

**REGULAR CITY
COUNCIL MEETING
PACKET**

Thursday, October 17, 2019

6:00 p.m.

8. OPEN SESSION

Discuss and consider possible action regarding the appointment of an Assistant City Administrator.

9. CONSENT AGENDA

Approval of minutes from the Regular City Council Meeting held October 3, 2019.

10. CITY ADMINISTRATOR REPORT

Update regarding sales tax, road projects, election information and traffic enforcement efforts
(*City Administrator Shawn Cox*)

11. PUBLIC HEARINGS AND POSSIBLE ACTION

11.1. Hold a public hearing and consider approval regarding case S-19-002, an application for a vacate and replat of Tract "B", Resubdivision of E. Cross Addition, a portion of Tract "C", Resubdivision of E. Cross Addition, and a portion of road on the resubdivision plat of E. Cross Addition and Wagon Wheel Section 2, and replat of Lot 13, Wagon Wheel, Section 2, Establishing Lot 13A, Wagon Wheel, Section 2, Wimberley, Hays County, Texas, and related variance request from the City subdivision code requirements relating to minimum lot size; and providing for the following: findings of fact, a savings clause, a repealing clause, a severability clause, effective date, and proper notice and meeting.
(*Tana Busch, Applicant*)

11.2. Hold a public hearing and consider approval of the first reading of an ordinance of the City of Wimberley, Texas amending Chapter 9 (Planning & Development Regulations) Article 9.02 (Subdivision Control), Division 5 (Off-street Parking & Loading Requirements) Section 9.02.157 (Design Standards) of the City of Wimberley Code of Ordinances; and providing for the following: findings of fact, a savings clause, a repealing clause, a severability clause, effective date, and proper notice and meeting.
(*Place Two Council Member Craig Fore*)

12. DISCUSSION AND POSSIBLE ACTION

12.1. Discuss and consider possible action regarding a request to install four (4) tents for a fall festival at 501 FM 3237 in Wimberley, Texas. (*Symphony of Wimberley*)

12.2. Discuss and consider possible action to accept a \$1,000 donation check from Sue Jones to replace the Park Donor Acknowledgement Sign at Blue Hole Regional Park. (*Parks Director Kelly Schmidt*)

12.3. Discuss and consider possible action to appoint Place Three City Council Member, Christine Byrne, as the Capital Area Council for Governments (CAPCOG) General Assembly Representative for the City of Wimberley. (*Place Three Council Member Christine Byrne*)

12.4. Discuss and consider possible action regarding the status of the Central Wimberley Wastewater Project. *(City Administrator Shawn Cox)*

13. CITY COUNCIL REPORTS

13.1. Announcements

13.2. Future agenda items

14. ADJOURNMENT

The City Council may retire into Executive Session at any time between the meeting’s opening and adjournment for the purpose of discussing any matters listed on the agenda as authorized by the Texas Government Code including, but not limited to, homeland security pursuant to Chapter 418.183 of the Texas Government Code; consultation with legal counsel pursuant to Chapter 551.071 of the Texas Government Code; discussion about real estate acquisition pursuant to Chapter 551.072 of the Texas Government Code; discussion of personnel matters pursuant to Chapter 551.074 of the Texas Government Code; deliberations about gifts and donations pursuant to Chapter 551.076 of the Texas Government Code; discussion of economic development pursuant to Chapter 551.087 of the Texas Government Code; action, if any, will be taken in open session.

CERTIFICATION

I hereby certify the above Notice of Meeting was posted on the bulletin board at Wimberley City Hall, a place convenient and readily accessible to the general public at all times, and to the City’s website, www.cityofwimberley.com, in compliance with Chapter 551, Texas Government Code, on Friday, October 11, 2019, by 6:00 p.m., and remained posted for at least 72 continuous hours preceding the scheduled time of said meeting.

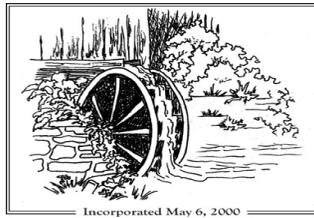


Laura J. Calcote, MPA, TRMC
City Secretary

The City of Wimberley is committed to compliance with the Americans with Disabilities Act. Reasonable modifications and equal access to communications will be provided upon request. Please contact City Secretary Laura Calcote at (512) 847-0025 two business days in advance of the meeting for appropriate arrangements.



City of Wimberley



Proclamation

THE STATE OF TEXAS §
COUNTY OF HAYS §
CITY OF WIMBERLEY §

WHEREAS, the crime of domestic violence violates the basic human rights of safety and dignity, and 136 women were killed due to domestic violence in Texas including 211 children lost a parent;
and

WHEREAS, the problems of domestic violence and teen dating violence are not confined to any group of people, but cut across all economic, racial, gender and societal barriers; and

WHEREAS, the impact of domestic violence and teen dating violence directly affects individuals and communities when society ignores or tolerates violence in relationships; and

WHEREAS, the Hays County Sheriff's Office, San Marcos Police Department, Kyle Police Department and Buda Police Department and Hays County District Attorney's Office are partnering with the Hays-Caldwell Women's Center to promote Domestic and Teen Dating Violence Awareness in our local communities and in our area High Schools including the Football and Volleyball programs and;

WHEREAS, last year HCWC provided face-to-face services to over 1,022 local victims of domestic violence and provided 5,738 days of shelter; and

WHEREAS, last year HCWC provided these direct services to 37 victims from The City of Wimberley, and

NOW, THEREFORE, I, Susan Jagers, by virtue of the authority vested in me as Mayor of Wimberley, Texas do hereby proclaim the month of October 2019 as National Domestic Violence Awareness Month

And call upon the people of Wimberley to work together with HCWC and local partners to bring an end to domestic violence and teen dating violence.

IN TESTIMONY WHEREOF, I have hereunto set my hand and caused the Seal of the City of Wimberley, Texas to be affixed this 17th day of October 2019.



CITY OF WIMBERLEY

Susan Jagers, Mayor



AGENDA ITEM:	Imagine A Day Without Water
SUBMITTED BY:	Christine Byrne
DATE SUBMITTED:	October 8, 2019
MEETING DATE:	October 17, 2019

AGENDA FORM

ITEM DESCRIPTION/SUMMARY

October 23rd marks the 5th annual “Imagine a day without water.” Over 1000 organizations participate in this nationwide day of education and advocacy about the value of water. Water is essential to our public health and our economy. The increasing population of Hays County threatens the water availability for future generations. This Proclamation supports raising awareness about the importance of water and water conservation and to task each one of us to “Imagine a day without water.”

REQUESTED ACTION

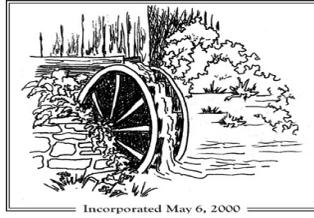
- Motion
- Discussion
- Ordinance
- Resolution
- Other Proclamation

FINANCIAL

- Budgeted Item Original Estimate/Budget: \$
- Non-budgeted Item Current Estimate: \$
- Not Applicable Amount Under/Over Budget: \$

STAFF RECOMMENDATION

City of Wimberley



Proclamation

THE STATE OF TEXAS §
COUNTY OF HAYS §
CITY OF WIMBERLEY §

BEFORE THE CITY OF WIMBERLEY CITY COUNCIL MEETING OCTOBER 17, 2019

WHEREAS, water is the most essential element on Earth for all people, animals and plants; and

WHEREAS, the City of Wimberley and the Wimberley Valley were built and continue to prosper because of their exceptional water features including Jacob's Well, Cypress Creek, the Blanco River, dozens of smaller waterways, and thousands of artesian springs; and

WHEREAS, the people of Wimberley have ample reason to know the value and importance of water to their lives, to the health of their environment, and to the prosperity of the city; and

WHEREAS, the Texas Hill Country is an increasingly arid region on the fringe of the Great Chihuahuan Desert which is prone to frequent drought; and

WHEREAS, the Trinity Aquifer is the primary source of water for the entire Wimberley Valley, its major water suppliers, hundreds of private wells, and dozens of commercial wells; and

WHEREAS, the City of Wimberley and Wimberley Valley are primarily dependent on water within the Trinity Aquifer, which is already being depleted faster than it can be recharged; and

WHEREAS, the location, natural features, limited resources, and rapid growth of the Wimberley Valley make this region's water supply very vulnerable as the increasing demand for water is beyond supply; and

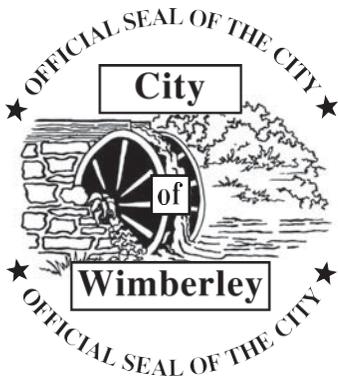
WHEREAS, great amounts of water are unnecessarily wasted through traditional methods of watering, flushing, manufacturing, washing, storage, and otherwise; these processes could be improved, easily and economically by updated, modern systems and dedicated personal and commercial conservation methods; and

WHEREAS, Wednesday, October 23rd, is the fifth annual "Imagine A Day Without Water", celebrated nationally to raise awareness about the importance of water in every aspect of life and to alert us to the tragic implications of losing access to adequate water; and

WHEREAS, with more than 1,000 national organizations are taking part in “Imagine A Day Without Water,” this indicates a rapidly growing national, state, and municipal awareness of the crucial importance of plentiful clean, accessible, affordable water for all; and

WHEREAS, just talking about clean, clear, water makes a Texan want a long, cold drink of it;

NOW, THEREFORE, be it resolved that the Wimberley City Council supports “Imagine and Day Without Water” and invites all Wimberley citizens, along with our Wimberley Valley neighbors and friends, to unite with us in celebrating and spreading the word about October 23rd as a time to really “Imagine A Day Without Water” and learn what we can do to keep all of our water sources clean, clear, and flowing.



CITY OF WIMBERLEY

Susan Jagers, Mayor



AGENDA ITEM: Consent Agenda
SUBMITTED BY: Laura Calcote, City Secretary
DATE SUBMITTED: October 11, 2019
MEETING DATE: October 17, 2019

AGENDA FORM

ITEM DESCRIPTION/SUMMARY

Approval of minutes from the Regular City Council Meeting held October 3, 2019.

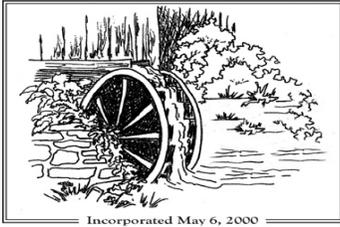
REQUESTED ACTION

- Motion
- Discussion
- Ordinance
- Resolution
- Other

FINANCIAL

- Budgeted Item Original Estimate/Budget: \$
- Non-budgeted Item Current Estimate: \$
- Not Applicable Amount Under/Over Budget: \$

STAFF RECOMMENDATION



City of Wimberley

221 Stillwater Drive, Wimberley, Texas 78676

REGULAR CITY COUNCIL MEETING
WIMBERLEY CITY HALL – CITY COUNCIL CHAMBERS
221 STILLWATER DRIVE, WIMBERLEY, TEXAS 78676
THURSDAY, OCTOBER 3, 2019 – 6:00 P.M.

MINUTES

CALL TO ORDER

Mayor Pro Tem, Rebecca Minnick, called the meeting to order at 6:01 p.m.

CALL OF ROLL

Council Members Present: Rebecca Minnick Place One
Craig Fore Place Two
Christine Byrne Place Three
Bo Bowman Place Five

Council Members Absent: Susan Jagers Mayor
Gary Barchfeld Place Four

City Staff Present: Shawn Cox City Administrator
Laura Calcote City Secretary
Sarah Griffin Deputy City Attorney
Kelly Schmidt Parks Director

INVOCATION

Chapel in the Hills Reverend, Jim Denham, gave the invocation.

PLEDGE OF ALLEGIANCE/SALUTE TO THE TEXAS FLAG

Mayor Pro Tem, Rebecca Minnick, led the pledges to the United States and Texas flags.

