
MEETING NOTICE

The Planning and Zoning Commission of the City of Woodcreek, Texas will conduct a special meeting at Woodcreek City Hall, 41 Champions Circle, Woodcreek, TX. The meeting will be held on April 1, 2022 at 3:00 PM.

All attendees are encouraged to wear face coverings when a minimum of six-foot social distancing cannot be maintained.

*The public may watch this meeting live at the following link:
<https://meetings.ipvideotalk.com/119345010>. The public may listen to this meeting by dialing one of the following numbers: 1(617) 315-8088 or toll free at 1(866) 948-0772. When prompted enter Meeting ID:119345010.*

This notice, as amended, is posted pursuant to the Texas Open Meetings Act (Vernon's Texas Codes Ann. Gov. Code Chapter 551).

AGENDA

CALL TO ORDER

PLEDGES

ROLL CALL

PUBLIC COMMENTS

Any citizen shall have a reasonable opportunity to be heard at any and all meetings of the Planning & Zoning Commission in regard to: (1) any and all matters to be considered at any such meeting, or (2) any matter a citizen may wish to bring to the Commission's attention. No member of the Governing Body may discuss or comment on any citizen public comment, except to make: (1) a statement of specific factual information given in response to the inquiry, or (2) a recitation of existing policy in response to the inquiry. Any deliberation of or decision about the subject of the inquiry shall be limited to a proposal to place the subject on the agenda for a subsequent meeting per Texas Local Government code Sec. 551.042.

Citizen comments will be allowed at the beginning of every meeting, or alternatively, before an item on the agenda on which the citizen wishes to speak is to be considered. All citizens will be allowed to comment for three (3) minutes per person and shall be allowed more time at the Mayor's discretion. In addition, citizens may pool their allotted speaking time. To pool time, a speaker must present the names of three (3) individuals present in the audience who wish to yield their three minutes. Citizens may present materials regarding any agenda item to the City Secretary at or before a meeting, citizens attending any meeting are requested to complete a form providing their name, address, and agenda item/concern, but are not required to do so before speaking and presenting it to the City Secretary prior to the beginning of such meeting. Comments may only be disallowed and/or limited as per Government Code § 551.007(e).

Citizens may submit written public comments not exceeding 300 words in length to the City Secretary not later than 1:00p.m. of the Monday preceding the meeting at which the citizen would like the public comment received. If the written public comment is submitted by this time, it shall be read into the public record for the upcoming meeting.

REGULAR AGENDA

1. Public Hearing to Consider the Rezoning of the Lot Subdivision Minimum of 1 Acre, for the Areas Described as Brook Meadow Section One; Brookmeadow Section 2; Brookmeadow Section 3; a Resubdivision of Brookmeadow Section 3, Lots 1 thru 35, 39 and 40; Brookmeadow, Section 4 a Subdivision of 15.98 Acres of Land out of the Ransom Weed Survey No. 63 excluding: Brookmeadow IV Lot 20, Brookmeadow 21 Condominium Building AB, Units A and B, Brookmeadow 21 Condominium Building CD, Units C and D, Brookmeadow Condominium Building EF, Units E and F, Brookmeadow Sec 4 Lot 1, Brookmeadow IV Lot 2, Brookmeadow IV Lot 3, Brookmeadow Sec 4 Lot 4, Brookmeadow IV Lot 5 Duplex, Villas of Brookmeadow (more particularly described being 3.306 acres of land and being the resubdivision of part of Lot 19 of Brookmeadow, Section Four as recorded in Volume 3, pages 249-250 of the Plat Records of Hays County, Texas) and Amended Plat of a Portion of Lot 19, Brookmeadow Section 4; Brookmeadow, Section 5 a Subdivision of 3.77 Acres of Land out of the Ransom Weed Survey No.63; Brookmeadow, Section 6 a Subdivision of 17.02 Acres out of the Ransom Weed Survey No 63

