



AGENDA

PUBLIC HEARING OF THE PLANNING AND ZONING COMMISSION & PLANNING AND ZONING COMMISSION MEETING OCTOBER 20, 2021

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 20th DAY OF OCTOBER 2021, 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 OCTOBER 20, 2021, AND TO RECONVENE THE MEETING ON THE FOLLOWING DAY OCTOBER 21, 2021, 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. Vote to Excuse Absent Commission Members**
- IV. Pledge of Allegiance**
- V. Citizens to be Heard.**

- Citizens may address the Parks and Recreation 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 Parks and Recreation 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.

VI. Public Hearings

Opening of Public Hearing

Public Hearing to receive comments from the public to consider proposed zoning change from R-1 to B-1 zoning designation to:

- 5200 Crestway Dr. more particularly described as BCAD Property #343738
- 5202 Crestway Dr. more particularly described as BCAD Property #344294.

Closing of Public Hearing

Opening of Public Hearing

Public Hearing to receive comments from the public to consider proposed zoning change from TR-1 to B-2 zoning designation to:

- 4902 Walzem Rd. more particularly described as BCAD Property #1118351.

Closing of Public Hearing**VII. Items for Discussion/Action**

- a) Commission will review, discuss, and may take action on a recommendation to the City Council on a proposed zoning change from R-1 to B-1 zoning designation to 5200 Crestway Dr. more particularly described as BCAD Property #343738.
- b) Commission will review, discuss, and may take action on a recommendation to the City Council on a proposed zoning change from R-1 to B-1 zoning designation to 5202 Crestway Dr. more particularly described as BCAD property#344294.
- c) Commission will review, discuss, and may take action on a recommendation to the City Council on a proposed zoning change from TR-1 to B-2 zoning designation to 4902 Walzem Rd. more particularly described as BCAD Property #1118351.

VIII. 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.

IX. Adjournment**AGENDA NOTICES:****DECORUM REQUIRED:**

Any disruptive behavior, including shouting or derogatory statements or comments may be ruled out of order by the Presiding Officer. Continuation of this type of behavior could result in a request by the Presiding Officer that the individual leave the meeting, and if refused, an order of removal.

ACTION BY COUNCIL AUTHORIZED:

The City Council may vote and/or act upon any item within this Agenda. The Planning and Zoning Commission reserves the right to retire into executive session concerning any of the items listed on this Agenda, pursuant to and in accordance with Texas Government Code § 551.072 (Deliberations about Real Property); § 551.073 (Deliberations about Gifts & Donations); § 551.076 (Deliberations about Security Devices); §551.087 (Economic Development); and, § 551.071 to seek the advice of its attorney about pending or contemplated litigation, settlement offer or on a matter in which the duty of the attorney to the governmental body under the Texas Disciplinary Rules of Professional Conduct of the State Bar of Texas conflict with the Open Meetings Act and may invoke this right where the City Attorney, the Mayor or a majority of the Governing Body deems an executive session is necessary to allow privileged consultation between the City Attorney and the governing body, if considered necessary and legally

justified under the Open Meetings Act. The attorney may appear in person, or appear in executive session by conference call in accordance with applicable state law.

EXECUTIVE SESSIONS APPROVED BY CITY ATTORNEY:

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 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 the City Council, or 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.

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 October 20, 2021.

