

CITY OF ALAMO HEIGHTS
CITY COUNCIL
March 18, 2024

A special meeting of the City Council of the City of Alamo Heights, Texas was held at the Council Chamber, located at 6116 Broadway, San Antonio, Texas, at 5:30 p.m. on Monday, March 18, 2024. A teleconference was held via Zoom; staff and meeting attendees were welcomed in the Council Chamber.

Composing a quorum were:
Mayor Bobby Rosenthal
Mayor Pro Tem Blake M. Bonner
Councilmember Lawson Jessee
Councilmember Karl P. Baker
Councilmember Lynda Billa Burke

Also attending were:
City Manager Buddy Kuhn
Assistant City Manager Phil Laney
City Attorney Jessie Lopez
Director of Finance Robert Galindo
Assistant to City Manager Jennifer Reyna
City Secretary Elsa T. Robles
Community Development Services Director Lety Hernandez
Police Chief Rick Pruitt
Fire Chief Michael Gdovin
Deputy Police Chief Cindy Pruitt

Not attending:
Councilmember John Savage
Public Works Director Pat Sullivan

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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 a motion on the February 26, 2024 City Council Meeting minutes. Mayor Pro Tem Blake M. Bonner moved to approve the minutes as presented. The motion was seconded by Councilmember Lawson Jessee and passed by unanimous vote.

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Item # 2 Announcements

Mayor Rosenthal read the following caption.

a. City Council Meetings Rescheduled

City Secretary Elsa T. Robles announced the rescheduling of the upcoming April City Council meetings. The first meeting scheduled for Monday, April 8th, will be rescheduled to Tuesday, April 9th in anticipation of the solar eclipse. People may be traveling to participate in this historic event.

Ms. Robles stated the second meeting falls on Monday, April 22; however, as before staff anticipates the public may participate in the Texas Cavalier River parade that evening, additionally, this marks the beginning of Passover. This meeting is tentatively rescheduled for either Tuesday, April 23rd or Monday, April 29th. She stated these dates are being finalized and will make a second announcement at the next City Council meeting on March 25th.

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Item # 3 Citizens to be Heard

No comments made.

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Mayor Rosenthal requested to hear Staff Report Item # 8 before moving on to Items for Individual Consideration.

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Staff Reports

Item # 8 Mayor Rosenthal read the following caption.

Notice of Intent to improve the interior and exterior of the existing commercial use building on the property located at 4821 Broadway St, also known as HEB Central Market

Ms. Lety Hernandez presented a notice of intent for 4821 Broadway St, also known as HEB Central Market. The current location of the properties are on the west side of Broadway, at the corner of Patterson. She stated this is a commercial use property and they propose to improve the interior and exterior of the building/property.

Ms. Hernandez reviewed the existing conditions of the main level, lower level and front/rear elevations. She noted it was hard to see on the graphics, but tentatively, this project is scheduled for preliminary review by the Architectural Review Board (ARB) on April 16th, pending receipt of an application. She stated any future review board recommendations would be based on those applications received. A plan review of the proposed improvements will be required to ensure technical and administrative compliance with current building and zoning code regulations.

Councilmember Jessee stated he was excited that Central Market plans to improve the building and its façade. He pointed out, the City has parking lot shielding requirements along Broadway and wanted to make sure staff would follow up with the applicant on those regulations.

Ms. Hernandez noted this item would be presented to Council at a future meeting in greater detail for discussion and consideration.

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Items for Individual Consideration

Item # 4 Mayor Rosenthal read the following caption.

Architectural Review Board Case No. 919F, request of Myles Caudill of Caudill Homes, applicant, representing La Pita Ventures, owner, for the significance review of the existing main structure located at 271 Retama Pl in order to demolish 100% of the existing single-family residence

Ms. Hernandez stated the Single-Family A property is located on the north side between N. New Braunfels and Vanderhoeven. The applicant requests approval of a significance review to demolish 100% of the existing single-family residence.

Ms. Hernandez stated a significance review was required due to the removal/encapsulation of more than twenty-five percent (25%) of the framed structure of exterior walls facing public streets, or a street-facing elevation if the tract of land is landlocked – 100% and removal/encapsulation of more than fifty percent (50%) of the framed structure of all exterior walls and/or roofs – 100%. She reviewed a survey of the existing property, existing conditions, and surrounding properties. Ms. Hernandez noted staff had not received a proposal for a replacement structure at this time; however, it would be subject to a compatibility review by the ARB and approval by Council.