2. Discuss and Take Appropriate Action on a Final Report On a Recommendation to the Woodcreek City Council Regarding the Possible Rezoning of the Lot Subdivision Minimum of 1 Acre, for the Areas Described as Brook Meadow Section One; Brookmeadow Section 2; Brookmeadow Section 3; a Resubdivision of Brookmeadow Section 3, Lots 1 thru 35, 39 and 40; Brookmeadow, Section 4 a Subdivision of 15.98 Acres of Land out of the Ransom Weed Survey No. 63 excluding: Brookmeadow IV Lot 20, Brookmeadow 21 Condominium Building AB, Units A and B, Brookmeadow 21 Condominium Building CD, Units C and D, Brookmeadow Condominium Building EF, Units E and F, Brookmeadow Sec 4 Lot 1, Brookmeadow IV Lot 2, Brookmeadow IV Lot 3, Brookmeadow Sec 4 Lot 4, Brookmeadow IV Lot 5 Duplex, Villas of Brookmeadow (more particularly described being 3.306 acres of land and being the resubdivision of part of Lot 19 of Brookmeadow, Section Four as recorded in Volume 3, pages 249-250 of the Plat Records of Hays County, Texas) and Amended Plat of a Portion of Lot 19, Brookmeadow Section 4; Brookmeadow, Section 5 a Subdivision of 3.77 Acres of Land out of the Ransom Weed Survey No.63; Brookmeadow, Section 6 a Subdivision of 17.02 Acres out of the Ransom Weed Survey No 63

ADJOURN

The Planning and Zoning Commission may retire to executive session any time between the meeting's opening and adjournment for the purpose of consultation with legal counsel pursuant to Chapter 551.071 of the Texas Government Code; discussion of personnel matters pursuant to Chapter 551.074 of the Texas Government Code; deliberation regarding real property pursuant to Chapter 551.072 of the Texas Government Code; deliberation regarding economic development negotiations pursuant to Chapter 551.087 of the Texas Government Code; and/or deliberation regarding the deployment, or specific occasions for implementation of security personnel or devices pursuant to Chapter 551.076 of the Texas Government Code. Action, if any, will be taken in open session.

This agenda has been reviewed and approved by the City's legal counsel and the presence of any subject in any Executive Session portion of the agenda constitutes a written interpretation of Texas Government Code Chapter 551 by legal counsel for the governmental body and constitutes an opinion by the attorney that the items discussed therein may be legally discussed in the closed portion of the meeting considering available opinions of a court of record and opinions of the Texas Attorney General known to the attorney. This provision has been added to this agenda with the intent to meet all elements necessary to satisfy Texas Government Code Chapter 551.144(c) and the meeting is conducted by all participants in reliance on this opinion.

Attendance by Other Elected or Appointed Officials:

It is anticipated that members of other city board, commissions and/or committees may attend the meeting in numbers that may constitute a quorum of the other city boards, commissions and/or committees. Notice is hereby given that the meeting, to the extent required by law, is also noticed as a meeting of the other boards, commissions and/or committees of the City, whose members may be in attendance. The members of the boards, commissions and/or committees may participate in discussions on the same items listed on the agenda, which occur at the meeting, but no action will be taken by such in attendance unless such item and action is specifically provided for on an agenda for that board, commission or committee subject to the Texas Open Meetings Act.

The City of Woodcreek is committed to compliance with the Americans with Disabilities Act. Reasonable modifications and equal access to communications will be provided upon request. Please call the City Secretary's Office at 512-847-9390 for information. Hearing-impaired or speech disabled persons equipped with telecommunications devices for the deaf may call 7-1-1 or may utilize the statewide Relay Texas program at 1-800-735-2988.

Pursuant to Section 30.07, Penal Code (trespass by license holder with an openly carried handgun), a person licensed under Subchapter H, Chapter 411, Government Code (handgun licensing law), may not enter this property with a handgun that is carried openly.

I certify that the above notice was posted on the 29th day of March, 2022 at 10:41 AM.

