

CITY OF ALAMO HEIGHTS
CITY COUNCIL
January 14, 2019

A regular meeting of the City Council of the City of Alamo Heights, Texas was held at Council Chambers, located at 6116 Broadway, San Antonio, Texas, at 5:30 p.m. on Monday, January 14, 2019.

Present and composing a quorum were:

Mayor Bobby Rosenthal
Mayor Pro Tempore Lynda Billa Burke
Councilmember Lawson Jessee
Councilmember Wes Sharples
Councilmember Fred Prassel

Also attending were:

Fire Chief/Assistant City Manager Buddy Kuhn
Assistant to the City Manager Marian V. Mendoza
City Attorney Mike Brennan
Finance Director Robert Galindo
Community Development Services Department Director Nina Shealey
Human Resources Manager Lori Harris
City Secretary Jennifer Reyna
Chief Police Rick Pruitt
Public Works Director Pat Sullivan

Absent was:

Councilmember John Savage

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Mayor Bobby Rosenthal opened the meeting at 5:33 p.m.

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Item # 1 Approval of Minutes

Mayor Rosenthal asked City Council for any revisions to the minutes of the December 5, 2018, Special Council Meeting. A motion was made by Councilmember Fred Prassel to approve the minutes of December 5, 2018. The motion was seconded by Mayor Pro Tem Lynda Billa Burke and passed by unanimous vote.

Mayor Rosenthal asked City Council for any revisions to the minutes of the December 10, 2018, Council Meeting. A motion was made by Councilmember Lawson Jessee to approve the minutes of December 10, 2018. The motion was seconded by Mayor Pro Tem Lynda Billa Burke and passed by unanimous vote.

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Item # 2 Announcements

a. Tree Trimming, City's Right-of-Way

Deputy Fire Chief Michael Gdovin announced the annual tree trimming will begin January 2019. For a week, Davey Tree Service will conduct the tree trimming which is estimated to be 35% of city streets. Deputy Fire Chief Gdovin identified the streets scheduled for tree trimming.

b. Campaign Filing Period

City Secretary Jennifer Reyna announced the candidate filing period is January 16, 2019 through February 15, 2019. She will be accepting applications from residents interested in serving a two-year term for Mayor or Councilmember Places 1 and 2 positions. A \$100 filing fee is required for processing. Additional information is available on the website and in the kiosk.

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Item # 3 Citizens to be heard concerning items not on the agenda

There were no citizens that signed up to speak.

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Items for Individual Consideration

Item # 4 Mayor Rosenthal read the following caption.

AN ORDINANCE AUTHORIZING A LICENSE AGREEMENT TO THE OWNERS OF 775 ESTES AVENUE TO ENCLOSE APPROXIMATELY 503 SQUARE FEET OF ALLEN STREET RIGHT-OF-WAY

James McKnight, Attorney, Brown and Ortiz, P.C., stated on behalf of his clients, David and Mary Jane Brigham, applicants, request a 30-day delay for a continuance to allow their clients to speak with neighbors.

Mayor Rosenthal encouraged neighbors to contact Mr. McKnight regarding Brigham's proposed plans.

A motion to postpone consideration of this item until February 11, 2019 Council meeting was made by Mayor Pro Tem Lynda Billa Burke. The motion was seconded by Councilmember Lawson Jessee and passed by unanimous vote.

Item # 5 Mayor Rosenthal read the following caption.

Architectural Review Board Case # 732F, request of Alonzo Alston, RA, NCARB, applicant, representing Prize Permanent Holdings, LLC, owner, for the final design review of the proposed new commercial building to be located at 5410 Broadway

Fire Chief/Assistant City Manager Buddy Kuhn introduced Ms. Nina Shealey, Community Development Services Department Director. Mr. Kuhn made a PowerPoint presentation that included background information, site plan and elevations.

Mr. Kuhn identified the project and stated the applicant requests to demolish the existing building and construct a new commercial building. A notice of intent was presented to Council on September 10, 2018 and staff informed Council of the property in the floodway. The project required a review by the City Engineer, Freese & Nichols, in which they noted the building does not create a rise in flood way. Issuance of building permits is dependent on confirmation of "no rise". He reviewed the site plan and elevations.

On September 18, 2018, the Architectural Review Board (ARB) reviewed and provided feedback on the architectural design. On December 5, 2018, the Board of Adjustment (BOA) reviewed and granted three variances: 1) overall height of the building; 2) lack of landscaping at the rear of property; and 3) zero canopy trees in front yard. On December 18, 2018, ARB reviewed and approved the applicant's request.

Staff mailed postcards to property owners within a 200-foot radius of the property. Staff received two postcards in support and none in opposition of the applicant's request.

Mr. Alonzo Alston, Sol Studio Architects, reviewed information of the project to include aerial/street views of the property site, location and screening for the air conditioning unit. He stated the property owner shared he has one tenant and there is space for additional tenants to provide signage of their respective businesses. He stated a palm tree and foliage will remain as he explained it is on the adjacent property. Exterior materials include stucco, glass and engineer wood for soffit and painted metal.

Mayor Pro Tem Billa Burke asked about the landscaping plans for the site and commented landscaping should be provided for both front and rear yards.

