

CITY OF ALAMO HEIGHTS
CITY COUNCIL
June 12, 2023

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 12, 2023. 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 John Savage

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

Absent:
Councilmember Lynda Billa Burke
Assistant to City Manager Jennifer Reyna
Public Works Director Pat Sullivan
Human Resources Manager Brenda Jimenez

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Mayor Bobby Rosenthal opened the meeting at 5:31 p.m.

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Item # 1 Approval of Minutes

Mayor Bobby Rosenthal asked City Council for a motion on the May 22, 2023 City Council Meeting minutes. Councilmember Lawson Jessee moved to approve the minutes as presented. The motion was seconded by Mayor Pro Tem Blake M. Bonner and passed by a 4-0 vote.

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Item # 2 Announcements

Mayor Rosenthal read the following captions.

a. Strategic Action Plan Work Session, June 15, 2023

City Secretary Elsa T. Robles announced Council and Staff will hold a Strategic Action Plan work session on Thursday, June 15th in the council chamber starting at 8:30 a.m. It is open to the public and will be accessible via Zoom and social media.

b. Cancellation of July 10, 2023 Council Meeting

Ms. Robles announced the cancellation of the July 10th Council meeting due to the Budget work session being held on Wednesday, July 12th at 8:30 a.m. She stated this work session is also open to the public and will be accessible via Zoom and social media. Mayor Rosenthal added the first meeting in July is cancelled annually to prepare for the Budget work session during that week.

c. Annual 4th of July Parade, Tuesday, July 4, 2023

Ms. Robles announced the 53rd Annual 4th of July Parade will take place on Tuesday, July 4th at 10:00 a.m. Preparation will begin at 9:45 a.m. The parade will start at Estes & Patterson and end at Cathedral Park. The public is welcome to participate in patriotic singing and refreshments. She stated more information will be available soon on the City's website and through social media.

d. 2023 Street Maintenance Program

Assistant City Manager Phil Laney announced the start of the 2023 Street Maintenance Program (SMP). Clark Construction of Texas, Inc. will head the project. It will include Broadway from Austin Hwy to Blue Bonnet and E. Fair Oaks from Broadway to N. New Braunfels. He stated the project will start the week of July 10th and the contract is for 20 working days anticipating the start of the new school year.

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Item # 3 Citizens to be Heard

Ms. Lisa Campbell, resident, shared concerns with mosquito abatement/prevention. She noted many yards in the city that needed to be mowed and requested Code Enforcement address these concerns to help with mosquito mitigation.

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Items for Individual Consideration

Item # 4 Mayor Rosenthal read the following caption.

Architectural Review Board Case No. 896F, request of Daniel Long of Chesney Morales, applicant, representing Christopher Walker, owner, for the significance review of the existing main structure and compatibility review of the proposed design located at 259 Montclair Ave in order to demolish 100% of the existing residence with accessory structure(s) and construct a new single-family residence with detached garage

Community Development Services Department Director Lety Hernandez stated the 2F-C zoned property is located at 259 Montclair Ave at the corner of Kokomo Street. The applicant requests 100% demolition and in order to construct a new single-family residence with detached garage.

Ms. Hernandez reviewed existing structure conditions and site plan. She presented new proposed site plans, elevations, and floor/roof plans. The proposed elevation is 28ft 9-1/2 in. high with a combination of painted composite siding and trim with painted brick.

In terms of policy analysis, Ms. Hernandez noted in the 2F-C zoning district they are limited to total impervious coverage. The maximum allowed is 65%, currently there is 44.8% of impervious coverage, they are requesting an increase to 58.3%.

The project is currently in the plan review process. The proposed wall on the east side is located within the City's right-of-way (ROW) and will be subject to review and approval by City Council for a License Agreement. Staff is in receipt of the application.

The Architectural Review Board (ARB) considered the request at the regular meeting of May 16, 2023 and voted unanimously to declare the existing main structure as not significant and recommended approval of the demolition as requested and proposed design as compatible.

