

CITY OF ALAMO HEIGHTS
CITY COUNCIL
May 11, 2015

A regular meeting of the City Council of the City of Alamo Heights, Texas was held at the Council Chambers, located at 6116 Broadway, San Antonio, Texas, at 5:30 p.m. on Monday, May 11, 2015.

Present and composing a quorum were:

Mayor Louis Cooper
Mayor Pro-Tempore Bobby Rosenthal
Councilmember Bobby Hasslocher
Councilmember Fred Prassel
Councilmember Lynda Billa Burke
Councilmember John Savage

Also attending were:

City Manager J. Mark Browne
Fire Chief/Assistant City Manager Buddy Kuhn
Assistant to the City Manager Marian Mendoza
City Attorney Mike Brenan
Finance Director Cynthia Barr
Community Development Services Department Director Jason Lutz
Human Resource Manager Lori Harris
City Secretary Jennifer Reyna
Chief Police Rick Pruitt
Public Works Director Pat Sullivan

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Mayor Louis Cooper opened the meeting at 5:30 p.m.

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Mayor Pro Tem Bobby Rosenthal recognized the presence of Boy Scouts of America, Troop # 809 in the audience. He explained they were present to observe the Council meeting as a requirement for their Citizenship in the Community merit badge.

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Item # 1 Proclamation of National Police Memorial Week, May 10th – May 16th

Mayor Cooper recognized Police Chief Rick Pruitt and the Police Department in honor of National Police Week, May 10th through May 16th. Mayor Cooper read and presented the proclamation to Police Chief Pruitt.

Item # 2 Approval of Minutes

Mayor Cooper asked City Council for any revisions to the minutes of the April 27, 2015, City Council meeting. A motion was made by Councilmember Lynda Billa Burke to approve the minutes of April 27, 2015. The motion was seconded by Councilmember Fred Prassel and passed by unanimous vote.

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Item # 3 Announcements

Mayor Cooper read the following captions.

a. Council Meeting, Tuesday, May 26, 2015 due to Memorial Day Holiday

City Secretary Jennifer Reyna announced that next Council meeting is scheduled for Tuesday, May 26th since city offices will be closed on Monday, May 25th in observance of Memorial Day Holiday.

b. Texas Comptroller Leadership Circle Platinum Award

Assistant to the City Manager Marian Mendoza announced the City of Alamo Heights is the recipient of the Texas Comptroller Leadership Circle Platinum Award. She stated this award is for the efforts in providing citizens with clean, consistent pictures of spending and sharing the information online in a user-friendly format. She informed Council it is the fifth year that City has received the award and second year achieving Platinum status.

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Item # 4 Citizens to be heard concerning items not on the agenda

Kimberly Lubianski, resident, requested the City invests in production of a right-of-way map displaying current status of municipal alleyways to serve as an updated reference. She encouraged this request to be included in preparation of upcoming budget meetings to be financially prepared on the cost of all involved and what is required to produce a right-of-way map.

Sarah Reveley, resident, congratulated the candidates on the election and campaign helpers that assisted in respective campaigns. She reminded that everyone are friends and neighbors devoted to the community who will continue to work together. She highlighted that the percentage of votes noted a strong number of voters that were concerned about the recent high-rise project and asked Council to keep in mind.

Jill Souter, resident, informed Council of an exposed water line in the alley of Blue Bonnet Boulevard and Wildrose Avenue. She stated the “drinking” water line had been exposed since Easter and now requires attention.

Mayor Cooper announced that Item # 9 would be considered next.

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Items for Individual Consideration

Item # 9 Mayor Cooper read the following caption.

Public Hearing, consideration, and action concerning a request by Robert McClane to replat properties currently known as 132 Grant, identified as CB 4024 BLK 11 LOTS 7, 8, 9, & 10 and 130 Grant Ave., identified as CB 4024, BLK 11, LOTS 11 & 12

Community Development Services Department Director Jason Lutz made a PowerPoint presentation that included background information.