By: //§// Dusty Dehoyos, Assistant City Secretary

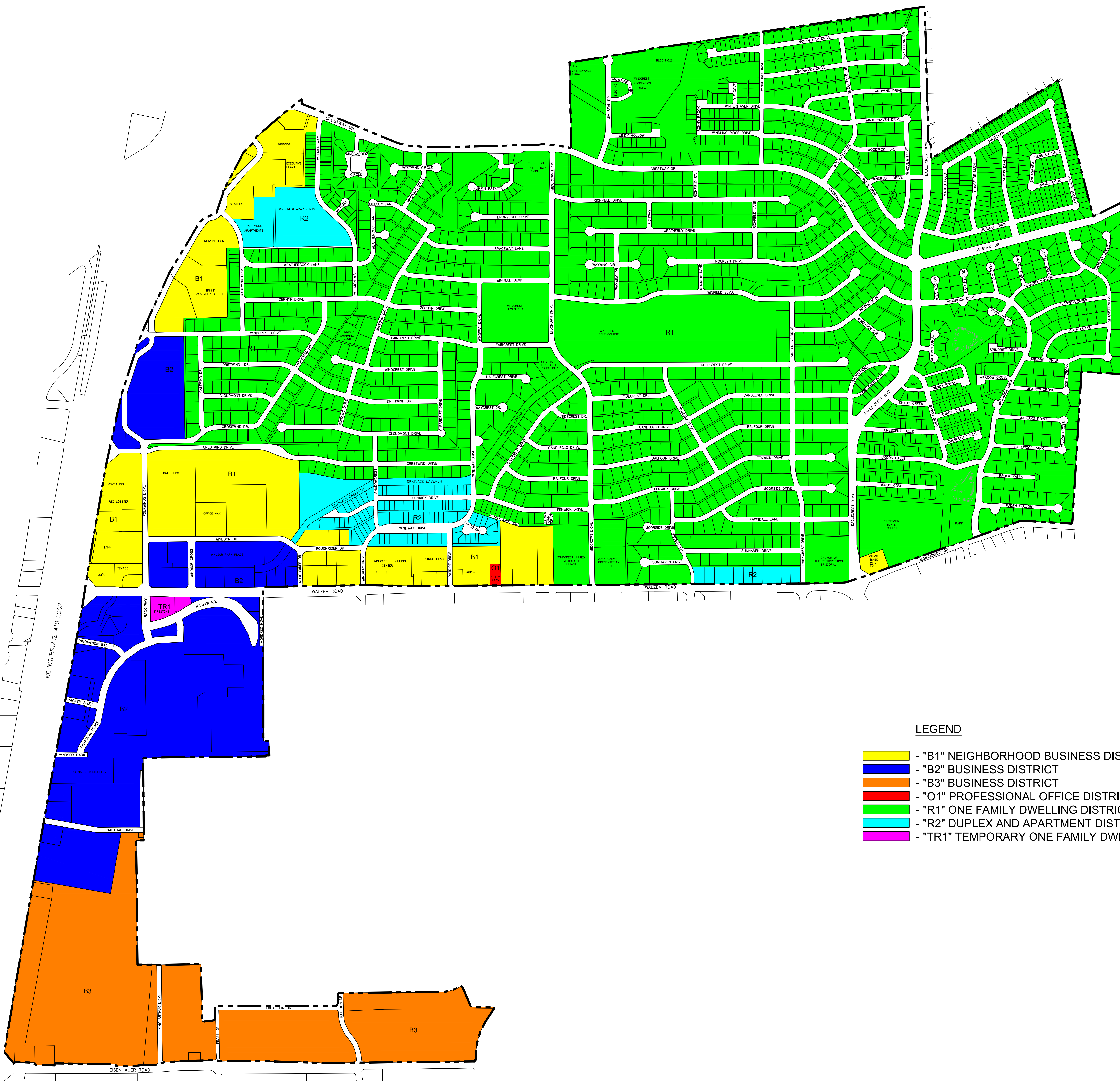


SCALE: 1" = 400'

CITY OF WINDCREST

ZONING MAP

JUNE 2018



LEGEND

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



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Legal Notices

Legals/Public Notices

City of Windcrest Public Hearing Notification

The Planning and Zoning Commission of the City of Windcrest will hold a public hearing on Wednesday, October 20, 2021 at 6:00 PM at Windcrest City Hall Council Chambers located at 8601 Midcrown, Windcrest, Texas 78239 to consider a change from an A-1 zoning designation to a B-1 Zoning designation for the following properties:

5200 Crestway Dr. -

BCAD Property ID#: 343738

5202 Crestway Dr. -

BCAD Property ID#: 344294

The City Council will hold a public hearing and consider the recommendations of the Planning and Zoning Commission on the issues mentioned above at a City Council meeting on Monday, November 1, 2021 at 6:00 PM Windcrest City Hall Council Chambers, located at 8601 Midcrown, Windcrest, Texas 78239.

All interested parties are urged to attend the above scheduled meetings.

For further information you may contact Rachel Dominguez, City Secretary at (210) 655-0022.