CITIZENS COMMUNICATIONS

There were four citizen's comments. They were as follows:

1. Susan Neeney noted the canopy for the playscape at Blue Hole Regional Park would be installed beginning October 14th and would take about four days to complete the installation of the structure.

2. Lila McCall stated Council was lagging in completing tasks and projects, including the Central Wimberley Wastewater Project. Ms. McCall contended state agencies viewed the City as being in a state of chaos, and the City should work to clean-up its image.

3. Dan Gauthier acknowledged the Wimberley Pride March that had occurred a couple of weeks prior, and how the March had brought the community together in a positive manner. He thanked Council for their support and participation in the March.

4. Lorin Williams East and Jennifer Abshire-Wicker from the Hays-Caldwell Women's Center (HCWC) addressed Council regarding October 2019 being designated as Domestic Violence Awareness Month, and spoke about the services provided by the HCWC.

CONSENT AGENDA

6.1. Approval of minutes from the Regular City Council Meeting held September 19, 2019.

Motion to approve the minutes from the Regular City Council Meeting held September 19, 2019, with the correction of Blue Hole Lane to Blue Hole Road, was made by Council Member Christine Byrne. Motion was seconded by Council Member Bo Bowman. Motion carried unanimously (4-0).

Motion to approve Items 6.2. and 6.3. on the Consent Agenda was made by Council Member Christine Byrne. Motion was seconded by Council Member Bo Bowman. Motion carried unanimously (4-0).

6.2. Approval of City of Wimberley Financial Statements for July 2019.

6.3. Approval of the second and final reading of Ordinance No. 2019-31, amending Article 2.05 City Officers, Division 1. Generally, to add Section 2.05.001 Mayor; Powers and Duties.

BOARD, COMMISSION, COMMITTEE REPORTS

Transportation Advisory Board Member, Jim Chiles, updated Council regarding completed and pending road projects for the City. Mr. Chiles noted numerous potholes had been filled by Public Works throughout the City, and road work had been completed on Flite Acres at Little Ranches, chip sealing on Rocky Springs Road and River Road and the road striping at Carney Lane. Additionally, the Fiscal Year 2020 Budget was discussed for upcoming road projects, as well as adding more sidewalks within the City.

CITY ADMINISTRATOR REPORT

City Administrator, Shawn Cox, provided an update regarding the drainage work and repaving of Flite Acres at Little Ranches and minor maintenance road repairs at Rhodes Lane, County Road 1492, River Road and shoulder and drainage work on Chaparral Drive. Furthermore, Mr. Cox noted the newly created Facebook and Instagram accounts for the City of Wimberley, and the communication purpose the mediums were serving.

DISCUSSION AND POSSIBLE ACTION

9.1. Discuss and consider possible action regarding a request to operate a food service trailer at 14050 RR 12 in Wimberley, Texas. (*Doug McElwee/Doo-Hickey's Hot Dogs, Applicant*)

Motion to approve a request to operate a food service trailer at 14050 RR 12 in Wimberley, Texas was made by Council Member Craig Fore. Motion was seconded by Council Member Bo Bowman. Motion carried unanimously (4-0).

9.2. Discuss and consider possible action to approve the CivicRec Contract in the amount of \$5,500.00 for Blue Hole Regional Park operations software. (*Parks Director Kelly Schmidt*) Parks Director, Kelly Schmidt, presented information pertaining to CivicRec, which would assist the Parks Department in payment processing and admission sales. The cloud-based

system would provide a cost savings for the City.

Motion to approve the CivicRec Contract in the amount of \$5,500.00 for Blue Hole Regional Park operations software was made by Council Member Christine Byrne. Motion was seconded by Council Member Craig Fore. Motion carried unanimously (4-0).

- 9.3. Discuss and consider possible action regarding an ordinance adding Article 4.12, Landscaping and Tree Preservation to Chapter 4, Building Regulations of the City of Wimberley Code of Ordinances. *(Place Three Council Member Christine Byrne and Place Five Council Member Bo Bowman)*

There was discussion regarding the proposed tree ordinance, which would be presented to the Planning and Zoning Commission before coming back to City Council. There was discussion pertaining to the percentage number of designated trees that may be replaced by cash-in-lieu. It was decided to research the percentage number other surrounding cities had implemented.

No action was taken on this item.

- 9.4. Discuss and consider possible action to approve an expenditure in the amount of \$7,900.00 from The AC Guys for replacement of two A/C units at the Wimberley Community Center. *(City Administrator Shawn Cox)*

Motion to approve an expenditure in the amount of \$7,900.00 from The AC Guys for replacement of two A/C units at the Wimberley Community Center was made by Council Member Craig Fore. Motion was seconded by Council Member Bo Bowman. Motion carried unanimously (4-0).

- 9.5. Discuss and consider possible action to approve an expenditure in the amount of \$7,695.00 from Bartlett Tree Experts for tree trimming on several City streets. *City Administrator Shawn Cox)*

City Administrator, Shawn Cox, presented tree trimming services and debris disposal at Green Acres Drive, La Buena Vista Drive, Heritage Hills Road, Freedom Drive and Liberty Drive.

Motion to approve an expenditure in the amount of \$7,695.00 from Bartlett Tree Experts for tree trimming on several City streets was made by Council Member Craig Fore. Motion was seconded by Council Member Bo Bowman. Motion carried unanimously (4-0).

- 9.6. Discuss and consider possible action to approve an expenditure in the amount of \$7,495.00 from Hays County for the cattle guard repair on Spoke Hollow Road. *(City Administrator Shawn Cox)*

The Transportation Advisory Board had discussed the cattle guard repair on Spoke Hollow Road, and recommended approval of the repair work.

Motion to approve an expenditure in the amount of \$7,495.00 from Hays County for the cattle guard repair on Spoke Hollow Road was made by Council Member Christine Byrne. Motion was seconded by Council Member Craig Fore. Motion carried unanimously (4-0).

- 9.7. Discuss and consider possible action to approve an expenditure in the amount of \$5,500.00 from Myers Concrete for gabion basket repairs at the Hidden Valley Low Water Crossing. *(City Administrator Shawn Cox)*

Motion to approve an expenditure in the amount of \$5,500.00 from Myers Concrete for gabion basket repairs at the Hidden Valley Low Water Crossing was made by Council Member Bo Bowman. Motion was seconded by Council Member Craig Fore. Motion carried unanimously (4-0).

9.8. Discuss and consider possible action to adopt a City of Wimberley Naming Policy. (*City Administrator Shawn Cox*)

City Administrator, Shawn Cox, requested direction from Council regarding the creation of a City Naming Policy. Mr. Cox had provided several examples from other cities for review. Council advised Mr. Cox to gather and study naming policies from cities of similar size to Wimberley and draft a policy accordingly.

No action was taken on this item.

9.9. Discuss and consider possible action regarding the status of the Central Wimberley Wastewater Project. (*City Administrator Shawn Cox*)

A new connection option had been recently explored by Capital Excavation and the City. Option #5 would eliminate the anticipated issues of an underground utility, additional borrowing, tight working conditions behind Brookshire Brothers and along Ranch Road 12. However, Option #5 would require an additional easement and approval from TxDOT.

Estimated costs for Option #5 were \$414,555.00. There was discussion among Council members pertaining to the lift station at the intersection of Ranch Road 12 and 3237.

The City Council adjourned into Executive Session at 7:02 p.m., in accordance with Texas Government Code, Chapter 551, Subchapter D, for the following purpose:

Section 551.072 (real estate acquisition) to discuss possible easement acquisitions for the Central Wimberley Wastewater Project.

Regular Session reconvened at 7:16 p.m.

No action was taken.

CITY COUNCIL REPORTS

10.1. Announcements – Council Member, Bo Bowman, requested a possible City Council quorum notice be posted for October 9th for the Hays County Public Meeting on El Rancho Cima Conservation. Additionally, Council Member Bowman questioned the short-term rental (STRs) renewal fee, which had not been set to date. The renewal process for STRs would not begin until June 2020. Deputy City Attorney, Sarah Griffin, advised a legal briefing could be provided to Council regarding the topic.

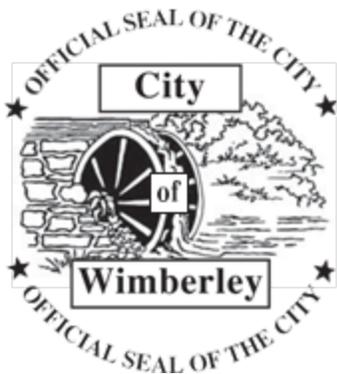
10.2. Future agenda items – Council Member, Christine Byrne, requested a proclamation regarding imagining a day without water be placed on the next agenda, along with a resolution appointing her to the Capital Area Council of Governments (CAPCOG) General Assembly.

ADJOURNMENT

Motion to adjourn the meeting at 7:23 p.m. was made by Council Member Craig Fore. Motion was seconded by Council Member Christine Byrne. Motion carried unanimously (4-0).

RECORDED BY:

Laura J. Calcote, City Secretary



APPROVED BY:

Susan Jagers, Mayor

DRAFT



AGENDA ITEM: City Administrator’s Report
SUBMITTED BY: Shawn Cox, City Administrator
DATE SUBMITTED: October 15, 2019
MEETING DATE: October 17, 2019

AGENDA FORM

ITEM DESCRIPTION/SUMMARY

The City Administrator will provide an update regarding, sales tax, road projects, election information and traffic enforcement efforts.

REQUESTED ACTION

- Motion
- Discussion
- Ordinance
- Resolution
- Other

FINANCIAL

Budgeted Item <input type="checkbox"/>	Original Estimate/Budget: \$
Non-budgeted Item <input type="checkbox"/>	Current Estimate: \$
Not Applicable <input checked="" type="checkbox"/>	Amount Under/Over Budget: \$

STAFF RECOMMENDATION



AGENDA ITEM: 204 Rim Road – Vacate & Replat; Variance
SUBMITTED BY: Sandy I. Floyd
DATE SUBMITTED: October 11, 2019
MEETING DATE: October 17, 2019

AGENDA FORM

ITEM DESCRIPTION/SUMMARY

Consider approval of a vacate and replat at 204 Rim Road in which multiple parcels will be combined into one parcel, thereby reducing density. The associated variance is from Section 12.03.007, Table B (b) of the City Code requiring lots utilizing a public water system and on-site sewage facility in the Edwards Aquifer Contributing Zone to be a minimum of 2.5 acres. After combination, the tract will total 1.43 acres.

This property lies within the City of Wimberley and is zoned Single-Family Residential 2 (R-2) for lots 20,000 square feet – 2 acres and will remain properly zoned upon approval.

The Planning & Zoning Commission voted 5-0-0 to recommend approval of the application as presented.