Mr. Lutz identified the project to combine six lots into 1 lot for the eventual construction of a three-car garage, at the request of the applicant. Currently the property is addressed as 130 and 132 Grant Avenue. Mr. Lutz stated the alley adjacent to the property had been previously abandoned by the City of Alamo Heights and a portion of which will be included in the replat. Mr. Lutz stated the proposed replat will have a 150’ of frontage along Grant Avenue. A portion of a 12’ alley is part of this replat, as the alley was previously abandoned. A 14’ utility easement was provided along the frontage of Grant Avenue. A proposed plat was briefly presented. Staff received seven responses in support and none in opposition.

A motion for approval was made by Councilmember Bobby Hassloch. The motion was seconded by Mayor Pro Tem Bobby Rosenthal and passed by unanimous vote.

Item # 5 was considered next.

Item # 5 Mayor Cooper read the following caption.

Discussion and possible action concerning on-street parking on Wildrose, Cloverleaf, and Rosemary Streets relating to emergency vehicle access

Fire Chief Buddy Kuhn made a PowerPoint presentation that included background information, maps of fire hydrant locations, and survey responses.

Fire Chief Kuhn summarized that several city streets are narrow and restrict access for emergency vehicles which include streets under 26' in width noting that 30' is preferable. He provided Council background information regarding a public hearing conducted on January 21, 2015 in which over 40 residents attended. A map was presented that displayed the existing fire hydrants located on Wildrose, Cloverleaf and Rosemary streets.

Fire Chief Kuhn shared the responses received in an on-line survey compiled within a six-week period and stated the survey was available on the Fire Department's and City's website. He summarized that overwhelming responses from residents desired the "No Parking at any time this Side of Street on the same side as the Fire Hydrants" (Option 1) and noted it was what the consultant recommended based from the 2012 parking study. He displayed a map of the current curb-side parking system and the proposed solution, Option 1, which reduces 590 parking spaces to 298 parking spaces; and "No Parking at Any Time this Side of Street" on the curb side where fire hydrants are located; and "No Parking on South curb opposite North side driveway (Option 2). Additional coordination with the residents included a mailout of 185 postcards seeking input from residents. Fire Chief Kuhn stated 8 postcards were received.

Fire Chief Kuhn recommended a 90-day testing of no parking on the fire hydrant side of the street. He noted additional red curbing may be necessary across from driveways and recommended that after the 90-day evaluation concluded. Fire Chief Kuhn noted that the access into the neighborhood is challenging during the weekdays and minimal during the weekends; he commented perhaps is it due to landscaping vehicles, repair vehicles and occasional residential parties. Fiscal information was presented regarding all options with an anticipation of 60 days to implement.

The following citizens spoke on this matter:

Jill Souter, resident, expressed concern on the proposed plan as she noted the streets are narrow. She stated parking on one side of the street is unfair and provided an example of additional complications while parking on the opposite side of the street. She noted that police officers will need to monitor enforcement. Ms. Souter suggested the City provide contractors a placard designating a place to park and evaluate the program for six months to observe if the parking situation had improved.

Suzy Bettac, resident, provided photos of parking challenges within the community and explained the situation. She noted there is no red paint highlighting the location of the fire hydrant on Rosemary Avenue and Cloverleaf Avenue. Ms. Bettac commented that the parking study was not specific to Wildrose, Cloverleaf and Rosemary Streets; however, a generalization of streets that are 26' and 30' wide. She expressed concern on the possibility of speeding if there is one-side parking on the streets. She asked questions regarding the Texas Transportation Code.

Laura Theurer, resident, expressed in her opinion, that neighbors are contributing to the parking issue and not contractors. She suggested Council ask homeowners to park

in their driveways. She encouraged parking indicators for those visitors or non-residents that are unaware of the parking regulations.

Mayor Cooper stated parking in driveways and parking closer to curbs are encouraged. He noted that contractors and landscaping personnel contribute to the challenge. Mayor Cooper suggested educating the residents.

Fire Chief Kuhn stated there are other areas within the community that require parking solutions; however, noted this is the first area to observe due to the large number of homes on these streets. He shared that he met with Ms. Bettac and confirmed the parking is better over the weekend.

