

CITY OF ALAMO HEIGHTS
CITY COUNCIL
June 9, 2025

A regular 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, June 9, 2025. A teleconference was held via Zoom; staff and meeting attendees were welcomed in the Council Chamber.

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

Also attending were:
City Manager Buddy Kuhn
Assistant City Manager Phil Laney
City Attorney Frank J. Garza
Assistant to City Manager Jennifer Reyna
City Secretary Elsa T. Robles
Community Development Services Director Lety Hernandez
Police Chief Rick Pruitt
Fire Chief Allen Ottmers
Deputy Police Chief Cindy Pruitt

Not attending:
Mayor Albert Honigblum
Public Works Director Frank Orta

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Mayor Pro Tem Trey Jacobson opened the meeting at 5:31 p.m.

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Item # 1 Approval of Minutes

Mayor Pro Tem Jacobson asked the City Council for a motion on the May 27, 2025 City Council Special Meeting minutes. Councilmember Lynda Billa Burke moved to approve the minutes as presented. The motion was seconded by Councilmember Blake M. Bonner and passed by a unanimous vote.

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Item # 2 Announcements

Mayor Pro Tem Jacobson read the following caption.

a. 55th Annual 4th of July Parade, Friday, July 4, 2025

Assistant to City Manager Jennifer Reyna announced the 55th annual 4th of July parade, will be on Friday, July 4th. Assembly will begin at 9:45 a.m., with the parade starting at 10:00 a.m. People will gather at the intersection of Estes and Patterson and make their way down towards Cathedral Park. She invited the public to join in on patriotic songs and enjoy refreshments after the parade. Ms. Reyna encouraged everyone to wear their red, white, and blue.

b. Cancellation of July 28, 2025 Council Meeting

City Secretary Elsa T. Robles announced the cancellation of the July 28th Council meeting to allow staff to prepare for the Budget work session being held on Thursday, July 24th at 8:30 a.m. She stated this work session is also open to the public.

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Item # 3 Citizens to be Heard

Ms. Yasmine Moreno stated she was representing Happy Kids Foundation, a small nonprofit organization focusing on giving positive experiences to children and provide basic needs. She invited Council to their 1st Annual Gala Fundraiser Dinner on Friday, June 11, 2025 starting at 6:00 p.m.

Mr. Glenn Huddleston addressed City Council regarding TxDOT's proposal to eliminate street parking on Broadway with the Austin Highway/lower Broadway Improvement Project. He added the retail tenants and restaurants can't afford to lose parking spaces and should be stopped.

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Items for Individual Consideration

Item # 4 Mayor Pro Tem Jacobson read the following caption.

Public Hearing. A request of AR Perez, applicant, to encroach into the city's right-of-way at the property identified as CB 4024, BLK 49, LOTS 37 AND 38 also known as 925 Cambridge Oval zoned SF-A for a period of five (5) years for the purpose of installing a circular driveway on the property.

Community Development Services Department Director Lety Hernandez stated the Single Family - A (SF-A) property is located at 925 Cambridge Oval on the northern side between Morton St and Bronson Ave. The applicant requests approval of a right-of-way license agreement for five (5) years under Section 16-104 of the City's Code of Ordinances to install a circular driveway on the property.

Ms. Hernandez reviewed the existing conditions. She reviewed the proposed site plan and noted an existing approach on the right of the property and new expansion circular drive with additional approach. She stated a heritage tree on the property will remain and added the license agreement fee would be the minimum of \$2,000 based on the 200 square foot request and on the average per-square-foot Bexar Appraisal District fair market value.

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 no responses in support nor in opposition were received. Ms. Hernandez stated the applicant is traveling and was not present for questions.

Mayor Pro Tem Jacobson opened the public hearing at 5:41 p.m. With no one to speak on the item, he closed the public hearing at 5:42 p.m.

Item # 5 Mayor Pro Tem Jacobson read the following caption.

Discussion and possible action on request submitted by AR Perez, applicant, to encroach into the city's right-of-way at the property identified as CB 4024, BLK 49, LOTS 37 AND 38 also known as 925 Cambridge Oval zoned SF-A for a period of five (5) years for the purpose of installing a circular driveway on the property.

