Ferguson directed Mr. Bass to the City's website and encouraged Mr. Bass and the public in general to submit comments on the concept plans.

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

Adjourn at 6:45 p.m.

Recorded by:



Cara McPartland

These minutes approved the 25th of September, 2014.



APPROVED:



Tom Haley, Chair