By: 
Brenton B. Lewis, City Manager



IN THE MIDST OF THE TEXAS HILL COUNTRY

March 2022

Public Notice

The City of Woodcreek is proposing to Rezone, Including a Potential Zoning Overlay and/or Lot Subdivision Minimum of 1 Acre, for the Areas Described as Brook Meadow Section One; Brookmeadow Section 2; Brookmeadow Section 3; a Resubdivision of Brookmeadow Section 3, Lots 1 thru 35, 39 and 40; Brookmeadow, Section 4 a Subdivision of 15.98 Acres of Land out of the Ransom Weed Survey No. 63 excluding: Brookmeadow IV Lot 20, Brookmeadow 21 Condominium Building AB, Units A and B, Brookmeadow 21 Condominium Building CD, Units C and D, Brookmeadow Condominium Building EF, Units E and F, Brookmeadow Sec 4 Lot 1, Brookmeadow IV Lot 2, Brookmeadow IV Lot 3, Brookmeadow Sec 4 Lot 4, Brookmeadow IV Lot 5 Duplex, Villas of Brookmeadow (more particularly described being 3.306 acres of land and being the resubdivision of part of Lot 19 of Brookmeadow, Section Four as recorded in Volume 3, pages 249-250 of the Plat Records of Hays County, Texas) and Amended Plat of a Portion of Lot 19, Brookmeadow Section 4; Brookmeadow, Section 5 a Subdivision of 3.77 Acres of Land out of the Ransom Weed Survey No.63; Brook meadow, Section 6 a Subdivision of 17.02 Acres out of the Ransom Weed Survey No 63.

On Friday, April 1, 2022, the Woodcreek Planning and Zoning Commission will conduct a public hearing during a meeting set to begin at 3:00PM at Woodcreek City Hall, 41 Champions Circle, Woodcreek, Texas and possibly make a recommendation of this rezoning request. On Friday, April 1, 2022, the Woodcreek City Council will conduct a public hearing of this rezoning request during a special meeting set to begin at 5:00PM at Woodcreek City Hall, 41 Champions Circle, Woodcreek, Texas and possibly take action.

This notice is issued pursuant to Chapter 211 of the Texas Local Government Code and Chapter 156 of the City of Woodcreek Code of Ordinances. Interested parties may contact the City of Woodcreek for more information. All interested parties are encouraged to attend and testify before the Commission and/or Council.

