

**AGENDA
CITY OF WINDCREST, TEXAS
PLANNING AND ZONING MEETING AND
PUBLIC HEARING
APRIL 22, 2010
6:00 P.M.**

NOTICE IS HEREBY GIVEN THAT A REGULAR MEETING AND PUBLIC HEARING OF THE PLANNING AND ZONING COMMISSION OF THE CITY OF WINDCREST WILL BE HELD AT WINDCREST CITY HALL, 8601 MIDCROWN, WINDCREST, TEXAS ON THE 22ND DAY OF APRIL, 2010 AT 6:00 P.M., AT WHICH TIME THE FOLLOWING SUBJECTS WILL BE CONSIDERED AND ACTION MAY BE TAKEN TO WIT:

IT IS ANTICIPATED THAT MEMBERS OF OTHER CITY BOARDS, COMMISSIONS AND COMMITTEES MAY ATTEND THE MEETING IN NUMBERS THAT MAY CONSTITUTE A QUORUM OF SUCH OTHER CITY BOARDS, COMMISSIONS AND COMMITTEES, SO THAT NOTICE IS HEREBY GIVEN THAT THE MEETING IS ALSO A MEETING OF THE OTHER CITY BOARDS, COMMISSIONS AND COMMITTEES WHOSE MEMBERS ARE IN ATTENDANCE. THE MEMBERS OF THE OTHER CITY BOARDS, COMMISSIONS AND COMMITTEES MAY PARTICIPATE IN DISCUSSIONS WHICH OCCUR AT THE MEETING, BUT NO ACTION WILL BE TAKEN BY THE OTHER BOARDS, COMMISSIONS AND COMMITTEES WHOSE MEMBERS ARE IN ATTENDANCE.

I. CALL TO ORDER

II. PUBLIC HEARING

The Planning and Zoning Commission will conduct a public hearing to hear a request from South Texas Farmers Market for a Special Use Permit for an open air Farmers Market on the grounds of 8500 Fourwinds Dr. The location is currently zoned B-2, Business District.

III. ACTION ITEM

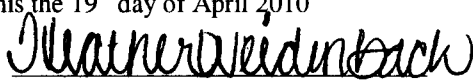
1. The Planning and Zoning Commission will review, discuss and make recommendation to City Council on the Special Use Permit requested by South Texas Farmers Market to allow an open-air Farmers Market on the grounds of 8500 Fourwinds Dr.

IV. ADJOURNMENT

I, the undersigned authority, do hereby certify that the above Notice of Meeting of the Planning and Zoning Commission of the City of Windcrest is a true and correct copy of said Notice and that I posted a true and correct copy of said Notice on the bulletin board, in City Hall of said City, in a convenient place to the public and said Notice was posted prior to 6:00 p.m. on April 22, 2010 and remained so posted continuously for at least seventy two hours immediately preceding the date and time of said Meeting.

Dated this the 19th day of April 2010

By:



Title: Acting City Secretary

TO: Planning and Zoning Commission thru Acting City Manager
FROM: David Cadena, Jr., Director of Building Services
DATE: April 22, 2010
SUBJECT: Special Use Permit

BACKGROUND INFORMATION

In accordance with Chapter 23, Section 23.1902, The South Texas Farmers Market is requesting a Special Use Permit to allow an open-air Farmers' Market at 8500 Fourwinds Drive. The owners of the property have given them permission to proceed.

In accordance with State law, a public hearing notice was posted in a newspaper of general circulation and all owners within a 200 foot radius, including the tenants of the shopping center, were notified of this request.

To date I have received no opposition to this request.

Your packet includes the By-Laws for the Windsor Park Centre Farmers' Market, a project of South Texas Farmers' Market and a map indicating the set-up.

RECOMMENDATION

Staff recommends approval

By-Laws for the Windsor Park Centre Farmers' Market
A project of South Texas Farmers Market
2010

The name of this project is called Windsor Plaza Centre Farmers' Market (WPCFM) a project of the association, South Texas Farmers' Market.

1) **PURPOSE:** The primary purpose of the WPCFM is to provide area farmers and ranchers with a direct retail market for their products that is free of competition from resellers. Secondly, the consumer is to benefit from having markets which he/she can trust to supply fresh, high quality, locally grown produce. The WPCFM will endeavor to educate consumers concerning quality and seasonal availability of locally grown produce. The WPCFM intends to operate its market and conduct other business in accordance with all governmental laws and regulations.

2) **RELATIONSHIP WITH SOUTH TEXAS FARMERS MARKET:** The WPCFM is a project of the South Texas Farmers Market (STFM), a 501 (c) (3), non-profit in Lytle, Texas.

