

ORDINANCE NO. 807

AN ORDINANCE OF THE CITY OF HEDWIG VILLAGE, TEXAS, AMENDING ARTICLE V, ZONING REGULATIONS, SECTION 506, BUSINESS DISTRICT B; AND ARTICLE V, ZONING REGULATIONS, SECTION 509, PLANNED UNIT DEVELOPMENTS, SUBSECTION B.2, RESIDENTIAL DISTRICT A, OF THE HEDWIG VILLAGE PLANNING AND ZONING CODE TO ADD REQUIREMENTS FOR COMMERCIAL PROMENADES AND PEDESTRIAN TRAILS ON CERTAIN PROPERTIES IN ALL BUSINESS B ZONING DISTRICTS AND PUDS IN THE RESIDENTIAL A ZONING DISTRICT WITHIN THE CITY TO MANAGE PEDESTRIAN TRAFFIC.

WHEREAS, pursuant to Section 705 of the Hedwig Village Planning and Zoning Code, the City Council of the City of Hedwig Village, Texas and the Planning and Zoning Commission of the City of Hedwig Village, Texas have held a joint public hearing to consider possible amendments to the Hedwig Village Planning and Zoning Code; and

WHEREAS, pursuant to Section 710 of the Hedwig Village Planning and Zoning Code, the Planning and Zoning Commission of the City of Hedwig Village, Texas submitted its written recommendation to the City Council of the City of Hedwig Village, Texas concerning proposed amendments to Article V, Zoning Regulations, Section 506, Business District B; and Article V, Zoning Regulations, Section 509, Planned Unit Developments, Subsection, B.2, Residential District A, of the Hedwig Village Planning and Zoning Code to add requirements for commercial promenades and pedestrian trails on certain properties in all Business B zoning districts and PUDs in the Residential A zoning district within the City to manage pedestrian traffic; and

WHEREAS, pursuant to Sections 711 and 712 of the Hedwig Village Planning and Zoning Code, the City Council of the City of Hedwig Village, Texas, has considered the recommendation of the Planning and Zoning Commission, concerning the proposed amendments to the City's Planning and Zoning Code relating to the City's commercial promenade and pedestrian trail; and

WHEREAS, the City Council of the City of Hedwig Village, Texas, has concluded that amendments should be made to Article V, Zoning Regulations, Section 506, Business District B; and Article V, Zoning Regulations, Section 509, Planned Unit Developments, Subsection, B.2, Residential District A, of the Hedwig Village Planning and Zoning Code relating to the City's commercial promenade and pedestrian trail regulations;

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF HEDWIG VILLAGE, TEXAS, THAT:

Section 1. The Recitals set forth above are found to be true and correct and are adopted as the findings of fact of the City.

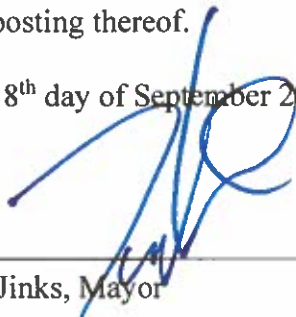
Section 2. Article V, Zoning Regulations, Section 506, Business District B of the Hedwig Village Planning and Zoning Code of the City of Hedwig Village, Texas is hereby amended by adding a new Subsection 506(H) to read as set out in Appendix A, attached hereto, and Article V, Zoning Regulations, Section 509, Planned Unit Developments, Subsection, B.2, Residential District A, of the Hedwig Village Planning and Zoning Code of the City of Hedwig Village, Texas is hereby amended to read as set out in Appendix B, attached hereto. All other portions of the Hedwig Village Planning and Zoning Code not specifically amended hereby remain in full force and effect.

Section 3. All ordinances and parts of ordinances in conflict with this Ordinance are repealed to the extent of the conflict only.

Section 4. If any word, phrase, clause, sentence, paragraph, section or other part of this Ordinance or the application thereof to any person or circumstance, shall ever be held to be invalid or unconstitutional by any court of competent jurisdiction, neither the remainder of this Ordinance, nor the application of such word, phrase, clause, sentence, paragraph, section or other part of this Ordinance to any other persons or circumstances, shall be affected thereby.


Section 5. The City Council officially finds, determines and declares that a sufficient written notice of the date, hour, place and subject of each meeting at which this Ordinance was discussed, considered or acted upon was given in the manner required by the Texas Open Meetings Act, as amended, and that each such meeting has been open to the public as required by law at all times during such discussion, consideration and action. The City Council ratifies, approves and confirms such notices and the contents and posting thereof.

PASSED, APPROVED and ADOPTED this, the 8th day of September 2022.