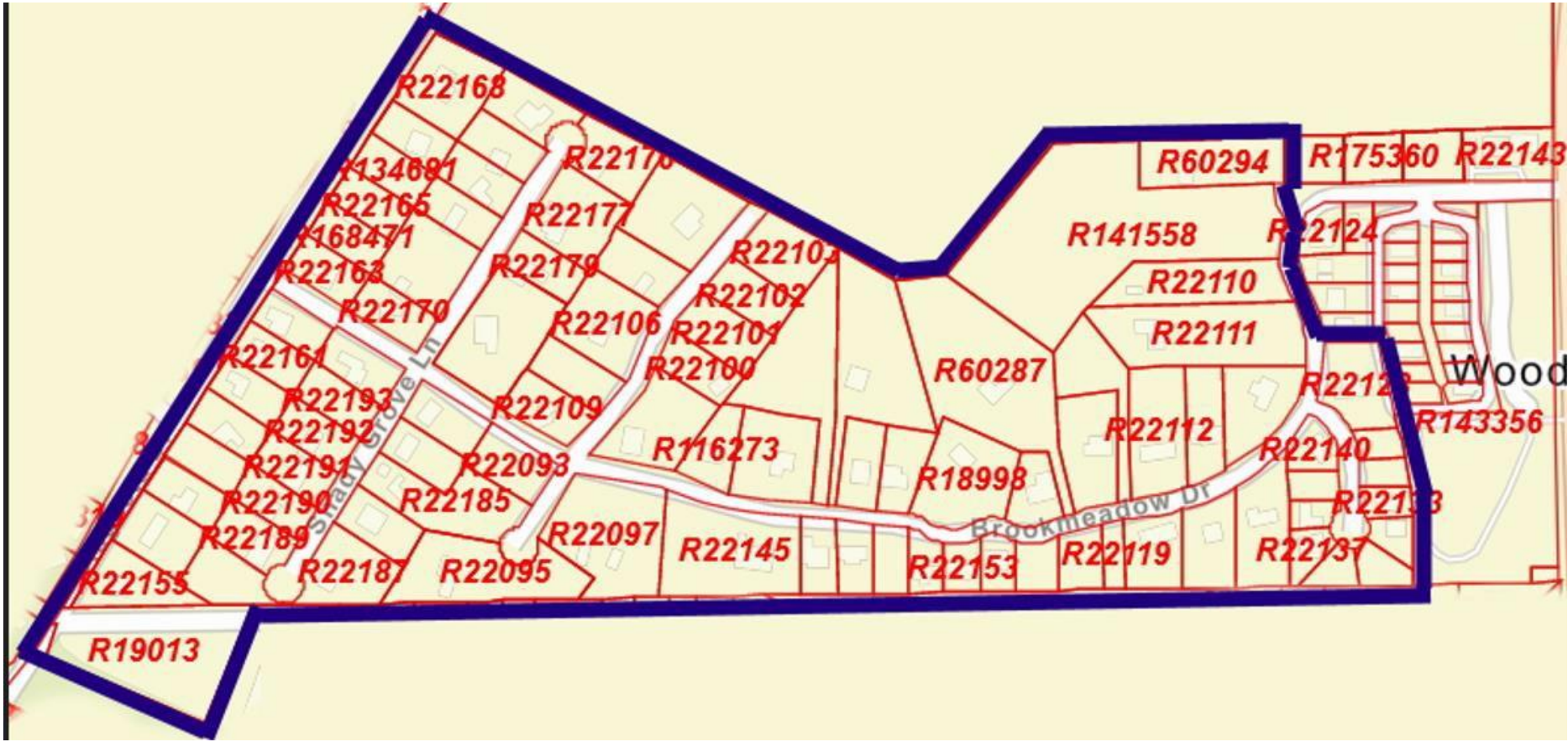
The area affected by the proposed Overlay Ordinance is depicted by a map on the other side of this notice.

Public Hearings and Meetings will be held to receive Public Comments, discuss, and possibly vote on the Proposed Overlay on

**Planning & Zoning Commission Meeting on Fri., April 1, 2022 at 3:00 PM
City Council Meeting on Fri. April 1, 2022 at 5:00 PM**

**both meetings at
Woodcreek City Hall
41 Champions Circle
Woodcreek, TX 78676**

North ↑



ORDINANCE NO. _____

AN ORDINANCE OF THE CITY OF WOODCREEK, TEXAS, ESTABLISHING AND LOCATING THE BROOKMEADOW OVERLAY DISTRICT BY AMENDING THE WOODCREEK ZONING ORDINANCE DULY ADOPTED UNDER ORDINANCE NO. 00-65N ON JUNE 1, 2005 AND AMENDED UNDER ORDINANCE NO. 19-255 ON MARCH 13, 2019; REPEALING ALL ORDINANCES IN CONFLICT WITH THE PROVISIONS OF THIS ORDINANCE; PROVIDING A SEVERABILITY CLAUSE; PROVIDING FOR A PENALTY.

WHEREAS, Chapter 211 of the Texas Local Government Code empowers a city to enact zoning regulations and provide for their administration, enforcement and amendment; and

WHEREAS, the City Council of the City of Woodcreek, Texas, deems it necessary and desirable to establish zoning regulations to provide for the orderly development of property within the City by governing the use of land in order to promote the public health, safety, morals and general welfare of the residents of the City; and

WHEREAS, Property regulation must substantially advance a legitimate governmental interest to pass constitutional muster, which thus requires examination of effect of regulation and legitimate state interest it is supposed to advance, although requirement is not equivalent to rational basis standard applied to due process and equal protection claims. U.S.C.A. Const. Amends. 5, 14.; and

WHEREAS, protecting against the ill effects of urbanization has been found to substantially advance a legitimate governmental interest; and

WHEREAS, this ordinance is intended to protect against the ill effects of urbanization; and

WHEREAS, preserving the rate and character of community growth has been found to substantially advance a legitimate governmental interest; and