3) **VENDOR ELIGIBILITY AND REGULATIONS:** All farmers and gardeners who are willing to accept the stipulations set forth in the Vendor Agreement are eligible for Full Vendor Benefits. The Vendor Agreements specifies:

- a) The applicant will agree to offer for sale at Association-sponsored markets only products that he or she has produced.
 - b) The applicant will agree to provide any proof of production that is requested by the Board of Directors and/ or Market Management, including site visits. Non-agricultural producers may also be accepted as Full Vendors.
 - c) Applicants that sale produce or craft/artisan items must be within a 100 mile radius from the area which the WPCFM will take place.
 - d) Applicants that sale seafood must be within a 150 mile radius from the area which WPCFM will take place.
 - e) Food Vendors must provide proof of a certified kitchen and proper licenses.
 - d) Craft/Artisan vendors are responsible for their own appropriate sales tax and sales tax licenses.
 - f) All vendors must attend 22 weeks out of a full years beginning every 1st of May.
 - g) If you are going to arrive at the market late you must call the Market Manager.
- If a vendor does not call the following actions will be taken:
- 1st Time will be a verbal warning.
 - 2nd Time the Vendor will receive a written warning.
 - 3rd Time the Vendor will be removed from the WPCFM.

The **VENDOR RATIO** in the market mix that makes up the WPCFM is to be regulated in the following categories as ratios:

51% Farmers
20% Ready -to -eat
19% Value Added
10% crafts/ artisans

3) **VENDOR FEES:**

a) Farmer and Rancher Vendors will pay \$250.00 yearly membership fee.

Farmer and Rancher Vendors daily fee will be \$35.00 for 1 stall and \$25.00 for 2nd stall if needed for that day.

b) Craft/Artisan, Food, and Seasonal Vendors will pay \$150.00 Yearly membership fee.

Craft/Artisan, Food, and Seasonal Vendors daily fee will be \$35.00. Only one stall will be allowed to the vendor.

4) **VENDOR TERMINATION:** Any Vendor found to have violated the Vendor Agreement of market rules may be removed from their place in the WPCFM by action of the Market Management and WPCFM Board of Directors. Terminated Vendors are denied the right of being a vendor at the market for one or more years as decided by the WPCFM Board of Directors.

5) **FARMERS' MARKET BOARD OF DIRETORS:** The affairs of the WPCFM shall be managed by its Board of Directors. "Affairs" includes, but is not limited to:

a) Determining vendor eligibility.

b) Specifying market rules, the vendor agreement, and updating them annually.

c) Participating in policy issues affecting the market.

d) Promoting the WPCFM through representation at other meetings and with the other vendors in the market

6) **ELECTION OF THE BOARD:** The Board of Directors shall be elected by the members of the Association for a two-year term. Election of officers shall be determined by majority vote. All Board members must be in good standing in the Association.

7) **BOARD OF DIRECTOR MEETING:** The meeting of the Board of Directors shall be held as such time and place as the Board may determine. Notice of each meeting shall be given to each Director by mail or telephone at least five day prior to the meeting. A majority of the Board shall constitute a quorum for the transaction of business at any meeting.

8) **OFFICERS:** The affairs of the Association shall be managed by its Board of Directors. There shall be seven members of the Board; including the President, Vice President, Secretary, Treasurer, and three Market Managers. Any vacancy on the Board shall be filled by the remaining members of the board.

9) **POWER OF THE BOARD:**

A) **Members:** The Board of Directors will approve or disapprove all applications for admittance in the market. There must be a 3 / 4 vote for applicants to be approved into the markets.

b) The Board of Director shall determine if the Vendor Agreement has been violated and shall terminate the membership of any Vendor that has been found in violation of the Vendor Agreement, in consultation with the Market Manager.

B) BY-LAWS REVISION: These By-Laws may be modified only under these conditions:

1) The Board of Directors is notified of the specific proposed changes at least 30 days in advance of the passage of the changed by-laws.

2) The changes must be approved by four -fifths of the Board members attending the business meeting.

C) POLICY ISSUES: Participating in policy issues affecting the market.

COMPENSATION: Members of the Board of Directors shall not receive any salaries for their services. Exceptions; secretary, may receive an administration fee for processing WIC vouchers, not to exceed five cents (5¢) per voucher. For 2010, five cents will be kept from each WIC Voucher. 2 ½ cents will remain in the organization fund. Either Secretary or President has to sign checks.

10) ARCHIVES: The archives of the WPCFM consist of these By- Laws, minutes of all Board of Director meetings, and the Rules and Regulations of the current year's operation. The archives are the written rules by which the market operates and will be available to all vendors and Board Members.