Tom Jinks, Mayor
City of Hedwig Village, Texas

ATTEST:



Lisa Modisette, City Secretary
City of Hedwig Village, Texas

Appendix A

Proposed Code Amendment

Appendix A – PLANNING AND ZONING CODE

Article V. – ZONING REGULATIONS

Section 506 – Business District B

New Subsection 506(H) to be added to Section 506 to read as follows:

- H. Required Promenade and Pedestrian Trails for Management of Pedestrians. The goal of the commercial promenade and pedestrian trails is to promote walkability within the business and residential districts and appropriately manage pedestrian traffic visiting the non-residential uses within the City. A copy of the Commercial Promenade and Trails Plan, which has been filed with the city secretary, is hereby adopted, and made a part of this Section. Commercial promenades and pedestrian trails shall not be enclosed to prohibit access.
1. Commercial Promenade. Properties within the business zoning districts and abutting Gaylord Drive shall be required to construct and maintain a commercial promenade, as depicted by the city's adopted Commercial Promenade and Trail's Plan, that contains the following minimum requirements, unless modified by an approved Planned Unit Development:
 - a. All commercial promenades must eastern boundary to the western boundary of the property and connect to the commercial promenades on the adjacent properties.
 - b. A minimum of twelve (12) feet of walkway must be provided, and a minimum of twelve (12) feet of landscaping area must be directly adjacent to the walkway.
 - c. The commercial promenade must start and end adjacent to the property line on Gaylord and connect to any existing promenade on adjacent property but may "meander" through the property so that the pathway is not required to be straight.
 - d. Any residential project (such as detached single-family residential homes) within a commercial district is required to construct a Pedestrian Trail along Gaylord Drive in lieu of a commercial promenade.
 2. Pedestrian Trail. The pedestrian trail is a minimum of a twelve (12) foot wide concrete for connectivity and management of pedestrian traffic accessing non-residential uses in the City. Such pedestrian trail shall be constructed and maintained on certain property and in the approximate locations as shown on Commercial Promenade and Trails Plan in order to improve pedestrian traffic of such properties.

Appendix B

Proposed Code Amendment

Appendix A – PLANNING AND ZONING CODE

Article V. – ZONING REGULATIONS

Section 509 – Planned Unit Developments

Subsection B – Specific provisions

Paragraph 2 – Residential District A

Amended Section 509(B)(2) to read as follows:

2. Residential District A:

- a. *Generally.* The PUD is an overlay in which it is approved. The underlying residential zoning continues to the extent not specifically modified by the provisions of the PUD.
- b. *Permitted Uses.* A PUD application may be made for primary and/or secondary school uses, as long as the minimum size is satisfied.
- c. *Size.* A minimum of 25 contiguous acres is required to apply for a PUD within the Residential A Zoning District. The PUD site shall comprise the entire platted lot or lots, i.e. no portions of a platted lot unless the plat is amended or the lot replatted.
- d. *Building height.* No newly constructed building within the PUD, except any additional screening, within the rooftop footprint necessary for plumbing, mechanical equipment, or elevator overruns, shall exceed the height permitted for the Residential District in which the PUD is located, except that for buildings used as a cafeteria, classroom, laboratory or for other educational purposes, excluding athletic facilities or parking garages, the following building height may be permitted:
 - i. At distances greater than 375 feet from the nearest point of any residential lot in zoning districts A or C, a maximum of 65 feet above finished floor height with a slab reveal of no greater than two feet above adjacent natural grade within five feet of the perimeter of the building.
- e. *Windows Above 35 Feet.* No building or structure shall have placed or constructed thereon any windows above 35 feet unless such window faces a public street abutting the PUD site or unless a variance is granted by the City Council.
- f. *Tall Building Coverage.* Notwithstanding the foregoing, the total coverage of all buildings which exceed 35 feet in height on the PUD site shall not exceed 12 percent coverage of the PUD site.
- g. *Green Space.* At least 20 percent of the PUD site shall be dedicated to green space and outdoor site amenities.

- h. *Driveways.* No new driveway shall be constructed closer than a distance as approved by the City Council from the nearest point of any residential lot in zoning districts A or C.
- i. *Pedestrian Management.* Unless otherwise approved in the Planned Unit Development by City Council, the property shall include a commercial promenade or pedestrian trail, as applicable, in accordance with the specifications in Section 506(H) of this Code if a promenade or trail is indicated to be on the property in the Commercial Promenade and Trails Plan adopted by the City.
- j. *Additional PUD submittal information requirements:*
 - i. Residential Protection. The PUD application shall provide information from the applicant on the proposed protection for the adjacent single-family residences including, but not limited to, increased school traffic in the adjacent neighborhoods, lighting, security, and noise;
 - ii. Traffic Impact Study: A Traffic Impact Study performed by a licensed engineer shall be required. The Traffic Impact Study shall include any change to traffic routing on adjacent streets, proposed mitigation for all roadways and major intersections within one-half mile of the PUD site, peak hours of nearby businesses, schools and religious institutions, any proposed addition of a curb-cut to the tract, or the modification or elimination of any existing curb-cut;
 - iii. Fencing plan;
 - iv. Parking plan, provided such plan shall not otherwise reduce the required number of parking spaces for schools as provided in Section 506 of this Code as if the property is in a commercial district, unless a variance is granted by the City Council;
 - v. Site Plan, showing lot coverage;
 - vi. Phasing Plan, if applicable;
 - vii. Conceptual landscaping plan, tree survey, tree disposition and protection plan, and justification for any tree removal or potential tree damage; and
 - viii. Elevations and Building Materials: In the event of a partial renovation of a school campus, the building materials should be harmonious with the building materials used for the existing improvements. In addition, any parking garage constructed on the PUD Site shall be constructed with building materials similar to any adjacent buildings so as to be harmonious with the other buildings on the Site.