

City of Wimberley
City Hall, 221 Stillwater
Wimberley, Texas 78676
Planning & Zoning Commission
Minutes of Regular Meeting
January 24, 2013 at 6:00 p.m.

Meeting called to order at 6:20 p.m. by Chair Tracey Dean. Present were Commissioners Beth Mitchell, Steve Klepfer, Lance Cawley (arrived at 6:20 p.m.), and Rick Burlison. Commissioners Jean Ross and Charles Lancaster were 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 December 13, 2012.

Commissioner Klepfer moved to approve the minutes, as presented. Commissioner Mitchell seconded. Motion carried on a vote of 4-0. Chairman Dean abstained.

2. Public Hearing and Possible Action

- A. Hold a public hearing and consider making a recommendation to City Council regarding Case #CUP-12-011, an application for a conditional use permit to allow for the operation of a vacation rental on a .212 acre tract of land, zoned Commercial – Low Impact (C-1), located at 220 Old Kyle Road, Wimberley, Hays County, Texas (*Suzanne Oliver, Applicant*)

City Administrator Ferguson reviewed the subject property's location, current/proposed zoning and uses, existing structure (1-story home), maximum occupancy (up to 3 people), access/parking, and septic system. He noted the applicant's house rules for the vacation rental and cited a list of conditions based on the City's regulations for vacation rental facilities. No opposition has been received on the requested conditional use permit (CUP). He recommended approval of the CUP application, including the aforementioned conditions.

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

Commissioner Klepfer moved to recommend approval of the item, as presented, including the conditions as read by City Administrator Ferguson. Commissioner Mitchell seconded. Motion carried on a vote of 5-0.

- B. Hold a public hearing and consider making a recommendation to City Council regarding Case #CUP-12-012, an application for a conditional use permit to allow for the operation of a drive-in facility on a .768 acre tract of land, zoned Commercial – Low Impact (C-1), located at 14000 Ranch Road 12, Wimberley, Hays County, Texas. (*Peggy Sherrill, Applicant*)

Because he owns property within two hundred feet (200') of the subject property, Commissioner Klepfer recused himself from the meeting at this time.

City Administrator Ferguson reviewed the subject property's location, current/proposed zoning, and intended use as a shop to sell frozen yogurt for sit-down or take-out consumption. Plans call for the shop to have five (5) yogurt machine dispensers, three (3) tables with four (4) chairs each for sit-down customers, and a restroom.

Wastewater service for the subject commercial building is currently provided by an older, on-site septic system, which has a limited capacity. The septic system also serves at least two (2) other small businesses located on the property. The applicant has agreed to limit water usage to no more than two-hundred fifty (250) gallons per day for all three businesses, which are all on one (1) water meter. Should water usage exceed 250 gallons per day for all three (3) businesses, the applicant understands that the CUP could be revoked unless water usage is kept under the 250 gallon per day threshold and has agreed to install a small septic system to serve just her yogurt shop, if the specified water usage limit cannot be met. Information was provided on long-standing issues with parking on the Square. Staff recommended approval, provided the applicant complies with aforementioned conditions related to water usage limits.

Chairman Dean opened the public hearing.

Applicant Peggy Sherrill distributed information on her proposed yogurt shop operations and stressed her awareness of the importance of water conservation. She did not anticipate any problems complying with water usage requirements.

Subject property owner Joyce Webb Tate felt that the proposed yogurt shop will be a welcome addition to the Square and praised the applicant's business management skills.

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

Discussion between Commissioner Burleson and City Administrator Ferguson addressed difficulties associated with parking requirements and enforcement in the Square area. Commissioner Cawley pointed out that calculating septic capacity based on water usage alone may not be the most accurate methodology due to the lack of

consideration given to the amount of wastewater generated. While acknowledging Commissioner Cawley's observation that water and wastewater are separate issues, City Administrator Ferguson explained reasoning for using total water usage of all three (3) businesses on the subject septic system, rather than the amount of water disposal that goes into the system.

Commissioner Cawley moved to approve the item, as presented, including the aforementioned conditions related to the water usage limit. Commissioner Mitchell seconded. Motion carried on a vote of 4-0. (Commissioner Klepfer recused himself from discussion and action on this item and did not return to the meeting.)

3. Discussion and Possible Action

Discuss and consider action on issues relating to the platting and planning procedures of Chapter 154 Subdivision Control of the City of Wimberley Code of Ordinances. (*City Administrator*)

City Administrator Ferguson advised that this item will be continued until the Commission's next meeting. No vote was taken.

4. Staff and Commission Reports

- Announcements
- Future Agenda Items

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

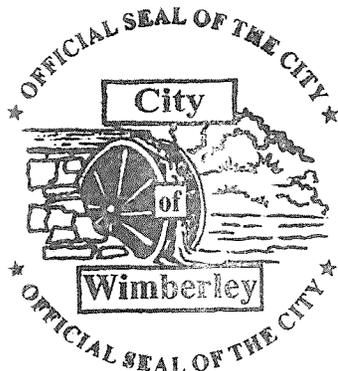
Adjourn at 6:52 p.m.

Recorded by:



Cara McPartland

These minutes approved the 14th of March, 2013.



APPROVED:



Tracey Dean, Chair