REQUESTED ACTION

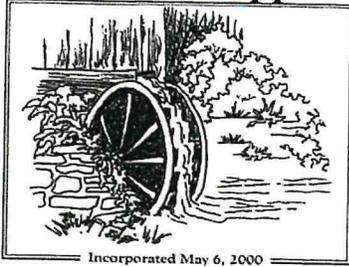
- Motion
- Discussion
- Ordinance
- Resolution
- Other

FINANCIAL

- | | | | |
|-------------------|-------------------------------------|---------------------------|----|
| Budgeted Item | <input type="checkbox"/> | Original Estimate/Budget: | \$ |
| Non-budgeted Item | <input type="checkbox"/> | Current Estimate: | \$ |
| Not Applicable | <input checked="" type="checkbox"/> | Amount Under/Over Budget: | \$ |

STAFF RECOMMENDATION

City of Wimberley Subdivision Application



(Office Use)

Submission Date: 8-26-19 Case No. 5-19-002
 Process Type: Public Row Fees: 971.50 Paid:
 P&Z: _____ Council: _____
 Rezoning required: n/a

RECEIVED
8-26-19

CONTACT INFORMATION

PROPERTY OWNER	TANA BUSCH	APPLICANT	TANA BUSCH
OWNER'S MAILING ADDRESS	8118 SHOAL CREEK ISLAND AUSTIN TX 78757	APPLICANT'S MAILING ADDRESS	SAME
OWNER'S PHONE #	[REDACTED]	APPLICANT'S PHONE #	SAME
OWNER'S EMAIL	[REDACTED]	APPLICANT'S EMAIL	SAME

PROPERTY INFORMATION

PROPOSED SUBDIVISION NAME: _____

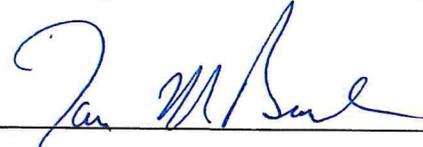
Subject Property Address or General Location	204 Rim Road Wimberly 78676		
Legal Description	WAGON WHEEL SEC 2, LOT PT 13, PT TR B CROSS ADDR PT OF ABS		
Acreage	1.47 acre	Tax ID(s) #: Rxxxxx	R46918
Jurisdiction	<input checked="" type="checkbox"/> City Limits <input type="checkbox"/> Extraterritorial Jurisdiction (County)		
Current Number of Lots	TWO	Proposed Number of Lots	ONE
Current Land Use	Residential	Proposed Land Use	[REDACTED]

SUBMITTAL CHECKLIST

- Complete "Subdivision Application"
- Provide plat of the specific property to be subdivided (1 paper/electronic) *electronic*
- Digital Data ?
- Deed(s)
- Copy of original subdivision plat if applicable
- Tax Certificate showing that all taxes are paid
- Reprinted Tax Receipt
- Pay subdivision fee
- Utility Service Acknowledgements *pending*
- Facility Plan if applicable
- Agent authorization to represent property owner if applicable *N/A*

SUBMITTAL VERIFICATION AND WAIVER TO 30-DAY STATUTORY REQUIREMENT

My signature attests to the fact that the attached application package is complete and accurate to the best of my knowledge. I understand that City review of this Application is dependent upon the accuracy of the information provided and that any inaccurate or inadequate information provided by me, my firm, or agent, may delay the review of the Application. I authorize City of Wimberley Staff to visit and inspect the property for which this application is being submitted. I agree to attend Planning & Zoning Commission and City Council meetings if public hearings are required. I hereby waive my right to the 30-day statutory requirement that plat applications be acted upon within 30 days of the official filing date. I understand that the plat will not be considered administratively complete until all comments have been addressed.

Date: Aug 22, 2019 Applicant's Signature: 

UTILITY SERVICE ACKNOWLEDGMENTS

Utility service codes are to be indicated, as listed below and as applicable, in the space provided in each acknowledgement.

CODES EXPLANATION

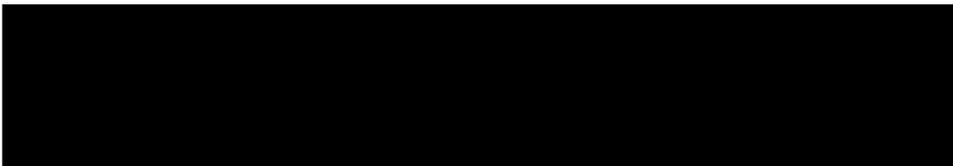
- A. Adequate service is currently available to the subject property
- B. Adequate service is currently available, but arrangements have been made to provide it
- C. Adequate service is not currently available, and arrangements have not been made to provide it
- D. Need easement(s) within subject property

Electric Service Provider PEC
Service Code(s) A
Comments/Conditions _____
Electric Company Official Signature [Signature]
Date 8/27/19 Title ELECTRICAL DISTRIBUTION DESIGNER

Telephone Service Provider none
Service Code(s) _____
Comments/Conditions _____
Telephone Company Official Signature _____
Date _____ Title _____

Water Service Provider Wimberly Waters
Service Code(s) _____
Comments/Conditions _____
Water Company Official Signature _____
Date _____ Title _____

Sewer Service Provider _____
Service Code(s) _____
Comments/Conditions _____
Sewer Company Official Signature _____
Date _____ Title _____



UTILITY SERVICE ACKNOWLEDGMENTS

Utility service codes are to be indicated, as listed below and as applicable, in the space provided in each acknowledgement.

CODES EXPLANATION

- A. Adequate service is currently available to the subject property
- B. Adequate service is currently available, but arrangements have been made to provide it
- C. Adequate service is not currently available, and arrangements have not been made to provide it
- D. Need easement(s) within subject property

Electric Service Provider PEC
Service Code(s) _____
Comments/Conditions _____
Electric Company Official Signature _____
Date _____ Title _____

Telephone Service Provider none
Service Code(s) _____
Comments/Conditions _____
Telephone Company Official Signature _____
Date _____ Title _____

Water Service Provider Wimberly Water
Service Code(s) A
Comments/Conditions THERE IS CURRENTLY SERVICE TO LOT 13A (204 RIM RD.)
Water Company Official Signature [Signature]
Date 5/26/19 Title GENERAL MANAGER

Sewer Service Provider _____
Service Code(s) _____
Comments/Conditions _____
Sewer Company Official Signature _____
Date _____ Title _____



Sandra Floyd

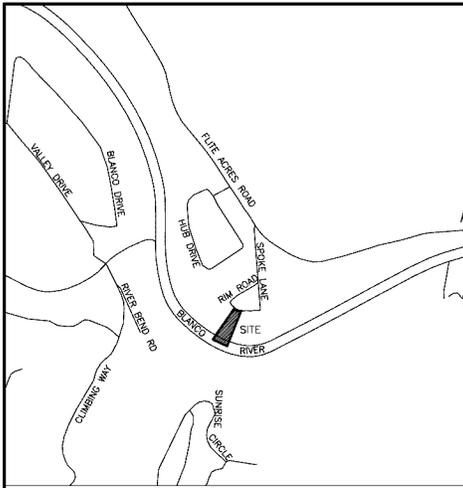
From: Tana Busch [REDACTED]
Sent: Friday, August 30, 2019 12:00 PM
To: Sandra Floyd
Subject: Request for Variance - 204 Rim Rd. Wimberley, TX 78676

Dear Sandra,

This is a request to a variance to the minimum lot size of Section 12.03.007, Table B (b) of the City Code.

Thank you for your consideration and assistance.

Tana M. Busch



VICINITY MAP - 1"=1000'

LEGEND

- VC/L PG HAYS COUNTY DEED, REAL PROPERTY OR OFFICIAL PUBLIC RECORDS
- 1/2" IRON ROD SET WITH PLASTIC CAP STAMPED "BYRN SURVEY"
- 5/8" IRON ROD FOUND OR DIAMETER NOTED
- 1/2" IRON PIPE FOUND OR DIAMETER NOTED
- 1/2" IRON ROD FOUND WITH PLASTIC CAP STAMPED AS NOTED
- COTTON SPINDLE SET
- △ CALCULATED POINT
- P.U.E. PUBLIC UTILITY EASEMENT

UTILITIES:
ELECTRIC-P.E.C.
WATER-WIMBERLEY WATER SUPPLY CORP.
SEWER-INDIVIDUAL ON-SITE SEWAGE

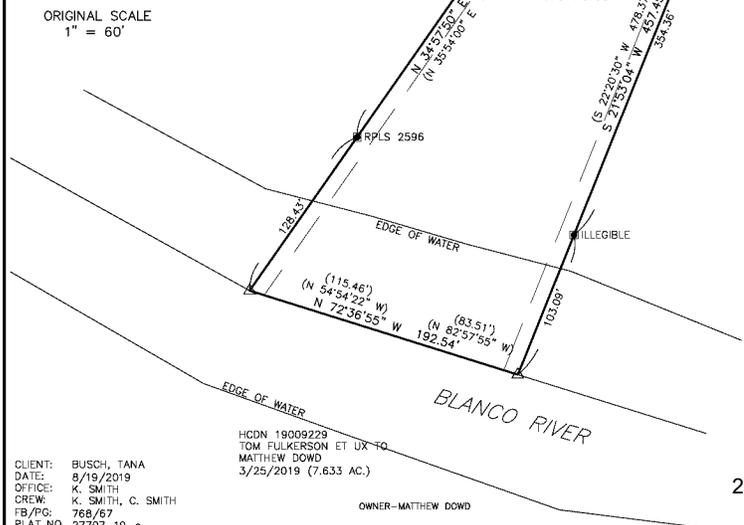
LINE	BEARING	DISTANCE	(S 47°56'19"E 41.29')
L1	S 48°52'42" E	41.32'	(S 47°56'19"E 41.29')
L2	N 80°18'05" E	25.48'	(N 81°25'01"E 25.48')
L3	S 88°36'27" E	25.00'	(S 88°04'46"E 25.00')

ORIGINAL SCALE
1" = 60'

HCDN 19010934
ALICE LEE WIGHTMAN TO
SCOTT BRADFORD BAXTER ET UX
4/3/2019 (LOT 8 & 9 WAGON WHEEL, SEC. 2)

LOT 13-A
1.43 Acres

REMAINING PORTION OF
BLANCO BEND DEV. CO. TO
REBA J. FELSCHER
2/1/1996 (TRACTS C & D)



SURVEYORS NOTES

1. FENCES MEANDER.
2. BEARINGS, DISTANCES AND AREAS IN PARENTHESES ARE FROM RECORD INFORMATION.
3. ACCORDING TO SCALING FROM THE CURRENT F.E.M.A. FLOOD INSURANCE RATE MAP NO. 48209C0355F, DATED 9/2/2005, THIS TRACT LIES WITHIN ZONE AE, (SPECIAL FLOOD HAZARD AREAS SUBJECT TO INUNDATION BY THE 1% ANNUAL CHANCE FLOOD).
4. THIS SURVEY WAS DONE WITHOUT THE BENEFIT OF A CURRENT TITLE REPORT AND THIS SURVEYOR DID NOT RESEARCH THE DEED RECORDS FOR PREVIOUS CONFLICTS IN TITLE OR EASEMENT. THEREFORE, CERTAIN EASEMENTS MAY HAVE BEEN GRANTED WHICH ARE NOT REFLECTED HEREON.
5. ACCORDING TO SCALING FROM TCEQ MAPS NO PORTION OF THIS SUBDIVISION LIES WITHIN THE BOUNDARIES OF THE EDWARDS AQUIFER RECHARGE ZONE AND ALL OF THIS SUBDIVISION LIES WITHIN THE BOUNDARIES OF THE EDWARDS AQUIFER CONTRIBUTING ZONE.
6. THIS SUBDIVISION LIES WITHIN THE BOUNDARIES OF THE WIMBERLEY INDEPENDENT SCHOOL DISTRICT.
7. THIS TRACT LIES WITHIN THE BOUNDARIES OF THE CORPORATE CITY LIMITS OF THE CITY OF WIMBERLEY.
9. THIS SUBDIVISION LIES WITHIN HAYS COUNTY EMERGENCY SERVICES DISTRICTS 4 AND 7.
10. PROVISIONS OF THE CITY OF WIMBERLEY COMPREHENSIVE PLAN SHALL ALSO GOVERN THIS SUBDIVISION.
11. BUILDING SETBACK LINES SHALL BE PER CITY OF WIMBERLEY ZONING ORDINANCE.
12. NO OBJECT, INCLUDING BUILDING, FENCING, OR LANDSCAPING WHICH WOULD INTERFERE WITH THE CONVEYANCE OF STORMWATER SHALL BE PLACED OR ERECTED WITHIN A DRAINAGE EASEMENT. THE OWNER OF ANY LOT UPON WHICH DRAINAGE FACILITIES ARE LOCATED, INCLUDING DETENTION, SHALL BE RESPONSIBLE FOR MAINTENANCE AND UPKEEP OF SUCH FACILITIES.
13. IMPROVEMENTS EXIST ON THIS PROPERTY WHICH ARE NOT LOCATED BY THIS SURVEY.

STATE OF TEXAS*
COUNTY OF HAYS*

KNOW ALL MEN BY THESE PRESENTS, THAT I, TANA BUSCH, OWNER OF 1.43 ACRES IN THE THOMAS CARRUTHERS SURVEY, ABSTRACT 106, HAYS COUNTY, TEXAS AS CONVEYED TO ME BY DEED DATED 3/7/2019, AND RECORDED IN HAYS COUNTY INSTRUMENT NUMBER 19007200, HAYS COUNTY DEED RECORDS, DO HEREBY REPLAT THIS PROPERTY TO BE KNOWN AS LOT 13-A, WAGON WHEEL, SECTION 2, IN ACCORDANCE WITH THE PLAT SHOWN HEREON, SUBJECT TO ANY AND ALL EASEMENTS OR RESTRICTIONS HERETOFORE GRANTED, AND DO HEREBY DEDICATE TO THE PUBLIC THE USE OF THE STREETS AND EASEMENTS SHOWN HEREON.