Council expressed their comments to Fire Chief Kuhn. Mayor Pro Tem Rosenthal suggested to publicize the information to the neighbors about the upcoming changes and suggested no parking on the side of the fire hydrants to ensure access to streets. Councilmember Billa Burke suggested designation of a location where contractors park and provide parking permits to give to their subcontractors when the respective permit is being processed. Mayor Cooper added consideration of a limit of contractors and suggested educating the residents and residents educate each other. City Manager Mark Browne stated an educational program can be initiated and staff evaluate contractor parking.

Ms. Souter clarified that this is not to create a committee; however, encouraged residents to educate each other and residents educate their contractors.

Pruyn Hildebrand, resident, suggested placing no parking signs on the street and provide information in the newsletter.

Mayor Pro Tem Rosenthal agreed that signage would be needed and commented the neighbors and homeowners take accountability.

Bill Kiel, Planning and Zoning Committee member, shared a recent example of when he asked a contractor to park their vehicle elsewhere during remodeling. He commented the contractor was nice and understanding. He shared that simply asking is a consideration.

Jim Taylor, Planning and Zoning Committee member, suggested Council consider painting the curbs around the fire hydrants. Council agreed.

Item # 6 Mayor Cooper read the following captions.

Public hearing, consideration, and action concerning a request of Christine Gear and Luis Velez, owner, for the significance and compatibility review of the proposed main structure located at 302 Alta Avenue under Demolition Review Ordinance No. 1860 to demolish 100% of the existing roof and demolish 84.1% of the

exterior facing walls in order to remodel and add to the existing main structure and construct a new accessory structure

Mr. Lutz made a PowerPoint presentation that included background information, elevations, photos, existing site plan, and existing and proposed street views.

Mr. Lutz identified the project's location at 302 Alta Avenue to construct a 5,180 square foot home. The existing driveway from Arbutus extending through back portion of lot is proposed to be removed. A 1,224 square foot 3 car garage with partial storage space above, accessed by stairwell within garage, within driveway at Arbutus is proposed. Mr. Lutz highlighted the different remodeling or changes that will be made within the home. He reviewed the existing and proposed Residential Design Standards (RDS). He shared the proposed height for the structure is 22' and noted there is a 17" Mesquite, (2) 2" Red Bud, 4" Lugustrum and a 30" Pecan tree will be removed from the property. He stated no mitigation is required as the only heritage tree (pecan) is diseased and can be removed without mitigation.

On April 21, 2015, the Architectural Review Board (ARB) recommended a larger/extended covered front porch and 3.5' setback for garage which were satisfied. ARB recommended a single roof line for the garage; however, was not satisfied by the applicant as the applicant desired to keep their original submittal of the roof line as it is attractive.

Mr. Lutz stated staff received six responses in support of the project and none in opposition. He added that two residents within the community expressed their concern on the size of the structure; however, Mr. Lutz noted they were residents outside of the 200 foot radius of the property.

Ms. Christine Gear, applicant, shared they purchased the house across the street desiring to bring the house to life with the proposed plan for their growing family. She stated the plan had been shared with the neighbors and they are in support of the project.

Mayor Cooper opened the public hearing at 6:25 p.m.

Jerry Pierce, property owner, stated the applicants are doing a great job in remodeling the request. He encouraged Council to approve the request as the project is within City's guidelines.

Sedley Oxford, property owner of 302 Alta Avenue, shared that 302 Alta required major work. She commented that the applicants had done an exceptional job proposing improvements for their family.

Zach Siegler, neighboring resident, asked Council to reconsider the distance of the two-story garage from their carriage style garage. He shared that ARB granted him 6 inches and expressed appreciation; however, realized he needs additional room, at the

request of at least one foot. He expressed support of the project; however, requested Council to reconsider the site plan and accommodate his request.

Ms. Gear responded to Mr. Siegler that the P&Z granted him 6 inches. Ms. Gear requested no additional amount be granted as the walkway would be difficult to meet her family's needs. She commented that she would like to maintain the requested setback and noted that Mr. Siegler's garage is at the minimum setback requirement and his request would be an inconvenience to accommodate. Mr. Luis Velez stated he would consider Mr. Siegler's request but was unable to provide a definite answer at this time.

Mayor Cooper concluded the public hearing at 6:35 p.m.