Windsor park Centre Farmers Market
Members of the South Texas Farmers Market

President:

Eugene Martinez (Grower)
990 Foster Rd.
Pleasanton, TX 78064
Ph# 830-569-4354
Email: Martinezfarms@yahoo.com

Vice President:

Jerry Jasik (Grower)
27260 Mathis Rd.
Elmendorf, TX 78112
Ph# 210-909-5730

Secretary:

David and Sarah Naegelin (Grower)
P.O. Box 72
Lytle, TX 78052
Ph# 210-244-3680 / 830-931-5587
Email: n6farms@gmail.com

Treasurer:

Doris Naegelin (Grower)
1781 Duck Pond Rd.
Lytle, TX 78052
Ph# 830-709-3864 cell 210-559-0029 Fax 830-772-5818
Email: naegelifarms@gmail.com

dnaegelinliving@gmail.com

Market Managers:

HEAD: John (Sonny) Naegelin (Grower)
1781 Duck Pond Rd.
Lytle, TX 78052
Ph# 210-559-0029
Email: naegelifarms@gmail.com

Assistants:

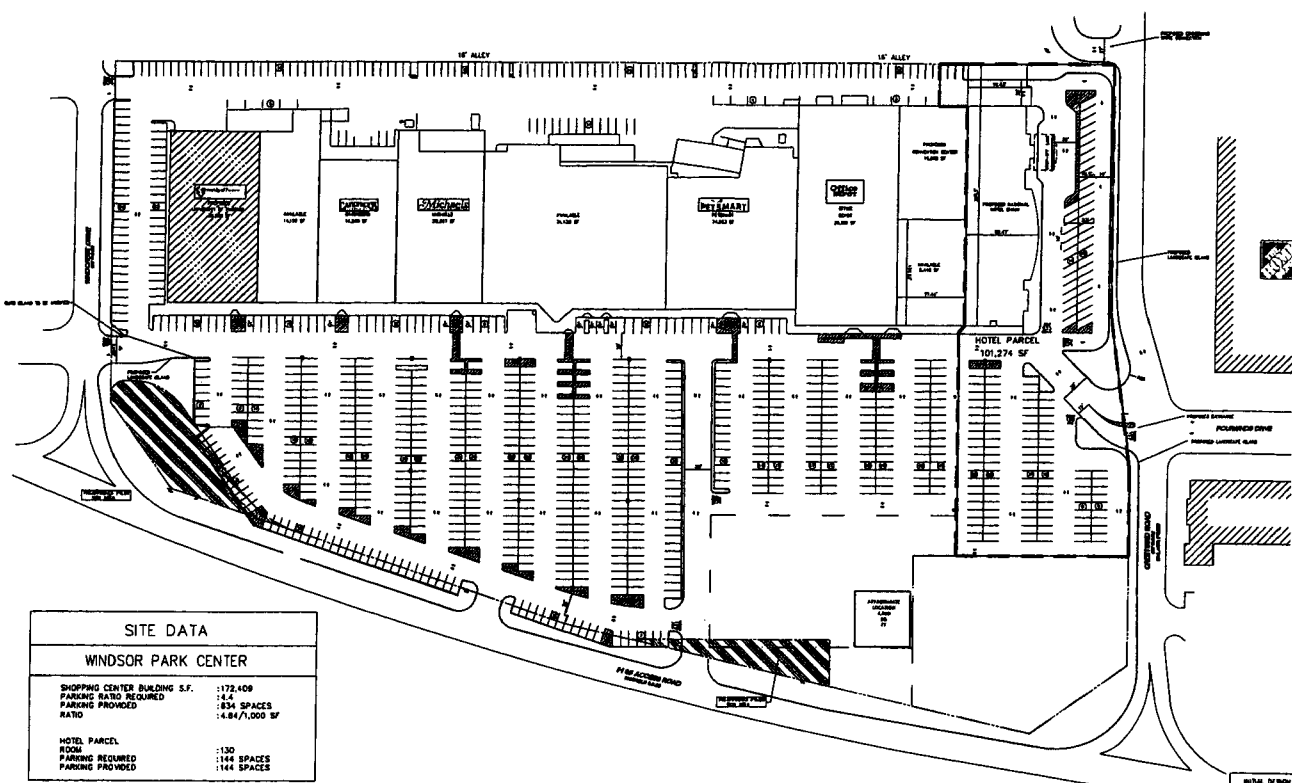
Joe Pena (Grower)
Cruz Pena (Grower)
181 CR 7716
Devine, TX 78016
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Albert Bendele (Grower)
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Email: alpeg246@yahoo.com

Directors (extra board members):

Linda Aguilar (Grower)
16312 Gidley Rd.
Atascosa, TX 78002
Ph# 210-374-4556

John Naegelin III (Grower)
106 Howard Wallace
Devine, TX 78016
Ph# 210-218-9097 Hm# 830-665-6090
Email: rollinifarms@sbcglobal.com



SITE DATA

WINDSOR PARK CENTER

SHOPPING CENTER BUILDING S.F.	:172,409
PARKING RATIO REQUIRED	:4.4
PARKING PROVIDED	:834 SPACES
RATIO	:4.84/1,000 SF
HOTEL PARCEL	
ROOM	:130
PARKING REQUIRED	:144 SPACES
PARKING PROVIDED	:144 SPACES

INITIAL DESIGN	DATE	BY	CHK	DATE	BY
	12/10/91	ML	ML	12/10/91	ML

Windsor Park Center

CEI Engineering Associates, Inc.

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 (214) 343-1100 FAX (214) 343-1101

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WINDSOR PARK CENTER
WINDROST **TEXAS**

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