TANA BUSCH, OWNER

STATE OF TEXAS*
COUNTY OF HAYS*

BEFORE ME, THE UNDERSIGNED AUTHORITY, ON THIS DAY PERSONALLY APPEARED

KNOWN TO ME TO BE THE PERSON WHOSE NAME IS SUBSCRIBED TO THE FOREGOING INSTRUMENT AND ACKNOWLEDGED TO ME THAT HE EXECUTED THE SAME FOR THE PURPOSES AND CONSIDERATION THEREIN STATED.

GIVEN UNDER MY HAND AND SEAL OF OFFICE, THIS THE ____ DAY OF _____, A.D., 20____

NOTARY PUBLIC IN AND FOR THE STATE OF TEXAS

STATE OF TEXAS *
COUNTY OF HAYS *

I, ELAINE H. CARDENAS, COUNTY CLERK OF HAYS COUNTY, TEXAS, DO HEREBY CERTIFY THE FOREGOING INSTRUMENT OF WRITING WITH ITS CERTIFICATE OF AUTHENTICATION WAS FILED FOR RECORD IN MY OFFICE ON THE ____ DAY OF _____, 20____, AT

____ O'CLOCK ____M., IN THE PLAT RECORDS OF HAYS COUNTY, TEXAS IN INSTRUMENT NUMBER _____

ELAINE H. CARDENAS, COUNTY CLERK
HAYS COUNTY, TEXAS

I, SANDY IRVIN FLOYD, PLANNING AND DEVELOPMENT COORDINATOR/FLOODPLAIN ADMINISTRATOR OF THE CITY OF WIMBERLEY, TEXAS DO HEREBY CERTIFY THAT THIS SUBDIVISION PLAT CONFORMS TO ALL REQUIREMENTS OF THE SUBDIVISION REGULATIONS AS TO WHICH APPROVAL IS REQUIRED.

SANDY IRVIN FLOYD, C.F.M.

BASED ON THE REPRESENTATIONS OF THE ENGINEER OR SURVEYOR WHOSE SEAL IS AFFIXED HERETO, AND AFTER A REVIEW OF THE PLAT AS REPRESENTED BY THE SAID ENGINEER OR SURVEYOR, I FIND THAT THIS PLAT COMPLES WITH THE REQUIREMENTS OF THE CITY OF WIMBERLEY. THIS CERTIFICATION IS MADE SOLELY UPON SUCH REPRESENTATIONS AND SHOULD NOT BE RELIED UPON FOR THE VERIFICATIONS OF THE FACTS ALLEGED. THE CITY OF WIMBERLEY DISCLAIMS ANY RESPONSIBILITY TO ANY MEMBER OF THE PUBLIC FOR INDEPENDENT VERIFICATIONS OF THE REPRESENTATION, FACTUAL OR OTHERWISE, CONTAINED IN THIS PLAT AND/OR THE DOCUMENTS ASSOCIATED WITH IT.

SHAWN COX
CITY ADMINISTRATOR

I, SHAWN COX, CITY ADMINISTRATOR OF THE CITY OF WIMBERLEY, TEXAS HEREBY CERTIFY THAT THIS SUBDIVISION PLAT CONFORMS TO ALL REQUIREMENTS OF THE SUBDIVISION REGULATIONS TO WHICH APPROVAL IS REQUIRED.

SHAWN COX
CITY ADMINISTRATOR

RECOMMENDED FOR APPROVAL ON THE ____ DAY OF _____, 2019 BY THE PLANNING AND ZONING COMMISSION OF THE CITY OF WIMBERLEY, TEXAS

CHAIR

APPROVED AND AUTHORIZED TO BE RECORDED ON THE ____ DAY OF _____, 2019 BY THE CITY COUNCIL OF THE CITY OF WIMBERLEY, TEXAS.

MAYOR

I, THE UNDERSIGNED, A REGISTERED PROFESSIONAL LAND SURVEYOR IN THE STATE OF TEXAS, HEREBY STATE THAT TO THE BEST OF MY SKILL AND KNOWLEDGE THIS PLAT IS TRUE AND CORRECTLY MADE AND IS PREPARED FROM AN ACTUAL SURVEY OF THE PROPERTY MADE UNDER MY SUPERVISION ON THE GROUND AND THAT THE CORNER MONUMENTS WERE PROPERLY PLACED UNDER MY SUPERVISION.

PRELIMINARY. THIS DOCUMENT SHALL NOT BE RECORDED FOR ANY PURPOSE.
REGISTERED PROFESSIONAL LAND SURVEYOR
KYLE SMITH, R.P.L.S. NO. 5307

BYRN & ASSOCIATES, INC.

SURVEYING

P.O. BOX 1433 SAN MARCOS, TEXAS 78667
PHONE 512-396-2270 FAX 512-392-2945
FIRM NO. 10070500

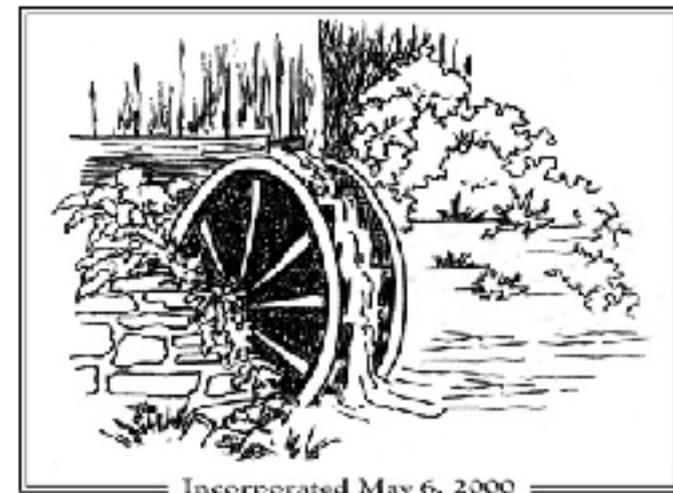
VACATE AND REPLAT TRACT "B", RESUBDIVISION OF E. CROSS ADDITION, A PORTION OF TRACT "C", RESUBDIVISION OF E. CROSS ADDITION, AND A PORTION OF ROAD ON THE RESUBDIVISION PLAT OF E. CROSS ADDITION AND WAGON WHEEL SECTION 2, AND REPLAT OF LOT 13, WAGON WHEEL, SECTION 2, ESTABLISHING LOT 13A, WAGON WHEEL SECTION 2 CITY OF WIMBERLEY, HAYS COUNTY, TEXAS

CLIENT: BUSCH, TANA
DATE: 8/19/2019
OFFICE: K. SMITH
CREW: K. SMITH, C. SMITH
FB/PG: 768/67
PLAT NO. 27707-19-c

HCDN 19009229
TOM FULKERSON ET UX TO
MATTHEW DOWD
3/25/2019 (7.633 AC.)

OWNER-MATTHEW DOWD

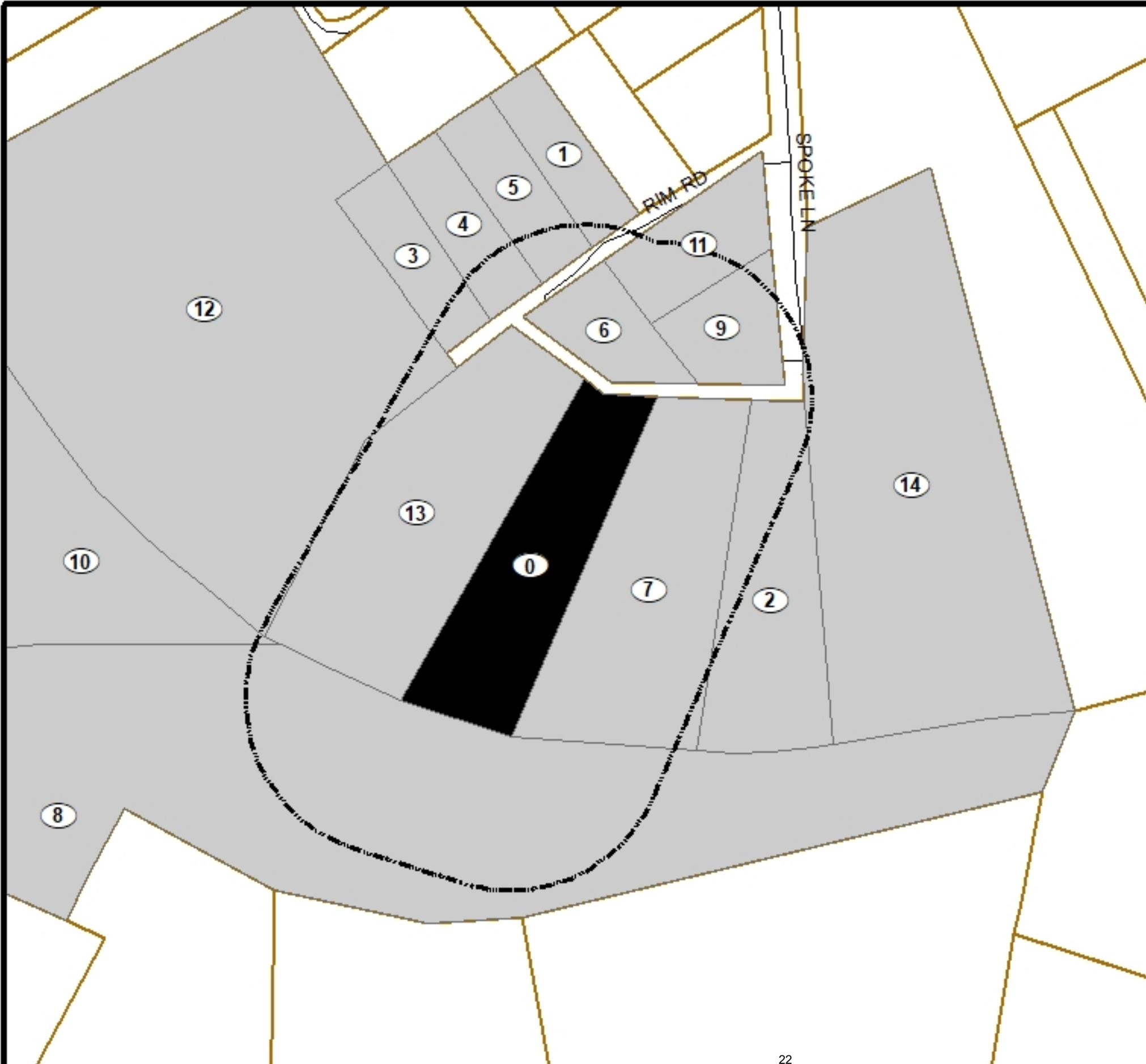
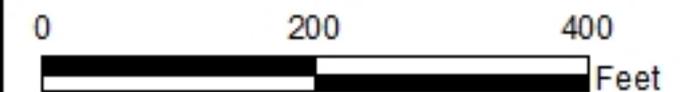
S-19-002 ~ 204 Rim Road

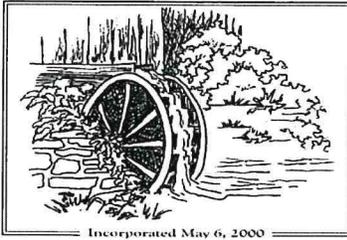


200' NOTIFICATION

Legend

- 200Buffer
- ID. OWNER**
- 0. SUBJECT TRACT
- 1. ABILD MICHAEL D & KRISTI M
- 2. BERRY ROBERT REED, JR
- 3. BRITTAIN, DAVID
- 4. BRITTAIN, DAVID
- 5. BRITTAIN, DAVID
- 6. ELLIS, DEBORAH
- 7. FELSCHER, REBA J
- 8. MATTHEW DOWD
- 9. MICHAEL DELEON & ERICA FICK
- 10. PARADISE VALLEY SECTION 3
- 11. SAJBEL GREGORY & LAURA COTTAM
- 12. SCOTT BAXTER & KERI ASHWORTH
- 13. SCOTT BAXTER & KERI ASHWORTH
- 14. STORM-BURNETTE RANCH PARTNER SHIP LTD





City of Wimberley

221 Stillwater, Wimberley, Texas 78676
Phone: 512-847-0025 Fax: 512-847-0422 Web: cityofwimberley.com

September 18, 2019

NOTICE OF PUBLIC HEARING

Re: **File No. S-19-002**
204 Rim Road
Application for a subdivision and associated variance related to minimum lot size

Dear Property Owner:

You are receiving this letter because you own property within 200 feet of the above-referenced location.

