

**City of Wimberley**  
City Hall, 221 Stillwater  
Wimberley, Texas 78676  
**Planning & Zoning Commission**  
Minutes of Regular Meeting  
November 12, 2015 at 6:00 p.m.

Meeting called to order at 6:00 p.m. by Chair Rick Millinor. Present were Commissioners John Urban, Tracey Dean, Charles Savino, and Thad Nance. Commissioner Rick Burleson 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 Special Planning & Zoning Commission meeting on October 29, 2015.

Commissioner Nance moved to approve the minutes, as presented. Commissioner Savino 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-15-007, an application for a conditional use permit to allow for the operation of a vacation rental on a tract of land zoned Residential Acreage (RA), located at 210 Panorama, Wimberley, Hays County, Texas. (*Sarah & Haytham Samarchi, Applicants*)

City Administrator Ferguson reviewed the subject property's location, current/proposed zoning and uses, and existing 2,596 square foot, two-bedroom residence. He advised that the applicants have requested to use the residence as a vacation rental, with a maximum occupancy of four (4) guests. Guests would be required to park on the subject property. Based on a review of the septic system, City staff recommends an occupancy limit of four (4) people.

In addition to the applicant's house rules, City Administrator Ferguson read a list of conditions to be made part of the requested conditional use permit (CUP), should the Commission desire to recommend approval.

Chairman Millinor opened the public hearing.

Applicant's representative Dan Sturdivant of Hill Country Premier Lodging offered to answer any questions from the Commission, as the applicants were unable to attend tonight's meeting, but do plan to attend Council's public hearing on November 19, 2015.

Hearing no further comments, Chairman Millinor closed the public hearing.

Discussion established that the applicant intends to abide by all CUP conditions and no opposition has been received to date by City staff. One letter of support was received from a property owner within the 200-foot notification area.

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

- B. Hold a public hearing and consider making a recommendation to City Council regarding Case ZA-15-008, an application for a conditional use permit to allow for the operation of a vacation rental on a tract of land zoned Single Family Residential 3 (R-3), located at 211 Blue Hole Lane, Wimberley, Hays County, Texas. (*Gary & Cindy Stadler, Applicants*)

City Administrator Ferguson reviewed the subject property's location, current/proposed zoning and uses, and existing 2,015 square foot, four-bedroom residence. He advised that the applicants have requested to use the residence as a vacation rental, with a maximum occupancy of eight (8) guests. Guests would be required to park on the subject property. Letters of support for the requested CUP have been received by City staff from two (2) property owners within the 200-foot notification area.

Based on a review of the septic system, City staff recommends an occupancy limit of five (5) people. In addition to the applicant's house rules, City Administrator Ferguson read a list of conditions to be made part of the requested conditional use permit (CUP), should the Commission desire to recommend approval, including an additional condition that would require landline telephone service, with a publicly listed number, to be maintained on the subject property to allow for receipt of emergency notification phone calls, with said phone number to be registered with Hays County and City of Wimberley emergency notification systems.

Chairman Millinor opened the public hearing.

Applicant Gary Stadler stated that he may revisit the Commission in the future to consider an increased occupancy limit of eight (8) persons, should there be an opportunity to connect to a public sewer system. City Administrator Ferguson clarified that such a request would trigger the need to amend the existing CUP and require public notification of the proposed amendment.

Hearing no further comments, Chairman Millinor closed the public hearing.

Discussion established that the applicant has not made a final decision on which local management company to retain for the vacation rental's operation.

Commissioner Urban moved to recommend approval of the CUP application, as presented, including the aforementioned condition mandating landline telephone service to the subject property for the purpose of receiving emergency notification calls, as stated by City Administrator Ferguson. 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 an application for the Replat of Lot 3, Flite Acres Little Ranches Subdivision and the Replat of Lot 4A, Amending Plat of Lots 2 and 4 of the Flite Acres Little Ranches Subdivision and Lot 5R, Amending Plat of Lots 5 and 6 Flite Acres Little Ranches Subdivision and a requested variance from the City of Wimberley's lot configuration requirements. (*Tomas Palm, Applicant*)

City Administrator Ferguson explained the proposed land division replats Lot 4A (original 12.84 acres) and a portion of Lot 3 into five (5) lots and replats Lot 3 into Lot 3A-1 (17.95 acres). He advised the subject property is zoned Residential Acreage (RA) and four (4) of the newly created lots will require rezoning due to the changes in lot sizes. He noted that all of the lots are within the certified area of Wimberley Water Supply Corporation and on-site sewerage facilities will provide wastewater service.

City Administrator Ferguson stated that the applicant is seeking a variance from the City's lot configuration requirements for proposed Lot 4A1B due to the existing configuration of lots in the subdivision. He recommended approval of the proposed replat and requested variance.

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

Discussion clarified the subject property's location.

Commissioner Dean moved to approve the Replat and requested variance, as presented. Commissioner Savino seconded.

In response to Chairman Millinor's inquiry regarding the requested variance for Lot 4A1B, City Administrator Ferguson replied that City Code encourages rectangular lots and seeks to discourage flag-shaped lots, whenever practicable. Discussion established that separate rezoning actions for some of the newly created lots will be necessary due to changes in lot sizes.

Motion carried on a vote of 5-0.

### **3. Discuss and Consider Possible Action**

Discuss and consider possible action regarding changes to the City of Wimberley Zoning Code. (*City Administrator*)

City Administrator Ferguson spoke on the numerous residential zoning designations in the City's current Zoning Code and suggested that the Commission review residential zoning regulations before starting its review of commercial zoning. He advised that a matrix will be provided to help the Commission during the review process. He also forwarded Council's request that the Commission explore inclusion of so-called "tiny houses" in the City's Zoning Code, particularly due to post-flood interest in scaled-down housing options. In addition, City Administrator Ferguson suggested consideration of streamlined procedures to handle subdivisions that necessitate rezoning of tracts in order to consolidate both processes.

Discussion favored use of the matrix to facilitate the review process and simplified zoning regulations. City Administrator Ferguson anticipated beginning the review process at the Commission's December 10<sup>th</sup> meeting.

#### 4. Staff and Commission Reports

- Announcements
- Future Agenda Items

City Administrator Ferguson advised that a special joint Council workshop will be scheduled in December in order to allow the Commission and Council to hold public hearings and consider updates to the City's Comprehensive Plan. Discussion favored December 7<sup>th</sup> or 8<sup>th</sup> as possible special meeting date, with a preference expressed for 5 p.m. on December 8<sup>th</sup>.

Hearing no further announcements or future agenda items, Commissioner Dean moved to adjourn. Commissioner Nance seconded. Motion carried on a vote of 5-0.

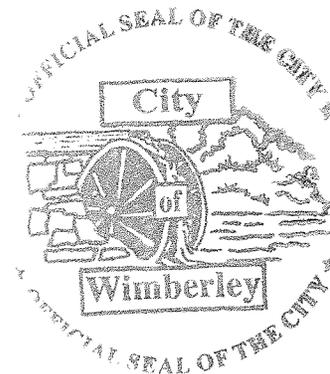
Chairman Millinor called the meeting adjourned.

**Adjourn at 6:34 p.m.**

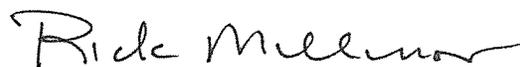
Recorded by:

  
Cara McPartland

**These minutes approved the 10<sup>th</sup> of December, 2015.**



**APPROVED:**



**Rick Millinor, Chair**