Ms. Hernandez stated due to the total destruction of the previous structure, the Architectural Review Board (ARB) considered the request at their March 15, 2022 meeting and voted to recommend approval of the design as compatible.

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 one neutral response.

Before considering this item, Mayor Rosenthal requested to hear Item #5, Public Hearing on a request for a license agreement for the installation of a retaining wall along Kokomo Street in conjunction with new construction. Ms. Hernandez agreed and proceeded to present Item #5 as requested.

Item # 5 Mayor Rosenthal read the following caption.

Public Hearing. A request submitted by Christopher Walker, owner, to encroach into the city's right-of-way on the east side of the property known as 259 Montclair Ave, identified as CB 4050, BLK 76, LOT 30 and 31 for a period of five (5) years for the purpose of installing a retaining wall along Kokomo St in conjunction with new construction

Ms. Hernandez stated the city allows a property owner to petitioning for a license to use the public right-of-way under Section 16-104 of the City's Code of Ordinances. She reviewed the area that will be enclosed by the 869 sq. ft retaining wall. Applicant proposes a 2ft to 4 ft 8-inch wall made of limestone block.

In regards to fiscal impact, Ms. Hernandez explained, per Section 16-104(d) - ROW License Agreement Fee, it is a five (5) year license to use the public ROW. The fee is the greater of \$2,000 or 10% of Fair Market Value of area occupied by encroachment in accordance with Section 16-101(g) which calculates the average of the per-square-foot Bexar Appraisal District market values in the vicinity of the property in question. She broke down the calculation as follows:

- Fair Market Value: \$314,380
- Average per sq. ft: \$43.21
- License Fee: \$3,754.95
- 869sf x \$43.21 = \$37,549.49

Public notifications were mailed to property owners within a 200-foot radius. Notices were posted on the City's website and on the property. Additionally, a legal notice was posted in the *San Antonio Express-News*. Staff received a total of two responses in support and one neutral response.

Mayor Rosenthal opened the public hearing at 5:45 p.m. With no one to speak on the item, he closed the public hearing at 5:46 p.m.

Item # 6 Mayor Rosenthal read the following caption.

Discussion and possible action on request submitted by Christopher Walker, owner, to encroach into the city's right-of-way on the east side of the property known as 259 Montclair Ave, identified as CB 4050, BLK 76, LOT 30 and 31 for a period of five (5) years for the purpose of installing a retaining wall along Kokomo St in conjunction with new construction

Councilmember Jessee addressed a comment on the response cards regarding the applicant renewing the license for the stone wall after 5 years. Ms. Hernandez explained the city normally does not approach property owners to renew after the term is complete. Mayor Rosenthal noted the city should technically address this with the applicant.

After some discussion, Mayor Pro Tem Bonner approve ***Item # 4***, ARB Case No. 896F as presented and ***Item # 6***, request from Christopher Walker, to encroach into the city's right-of-way on the east side of the property known as 259 Montclair Ave, identified as CB 4050, BLK 76, LOT 30 and 31 for a period of five (5) years for the purpose of installing a retaining wall along Kokomo St in conjunction with new construction. The motion was seconded by Councilmember John Savage and passed by a 4-0 vote.

Item # 7 Mayor Rosenthal read the following caption.

Public Hearing. A request submitted by C. Trebes Sasser, owner, to encroach into the city's right-of-way on the east side of the property known as 501 Evans Ave, identified as CB 4024, BLK 178, LOT 6 for a period of five (5) years for the purpose of installing a circular driveway along Woodway Ln.

Ms. Hernandez stated the Single-Family A (SF-A) zoned property is located at 501 Evans Avenue and Woodway Lane. The property owner is petitioning for a license to use the public right-of-way (ROW) under Section 16-104 of the City's Code of Ordinances to install a circular driveway. She reviewed the site plan and area owner is proposing to use for the 124 sq. ft driveway.