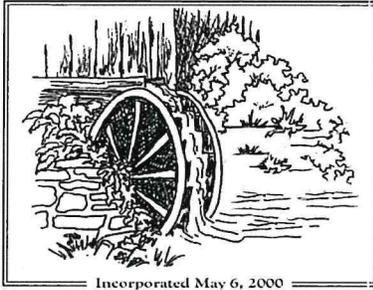
The applicant, Tana Busch, has requested variance from the City Subdivision Code that requires minimum lot size for lots utilizing on-site sewage facilities in the Edwards Aquifer Contributing Zone for a certain property located at 204 Rim Road, Wimberley, Texas. The City Planning & Zoning Commission will consider this request with an application for subdivision, in which the applicant is replatting four (4) portions of property into one (1), at a public hearing on **Thursday, October 10, 2019, at 6:00 p.m.** in the Wimberley City Hall, 221 Stillwater. Upon a recommendation from the Commission, City Council will hold a Public Hearing to consider the same request on **Thursday, October 17, at 6:00 p.m.**

Because the granting of these requests may affect your property, you are encouraged to participate in the subdivision process. The public will be given an opportunity to speak during the hearing. If you wish to comment but are unable to attend, written comments may be submitted prior to the meeting.

Additional information regarding the proposed requests are available for public review at City Hall during normal business hours. Should you have questions, please feel free to email or contact me at 512-847-0025.

Thank you,

Sandy I. Floyd, CFM
Planning & Development Coordinator
GIS Analyst
sfloyd@cityofwimberley.com



City of Wimberley

221 Stillwater, Wimberley, Texas 78676

(512) 847-0025 Fax (512) 847-0422 www.cityofwimberley.com

NOTICE BY SIGN POSTING

DATE: September 17, 2019

ZONING NO: S-19-002

APPLICANT: Tana Busch

TO: CODE ENFORCEMENT/PUBLIC WORKS

Please place a Proposed Subdivision Sign on the following property:

Project Site Address: 204 Rim Road

Sandy Floyd
FOR

John Provost
Public Works/Code Enforcement

City of Wimberley

Note: The above referenced sign was placed on the subject property on

September 17, 2019

Sandra L Floyd

Signature

Public Notice

NOTICE OF PUBLIC HEARING
(Conditional Use Permit)

Notice is hereby given that the Planning & Zoning Commission of the City of Wimberley will hold a public hearing at the Wimberley City Hall on Thursday, October 10, 2019, at 6:00 p.m. to consider the following: CUP-19-013—an application for a Conditional Use Permit (CUP) to allow the construction of a secondary residence at 2311 Spoke Hollow Road. Upon recommendation of the Planning & Zoning Commission, the City Council will also hold a public hearing on Thursday, October 17, 2019, at 8:00 p.m. at City Hall. Comments on this request from any member of the public may be presented in person at City Hall, by mail, or by email (sfloyd@cityofwimberley.com) prior to the hearing. The public will be granted an opportunity to speak at the hearings. Additional information concerning the proposed action is available for review at the Wimberley City Hall, 221 Stillwater, Wimberley, Texas.

City of Dripping Springs
Public Notice of Approved Ordinance,
Effective Date September 19, 2019.

Ordinance No. 2019-29
AN ORDINANCE AMENDING CHAPTER 28, EXHIBIT A, SUBDIVISION ORDINANCE OF THE DRIPPING SPRINGS CODE OF ORDINANCES; ESTABLISHING REGULATIONS FOR THE SUBDIVISION OF LAND, INCLUDING PRELIMINARY PLATS, FINAL PLATS, MINOR PLATS, REPLATS AND PLAT AMENDMENTS; PROVIDING FOR THE FOLLOWING: RULES; STANDARDS; PROCEDURES; CRIMINAL PENALTIES; AND, SEVERABILITY.

Application has been made with the Texas Alcoholic Beverage Commission for a Wine and Beer Retailer's Permit with Brewpub License by Fitzhugh Texas Brewpub, Ltd dba Fitzhugh Brewing located at 15435 Fitzhugh Road, Dripping Springs, Hays County, Texas 78620. General Partner of said company is Fitzhugh Texas, LLC with William Smith, III as manager of general partner.

Public Notice

NOTICE OF PUBLIC HEARING
(Request for Subdivision)

Notice is hereby given that the Planning & Zoning Commission of the City of Wimberley will hold a public hearing at the Wimberley City Hall on Thursday, October 10, 2019, at 8:00 p.m. to consider the following: S-19-002 – an application for a vacate and replat and associated variance from Section 12.03.007, Table B (b) of the City Code requiring lots utilizing a public water system and on-site sewage facility in the Edwards Aquifer Contributing Zone to be a minimum of 2.5 acres, for property located at 204 Rim Road. Upon recommendation of the Planning & Zoning Commission, the City Council will also hold a public hearing on Thursday, October 17, 2019, at 8:00 p.m. at City Hall. Comments on this request from any member of the public may be presented in person at City Hall, by mail, or by email (sfloyd@cityofwimberley.com) prior to the hearing. The public will be granted an opportunity to speak at the hearings. Additional information concerning the proposed action is available for review at the Wimberley City Hall, 221 Stillwater, Wimberley, Texas.

NOTICE TO ALL PERSONS HAVING CLAIMS AGAINST THE ESTATE OF ERNEST GARZA

Notice is hereby given that original Letters Testamentary for the Estate of Ernest Garza, Deceased, were issued on September 16, 2019 in Cause No. 19-0290-P pending in the County Court at Law of Hays County, Texas to Nancy L. Weaver, as Independent Executor of said Estate. All persons having claims against this Estate are required to present them to said Executor at 515 Limestone Lane, Driftwood, Texas 78619, within the time and in the manner prescribed by Law. Dated the 16th day of September 2019

Patrick G. Rehmet, Attorney for the Estate of Ernest Garza, Deceased
Law Office Of Patrick G. Rehmet
P.O. Box 1916
Wimberley, Texas 78676
State Bar no. 16738800
prehmet@austin.rr.com
(512) 827-0117
(512) 847-1274 Fax

Help Keep Wimberley Beautiful

Public Notice

City of Dripping Springs
Public Notice of Approved Ordinance,
Effective Date September 19, 2019.
Ordinance No. 2019-31

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF DRIPPING SPRINGS, TEXAS ADDING A UNIFORM SUBMITTAL SCHEDULE FOR PLAT SUBMISSIONS AS EXHIBIT "B" OF CHAPTER 28 OF THE CITY OF DRIPPING SPRINGS CODE OF ORDINANCES AS SHOWN AS EXHIBIT A, IN ORDER TO COMPLY WITH TEXAS LOCAL GOVERNMENT CODE CHAPTER 212, WHICH REQUIRES PLATS TO BE REVIEWED WITHIN THIRTY (30) DAYS OF FILING OR DEEMED APPROVED; ESTABLISHING A REPEALING CLAUSE; PROVIDING SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

Public Storage Notice
Lockerfox.com

In accordance with the Texas property code, Chapter 59, RightSpace Storage 16955 Ranch Road 12, Wimberley, Texas, 78676, will conduct a public auction to satisfy a landlord's lien. Units will be sold to the highest bidder online at Lockerfox.com. A \$100 cash clean up deposit is required. Seller reserves the right to withdraw any unit or not accept any bid at time of sale. Sale will be held online at Lockerfox.com starting on or before October 2, 2019 and bidding will close on or after October 9, 2019 at 10:00am. General description of contents: general household/personal goods/ other contents. Names of tenants as they appear on the lease: Cary Palumbo. Tenants may redeem their goods for full payment in cash or money order only up to time of auction. Call RightSpace Storage at 512-847-1292.

PUBLIC NOTICE

Application has been made with the Texas Alcoholic Beverage Commission for a Wine & Beer Retailer's Permit by Beer Ranch Project, LLC dba Beer Ranch Project Tasting Room, to be located at 13510 Ranch Road 12, Wimberley, 78676, Hays County, Texas. Officers of said corporation are Max Saballett, member, Kathryn Saballett, member, and Steven Winnick, member.

Public Notice

NOTICE TO ALL PERSONS HAVING CLAIMS AGAINST THE ESTATE OF MARTHA RAINES ELDER

Notice is hereby given that original Letters Testamentary for the Estate of Martha Raines Elder, Deceased, were issued on September 16, 2019 in Cause No. 19-0305-P pending in the County Court at Law of Hays County, Texas to Charles Rhey Elder, Jr., as Independent Executor of said Estate. All persons having claims against this Estate are required to present them to said Executor at 12 El Conejo Trail, Wimberley, Texas 78676, within the time and in the manner prescribed by Law. Dated the 16th day of September 2019

Patrick G. Rehmet, Attorney for the Estate of Martha Raines Elder, Deceased
Law Office Of Patrick G. Rehmet
P.O. Box 1916
Wimberley, Texas 78676
State Bar no. 16738800
prehmet@austin.rr.com
(512) 827-0117
(512) 847-1274 Fax

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Sec. 12.03.007 Local rules

The city, wishing to adopt more stringent rules for its OSSF ordinance, understands that the more stringent local rule shall take precedence over the corresponding TCEQ requirement. Listed below are the more stringent local rules adopted by the city.

(1) Facility planning.

(A) Land planning and site evaluation. All of the terms and provisions of 30 TAC section 285.4 are incorporated within the rules of the city except as expressly amended below.

(i) Residential lot sizing.

a. Platted or unplatted lots served by surface water or rainwater collection systems. Lots used for single-family residences platted or created after the effective date of these rules and served by a surface water or rainwater collection system shall have surface areas of at least the acreage designated in table A.

b. Platted or unplatted lots served by public water systems. Lots used for single-family residences platted or created after the effective date of these rules and served by a public water system shall have surface areas of at least the acreage designated in table B.

c. Platted or unplatted lots served by private wells or other water systems. Lots used for single-family residences platted or created after the effective date of these rules and served by a private well or any other system other than those described in subsection a. or b. above shall have surface areas of at least the acreage designated in table C.

TABLE A. LOTS SERVED BY SURFACE WATER OR RAINWATER COLLECTION SYSTEMS

Wastewater Application	Location of Lot	Minimum Lot Size
On-site sewage disposal system	a. Within Edwards Aquifer Recharge Zone	2 acres
	b. Within Edwards Aquifer Contributing Zone	1.5 acres
	c. All other areas	1 acre

TABLE B. LOTS SERVED BY PUBLIC WATER SYSTEM

Wastewater Application	Location of Lot	Minimum Lot Size
On-site sewage disposal system	a. Within Edwards Aquifer Recharge Zone	4.5 acres
	b. Within Edwards Aquifer Contributing Zone	2.5 acres
	c. All other areas	1.5 acre

TABLE C. LOTS SERVED BY PRIVATE WELLS OR ANY WATER SYSTEM OTHER THAN A PUBLIC WELL,

SURFACE WATER DISTRIBUTION OR RAINWATER COLLECTION

Wastewater Application	Location of Lot	Minimum Lot Size
On-site sewage disposal system	a. Within Edwards Aquifer Recharge Zone	5 acres
	b. Within Edwards Aquifer Contributing Zone	3 acres
	c. All other areas	2 acres

(ii) Certain multi-unit residential developments served by central sewage collection system for on-site disposal. Non-single-family residential developments with four or fewer living units, such as duplexes, may utilize lots smaller than stated in subsections (i)a., b. and c. above provided:

a. Site-specific materials, addressing either a central system or individual systems, and site evaluation materials are submitted to the city and approved by city council.

b. There are no more than two living units per each minimum lot acreage that would be applicable under table A, B or C, provided that in no event shall lot acreage be lower than permitted under chapter 366 of the Texas Health and Safety Code or other applicable state law.