City of Windcrest Public Hearing Notification

The Planning and Zoning Commission of the City of Windcrest will hold a public hearing on Wednesday, October 20, 2021 at 6:00 PM at Windcrest City Hall Council Chambers located at 8601 Midcrown, Windcrest, Texas 78239 to consider a change from a TR-1 zoning designation to a B-2 Zoning designation for the following property:

4906 Walnut Rd. -

BCAD Property ID#: 1118351

The City Council will hold a public hearing and consider the recommendations of the Planning and Zoning Commission on the issues mentioned above at a City Council meeting on Monday, November 1, 2021 at 6:00 PM Windcrest City Hall Council Chambers, located at 8601 Midcrown, Windcrest, Texas 78239.

All interested parties are urged to attend the above scheduled meetings.

For further information you may contact Rachel Dominguez, City Secretary at (210) 655-0022.

Sec. 113-82. General requirements.

- (a) *Vacated public areas.* Whenever any street, alley or other public way is lawfully vacated by the City of Windcrest, Texas, the zoning district adjoining each side of such street, alley or public way shall be automatically extended to the center of such vacated area and thereafter all land included in said vacated area shall be subject to all applicable regulations of the extended districts.
- (b) *Temporary "R-1" zoning.* After the effective date of this chapter, all territory annexed to the City of Windcrest, Texas, shall be classified as "R-1" One-Family Dwelling District until permanently zoned by the governing body of the City of Windcrest, Texas. The planning and zoning commission shall as soon as practicable, after annexation of any territory to the City of Windcrest, Texas, institute proceedings on its own motion to give the newly annexed territory permanent zoning, and the procedure to be followed shall be the same as is provided by law for adoption of original zoning regulations, except as provided in this chapter.
- (c) *Use regulations.* No building shall be erected, converted, enlarged, reconstructed, or structurally altered, and no building or land shall be used for any purpose that is not permitted in the district in which the building or land is situated.
- (d) *Building height regulations.* No building or structure shall be erected, converted, enlarged, reconstructed, or structurally altered to exceed the height limit herein established for the district in which the building is situated.
- (e) *Yard regulations.* The minimum yards and other open spaces, including lot area per family, required by this chapter for each and every building existing at the time of the passage of this chapter, or for any building hereafter erected, shall not be encroached upon or considered as yard or open space required for any other building. No lot area shall be reduced to an area less than the district requirements of this chapter. The provisions of this section shall not apply to any community unit plan processed in accordance with the provisions of Article III, division 8 of this Chapter.
- (f) *One building for one lot.* Every building hereafter erected, converted, enlarged, reconstructed or structurally altered shall be on one lot. Each lot shall have been formally platted in the manner provided for subdivisions under chapter 111 of this Code, and approved by the planning and zoning commission and the city council. No more than one main building shall be located on one lot, except as otherwise provided in this chapter.
- (g) *Masonry requirement.* No building (except for those detached accessory buildings located in R-1 Zoning Districts of the City of Windcrest specifically described in chapter 103, section 10-58, shall be erected, converted, enlarged, reconstructed, or structurally altered unless at least 90 percent of its first story exterior walls shall be of masonry construction.
- (h) *Fence height regulation.* No fence shall be erected, converted, enlarged, reconstructed, or structurally altered to an overall height of more than eight feet, when constructed to separate or enclose garden homes or similar units having a sideline building setback of less than ten feet, and in all other cases, no fence shall be erected, converted, enlarged, or reconstructed or structurally altered to an overall height of more than six feet unless otherwise required by this Code.
- (i) *Golf course.* The golf course and golf club area presently situated within the corporate limits of the City of Windcrest, Texas, and being Block 111, Lot 1, Windcrest Unit 27, according to plat thereof recorded in Volume 7200, pages 161 and 162, Real Property Records of Bexar County, Texas, is hereby designated an area of cultural importance and significance, and no construction, alteration, reconstruction, or razing of buildings and other structures shall be made or permitted thereon without prior specific approval by the city council of the City of Windcrest, Texas.
- (j) *Additional regulations.* The applicable portions of chapter 109, Signs, and chapters 103 and 107, yards (fences, pools, sprinklers, satellite dish antennas, amateur radio antenna towers, and wireless cable

television antennas), shall apply to the placing and construction of signs, fences, pools, sprinklers, satellite dish antennas, amateur radio antenna towers, and wireless cable television antennas.