On February 20, 2024, ARB conducted a significance review. The motion to declare the structure as significant and recommend approval of demolition as requested did not receive the four (4) affirmative votes as required per Section 2-48(a) of the City's Code of Ordinances. Three members voted for and three voted against.

Ms. Hernandez stated public notifications were mailed to property owners within a 200-foot radius. Notices were posted on the City's website and on the property. Staff received two (2) responses in support and three (3) in opposition.

Mayor Rosenthal asked to hear comments from those that signed up to speak on this item.

- Ms. Deborah Brodigan, resident, provided Council with a handout regarding the City's code on demolition, an update on historical districts, and an article on the dangers of asbestos. She spoke about the Sylvan Hills historical contribution to WWII and homes for military families. She was against the demolition of 271 Retama Pl. and stated it was a historical home. She asked Mr. Caudill to look at renovating the home instead of demolishing it.

- Ms. Michelle Wagner, resident, stated she had submitted a letter to Council regarding her opposition to the proposed demolition and yielded her remaining time to Ms. Brodigan.

Ms. Brodigan continued to speak against the proposed demolition and asked Council to look at the handout on the Environmental Protection Agency (EPA) and its findings on asbestos. She noted the applicant had presented no plans for this house, which has asbestos covering on the exterior. She was concerned with how it would be demolished.

- Mr. Eugene Marck, resident, stated he also yielded his time to Ms. Brodigan.

Ms. Brodigan stated the applicant has not told any of the neighbors how he plans to mitigate asbestos during demolition. She stated residents are noticing the 85 plus recent homes that have been demolished and how the new builds don't fit into the surrounding neighborhoods. She asked once again for Council not to approve the demolition.

- Mr. Don Turgeon, resident, noted renovation and enhancement of a community is important, but didn't like that the applicant was demolishing the home without providing new plans upfront. He stated residents want to know what kind of structure is it going to be and if it's compatible with the neighborhood. He added the applicant may look to maximize the use of the property because they can sell it for more. He asked Council to consider not approving the demolition.

Mayor Rosenthal commented, City code allows for a two-step process. An owner has the right to demolish a house if it passes a significance review and then come back at a later time with plans. He stated, based on City code, the City cannot force them not to demolish before plans are submitted.

Mayor Rosenthal asked Ms. Hernandez to explain the City's demolition process in regards to asbestos mitigation. Ms. Hernandez explained the City issues a demolition permit if approved by Council; however, the asbestos is regulated by the State, not the City unless it is a multi-family or commercial building with public access, that would require the property owner to do an abatement. In this case, it is a single-family residence and is exempt from the abatement process. Any complaints or concerns need to be directed to the State.

Mayor Rosenthal address the City ordinance/comprehensive plan and historic districts. He stated Council is looking at ways to improve the preservation of homes in a long-term plan.

Council discussed the ARB's concerns to consider this home as not significant. Ms. Hernandez clarified, based on Ms. Brodigan's comments at the meeting, two members felt the structure could be renovated and saved.

Councilmember Karl P. Baker commented Council needed to look at these homes on a case by case basis. He added, this home, did not meet the basis for significance as defined in the Alamo Heights Code of Ordinances and noted there are other homes that may, but Council should maintain consistent in their decisions over time.

Councilmember Jessee stated it would be much better to couple the demolition review with the compatibility review of the new structure. He mentioned the same owner had a previous/similar case, in which the neighbors were happy with the final design, but agreed it would be better to see the plans upfront.

Councilmember Lynda Billa Burke asked if the applicant had met with any of the neighbors. She was concerned with asbestos dust during demolition.

Mr. Myles Caudill, applicant, stated he had spoken to one neighbor across the street. He explained during demolition, they are constantly spraying water to minimize dust. The moisture helps to keep it down and it is quickly disposed of, removed from the property.

After a brief discussion, Councilmember Jessee moved to approve ARB Case No. 919F as presented. The motion was seconded by Councilmember Baker and passed by unanimous vote.

Mr. Caudill address the Council and stated he understands this is very emotional for neighbors. He shared he has designed and built homes for 30 years and added he cares about the community of Alamo Heights and will design something appropriate for the neighborhood.

Item # 5 Mayor Rosenthal read the following caption.