(iii) Apartments, condominiums, institutional uses or nonresidential uses (business, commercial or industrial). Platted or unplatted lots used for apartment or condominium complexes with more than four (4) units, institutional uses or nonresidential uses, including office, commercial or industrial uses producing domestic wastewater shall:

a. Be sized and designed pursuant to a sewage disposal plan submitted to the city administrator and approved by the city council, which shall be based upon approved site-specific materials and site evaluation materials; and

b. Have a surface acreage of at least one (1) acre for each living unit equivalent (LUE) per day. A living unit equivalent is defined as three hundred and fifty (350) gallons of sewage per day.

(2) Minimum required separation distances for on-site sewage facilities. The minimum separation distances set forth in table X of the state rules for soil absorption systems, unlined ET beds and soil irrigation spray areas for lots created or platted after the effective date of these rules are supplemented as follows:

(A) Blanco River (measured from bank at average pool height): 150'.

(B) Cypress Creek and other current creek banks, or to that area defined on the most current FIRM as special flood hazard areas inundated by 100-year flood, whichever is greater (measured from the bank at average pool height): 100'.

(C) Property lines: 20'.

(D) Vegetable gardens or orchards: 20'.

(3) Water well sanitary easement. Individual lots in which a private well is to be located shall provide, within the boundary of each lot, an area with a one hundred (100) foot radius around the well in which no on-site sewage facility may be located. This area shall be designed as a private water well sanitary control easement. Public water wells shall comply with the sanitary control easements required under 30 TAC chapter 290, as amended.

(4) Variiances.

(A) Requests for variances from these rules shall be considered in accordance with the criteria specified in section 285.3(h) of the rules and the following additional criteria:

(i) Only lots platted in accordance with the city subdivision ordinance or legally in existence prior to the effective date of these rules will be eligible for a variance.

(ii) Site-specific materials and site elevation [evaluation] materials may be substituted with the preliminary plat application for each lot for which a variance is sought, with a detailed soil profile analysis of the proposed absorption field site demonstrating soil characteristics that meet or exceed the criteria for suitable soils set forth in section 285.91, table V of the rules. In no instance should lots be smaller than allowed chapter 285 of the state rules.

(B) The city council shall have discretion to approve or deny an application for variance and may approve an application for a variance only upon a finding that (i) development pursuant to the proposed variance will provide equivalent protection of the public health and environment as development in strict accordance with these rules, including those set forth in this section 12.03.007, and (ii) there are special circumstances or conditions affecting the land involved such that strict application of the provisions of these rules would deprive the applicant the reasonable use of his land and that failure to approve the variance would result in undue hardship on the applicant. Pecuniary hardship, standing alone, shall not be deemed to constitute undue hardship.

(5) Pump tank sizing. (Amendment to section 285.34(b)(2)) Pump tanks shall be sized for one day of flow above the alarm-on level.

(6) Criteria for sewage disposal system excavations. (Amendment to section 285.33(a)(1)(A) [285.33(b)(1)(A)]) The bottom of the excavation shall not be less than 18 inches in width and level to within one inch over each 25 feet of excavation but in no event shall there be more than two inches of fall over the entire length of the excavation.

(7) Porous media. (Amendment to section 285.33(a)(1)(B) [285.33(b)(1)(B)]) Chipped tires or iron slag are not a permitted medium.

(8) Surface application systems. (Amendment to section 285.33(d)(2)) The following requirements are imposed in addition to those set forth in section 285.33(d)(2) for an on-site sewage facility utilizing surface irrigation:

(A) Licenses to operate an on-site sewage facility utilizing surface irrigation shall be valid for two years.

(B) Surface irrigation shall be limited to sprinkler application only.

(C) All on-site sewage facilities utilizing surface irrigation shall be designed to facilitate periodic sampling.

(D) Effluent discharge lines shall be equipped with a 100 mesh or smaller filter.

(9) Required maintenance of on-site sewage system using aerobic treatment.

(A) All contracted maintenance of an on-site sewage disposal system using aerobic treatment shall be conducted by a registered/licensed maintenance provider. A copy of the maintenance/inspection report from the registered/licensed maintenance provider shall be provided to the city by said provider no later than 30 days after the completion of the report.

(B) A homeowner conducting his/her own maintenance prior to the effective date of this order shall be allowed to continue to self-maintain his/her on-site sewage disposal system until such time as the system is altered or repaired or is causing a nuisance. The homeowner shall then be subject to the maintenance requirements set forth in this order.

(10) Miscellaneous rules.

(A) A permit will be required for all on-site sewage facilities, regardless of the size of the lot or acreage onto which it is installed.

(B) Construction of an on-site sewage facility must be commenced within 12 months and completed within 16 months of the date of the application for a permit.

(C) French drains used to support or protect on-site sewage facilities shall be up-gradient of the on-site sewage facility and shall be designed by a registered engineer to prevent stormwater drainage from entering into the on-site sewage facility. An applicant desiring to install a french drain must demonstrate that its use will afford a greater level of public health protection by diverting stormwater away from the on-site sewage facility.

(D) Property owners requesting certification of existing systems will be required to submit a pumping report to the city in a form acceptable to the city containing at least the following information: (i) verification that the septic tank has been pumped within the previous three years, and (ii) the tank capacity and depth of sludge, provided that pumping reports performed prior to the effective date of these rules will not be required to identify tank capacity and depth of sludge. Upon review of the pumping report, the city, upon approval of the city council, may require the septic system be upgraded to satisfy the current technical requirements (other than minimum lot acreage) prior to certification.

(Ordinance 2009-053, sec. 95.07, adopted 12/21/09; Ordinance 2017-016, sec. 2(B)-(D), adopted 10/5/17)



AGENDA ITEM: Parking Surface Code Amendment
SUBMITTED BY: Sandy I. Floyd
DATE SUBMITTED: October 11, 2019
MEETING DATE: October 17, 2019

AGENDA FORM

ITEM DESCRIPTION/SUMMARY

Consider approval and first reading of an ordinance amending the parking surface requirements. Interest has been expressed in amending the section of the parking code that requires surfaces to be asphaltic concrete. The amendment would allow for permeable surfaces, so long as they can withstand loads supporting emergency service vehicles.

The Planning & Zoning Commission voted 6-0-0 to recommend approval of the code amendment

REQUESTED ACTION

- Motion
- Discussion
- Ordinance
- Resolution
- Other

FINANCIAL

Budgeted Item	<input type="checkbox"/>	Original Estimate/Budget:	\$
Non-budgeted Item	<input type="checkbox"/>	Current Estimate:	\$
Not Applicable	<input checked="" type="checkbox"/>	Amount Under/Over Budget:	\$

STAFF RECOMMENDATION

Ordinance No. 2019-36

“PARKING SURFACE AMENDMENT”

AN ORDINANCE OF THE CITY OF WIMBERLEY, TEXAS, AMENDING CHAPTER 9 (PLANNING & DEVELOPMENT REGULATIONS) ARTICLE 9.02 (SUBDIVISION CONTROL), DIVISION 5 (OFF-STREET PARKING AND LOADING REQUIREMENTS), SECTION 9.02.157 (DESIGN STANDARDS) OF THE CITY OF WIMBERLEY CODE OF ORDINANCES TO REVISE THE PARKING SURFACE REQUIREMENTS; AND PROVIDING FOR THE FOLLOWING: FINDINGS OF FACT, SAVINGS, SEVERABILITY, REPEALER, EFFECTIVE DATE, AND PROPER NOTICE AND MEETING.

WHEREAS, the City Council of the City of Wimberley (“City Council”) seeks to provide for the orderly arrangement and regulation of compatible uses within its corporate limits; and

WHEREAS, in the course of reviewing the proposed amendments detailed in this Ordinance, the Planning and Zoning Commission and City Council have given careful consideration to the unique qualities of the City, including the demographics of its inhabitants, the City’s history, geography, natural resources, existing structures, property values, workforce, education levels, commercial base, surrounding communities, public facilities, and infrastructure, and

WHEREAS, the Planning and Zoning Commission and City Council have considered, among other things, the development of a quality urban environment by establishing standards for the provision of adequate light, air, water satisfactory for human consumption, open space, stormwater drainage, transportation, public utilities and facilities, and other needs necessary for ensuring the creation and continuance of a healthy, attractive, safe, and efficient community that provides for the conservation, enhancement, and protection of its human and natural resources; and

WHEREAS, the regulations established by this Ordinance are in furtherance of the public interest, for the good government, peace, order, trade, and commerce of the City and necessary and proper for carrying out the power granted by law to the City; and

WHEREAS, the following enactments are a valid exercise of the City’s broad police powers and based on the City’s statutory regulatory authority, including, but not limited to, Texas Local Government Code Chapters 51, 52, and 212; and

WHEREAS, the City Council finds that the provisions of this Ordinance will serve to promote the public health, safety, morals, and general welfare; and

WHEREAS, parties in interest and citizens have had an opportunity to be heard at public hearings conducted by the Planning and Zoning Commission and City Council, notice of which was published in the City’s official newspaper before the 15th day before the first public hearing,

and agendas for each hearing were posted at City Hall more than seventy-two (72) hours prior to the respective hearings;

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF WIMBERLEY, TEXAS:

SECTION I. FINDINGS OF FACT

All of the above premises are hereby found to be true and correct legislative and factual findings of the City Council and are hereby approved and incorporated into the body of this Article as if copied in their entirety.

SECTION II. AMENDMENT

A. The City of Wimberley Code of Ordinances, Chapter 9 (Planning & Development Regulations), Article 9.02 (Subdivision Control), Division 5 (Off-Street Parking and Loading Requirements), Section 9.02.157 (Design Standards), Subsection D (For paving and drainage, the following basic standards shall be observed) is hereby amended as follows:

“(D) For paving and drainage, the following basic standards shall be observed

~~(1) — For all uses except single family dwellings, parking and loading facilities shall be surfaced and maintained with asphaltic concrete, or other permanent hard surfacing material sufficient to prevent mud, dust, loose material, and other nuisances. Pervious materials as approved by the director are encouraged.~~

(1) All off-street parking, maneuvering, loading and storage areas shall be surfaced in accordance with the parking lot surfacing requirements as established in the City's Ordinances (i.e., no parking shall be permitted on grass, within landscaped areas, or on other unimproved surfaces). All vehicle parking shall be on a suitable parking surface as approved by the City Administrator or their designee, such as asphalt, concrete, gravel, or other permeable paving surfaces including brick, stone, special paving blocks or tire-tread woven mats. All driveways and approaches to parking spaces shall be similarly surfaced.

SECTION III. SAVINGS

The repeal of any ordinance or part of ordinances effectuated by the enactment of this Article shall not be construed as abandoning any action now pending under or by virtue of such ordinance or as discontinuing, abating, modifying or altering any penalty accruing or to accrue, or as affecting any rights of the City under any section or provisions of any ordinances at the time of passage of this Article.

SECTION IV. SEVERABILITY

Should any sentence, paragraph, subdivision, clause, phrase, or section of this Article be adjusted or held to be unconstitutional, illegal, or invalid, the same shall not affect the validity of this Article in whole or any part or provision thereof, other than the part so declared to be invalid, illegal or unconstitutional.

SECTION V. REPEALER

The provisions of this Article shall be cumulative of all other ordinances or parts of ordinances governing or regulating the same subject matter as that covered herein; provided, however, that all prior ordinances or parts of ordinances inconsistent or in conflict with any of the provisions of this Article are hereby expressly repealed to the extent that such inconsistency is apparent. This Article shall not be construed to require or allow any act that is prohibited by any other ordinance.

SECTION VI. EFFECTIVE DATE

This Article shall take effect immediately from and after its passage and publication as may be required by law.

SECTION VII. PROPER NOTICE AND MEETING

It is hereby officially found and determined that the meeting at which this Article was passed was open to the public as required and that public notice of the time, place and purpose of said meeting was given as required by the Open Meetings Act, Chapter 551 of the Texas Government Code. Notice was also provided as required by Chapter 52 of the Texas Local Government Code.