WHEREAS, in addressing the issue of preserving the rate and character of community growth, the Texas Supreme Court has found that justification for the foregoing can be preserving uniquely rural and suburban communities with undivided two-lane roads, clusters of trees, and houses on large lots; and

WHEREAS, in addressing the issue of preserving the rate and character of community growth, the Texas Supreme Court has also found that protecting a community from drastic change of at least three residences per acre and vastly increasing the estimated population is justification for zoning regulation; and

WHEREAS, this ordinance is intended to preserve the rate and character of community growth by preserving the uniquely rural Brookmeadow area of Woodcreek with undivided two-lane roads, clusters of trees, and houses on large lots; and

WHEREAS, this ordinance is intended to preserve the rate and character of community growth by protecting the Brookmeadow area of Woodcreek from drastic change of at least three or more residences per acre and vastly increasing the estimated population, when most lots in the Brookmeadow area of Woodcreek are now 1 acre or more; and

WHEREAS, the City of Woodcreek recognizes that the Brookmeadow area of Woodcreek falls within the Jacob's Well Groundwater Management Zone, thus creating a sound basis for a reduction in impervious coverage in this area to preserve and protect groundwater supply, it being a noble and worthy goal for the City of Woodcreek to ensure all residents have access to safe and clean water.

WHEREAS, the Planning & Zoning Commission held a public hearing on April 1, 2022 and recommended approval of the proposed overlay district; and

WHEREAS, the City of Woodcreek has complied with all requirements of notice of public hearing as required by the Texas Local Government Code; and

WHEREAS, the City Council held a public hearing on the proposed overlay district on April 1, 2022 and desires to amend the Zoning Map by providing for a zoning overlay for

Brook Meadow Section One; Brookmeadow Section 2; Brookmeadow Section 3; a Resubdivision of Brookmeadow Section 3, Lots 1 thru 35, 39 and 40; Brookmeadow, Section 4 a Subdivision of 15.98 Acres of Land out of the Ransom Weed Survey No. 63; Amended Plat of a Portion of Lot 19, Brookmeadow Section 4 Establishing Lot 19-A; Brookmeadow, Section 5 a Subdivision of 3.77 Acres of Land out of the Ransom Weed Survey No.63; Brookmeadow, Section 6 a Subdivision of 17.02 Acres out of the Ransom Weed Survey No 63 (see attached); and

WHEREAS, the City Council hereby finds and determines that adopting the proposed zoning overlay is in the best interest of the citizens of Woodcreek.

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

I. FINDING OF FACT

The foregoing recitals are incorporated into this Ordinance by reference as findings of fact as if expressly set forth herein.

II. SEVERABILITY

Should any of the clauses, sentences, paragraphs, sections or parts of this Ordinance be deemed invalid, unconstitutional, or unenforceable by a court of law or administrative agency with jurisdiction over the matter, such action shall not be construed to affect any other valid portion of this Ordinance.

III. CODIFICATION

The City Secretary is hereby authorized and directed to record and publish the language of this repealing Ordinance, and any changes thereto, in the City’s Code of Ordinances.

IV. EFFECTIVE DATE

This Ordinance shall be effective immediately upon its passage and the publication of caption of this ordinance.

V. PROPER NOTICE & MEETING

It is hereby officially found and determined that the meeting at which this Ordinance was passed was attended by a quorum of the City Council, 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, Texas Government Code, Chapter 551.

VI. OVERLAY VREATION

That the Brookmeadow Overlay District is hereby established by amending the Woodcreek Zoning Ordinance, duly adopted under Ordinance No. 00-65N on June 1, 2005 and amended under Ordinance No. 19-255 on March 13, 2019, to read as set out, and as located on Exhibit "A".

PASSED AND APPROVED this, the ____ day of _____ 2022, by a vote of ____ Ayes to ____ Nays to ____ Abstentions of the City Council of Woodcreek, Texas.

CITY OF WOODCREEK:

ATTEST:

Jeff Rasco, Mayor

Brenton B. Lewis, Interim City Secretary