(Ord. No. 192, 3-9-1987; Ord. No. 213, 11-14-1988; Ord. No. 271, 7-6-1994; Ord. No. 311, 9-15-1997)

DIVISION 2. "R-1" ONE-FAMILY DWELLING DISTRICT

Sec. 113-110. Use regulations.

The following regulations shall apply to the "R-1" One-Family Dwelling District:

A building or premises shall be used only for the following purposes:

- (1) Single-family dwellings.
- (2) Church (except temporary revival), to include normal functions such as schools, child care and bazaars.
- (3) School, public or private, having a curriculum equal to a public elementary, high school, or institution of higher learning.
- (4) Public parks, playgrounds, swimming pools (public or private), golf courses (except miniature golf) and golf clubs (public or private and related golf pro shops, residential tennis courts, tennis courts and clubs (public or private) and related tennis pro shops, arts and crafts shops and/or facilities (public or private), public recreation and community buildings.
- (5) Municipal buildings, non-profit libraries or museums, police and fire stations.
- (6) Authorized home occupations which are permitted as set forth in article VIII of this chapter.
- (7) Country clubs.
- (8) Water tanks and towers.
- (9) Accessory buildings and accessory uses, customarily incident to the above uses when located on the same lot, including a private garage for one or more cars, and/or bona fide servant's quarters not for rent or used for commercial purposes.
- (10) Signs authorized in accordance with chapter 109 of the Code.

(Ord. No. 58, 8-14-1967; Ord. No. 58RR, 8-13-1982; Ord. No. 2021-004(O) , § I, 6-7-2021)

DIVISION 5. "B-1" NEIGHBORHOOD BUSINESS DISTRICT

Sec. 113-190. Use regulations.

The following regulations shall apply to "B-1" Neighborhood Business District:

A building or premises shall be used only for the following purposes:

- (1) Any use permitted in "O-1" Professional Office District.
- (2) Signs authorized in accordance with chapter 109 of the Code.
- (3) Automobile parking lots.
- (4) Bakery, employing not more than five persons.

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- (5) Bank.
 - (6) Beauty parlor.
 - (7) Barber shop.
 - (8) Cleaning, pressing, and dyeing plants employing not more than five persons each.
 - (9) Clinic.
 - (10) Hotels and motels.
 - (11) Laundries, employing not more than five persons on the premises.
 - (12) Laundries, self-service.
 - (13) Job printing, provided total mechanical power use in operation of such printing plant shall not exceed five horsepower.
 - (14) Lodge halls.
 - (15) Offices.
 - (16) Radio repair and sale shops.
 - (17) Radio studios.
 - (18) Restaurant, cafes and cafeterias.
 - (19) Stores and shops for sale of products at retail only, but not to include second hand clothing stores, flea markets and similar establishments, public saloons, taverns or bars. The storage and/or sale of motor vehicle fuel at wholesale or retail is prohibited

If a permit has first been obtained from the city, the business which currently occupies the permanent structure on the premises from which the business is conducted may display and sell goods, wares and merchandise outside its permanent structure which are customarily displayed and sold by it inside its permanent structure. The outdoor display and sale of such merchandise shall be classified as temporary (30 days or less) or permanent (more than 30 days).

A temporary permit may be issued by the city for the display and sale of goods, wares and merchandise upon a showing by a business that the outdoor display and sale of such merchandise will not interfere with parking and access and that such activity will be safe and compatible with adjoining businesses and the neighborhood.

A permanent permit may be issued by the city for the display and sale of goods, wares and merchandise upon a showing by a business that the outdoor display and sale of such merchandise will not occur in parking areas, driveways and required landscape areas, and that such activity will be safe and compatible with the adjoining businesses and the neighborhood.

- (20) Studio (art, photo, music).
- (21) Recreation and entertainment facilities, (theaters, bowling alleys, billiard parlors, skating halls, gymnasiums and health or exercise centers and similar activities) excepting public saloons, taverns, or bars.