PASSED AND APPROVED First Reading this 17th day of October, 2019, by a vote of (Ayes) to (Nays) (Abstain) vote of the City Council of the City of Wimberley, Texas.

PASSED AND APPROVED Second Reading this 7th day of November, 2019, by a vote of (Ayes) to (Nays) (Abstain) vote of the City Council of the City of Wimberley, Texas.

Susan Jagers, Mayor

ATTEST:

Laura Calcote,
City Secretary

City Attorney



AGENDA ITEM: Temporary Structure
SUBMITTED BY: Sandy I. Floyd
DATE SUBMITTED: October 11, 2019
MEETING DATE: October 17, 2019

AGENDA FORM

ITEM DESCRIPTION/SUMMARY

Symphony of Wimberley is submitting a request to install four (4) 10’x20’ tents at 501 FM 3237 for a Fall Festival. The Fall Festival will be Saturday, October 26th from 3-7 p.m. Permission to park at the Corral Theatre and Rocky River Ranch is attached. Requested installation date is October 25th and removal date October 28th. The property owner has hired two officers from the Hays County Sheriff’s office as security during the full length of the event.

REQUESTED ACTION

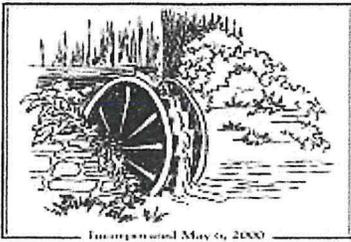
- Motion
- Discussion
- Ordinance
- Resolution
- Other

FINANCIAL

- | | | | |
|-------------------|-------------------------------------|---------------------------|----|
| Budgeted Item | <input type="checkbox"/> | Original Estimate/Budget: | \$ |
| Non-budgeted Item | <input type="checkbox"/> | Current Estimate: | \$ |
| Not Applicable | <input checked="" type="checkbox"/> | Amount Under/Over Budget: | \$ |

STAFF RECOMMENDATION

RECEIVED
10/2/19



City of Wimberley

221 Stillwater
Wimberley, Texas, 78676
Phone: (512) 847-0025 - Fax: (512) 847-0422
www.cityofwimberley.com

Temporary Structure Planning & Development

Date: 10-9-2019
Staff Review: SIF
Permit No.: T-19-007
Council Hearing: October 17, 2019

Applicant: Symphony at Wimberley, Kelley Beigel
 Mailing Address: 15205 Holly Lane City: Austin State: TX Zip: 78734
 Phone: [REDACTED] Email: [REDACTED]

(If different from above)
 Property Owner: N/A
 Mailing Address: _____ City: _____ State: _____ Zip: _____
 Phone: _____ Email: _____

Subject Property Address: 501 FM 3237
 Purpose/Use of Structure: Fall Festival ~ Four (4) 10'x20' tents
 Requested Installation Date: 10/25/19 Requested Removal Date: 10/28/19

Will the temporary structure be served by electricity? YES NO
 Will the temporary structure be served by water service? YES NO

If "YES" to either then an inspection is required for water and/or electrical service.
 If service is provided through another meter attach a letter of permission.
 Provide a site plan indicating location of temporary structure in relation to other structures, parking lots, property lines etc.

Permission from property owner is attached. YES NO N/A
 Has a Mobile Food Establishment application been submitted? YES NO N/A

Temporary Structure Permit..... \$25.00 each structure
Inspections.....\$65.00 each

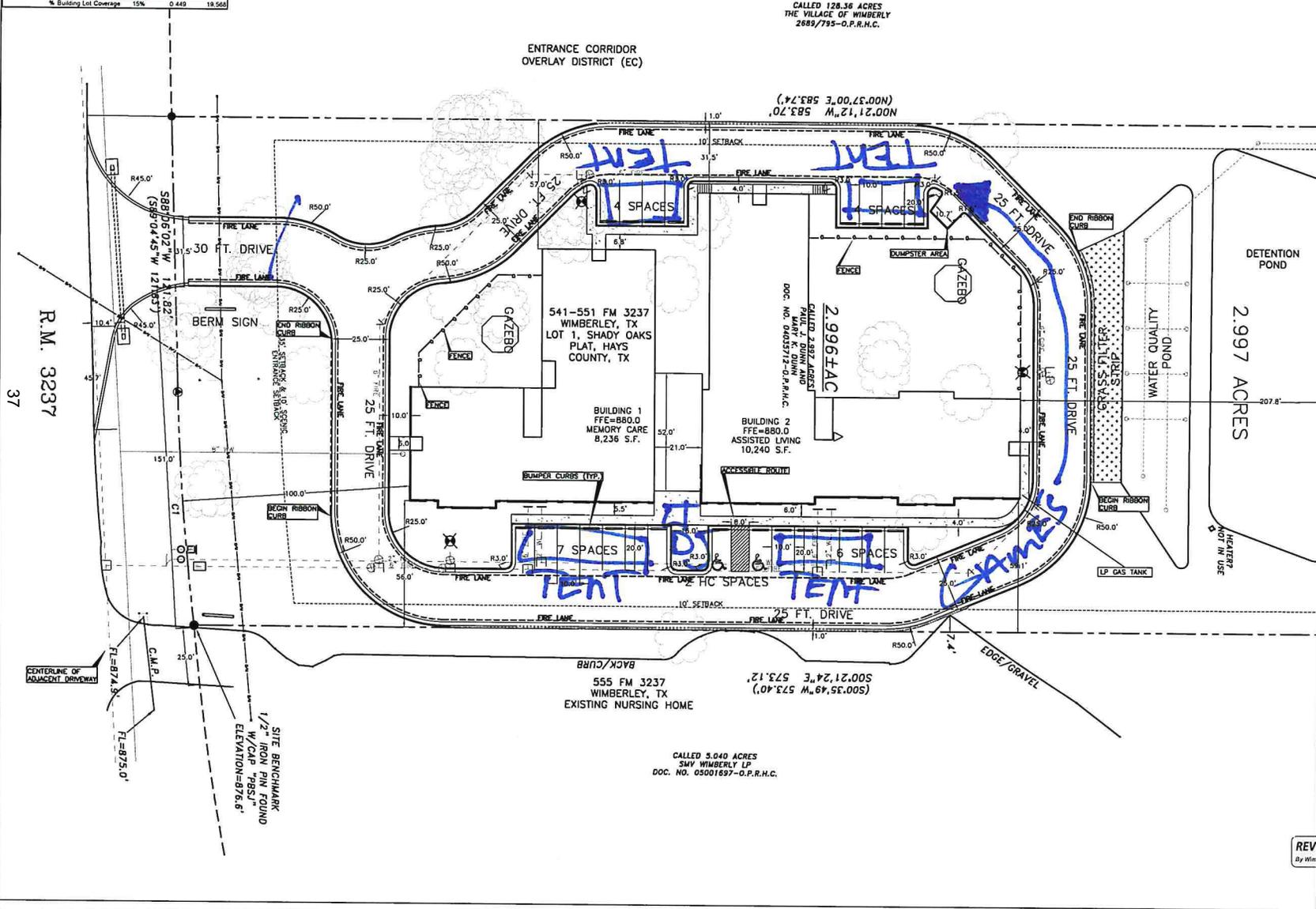
I certify that the information contained in this application is true and correct and that if any of the information provided is incomplete or incorrect the permit may not be issued or may be revoked by the City of Wimberley. I understand that all temporary structures or accessory uses shall be removed from the property at the expiration of the time period as defined in the permit unless another Temporary Structure Permit is obtained prior to expiration. I understand that a Certificate of Occupancy may be required and contractor information will be provided if applicable. Adequate parking, restroom, setback and additional requirements per City Ordinance No. 2012-007 & Ordinance No. 2016-007 will be verified by City staff.

Applicant: [Signature] Date: 10-2-19
 City Official: _____ Date: _____ Approved Denied

Fall Festival Date 10/26/19 3-7 pm

Impervious Cover Calculations		Acres	S.F.
Total Site Area		2.997	130,549
Building		0.449	19,568
Sidewalk		0.041	1,764
Parking		0.725	31,569
Total Proposed Impervious Cover:	40.5%	1.215	52,831
Site Area Within Setbacks		2.400	104,560
1.C. Within Setbacks	47%	1.116	48,714
Allowable 1.C.	70%		
% Building Lot Coverage	15%	0.449	19,568

PARKING SUMMARY					
Building	Area	Beds	Parking Ratio	Required Spaces	Proposed Spaces
	Employees	10	1:2	5	5
	Beds - 1st	16	1:6	3	3
	Beds - AL	16	1:6	3	3
	Offices, Callers, etc.	3200	1:300	11	12
Total Required Parking				22	23



CALLED 128.36 ACRES
THE VILLAGE OF WIMBERLEY
2689/795-O.P.R.H.C.

ENTRANCE CORRIDOR
OVERLAY DISTRICT (EC)

000°21'12"W 583.70'
(N00°37'00"E 583.74')

2.996±AC
CALLED 2.997 ACRES
MAY 1, 2010
DOC. NO. 04003714-O.P.R.H.C.

555 FM 3237
WIMBERLEY, TX
EXISTING NURSING HOME

CALLED 5.040 ACRES
SHY WIMBERLY LP
DOC. NO. 05001897-O.P.R.H.C.

REVIEWED
By Wimberley City Engineer at 4:44 pm, Oct 04, 2016

MFH Engineering
Registration Number E-5425
P.O. BOX 5046, AUSTIN, TEXAS 78761-0046