A motion for approval was made by Councilmember Lynda Billa Burke and requested neighbors work together to accommodate a six-inch request between the garages. The motion was seconded by Councilmember John Savage and passed by unanimous vote.

Item # 7 Mayor Cooper read the following caption.

ORDINANCE NO. 2017

Public hearing, consideration, and action concerning a zoning change request by Frank B. Burney, representing Aragon Properties, to rezone Lots 3,4, and 5, Block 2, CB 4050, which is a portion of property currently known as 110 Chichester Place from P (Parking) to B-2 (Business District)

Mr. Lutz made a PowerPoint presentation that included background information, photos, elevations, and existing and proposed street views.

Mr. Lutz stated the applicant is requesting to rezone a portion of property currently known as 110 Chichester Place from P (Parking) to B-2 (Business District) in order to bring the entire property into the same zoning district.

Mr. Lutz highlighted the proposed project for this location. It is a 12,000 square foot two-story owner occupied medical office that encompass 67 parking spaces while preserving existing heritage trees; and there will be no impact on the flood zone. The exterior materials of the office are white stucco, limestone and metals to match neighboring buildings. The building will face the Broadway/Austin Highway intersection, eastern portion, to avoid impact on the flood zone and not in the flood plain. Mr. Lutz stated the proposed design has less impervious cover than that of the former Alamo Heights Garage. The landscaping plan preserves an existing heritage anaqua tree and a heritage pecan tree. The other existing "nonprotected" trees on site are diseased and will be removed. New trees along the street, and landscape buffer, and in the parking lot will be incorporated into the landscape plan.

The zoning request consists of 5 property lots. Lots 1 and 2 are zoned "B-2" Business and Lots 3, 4, and 5 are zoned "P" Parking. The applicant intends to replat the property into one lot rezoned to "B-2" Business. Currently a portion of the property is zoned B-2. Mr. Lutz stated adequate buffers exist for adjoining residential uses on one side of the property. Additional steps have been taken to minimize any adverse impact caused by rezoning.

Mr. Lutz concluded his presentation that a drainage study will need to be submitted and reviewed by the City's contract engineering firm to determine the exact limits and storm water discharge requirements for the proposed design.

Staff received none in support or opposition; however, Mr. Lutz noted there were adjacent property owners that expressed concerns related to landscape buffers. He stated there are variances with the replat which would be triggered. Currently parking requires an 8-foot landscape buffer and with the zoning change to B-2 it requires a 15-foot landscape buffer in which the applicant is requesting to encroach with parking on the southern end.

Mayor Cooper opened the public hearing at 6:44 p.m.

Maria Cruz, property owner, expressed support of project; however, stated there was another proposition considered at the Planning and Zoning (P&Z) Commission meeting and encouraged Council request the applicant to incorporate the original number of parking spaces. She explained that as a long-time resident of Chichester, vehicles are always parked on Chichester.

Mayor Cooper closed the public hearing at 6:47 p.m.

A motion for approval was made by Mayor Pro Tem Rosenthal. The motion was seconded by Councilmember Hasslocher and passed by unanimous vote.

Item # 8 Mayor Cooper read the following caption.

Public hearing, consideration, and action concerning a request by Frank B. Burney, representing Aragon properties, to combine multiple lots into 1 lot by replatting property currently known as 110 Chichester Place, identified as CB 4050 BLK 2 LOTS 3, 4, and 5 E IRR 65.10 FT OF N145 FT OF 1 AND NE IRR 192.5 OF 2, and to permit the following variances via the platting process

Mr. Lutz made a PowerPoint presentation that included proposed plat, floodway line, map and photos.

Mr. Lutz identified the project to develop a two-story 12,000 square foot medical office building on the vacant property at 110 Chichester Place. He stated the property must be platted into one lot. As part of the replat, the applicant is requesting several

variances to the zoning code based on the large amount of floodway on the property. Mr. Lutz noted the requested replat will combine the existing five lots to form a 1.03 acre lot and will have over 250' of frontage along Chichester. A map of the proposed plat and aerial view of the proposed project were presented.

Mr. Lutz reviewed the variance requests and presented considerations to remediate the applicant's requests. He also reviewed the conditions of the plat which included the plat note addressing the landscape buffer variance must be updated to accurately represent what may be approved (variance for southern property line only).

