



AGENDA

PUBLIC HEARING OF THE PLANNING AND ZONING COMMISSION & PLANNING AND ZONING COMMISSION MEETING DECEMBER 02, 2019

CITY COUNCIL CHAMBERS @ 8601 MIDCROWN

6:00 P.M.

NOTICE IS HEREBY GIVEN THAT A CITY OF WINDCREST PLANNING AND ZONING COMMISSION MEETING WILL BE HELD AT WINDCREST CITY HALL, 8601 MIDCROWN, WINDCREST, TEXAS ON THE 2nd DAY OF DECEMBER 2019, STARTING AT 6:00 P.M. DURING THE MEETING THE FOLLOWING SUBJECTS WILL BE CONSIDERED AND THE COMMISSION MAY TAKE ACTION ON ANY OF THE LISTED SUBJECTS.

THE PLANNING AND ZONING COMMISSION RESERVES THE OPTION TO RECESS THE MEETING DURING THE EVENING OF DECEMBER 2, 2019, AND TO RECONVENE THE MEETING ON THE FOLLOWING DECEMBER 3, 2019, AT 9:00 A.M. AT THE WINDCREST CITY HALL, 8601 MIDCROWN, WINDCREST, TEXAS.

NOTICE OF ASSISTANCE AT THE PUBLIC MEETING

The City of Windcrest Council Chambers is wheelchair accessible, and accessible parking spaces are available. In compliance with Americans with Disabilities Act, the City of Windcrest will provide reasonable accommodations for persons attending the meeting. To better serve you, requests should be received 48 hours prior to the meeting. Please contact the City Secretary's Office, at 210-655-0022 ext. 2150 or Fax 210-655-8776, or 711 Texas Relay.

I. Call to Order

II. Roll Call

III. Pledge of Allegiance

IV. Citizens to be Heard.

- Citizens may address the Planning and Zoning Commission on topics not on the agenda for no more than three (3) minutes.
- In addition to the foregoing, citizens shall also have the opportunity to address the Planning and Zoning Commission during consideration of posted agenda items for no more than six (6) minutes.
- A City Official may make a statement of specific factual information in response to an inquiry made by a member of the public, or a recitation of existing policy in response to an inquiry made by a member of the public.

V. Public Hearing

Opening of Public Hearing

Public Hearing to receive comments on proposed creation of "M-1 Municipal Green Space" Zoning District and proposed rezoning of Property located at 5609 Winsong (BCAD #342317), 8600 Midcrown (BCAD #344135), 9310 Jim Seal Dr. (BCAD # 344137 & 344101), 1936 Walter Raleigh (BCAD # 1001721), 6200 Spindrift (BCAD # 343992), and 6300 Brook Falls Dr. (BCAD #301377 & 301376).

Closing of Public Hearing

VI. Items for Discussion/Action

- a) The Commission will have discussion and take action on a possible recommendation to the City Council to approve the proposed “M-1 Municipal Green Space” Zoning District.
- b) The Commission will have discussion and take action on a possible recommendation to the City Council to consider and approve the rezoning of the following properties: 5609 Winsong (BCAD #342317); 8600 Midcrown (BCAD #344135); 9310 Jim Seal Dr. (BCAD # 344137 & 344101); 1936 Walter Raleigh (BCAD # 1001721); 6200 Spindrift (BCAD # 343992); and 6300 Brook Falls Dr. (BCAD #301377 & 301376) to M-1.

VII. General Announcements & Future Agenda Items Requested

Per Ordinance No. 618, repealing Ordinance No. 593; Section 9: Every agenda shall include an item entry granting a member the opportunity to propose an item for consideration of future agendas for Regular or Special Meetings. Any member may request the inclusion of such items at any meeting.

VIII. Adjournment

The Planning and Zoning Commission reserves the right to retire into executive session whenever it is considered necessary and legally justified under the Texas Government Code, Subchapter D, Sections 551.071 et. seq. including, but not limited to, consultation with attorney, real property, prospective gifts, personnel matters, exclusion of witness, security devices, and economic development matters.

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, 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 was posted on the bulletin board at City Hall of said City in a convenient place to the public and said Notice was posted more than seventy-two (72) hours prior to the meeting December 2 2019.

By: /s/ Rachel C. Dominguez, City Secretary

ORDINANCE NO. 2019-718 (O)

**AN ORDINANCE AMENDING CHAPTER 113 OF THE CITY OF WINDCREST'S
CODE OF ORDINANCES – ZONING, PLANNING AND ZONING COMMISSION,
BOARD OF ADJUSTMENT, BY CREATING AN M-1 ZONE FOR MUNICIPAL
GREENSPACE DISTRICT, AND AMENDING THE CITY'S ZONING MAP TO
REFLECT THE APPLICATION OF THE AREAS SUBJECT TO THE NEW
ZONING DISTRICT**

WHEREAS, the City Council of Windcrest has determined a need to protect certain areas for environmental purposes; and

WHEREAS, the City Council believes such areas as retention ponds, city parks, the golf course, and areas by and along the golf course should be maintained as greenspaces or for public use greenspace and compatible uses for public purposes; and

WHEREAS, the City Council has determined the need for a new type of zoning district and to clarify the use of such areas to maintain the natural beauty of the City; and

WHEREAS, the City Council has determined the new zoning classification does not prohibit any current uses of the designated areas, but preserves the current uses and compatible associated uses, and allows certain public uses; and

WHEREAS, the City Council finds it is for the health, safety, welfare and the benefit of the public to create the zoning classification and to amend the City's zoning map to reflect the change.