Ms. Hernandez explained the lot did not meet the minimum width requirements; however, the applicant had gone before the Board of Adjustment (BOA), who granted a variance to install a circular driveway on a fifty (50) foot wide lot instead of the minimum sixty-five (65) feet required per section 3-21 of the City's Zoning Code. No hardship was noted, and the BOA did not pose any opposition to the request.

Councilmember Karl P. Baker commented granting such variances should be consistent with all residents and suggested staff study the terms in the code requirement. He recognized Council was not in a position to review the variance; however, did need to decide whether or not to grant the license agreement for the use of city right-of-way.

Mayor Pro Tem Jacobson stated his concern was staff following up with the license agreement fees after the five-year term was up. Ms. Hernandez commented in practice; the city had not come back to those who have obtained approval requiring them to renew their licenses.

After a brief discussion, Councilmember Lawson Jessee moved to table the request from AR Perez until the June 23, 2025 City Council Meeting. The motion was seconded by Councilmember Billa Burke and passed by unanimous vote.

Item # 6 Mayor Pro Tem Jacobson read the following caption.

Architectural Review Board Case No. 982F, a request of Myles Caudill of Caudill Homes, applicant, representing La Pila Ventures, owner, for the compatibility review of the proposed design located at 271 Retama Place in order to construct a new single-family residence with detached garage.

Ms. Hernandez stated the Single-Family A (SF-A) property is located at 271 Retama Place on the north side, east of N. New Braunfels. She noted the significance review was previously approved by City Council; however, the applicant now requests approval for the compatibility review of the proposed design in order to construct a new single-family residence with detached garage.

Ms. Hernandez stated the demolition was complete and reviewed the proposed site plan, elevations, roof plan, and streetscape. The front elevation and overall height is 27 feet 6 inches made of stucco board, batten siding, and composition shingle/standing seam metal roof. The one-story detached accessory structure is a height of 11 feet 6 inches with stucco siding. She stated the Architectural Review Board (ARB) reviewed the case and requested some modifications. The previous structure was at 26% lot coverage and the proposed is 34.97%. The proposed floor area ratio is at 0.470, the maximum due to a bonus for the detached accessory structure.

The project completed the plan review process with the original design; staff will conduct a review of the amended design to ensure compliance. The ARB considered the request at their May 20, 2025 meeting and voted unanimously to recommend approval of the proposed design as compatible with comments presented by the applicant regarding modification from board and batten to stucco on the front gable and follow onto the east side of the main structure.

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 no responses in support and one in opposition concerning square footage; however, it was clarified during the ARB meeting.

Councilmember Jessee moved to approve ARB Case No. 982F as presented. The motion was seconded by Councilmember Billa Burke and passed by unanimous vote.

Item # 7 Mayor Pro Tem Jacobson read the following caption.

Request by Council Subcommittee related to Argyle SUP for additional time beyond 60 days granted on April 28, 2025.

Ms. Hernandez stated this request pertains to the Argyle project, including both the Specific Use Permit and the final design review for the project by the ARB. She noted City Council heard the item on April 28, 2025 and voted to table the project for 60 days to allow for further review. On June 5, 2025, the Council Subcommittee requested additional time to allow ordinance review and briefings of neighbors and interested parties.

Ms. Hernandez commented two separate motions are required to approve additional time for each pending case.

- Planning & Zoning Case No. 444 – request for a Specific Use Permit to 1) add on north side of existing building an addition and 2) consolidate all prior SUPs relating to Argyle into omnibus SUP to support operation of dining, social club & venue, and
- Architectural Review Board ARB Case No. 955F – final design review of proposed renovations & expansion of existing building.

Mayor Pro Tem Jacobson stated City Council would need to propose a meeting date to hear both cases. He shared there is a desire to cancel the July 14, 2025 Council meeting and hold a special meeting on Tuesday, July 15th to allow for adequate attendance by City Council.

After reaching a consensus, Councilmember Jessee moved to cancel the June 14, 2025 regular City Council meeting and hold a special meeting on Tuesday, June 15, 2025 to discuss

and consider Planning & Zoning Case No. 444. The motion was seconded by Councilmember Bonner and passed by unanimous vote.