Mr. Alston stated engineers have considered landscaping and explained the actual grading will block flooding. He briefly highlighted the landscaping within the PowerPoint presentation.

Mayor Rosenthal asked Mr. Alston in the future if power lines are buried, will the business owner consider planting trees.

Mr. Alston stated the business owner would consider planting trees in the future if power lines are buried.

A motion for approval was made by Councilmember Jessee subject to ARB's recommendations. The motion was seconded by Mayor Pro Tem Billa Burke and passed by unanimous vote.

Item # 6 Mayor Rosenthal read the following caption.

**AN ORDINANCE APPROVING A PILOT PROJECT
AUTHORIZING THE INSTALLATION OF A METAL
CANOPY OVER FIVE PARKING SPACES DEDICATED
FOR TAKE-OUT CUSTOMERS OF PALOMA BLANCA
RESTAURANT AT THE CAMBRIDGE PLACE SHOPPING
CENTER ON FENIMORE AVENUE RIGHT-OF-WAY**

Mr. Kuhn made a PowerPoint presentation that included background information and a photo.

Mr. Kuhn stated Paloma Blanca Restaurant would like to install a metal canopy over five parking spaces at Paloma Blanca Restaurant for their take-out customers. In August 2018, a parking and lighting agreement with Cambridge Place Shopping Center initiated a pilot project program that consisted of exclusive parking on City's right-of-way, 39 dedicated parking spaces, and 5 parking spaces for take-out customers. A photo identified the location and area for the desired canopy.

On December 10, 2018, Council was provided an update on the parking around Circle Street and informed on Paloma Blanca Restaurant's request to install a metal canopy to cover take-out parking spaces. The term of the proposed agreement is for six months and thereafter a license agreement. Approval design is required by staff prior to installation.

Councilmember Sharples asked about the review process.

Mr. Kuhn responded the process generally includes a review through ARB.

Councilmember Jessee requested the design review to be considered by ARB. He asked the necessity of the pilot program.

There was a brief discussion among Council regarding the license agreement and the access to the City's right-of-way during an emergency need. City Attorney Mike Brenan explained the City does not have to seek permission to use a City right-of-way. The City may rescind or modify license agreement. He stated the pilot program is experimental and shared the color of the canopy is compatible, bronze.

Councilmember Sharples expressed support for the design to be presented to ARB as Councilmember Jessee recommended.

A motion was made by Councilmember Jessee to proceed with a pilot program subject to design of canopy be considered before ARB, and final review by Council. The motion was seconded by Councilmember Sharples and passed by unanimous vote.

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Staff Report

Item # 7 Mayor Rosenthal read the following caption.

Construction update for the commercial mixed-use project at 5500 Broadway

Mr. Kuhn made a PowerPoint presentation that provided an update on the construction for the mixed-use project located at 5500 Broadway.

Mr. Kuhn stated Rampart Construction, contractor, is approximately 60 days behind schedule to due rain events in fall 2018. He reported the lower levels of parking garage is currently under construction with weekly concrete pours. The contractor has provided updates to the City on new targets for completion by meeting with City staff every two weeks. Extended working hours had been allowed due to lost days and the contractor may ask for early morning concrete pours. He presented the updated construction schedule noting may change subject to weather conditions.

Rampart Construction has worked diligently to resolve complaints/issues. Their break area was moved away from a residential area to 200 Austin Highway. A citation had been issued for working outside of allowable hours; however, paid and resolved. Rampart Construction currently leases the property at 200 Austin Highway for construction offices and material lay down area. Mr. Kuhn reminded Council the property owners of 200 Austin Highway are working on a new project that would force Rampart Construction to seek new space. Rampart Construction may consider occupying a level of the new underground parking garage at 5500 Broadway for office space, depending on timing.

The public will be continued to be informed via e-blasts and other correspondence well in advance of the concrete pours. Rampart Construction has made efforts to adjust their concrete schedule and eliminate four early concrete pours while trying to maintain noise to a minimum. Some work will be allowed outside of normal working hours to ensure timely completion of the project.

Mayor Rosenthal inquired the anticipation of the street closures.

Mr. Kuhn explained the street closures are a bigger impact to the commuters. He referenced the Specific-Use Permit (SUP) stated one lane was granted to be closed during construction and commented Rampart Construction had been doing well avoiding closure of streets. He complimented Rampart Construction for being responsive.

Mayor Rosenthal thanked Mr. Kuhn for the update and requested an update every six weeks. Councilmember Jessee complimented Rampart Construction in providing City staff the time and being responsive.

John Joseph, resident, expressed concern of the loud vehicle backup horn. He asked staff consider all factors before approving weekend work as residents nearby constantly hear noise due to construction.

Mr. Kuhn stated he will inquire with Rampart Construction regarding the consideration to decrease the noise level of the vehicle backup horn. He stated noise should be a minimum and reminded Council the noise of a backup horn is part of a safety factor.

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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 Jessee and passed by unanimous vote. Mayor Rosenthal adjourned the meeting at 6:23 p.m.



Jennifer Reyna
City Secretary



Bobby Rosenthal
Mayor