(Ord. No. 58, 8-14-1967; Ord. No. 58W, 4-12-1976; Ord. No. 58II, 9-14-1981; Ord. No. 58UU, 9-12-1983; Ord. No. 213, 12-12-1988; Ord. No. 311, 9-15-1997)

Sec. 113-191. Height regulations.

No building or structure shall exceed two and one-half stories or 35 feet in height except for antennas in 23.80 and certain signs in chapter 109.

(Ord. No. 58, 8-14-1967)

Sec. 113-192. Yard regulations.

- (a) *Front yard.* There shall be a front yard along the front line of the lot. The minimum depth of such front yard shall be 20 feet.
- (b) *Side yards.* For uses permitted in the "R-2" District, the side yard regulations for that district shall apply. For additional uses permitted in the "B-1" District, no side yards are required except that on a corner lot the side yard on the street side shall be 20 feet. Where a lot is used for any of the commercial purposes permitted in this district and abutting on the side of a lot in an "R-1" or "R-2" District, there shall be a side yard not less than 25 feet.

(Ord. No. 58, 8-14-1967)

Sec. 113-193. Intensity of use.

For uses permitted in the "R-2" District, the minimum lot area and minimum width regulations for that district shall apply. There are no minimum lot area or lot width requirements for other uses.

(Ord. No. 58, 8-14-1967)

Sec. 113-194. Parking regulations.

- (a) The parking regulations for dwelling are the same as those in the "R-2" District.
- (b) Where any structure is erected, reconstructed or converted for any of the business or commercial uses permitted in this Subchapter, off-street parking spaces shall be provided, whether on the same lot with structure or on an area within 300 feet thereof, in such number as the city council shall deem adequate, based on such factors as the nature of proposed business use, expected customer density and rate of customer turn-over. Generally, parking space requirements shall be based on the gross floor area of the structure to be served and shall conform to the respective requirements set forth in the table of off-street parking requirements contained in section 42-94, 1970 zoning ordinance of the City of San Antonio, Texas, which table is, by this reference, hereby expressly adopted for the City of Windcrest as a planning guide only. The city council may require more parking spaces for any specific business structure than are indicated in said adopted table, but no plan providing for less than the number of parking spaces therein indicated shall be approved, in the absence of clear and convincing evidence that the number of parking spaces indicated in the table will not reasonably be required by the proposed business use. Two or more building owners may join together in providing a common parking area, but the total number of parking spaces therein shall be sufficient to satisfy the combined individual use parking space requirements herein stated for all structures that are proposed to be open for business at the same time. The minimum size for a parking space will be nine feet × 18 feet.

TABLE OF OFF-STREET PARKING REQUIREMENTS

Uses	Parking Requirements
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Churches, Theaters, Gymnasiums	One space for each four seats
Clinics	One space for each 200 sq. ft. gross floor area
Clubs, lodges	One space for ea. 300 sq. ft. of gross floor area
General business, commercial & personal service establishments	One space for each 200 sq. ft. of gross retail/sales service area and one space per 800 sq. ft. gross storage area, or one space per 400 sq. ft. of combined retail sales/service area with no dedicated warehousing area.
General office	One space for each 300 sq. ft. of gross floor area
Hotels, Motels	One space for each guest room or trailer space and one space for each two employees (associated commercial or retail areas require additional spaces)
Nursing, rehabilitation and assisted living facilities	One space for each four beds
Multi-family dwellings	Two spaces for each family dwelling unit
Restaurants, cafeterias	One space for ea. 100 sq. ft. of gross floor area
Schools, elementary	Two spaces for each classroom plus two spaces for each office
Schools, junior	Three spaces for each classroom plus three spaces for each office
Schools, secondary	Six spaces for each classroom plus six spaces for each office
Single-family dwellings	Two spaces for each dwelling unit
Skating rinks and commercial amusement	One space for each 100 sq. ft. gross floor area. For uses not requiring a building, one space for each 800 sq. ft. of ground area shall be provided

(Ord. No. 58, 8-14-1967; Ord. No. 243, 4-8-1991; Table changed by Council Action, 2-14-2001)

Sec. 113-195. Additional regulations.

Additional use, height, and area regulations and exceptions are found in section 113-263 of this Chapter.

(Ord. No. 58, 8-14-1967)

Sec. 113-196. Screening of refuse storage areas.