Councilmember Jessee moved to discuss and consider Architectural Review Board ARB Case No. 955F at the special meeting on Tuesday, June 15, 2025. The motion was seconded by Councilmember Baker and passed by unanimous vote.

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Staff Report

Item # 8 Mayor Pro Tem Jacobson read the following caption.

Staff will discuss a proposal for future amendments to the Municipal Code of Ordinances, Chapter 10, Article I, Section 10-8 “Noise Ordinance”.

Police Chief Rick Pruitt stated staff had previously presented this item to City Council on several occasions and wanted to present another proposal to amend Chapter 10, Article I by repealing Section 10-8 “Noise Nuisance” and replace it with new Sections 10-11 through 10-18 “Noise and Sound Level Regulation”. He added the reason staff continues to bringing this back to Council is because Section 10-8 subjectively regulates noise nuisances by applying the standard the person disturbed is of “reasonable nervous sensibilities” which makes it difficult for AHPD to regulate or enforce.

Staff is proposing to measure noise and sound with a sound with a sound level meter measuring decibel (dBA) levels. Sound level meters are compared to known standards of noise levels measured in dBA having a detrimental effect on human hearing.

Police Chief Pruitt reviewed the proposed amended sections of the ordinance.

- Section 10-11 provides the stated purpose for the Ordinance: Protect, preserve and promote the health, safety, welfare, peace and quiet of the citizens, and Reduce, control and prevent any loud noise which is unreasonable.
- Section 10-12 - definitions and standards by which the Ordinance stipulates
- Section 10-13 - sets maximum allowed dBA for areas in different zoning districts
 - o Single-family, two-family and multi-family districts (63 dBA) during nighttime hours from 10:00 PM to 6:00 AM, Sunday-Thursday & 11:00 PM to 6:00 AM, Friday-Saturday;
 - o Business and office districts (70 dBA) during nighttime hours
 - o Special events requiring an event permit issued by the City and are not listed as exempt in Section 10-15 (85 dBA)
 - o Noise carrying across district boundaries will be measured using the source location allowed dBA
- Section 10-13 identifies a number of acts or sources of noise that may be considered “noise nuisances” without limitation of the source
- Section 10-13 amends current Section 10-8(e) – Use of gasoline-powered equipment by lawn service and tree service by adding:
 - o Prohibited – the use of gasoline, battery or electric powered equipment such as, but not limited to, lawn mowers, edgers, weed eaters, blowers, and chain saws is only allowed:

- Between the hours of 8:00 AM to 7:00 PM in residential, multi-family, and commercial zoned districts; and
- By lawn service and tree service companies defined as those having two or more employees inclusive of the owner, before 8:00 AM to 7:00 PM., Monday thru Friday, and between the hours of 10:00 AM to 7:00 PM on Saturday, Sunday and City observed holidays
- Noise generated by construction or repair work and the tools necessary for that work is confined to the authorized days/hours unless an emergency exists
- Section 10-14 - Vehicular mounted sound amplification systems
 - When operated is audible at a distance of thirty (30) or more feet;
 - Causes a person to be aware of the vibration accompanying the sound outside the confines of the vehicle
- Section 10-15 – Exemptions
 - Sounds for the purpose of alerting the public of large vehicle movement (back-up signals), public emergency alerts or sound produced by emergency vehicles;
 - Sound produced by a vehicle traveling on a public right-of-way;
 - Sound produced by any governmental body or function;
 - Sound generated at a scheduled stadium event, parade spectators and participants;
 - Outdoor celebration participants sponsored or co-sponsored by the City;
 - Historical battle reenactments using cannons and gunfire for which a permit has been approved by the Fire Marshall;
 - Pyrotechnic displays approved by the Fire Marshall;
 - Sound produced by the operation of an air conditioning unit, heat pump or swimming pool machinery not exceeding the dBA limit at a distance of fifteen (15) feet from the equipment or the nearest exterior wall of a residence or commercial building;
 - Sound produced solely for the purpose of encouraging citizen participation in elections.
- Section 10-16 – Method of measurement
 - Avoid periods of background noise interfering with the primary noise; and
 - Microphone with windscreen not positioned so as to enhance or reduce the measured noise
 - Measurements shall be taken at a point on adjacent private property; or
 - On the opposite side of an adjacent public right-of-way where the noise is generated
- Section 10-17 – Penalties
 - Unlawful acts and fines
 - Failure to do or perform (no culpable mental state) – fine \$100 min to \$500 max
 - Intentionally, knowingly or recklessly – fine \$100 min to \$2,000 max
 - \$200 minimum on second conviction, max of \$2,000
 - \$300 minimum on third conviction, max of \$2,000