NOW THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF WINDCREST, TEXAS that this ordinance is hereby adopted, the below listed sections of Chapter 113 of the City of Windcrest Code of Ordinances are hereby amended as indicated, and the zoning map of the City is hereby amended by the attached map to reflect the areas subject to the M-1 zoning regulations as indicated:

I.

Amendments to Chapter 113

Sec. 113-81. - Districts

For the purpose of regulating and restricting the height and size of buildings and other structures, the percentage of lot that may be occupied, the size of yards, and other open spaces, the density of population, and the location and use of buildings, structures, and land for trade, residence or other purposes, the City of Windcrest, Texas, is hereby divided into district of which there shall be classes in number, and which shall be known as:

"R-1" One-Family Dwelling District

"R-2" Duplex and Apartment District

"O-1" Professional Office District

"B-1" Neighborhood Business District

"B-2" Business District

"B-3" Business District

"M-1" Municipal Greenspace District

Sec. 113-252. – M-1 Municipal Greenspace District Use Regulations.

The following regulations shall apply to the "M-1" Municipal Greenspace District:

- (1) Land designated as an M-1 zone shall be primarily used as a greenspace or open space area, and allows uses including public parks, public playgrounds, public swimming pools, public or private golf courses, public tennis courts, public recreation and community buildings.
- (2) Only municipally owned buildings and structures are permitted in the M-1 zoning district absent a special use permit. Buildings and structures which were in existence prior to the enactment of this zoning classification shall be considered legal non-conforming structures. Municipally owned buildings may be used for municipal services and purposes but may include recreational facilities owned by the City as well.
- (3) The purpose of this zoning district is to help preserve the area as greenspace or an open area, but to also allow the best use of the area for municipal parks, recreation, or other municipal services. Any municipal service is permitted in this district including municipal buildings, public libraries or museums, police and fire stations, and public parking facilities. However, no municipal buildings or services shall be placed which cause any track of land to be reduced to less than sixty percent (60%) of open grass, waterway, or wooded area. No public building may be erected to a height exceeding forty (40) feet.

II. Zoning Map Change

The zoning map for the City of Windcrest is hereby amended to incorporate the above zones, and the amended map, which is attached hereto as Exhibit A, is adopted as the new zoning map for the City of Windcrest.

III. CUMULATIVE CLAUSE

That this Ordinance shall be cumulative of all provisions of the City of Windcrest Code of Ordinances except where the provisions of this Ordinance are in direct conflict with the provisions of such Ordinance, in which event the conflicting provisions of such Ordinance are hereby repealed and this Ordinance controls.

IV. SEVERABILITY

That it is hereby declared to be the intent of the City Council for the City of Windcrest that the phrases, clauses, sentences, paragraphs, and sections of this Ordinance are severable, and if any phrase, clause, sentence, paragraph, or section of this Ordinance should be declared unconstitutional by the valid judgement or decree of any court of competent jurisdiction, such unconstitutionality shall not affect any of the remaining phrases, clauses, sentences, paragraphs, or sections of the Ordinances, since the same would have been enacted by the City Council without incorporation in this ordinance of any such unconstitutional phrases, sentences, paragraphs, or sections.

V. PROPER NOTICE AND MEETING

It is hereby officially found and determined that the meeting at which this Ordinance was adopted was open to the public 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.

ANY SECTIONS OF CHAPTER 113 WHICH WERE NOT DESIGNATED IN THIS ORDINANCE SHALL NOT BE CONSIDERED AMENDED, REPEALED, OR ADJUSTED AND REMAIN IN FULL FORCE AND EFFECT AS WRITTEN.

ANY SECTIONS OF CHAPTER 113 EXPRESSLY LISTED IN THIS ORDINANCE SHALL BE CONSIDERED AMENDED AS INDICATED ABOVE AND ANY PROVISION OF EACH SECTION WHICH IS INCONSISTENT WITH THE AMENDMENT IS CONSIDERED REPEALED TO THE EXTENT OF THE INCONSISTENCY.

THESE AMENDMENTS ARE TO BE CONSTRUED CONSISTENT WITH SECTION 1-3 OF THE WINDCREST CODE OF ORDINANCES.

DULY PASSED ON FIRST READING, on the _____ day of _____, 2019 at a regular meeting of the City Council of the City of Windcrest, Texas, which was held in compliance with the Open Meetings Act, Gov't. Code §551.001, et. Seq. at which meeting a quorum was present and voting.

DULY PASSED AND APPROVED, on the _____ day of _____, 2019 at a regular meeting of the City Council of the City of Windcrest, Texas, which was held in compliance with the Open Meetings Act, Gov't. Code §551.001, et. Seq. at which meeting a quorum was present and voting.

CITY OF WINDCREST, TEXAS

Dan Reese, Mayor

ATTEST:

Rachel C. Dominguez, City Secretary

APPROVED:

Ryan S. Henry, City Attorney



SCALE: 1" = 400'

CITY OF WINDCREST ZONING MAP OCTOBER 2019

- LEGEND**
- "B1" NEIGHBORHOOD BUSINESS DISTRICT
 - "B2" BUSINESS DISTRICT
 - "B3" BUSINESS DISTRICT
 - "M1" DRAFT
 - "O1" PROFESSIONAL OFFICE DISTRICT
 - "R1" ONE FAMILY DWELLING DISTRICT
 - "R2" DUPLEX AND APARTMENT DISTRICT
 - "TR1" TEMPORARY ONE FAMILY DWELLING DISTRICT



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