Architectural Review Board Case No. 920F, request of Jack Uptmore of Uptmore Custom Homes, applicant, representing David Horne, owner, for the significance review of the existing main structure and compatibility review of the proposed design located at 233 Harrison Ave. in order to demolish 100% of the existing main structure and construct a new single-family residence with attached garage

Ms. Hernandez stated the Single-Family A property is located on the east side between Acacia St and Morse St. The applicant requests approval for a significance review of the existing main structure to demolish 100% and compatibility review of the proposed design in order to build a new single-family residence with attached garage.

Ms. Hernandez stated a significance review was required due to the removal/encapsulation of more than 25% of the street-facing elevations – 100% and removal/encapsulation of more than 50% percent of the framed structure of all exterior walls and/or roofs – 100% of roof. A compatibility review is due to the amount of total or substantial destruction of the structure or portion thereof.

Ms. Hernandez presented the existing and proposed site/roof plans, elevations, and floor/roof plans. The proposed main structure elevation is 30ft with hardie siding and a standing seam metal roof.

In terms of policy analysis, Ms. Hernandez noted the proposed lot coverage is 39.96% of the maximum allowed of 40% in a SF-A zone. Due to the side or rear street/alley access, the applicant is allowed a maximum of .47, but are requesting .488. She advised this would have to be revised in order to comply with the maximum and continued to review the existing/proposed streetscape and homes across the street.

The applicant has not formally applied for a building permit. A review of plan documents has not been completed by staff for zoning compliance. On February 20, 2024, the ARB conducted a significance and compatibility review. They voted unanimously to declare the existing main structure as not significant and recommended approval of the proposed design as compatible with suggestion to have consistency in fenestration.

Ms. Hernandez stated public notifications were mailed to property owners within a 200-foot radius. Notices were posted on the City's website and on the property. Staff received two responses in support and none in opposition.

Council discussed the overage on the Floor Area Ratio (FAR) and noted the applicant had to minimize it to comply. The applicant assured Council it had been changed and would submit it to Ms. Hernandez for review.

Ms. Hernandez explained the ARB's request to have consistency in fenestration. The ARB noted inconsistency in the interior/exterior windows on the plans, and want these to be consistent in design. She added, Mr. Uptmore had made those changes, but staff had not received the revised elevations yet.

Mr. Jack Uptmore, applicant, assured Council the elevations had been changed for consistency on the questioned windows and would be providing those to staff.

Councilmember Jessee moved to approve ARB Case No. 920F with noted recommendations from the ARB to have consistency in fenestration and minimize FAR for compliance. The motion was seconded by Mayor Pro Tem Bonner and passed by unanimous vote.

Item # 6 Mayor Rosenthal read the following caption.

Architectural Review Board Case No. 921F, request of Jack Uptmore of Uptmore Custom Homes, owner, for the significance review of the existing main structure and compatibility review of the proposed design located at 333 Ogden Ln. in order to demolish 100% of the existing main structure and construct a new single-family residence with detached garage

Ms. Hernandez stated the Single-Family A property is located on the north side between Arbutus St and Columbine St. The applicant requests a significance review in order to demolish 100% of the existing structure and a compatibility review of the proposed design to construct a single-family residence with detached garage.

Ms. Hernandez stated a significance review was required due to the removal/encapsulation of more than 25% of the street-facing elevations – 100% and removal/encapsulation of more than 50% percent of the framed structure of all exterior walls and/or roofs – 100% of roof. A compatibility review is due to the amount of total or substantial destruction of the structure or portion thereof.

Ms. Hernandez presented the existing conditions, existing and proposed site/roof plans, elevations, and floor/roof plans. The proposed main structure elevation is 28ft 5-5/8" with stucco & rock veneer siding and a composition shingle roof. The detached garage overall height was not provided. A maximum of 20ft is allowed. It will also be stucco siding with a composition shingle roof to match the main structure.

In terms of policy analysis, Ms. Hernandez noted the proposed lot coverage is 40.03% of the maximum allowed of 40% in a SF-A zone. She noted this will need to be slightly reduced by .03 to comply with the maximum allowed. Due to the one-story detached garage, the applicant is allowed a maximum of .47, they are at maximum. She continued to review the existing/proposed streetscape, noting, no homes currently exist across the street.

