

City of Wimberley
City Hall, 221 Stillwater
Wimberley, Texas 78676
Planning & Zoning Commission
Minutes of Regular Meeting
February 9, 2012 at 6:00 p.m.

Meeting called to order by Chair Tracey Dean. Present were Commissioners Beth Mitchell, Jean Ross, Charles Lancaster, Steve Klepfer, Tom Haley, and Rick Burleson.

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 January 26, 2012.

Commissioner Haley moved to approve the minutes as presented. Commissioner Klepfer seconded. Motion carried on a vote of 7-0.

2. Public Hearing and Possible Action

Hold a public hearing and consider making a recommendation to City Council regarding Case #CUP-12-002, an application for a conditional use permit (CUP) to allow for a secondary residential structure on a 2.67 acre tract of land, which is zoned Rural Residential 1 (R-1), located at 212 River Bluff, Wimberley, Hays County, Texas. (*Pat Herring, Applicant*)

City Administrator Ferguson reviewed the subject property's location, current/proposed zoning and uses, planning area, and lot shape. He noted that the applicant plans to construct and temporarily reside in the secondary residence while the primary residence is being built. To ensure that minimum square footage requirements are met, in the event that the primary residence is not built, it was recommended that the secondary residential structure have a minimum floor area of 1,000 square feet.

Several inquiries were received on the CUP application, but no support or opposition was expressed. Personal contact was made with one property owner who did not receive notification on the proposed zoning via regular mail and that owner had no issues or concerns with the application.

Chairman Dean opened the public hearing.

Neighboring property owner William Kipe supported the application, but expressed concerns about possible future use of the secondary residence as a bed and breakfast/vacation rental. It was explained to Mr. Kipe that any future change in use would require a separate conditional use permit application subject to public notification procedures.

Chairman Dean closed the public hearing.

Discussion addressed possible reasoning behind the Zoning Code's requirement that a CUP is needed for a secondary residence.

Commissioner Ross moved to recommend approval of the item, as presented, including the condition that the secondary residential structure shall have a minimum floor area of 1,000 square feet. Commissioner Mitchell seconded.

Discussion between Commissioner Burleson and the applicant established that there will be compliance with elevation requirements.

Motion carried on a vote of 7-0.

3. Discuss and Consider Action

- A. Discuss and consider action regarding issues relating to a previously submitted Wimberley Planned Development District (WPDD) application for the Rio Bonito Resort and a proposed master plan for the Wimberley Square. (*Commissioner Jean Ross*)

Commissioner Ross asked that the Commission reassess its downtown master planning efforts and agreement was reached to engage Rio Bonito property owners in order to resume the City-initiated zoning process. In accordance with the Commission's direction, City Administrator Ferguson agreed to contact Rio Bonito property owners and proceed with the Commission's efforts toward developing a master plan for the downtown area. No vote was taken.

- B. Discuss and consider 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 reviewed modifications in accordance with past Commission discussion of pages 1-27 of Chapter 154. Topics of discussion included:

- Purpose and policy sections
- Relating to §154.182(C), addition of a provision allowing for an appeals process
- Jurisdiction
- Consistency with the Comprehensive Plan and Water Quality Protection Ordinance
- Code compliance

- Application of regulations and explanation of §154.006(3) as it pertains to utility tap requirements
- Development types
- Exemptions
- Recording regulations
- Establishment of Chapter 245 determinations/rights
- Fees
- Definitions and interpretations, including deletions of certain date references

Commissioner Ross moved to recommend approval of the revised version, as presented, with the understanding that definitions in the revised version will be consistent with the Water Quality Protection Ordinance definitions. For clarification on the applicable definitions, Commission Klepfer recommended motion language that cites §154.008 *Definitions and Interpretations* as the pertinent section. Commissioner Ross agreed to include Commissioner Klepfer's recommended section citation in her motion. Commissioner Klepfer seconded the motion, as amended. Motion carried on a vote of 7-0.

4. Staff and Commission Reports

- Announcements
- Future Agenda Items

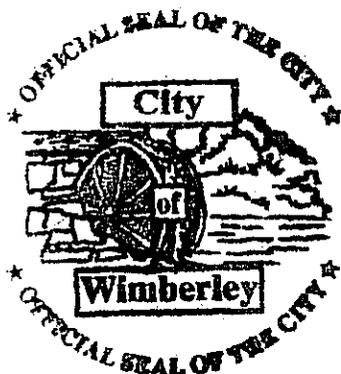
Hearing no announcements or future agenda items, Commissioner Lancaster moved to adjourn. Commissioner Ross seconded. Motion carried on a vote of 7-0.

Adjourn at 6:40 p.m.

Recorded by:


Cara McPartland

These minutes approved the 23rd of February, 2012.



APPROVED:


Tracey Dean, Chair