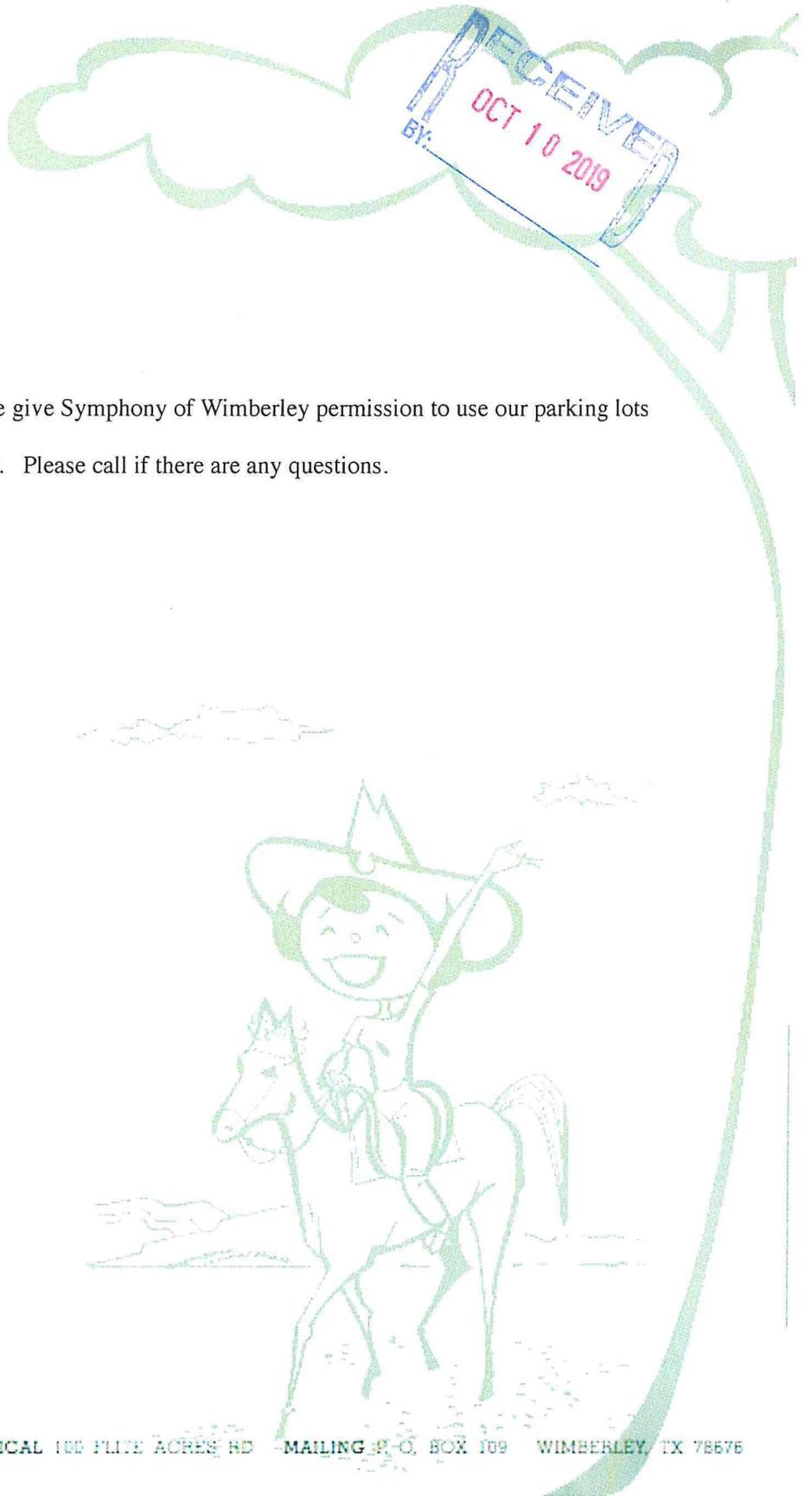


SITE PLAN

WIMBERLEY ASSISTED LIVING CENTER

Date: MAY 2016
Drawn by: mfh
Title:
Sheet:
Project: WIMBERLEY

4
Of 17



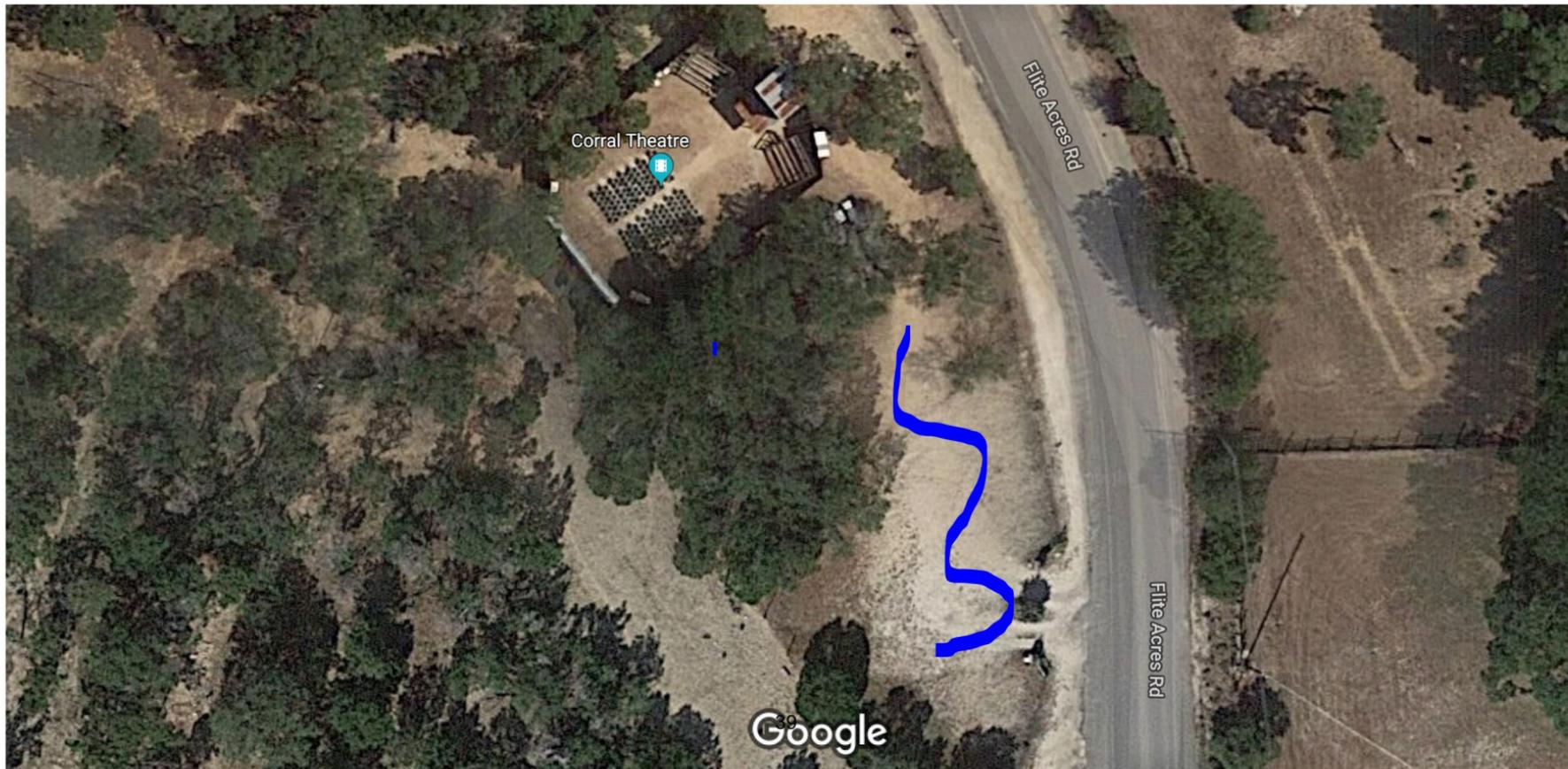
City of Wimberley—

Rocky River Ranch and Corral Theatre give Symphony of Wimberley permission to use our parking lots for their festival coming up in October. Please call if there are any questions.

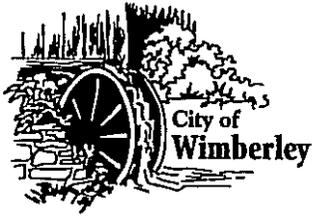
Rue Hatfield

Rue Hatfield
Co- Owner and Executive Director









AGENDA ITEM: \$1000 check from Sue Jones to replace Park Donor Acknowledgment Sign

SUBMITTED BY: Kelly Schmidt, Parks Director

DATE SUBMITTED: 10/10/19

MEETING DATE: 10/17/19

AGENDA FORM

ITEM DESCRIPTION/SUMMARY

Ms. Jones has given Blue Hole Park staff a check for \$1000 to go toward the replacement of the delapidating donor acknowledgement sign located at the entrance of Blue Hole Park. She has directed staff to apply any amount remaining after the cost of the sign production and installation to “any other need we may have”.

REQUESTED ACTION

- Motion
- Discussion
- Ordinance
- Resolution
- Other

FINANCIAL

Budgeted Item	<input type="checkbox"/>	Original Estimate/Budget:	\$
Non-budgeted Item	<input checked="" type="checkbox"/>	Current Estimate:	\$
Not Applicable	<input checked="" type="checkbox"/>	Amount Under/Over Budget:	\$

STAFF RECOMMENDATION

Staff recommends to approve the donation check and to apply any remaining donation funds to the Blue Hole Park Nature Camp scholarship.

general)?

Again- thank you for your generosity.

Kindest regards,

Kelly Schmidt, MSRLS, CPRP

Parks Director

City of Wimberley, TX

(C)512.217.9920

(O)512-660-9111

www.cityofwimberley.com

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Every aspect of Nature reveals a deep mystery and touches our sense of wonder and awe. - Carl Sagan

Please consider the environment before printing this e-mail.

ATTENTION PUBLIC OFFICIALS: This email, plus any attachments, may constitute a public record of the City of Wimberley and maybe subject to public disclosure under the Texas Public Information Act. A "reply to all" of this e-mail could lead to violations of the Texas Open Meetings Act. Please reply only to the sender.

From: Sue Jones <~~suejones70@yahoo.com~~>

Sent: Wednesday, October 9, 2019 2:51 PM

To: Kelly Schmidt <kschmidt@cityofwimberley.com>

Subject: Re: Sign replacement estimate

Kelly

Thanks for the bid

aren't you afraid if it's vinyl again it'll deteriorate?

I don't know how long those things last or how old that sign was.

yeah that's great to just put it on the existing

OK I'll wait to hear for the others.

Sue

Sent from my iPhone

On Oct 9, 2019, at 1:32 PM, Kelly Schmidt <kschmidt@cityofwimberley.com> wrote:

Hi Sue!

The first estimate has come in. I'll be sending two more your way as they come to me. I've also attached the replacement sign (and inserted it below for your reference). We can just install the new sign on top of the current one so that saves a ton of money. Thank you for your generosity!

<BHP Donor Sign-2.png>

Kindest regards,

Kelly Schmidt, MSRLS, CPRP

Parks Director
City of Wimberley, TX
(C)512.217.9920
(O)512-660-9111
www.cityofwimberley.com

<Outlook-f4zrcbi.jpg><Outlook-imtv1ggs.jpg>

Every aspect of Nature reveals a deep mystery and touches our sense of wonder and awe. - Carl Sagan

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From: Kaila Baeza <2125@fastsigns.com>
Sent: Wednesday, October 9, 2019 1:22 PM
To: Kelly Schmidt <kschmidt@cityofwimberley.com>
Subject: Your estimate: EST-6269

Hi Kelly,

Attached is the requested estimate, please review and contact if you have any questions.

Your estimate number EST-6269 is attached. Because our products are custom made, we require a 50% deposit to get started. We take payment by phone and in-store.

Please feel free to contact us if you have any additional questions.

Thank you,
Kaila Baeza

FASTSIGNS
(830) 730-4142

<EST-6269.pdf>

<BHP Donor Sign-2.pdf>



WELCOME TO BLUE HOLE REGIONAL PARK

This public recreation site development project was funded from a portion of state sales tax on sporting goods through Texas Parks & Wildlife's LOCAL PARK GRANT PROGRAM. It is with gratitude that we thank the following additional contributors:



\$2,000,000



\$500,000

TOTAL
\$3,145,000



\$485,000



\$160,000





AGENDA ITEM:	Capital Area Council for Governments General Assembly Representative
SUBMITTED BY:	Christine Byrne
DATE SUBMITTED:	October 8, 2019
MEETING DATE:	October 17, 2019

AGENDA FORM

ITEM DESCRIPTION/SUMMARY

The Capital Area Council for Governments (CAPCOG) is currently soliciting members to their General Assembly. The City of Wimberley does not currently have a representative for the General Assembly. This agenda item is to appoint Christine Byrne as the CAPCOG General Assembly representative for the City of Wimberley.

REQUESTED ACTION

- Motion
- Discussion
- Ordinance
- Resolution
- Other

FINANCIAL

- Budgeted Item Original Estimate/Budget: \$
- Non-budgeted Item Current Estimate: \$
- Not Applicable Amount Under/Over Budget: \$

STAFF RECOMMENDATION



**APPOINTMENT FORM - GENERAL ASSEMBLY REPRESENTATIVE
CAPITAL AREA COUNCIL OF GOVERNMENTS**

The governing bodies of CAPCOG's members designate General Assembly representatives.

Counties: Official appointments are made at Commissioners Court.
Cities, Towns, Villages: Official appointments are made at City Council meetings.
Organizations: Official appointments are made by the Board or other governing body.

PLEASE COMPLETE THE FOLLOWING SECTION

Governing Body:

_____ County Commissioners Court (e.g., Travis County Commissioners Court)

-OR-

Wimberley City Council (e.g., Austin City Council)

-OR-

_____ Other (Board or other governing body)

City of Wimberley
City, County, or Organization being represented

Christine Byrne
Name of Representative

Place 3 Council member
Position

221 Stillwater
Address

Wimberley TX 78676
City, Zip Code

(512) 924-7866
Telephone Number

()
Fax Number

Place3@cityofwimberley.com
Email address (General Assembly Reps. will be subscribed to the CAPCOG Connections, Training, & Data Points email lists)

Check One:

_____ Reappointment

X Filling Vacancy

_____ Changing Representative

Steve Thurber
Name of Previous Representative

I confirm our governing body appointed the above individual to serve as a CAPCOG General Assembly Representative for the above entity on _____
Date of Meeting

Signature of Chief Elected Official/Chair of Governing Board

Date

Please fax this form to 512-916-6001 or email to cavila@capcog.org. For questions about completing this form, call Cathy Avila at 512-916-6018