Staff received no responses either in support or opposition of the request.

Councilmember Prassel asked Mr. Lutz regarding P&Z' reports.

Mr. Lutz responded that P&Z recommended approval and shared there were concerns with the neighbors. The applicant stated he would redo the parking to include grass pavers on a portion of 5 or 6 parking spaces along Chichester. P&Z expressed concern with streetscape view and overlook of the property and requested to maintain an 8 foot landscape buffer. He stated the applicant agrees with the P&Z' requests.

Council asked Mr. Conrad questions regarding the size of bamboo and location of the A/C units.

Mr. Conrad responded the bamboos would be six-feet when installed. Mr. Burney stated there was a negotiated compromise of the parties within the distant buffers to eliminate the north side parking and maintain the parking on the south. He explained P&Z requested the applicant's modification on parking space to accommodate a larger increased buffer.

Mayor Cooper opened the public hearing at 6.59 p.m.

Maria Cruz, resident, stressed that parking is an issue on Chichester and asked Council to reconsider the project's plan and incorporate the original amount of parking spaces.

Bill Kiel, P&Z member, shared that at the previous P&Z meeting, the neighbor adjacent to the parking spaces requested an encroachment. He commented the parking modification simplified the parking lot and explained why four or five parking spaces on Chichester were eliminated. He stated the requirement of parking spaces is 40 and the office met the minimal requirement. Mr. Kiel agreed with Ms. Cruz to incorporate the parking spaces that were eliminated at the previous P&Z meeting.

Mickey Conrad made a brief PowerPoint presentation highlighting the project. He explained the change to the parking zone. He presented a photo that displayed a significant buffer; however, at the neighbor's request requested an increased landscape

buffer which eliminated the parking spaces. Mr. Conrad requested Council to consider gain of parking spaces.

Jim Taylor, P&Z member, stated P&Z discussed at length consideration of the parking aspect and shared that Mr. Burney withdrew his request to maintain the full amount of parking spaces.

Mr. Conrad referenced the parking site to further explain the change requested by P&Z. Mr. Burney confirmed the request to withdraw was made; however, noted it was proposed tonight to maintain their full amount of parking spaces as the resident's concern surfaced regarding insufficient parking.

Mayor Cooper closed the public hearing at 7:11 p.m.

A motion for approval was made by Councilmember Billa Burke with the additional of four parking spaces on Chichester. The motion was seconded by Councilmember Savage and passed by unanimous vote.

Item # 10 Mayor Cooper read the following caption.

ORDINANCE NO. 2018

AN ORDINANCE AMENDING THE 2014-25 UTILITY FUND BUDGET TO RATIFY THE PREVIOUS PURCHASE OF ADDITIONAL WATER RIGHTS

Finance Director Cynthia Barr made a PowerPoint presentation that included background information.

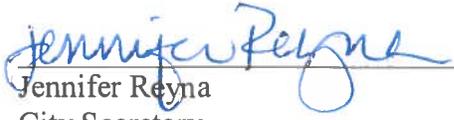
On September 22, 2014, Council approved the purchase of additional 120 acre feet of permitted water budgeted in the 2013-14 budget. Ms. Barr stated the remaining funds budgeted in the 2013-14 budget were not carried forward to the current year adopted budget. On December 18, 2014, the purchase of \$726,560 was finalized in the current fiscal year.

The purchase of the additional 120.08 acre feet of water would increase the City's permitted ground water withdrawal from the current 2,683.194 acres to 2,803.994 acres feet beginning January 1, 2015.

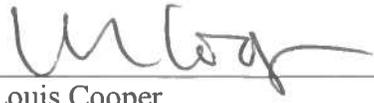
A motion for approval was made by Councilmember Hasslocher. The motion was seconded by Councilmember Savage and passed by unanimous vote.

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There being no further business, a motion was made by Councilmember Prassel to adjourn the meeting. The motion was seconded by Councilmember Savage and passed by unanimous vote. Mayor Cooper adjourned the meeting at 7:18 p.m.



Jennifer Reyna
City Secretary



Louis Cooper
Mayor