All commercial establishments shall screen areas wherein garbage containers and other refuse are stored with a permanent type masonry or wooden enclosure on all sides exposed to public view with a concrete base and apron.

(Ord. No. 58Q, 4-8-1974)

Sec. 113-197. Platted lots.

Platted lots used for commercial purposes may contain one or more main buildings provided the buildings are situated in substantial compliance with the comprehensive plan created by this chapter.

(Ord. No. 58I, 1-8-1973)

Sec. 113-198. Screening of air conditioning elements.

All commercial establishments shall screen air conditioning elements with a permanent type masonry, metal or wooden screen on all sides open to public view.

(Ord. No. 58Q, 4-8-1974)

Sec. 113-199. Landscaping.

- (a) Landscaping and appropriate irrigation systems are required when B-1 and B-2 properties are developed.
- (b) Where B-1 and B-2 property abuts tracts zoned (for residential use (R-1, R-2)), the required width of the landscape area shall be a minimum of 15 feet and require privacy screening of eight feet masonry fencing in combination with shrubs and trees.
- (c) Landscaping within a triangular area formed by intersecting street lines shall comply with the requirements of section 113-153.
- (d) An eight-foot wide landscape area must be provided along the entire length of each property line bordering streets. Not more than 50 percent of each landscape area shall receive impervious cover. Where a sidewalk is in place, the landscape area will not be less than four feet between sidewalk and parking.
- (e) Landscaping shall not obstruct the view between the street and the access drives and parking aisles near the front yard entries and exits, nor shall any landscaping which creates an obstruction of view be located within the radius of any curb return.

Secs. 113-201—113-219. Reserved.

DIVISION 6. "B-2" BUSINESS DISTRICT

Sec. 113-220. Regulations.

The following regulations shall apply to the "B-2" Business District:

A building or premises shall be used only for the following purposes:

- (1) Any use permitted in "B-1" Neighborhood Business District; outdoor sales are restricted as in section 113-151.
- (2) Automobile sales and service facilities including sales, service, and installation of automobile parts, components and accessories, provided that such service and installation shall be performed completely indoors, within the retail sales establishment which has sold those items. Storage or sale of motor vehicle fuel is prohibited.
- (3) Pawnshops.

(Ord. No. 2015-727(O) , 6-1-2015)

Sec. 113-221. Height regulations.

No building or structure shall exceed two and one-half stories or 35 feet in height.

Sec. 113-222. Yard regulations.

- (a) *Front yard.* There shall be a front yard along the front line of the lot. The minimum depth of such front yard shall be 20 feet.
- (b) *Side yard.* For uses permitted in the "R-2", "O-1" and "B 1" districts, the side yard regulations for that district shall apply. For additional uses permitted in the "B-2" district, the side yard regulations for the "B-1" district shall apply.

Sec. 113-223. Intensity of use.

For uses permitted in the "R-2" district, the minimum lot area and minimum width regulations for that district shall apply. There are no minimum lot area or lot width requirements for other uses.

Sec. 113-224. Parking regulations.

- (a) For parking regulations in the "R-1", "R-2", "O-1" and "B-1" districts, parking regulations for such districts based on permitted use shall apply.
- (b) For parking regulations in the "B-2" district, the parking regulations and table of off-street parking requirements for the "B-1" district shall apply.

Sec. 113-225. Additional regulations.

Additional use, height, and area regulations and exceptions are found in article III, division 9 of this chapter.

Sec. 113-226. Screening of refuse storage areas.

All commercial establishments shall screen areas wherein garbage containers and other refuse are stored with a permanent type masonry or wooden enclosure on all sides exposed to public view with a concrete base and apron.

Sec. 113-227. Platted lots.

Platted lots used for commercial purposes may contain one or more main buildings provided the buildings are situated in substantial compliance with the comprehensive plan created by this chapter.

Sec. 113-228. Screening of air conditioning elements.

All commercial establishments shall screen air conditioning elements with a permanent type masonry, metal or wooden screen on all sides open to public view.

(Ord. No. 205, 8-8-1988)

Sec. 113-229. Landscaping.

Landscaping requirements are the same as in 23.1210.

Secs. 113-230—113-250. Reserved.