City Attorney Frank J. Garza noted he was still researching the proposed amendment where it states measurement would be taken “On either side of a public right-of-way at or near the boundary line of the property where the noise is generated” to clarify who the complainant would be if the violation was measured on the violator’s property or across the street.

- Section 10-18 – Identification of violator
 - o Any resident present, guest or trespasser with the ability to control the level of noise;
 - o Any business owner, operator, manager, employee in charge and all persons in control or possession of the noise nuisance instrument;
 - o Any person who leaves unattended any machine, instrument, device, child, animal, or any combination of same which produces noise in violation of this Code.

Police Chief Pruitt stated the City Council has the authority to pass Ordinances to protect citizens against unreasonable noise within the corporate limits of Alamo Heights and authorize the City Manager or designee to take all necessary steps to implement the provisions of the Ordinance. He commented an amendment to the noise ordinance was proposed during the BY22-23 Strategic Action Plan meeting and previously presented to City Council on February 27, 2023; however, it was tabled. The current ordinance draft was provided by the City Attorney and reviewed by the City Manager.

Police Chief Pruitt stated current sound level meters needed to be replaced by newer models which will provide the latest technology for accurately determining the dBA levels of sounds or noise. The cost for eight meters is \$2,000 and can be purchased with existing police department budget funds.

Councilmember Bonner suggested making gas powered leaf blowers illegal in the city. Mr. Garza commented this could not be done due to Texas Senate Bill 1017 which prohibits municipalities from banning the use, sale, or lease of any engine base fuel source to include leaf blowers.

Council discussed regulating the time lawn equipment/leaf blowers would be permitted to be used in the city by commercial vendors and residents. Councilmember Baker asked if ambient noise would be taken into consideration and Councilmember Lawson questioned if a decibel level would be taken for several minutes to determine a noise violation.

Mr. Garza explained the violation occurs as soon as the officer measures the decibel level reading and determines it is above the dBA level allowed. He commented a noise ordinance is complaint oriented and is going to be in response to a complaint where an officer takes a reading, and if it surpasses the decibel level, it is a violation.

Mr. Kuhn agreed and added the AHPD will let people know if they surpass the decibel level and ask them to turn it down. They will not automatically cite them; however, if they are habitual and have been asked several times, then the officer will issue a ticket.

To answer Councilmember Baker's question, Police Chief Pruitt noted ambient noise is written into the ordinance. An officer takes a commonsense approach and will account/eliminate all the ambient noise before taking a reading.

Mr. Garza spoke about penalties/fees for violations and stated \$2,000 was the max that could be charged but Council could raise the minimum. It would be at the discretion of the judge.

Council address the special events with an 85 dBA and asked staff to regulate the start and end times for these events to prevent potential noise nuisance for neighbors.

In closing, Council revisited the hours for lawn service operation. They concurred to allow commercial vendors from 10:00 AM to 4:00 PM on Saturday and no hours on Sunday.

Mr. Kuhn stated staff would update the ordinance and bring it back to Council for consideration at the next scheduled meeting.

Once adopted, Mayor Pro Tem Jacobson suggested staff aggressively communicate with residents on the noise ordinance changes to ensure no one is blindsided. Council discussed giving residents a grace period to adjust to the new regulations.

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With no further business to consider, Councilmember Bonner moved to adjourn the meeting at 7:03 p.m. The motion was seconded by Councilmember Baker and passed by unanimous vote.

PASSED AND APPROVED THIS 23rd DAY OF JUNE, 2025.


Elsa T. Robles, TRMC
City Secretary




Albert Honigblum
Mayor