The applicant has not formally applied for a building permit. A review of plan documents has not been completed by staff for zoning compliance. On February 20, 2024, the ARB conducted a significance and compatibility review. They voted unanimously to declare the existing main structure as not significant and recommended approval of the proposed design as compatible with suggestion to have consistency in fenestration.

Ms. Hernandez stated public notifications were mailed to property owners within a 200-foot radius. Notices were posted on the City's website and on the property. Staff received one response in support and none in opposition.

Council briefly discussed the applicant's communication with neighborhood residents. Mr. Uptmore agreed it helped to talk to neighbors and to bring a plan forward during a demolition request. He recognizes there is a fear factor present when residents don't know what is being built in place of the old home. This also helps to have minimal opposition.

Councilmember Jessee moved to approve ARB Case No. 921F with noted recommendations from the ARB to have consistency in fenestration and minimize Lot Coverage for compliance. The motion was seconded by Councilmember Billa Burke and passed by unanimous vote.

Item # 7 Mayor Rosenthal read the following caption.

Consideration to authorize the purchase of a 2024 Dodge Ram 3500 truck chassis from Grapevine Dodge Chrysler Jeep and a new rear ambulance module from Frazer Ambulance Sales

Fire Chief Michael Gdovin stated staff seeks to replace the Medic 2 ambulance the department acquired in 2012. He explained Emergency Medical Services (EMS) units are traditionally replaced at 10 year intervals, but it was extended to 12 years in 2014 due to having a fleet of three. He added Medic 3 was placed in service in 2016 and Medic 1 in 2020.

Fire Chief Gdovin provided background information. The City participates in the Tri-City EMS partnership with Olmos Park and Terrell Hills which currently owns and operates three units. He reiterated, it has been the policy of the city to replace these units every 10 years due to the type of use. This helps avoid higher maintenance costs and the replacement schedule is comparable to other area EMS providers.

The City uses Frazier Ambulance out of Houston to maintain a current and similar fleet. This ensures consistency, as well as familiarity of equipment for emergency responders. Other vendors were solicited for quotes for a new ambulance with an average cost of \$261,735. Their estimated delivery to Alamo Heights Fire & EMS is 41 months from the date of order.

Fire Chief Gdovin stated staff used the competitive bidding process through BuyBoard and HGAC Government Purchasing Cooperatives. This process ensures the City remains compliant with laws concerning competitive bidding. He explained the truck chassis would be purchased through Grapevine Dodge Chrysler Jeep in accordance with BuyBoard #724-23 chassis rules at a cost of \$65,234. The module will be purchased through Frazier Ltd. in accordance with HGAC Contract No. AM10-23 at a cost of \$214,700.

Fire Chief Gdovin noted the trade-in value of the 2012 Medic 2 is \$28,500. Frazier provided an order discount of \$10,000, bringing the cost down to \$176,200. The total cost would be \$241,434 (\$176,200 module + \$65,234 truck). He explained, this is about a 40% increase from the last one purchased, but the cheapest staff could find. Fire Chief Gdovin commented the unit would be in service around September 2025.

Fire Chief Gdovin explained the funds for this purchase are budgeted in the Capital Replacement Fund. Each city participating in the Tri-City Emergency Medical Services partnership, Alamo Heights, Olmos Park and Terrell Hills contributes funds based on the percentage of call volumes in their city. Due to the call volume, Alamo Heights contributes about 70% of these funds. The truck chassis would be purchase in 2024. Payment for the Frazier ambulance box would be made upon delivery, between 12-14 months from the chassis purchase.

Council discussed the cost for this unit and staff's anticipation of any cost increase. Mr. Kuhn commented staff plans out 5-10 years in advance when budgeting for purchases such as these. Each year there are potential increases factored in.

Councilmember Jessee moved to approve to authorize the purchase of a 2024 Dodge Ram 3500 truck chassis from Grapevine Dodge Chrysler Jeep and a new rear ambulance module from Frazer Ambulance Sales. The motion was seconded by Councilmember Billa Burke and passed by unanimous vote.

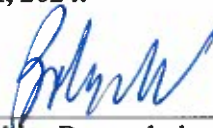
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With no further business to consider, Mayor Pro Tem Bonner moved to adjourn the meeting at 6:31 p.m. The motion was seconded by Councilmember Baker and passed by unanimous vote.

PASSED AND APPROVED THIS 25th DAY OF MARCH, 2024.


Elsa T. Robles, TRMC
City Secretary




Bobby Rosenthal
Mayor