Ms. Hernandez continued to review the existing property conditions and other similar properties in the area. She explained, as in the previous item, per Section 16-104(d) - ROW License Agreement Fee, it is a five (5) year license to use the public ROW. The fee is the greater of \$2,000 or 10% of Fair Market Value of area occupied by encroachment in accordance with Section 16-101(g) which calculates the average of the per-square-foot Bexar Appraisal District market values in the vicinity of the property in question. She broke down the calculation as follows:

- Fair Market Value: \$374,745
- Average per sq. ft: \$46.26
- License Fee: \$2,000
- 124sf x \$46.26= \$5,736.24

Public notifications were mailed to property owners within a 200-foot radius. Notices were posted on the City's website and on the property. Additionally, a legal notice was posted in the *San Antonio Express-News*. Staff received a total of five responses in support and no other responses were received.

Mayor Rosenthal opened the public hearing at 5:52 p.m. With no one to speak on the item, he closed the public hearing at 5:53 p.m.

Item # 8 Mayor Rosenthal read the following caption.

Discussion and possible action on request submitted by C. Trebes Sasser, owner, to encroach into the city's right-of-way on the east side of the property known as 501 Evans Ave, identified as CB 4024, BLK 178, LOT 6 for a period of five (5) years for the purpose of installing a circular driveway along Woodway Ln.

Councilmember Jessee moved to approve request submitted by C. Trebes Sasser, owner, to encroach into the city's right-of-way on the east side of the property known as 501 Evans Ave, identified as CB 4024, BLK 178, LOT 6 for a period of five (5) years for the purpose of installing a circular driveway along Woodway Ln. The motion was seconded by Mayor Pro Tem Bonner and passed by a 4-0 vote.

Item # 9 Mayor Rosenthal read the following caption.

An Ordinance appointing individuals to serve on the Planning & Zoning Commission, Architectural Review Board, and Board of Adjustment for the City of Alamo Heights

Ms. Hernandez stated staff is requesting to reappoint and appoint new board and commission members. Per city code, Boards & Commission members are appointed by the Mayor and confirmed by City Council for two-year terms or until a successor is appointed.

Ms. Hernandez shared the Planning and Zoning Commission (P&Z) consists of a total of twelve members. Four members recently resigned and staff seeks to appoint new members to fill these vacancies. Staff proposes to reappoint Lori Becknell, Stephen McAllister, La Unah Cuffy, Richard Garison, John Grable, Al Honigblum, Carlos Platero Jr. and newly appoint Richard Bilanceri, Mark Browne, Katherine Gish, Laura Propp, and Christopher Walker to the P&Z.

On the Architectural Review Board (ARB), there are seven board members and two alternates. Two members resigned; however, one alternate vacancy will still remain after new appointments. Staff proposes to reappoint John Gaines, Grant McFarland, Larry Gottsman, Adam Kiehne, Phil Solomon, Lyndsay Thorn and newly appoint Ashley R. Arnes and Clay Hagendorf to the ARB.

The Board of Adjustment consists of five members and two alternates. No new appointments are proposed; however, staff request to realign Jessica Drought from and alternate member to a regular member and Jimmy Satel from a regular member to an alternate member. No vacancies will remain.

Mayor Rosenthal thanked the citizens for volunteering their time to serve on these boards and commission. Mayor Pro Tem Bonner moved to approve the reappointments and new appointments as requested. The motion was seconded by Councilmember Savage and passed by a 4-0 vote.

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With no further business to consider, Mayor Pro Tem Bonner moved to adjourn the meeting at 5:56 p.m. The motion was seconded by Councilmember Jessee and passed by a 4-0 vote.

PASSED AND APPROVED THIS 24th DAY OF JULY, 2023.



Elsa T. Robles, TRMC
City Secretary



Bobby Rosenthal
Mayor

