

CITY OF ALAMO HEIGHTS
CITY COUNCIL
June 28, 2021

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, June 28, 2021. A teleconference was held via Zoom; staff and meeting attendees were welcomed in the Council Chambers.

Composing a quorum were:
Mayor Bobby Rosenthal
Mayor Pro Tempore Lynda Billa Burke
Councilmember Lawson Jessee
Councilmember Wes Sharples
Councilmember Blake M. Bonner
Councilmember John Savage

Also attending were:
City Manager Buddy Kuhn
Assistant City Manager/Community Development Services Director Nina Shealey
City Attorney Richard Lindner
Assistant to City Manager Jennifer Reyna
City Secretary Elsa T. Robles
Director of Finance Robert Galindo
Human Resources Manager Lori Harris
Police Chief Rick Pruitt
Fire Chief Michael Gdovin
Public Works Director Pat Sullivan
Deputy Police Chief Cindy Pruitt

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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 Rosenthal asked City Council for a motion to approve the June 14, 2021 Council Meeting minutes. Councilmember Wes Sharples moved to approve the minutes as presented. The motion was seconded by Mayor Pro Tem Lynda Billa Burke and passed by unanimous vote.

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Item # 2 Announcements

Mayor Rosenthal read the following caption.

a. July 4th Parade held on Saturday, July 3, 2021

Assistant to City Manager Jennifer Reyna announced the 4th of July Parade is scheduled for Saturday, July 3rd at 10:00 a.m. The parade will assemble around 9:45 a.m. and will start at Estes and Patterson; ending at Cathedral Park with patriotic songs and refreshments.

b. Cancellation of July 12, 2021 Council Meeting

City Secretary Elsa T. Robles announced the July 12, 2021 regular Council meeting is cancelled in preparation for a budget workshop scheduled for Wednesday, July 14, 2021 at 8:30 a.m.

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Mayor Rosenthal announced Item #10 would be considered first. Citizens to be heard would be moved to the end.

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Items for Individual Consideration

Item # 10 Mayor Rosenthal read the following caption.

ORDINANCE NO. 2175

AN ORDINANCE APPOINTING MEMBERS AND CHAIR AND VICE CHAIR OF THE CITY OF ALAMO HEIGHTS ARCHITECTURAL REVIEW BOARD, BOARD OF ADJUSTMENT AND PLANNING AND ZONING COMMISSION; SETTING AN EFFECTIVE DATE.

Assistant City Manager/Community Development Services Department Director, Nina Shealey stated the per city code, boards and commission members are appointed by the Mayor and confirmed by City Council. Board appointments are two-year terms or until a successor is appointed.

Ms. Shealey stated currently the Architectural Review Board (ARB) has three vacancies, and Board of Adjustment (BOA) has one vacancy. She announced the new proposed appointments:

- ARB – Larry Gottsman, Karl Baker (Alternate), and Adam Kiehne (Alternate)
- BOA – Jessica Drought (Alternate)

Ms. Shealey added all other members are retaining their seats and there is no fiscal impact to the City.

Mayor Rosenthal congratulated all the new members and emphasized the important role they play in our City’s boards and commission.

Councilmember Lawson Jessee moved to approve Ordinance No. 2175 appointing members, chair, and vice chair of the City of Alamo Heights Architectural Review Board, Board of Adjustment, and Planning and Zoning Commission as presented. The motion was seconded by Mayor Pro Tem Lynda Billa Burke and passed by unanimous vote.

Item #4 was considered next.

Item # 4 Mayor Rosenthal read the following caption.

Public Hearing – Planning and Zoning Case No. 413. A request from Jorge Cavazos, applicant, as authorized by Section 16-105 of the Code of ordinances to close, vacate, abandon and sell a portion of public right-of-way, approximately 1,548 square feet, out of Allen Street, that adjoins the eastern side of the property known as 223 Allen Street, identified as Lots 16 & 17 and W 40.81ft by 50ft (Tract 2), Block No. 58, County Block 4024 of the City of Alamo Heights, Texas

Mayor Rosenthal opened the public hearing at 5:37 p.m.

Ms. Shealey stated this was the public hearing for this request and discussion would follow in the next agenda item.

With no one to speak on the item, Mayor closed the public hearing at 5:38 p.m.

Item # 5 Mayor Rosenthal read the following caption.

ORDINANCE NO. 2174

AN ORDINANCE CLOSING, VACATING, ABANDONING AND SELLING A PORTION OF PUBLIC RIGHT-OF-WAY, APPROXIMATELY 1,548 SQUARE FEET, OUT OF ALLEN STREET, THAT ADJOINS THE EASTERN SIDE OF THE PROPERTY KNOWN AS 220 ALLEN STREET, IDENTIFIED AS LOTS 16 & 17 AND W 40.81FT BY 50FT (TRACT 2), BLOCK NO. 58, COUNTY BLOCK 4024 OF THE CITY OF ALAMO HEIGHTS, TEXAS; DECLARING A PUBLIC PURPOSE; INCORPORATING RECITALS; PROVIDING A REPEALER; PROVIDING FOR SEVERABILITY AND DECLARING AN EFFECTIVE DATE.

Ms. Shealey stated Mr. Jorge Cavazos of 223 Allen Street requested the City to close, vacate, abandon and sell a portion out of Allen Street, approximately 1,548 square feet. The applicant's property is located north of Harrison Avenue and demolition of the existing residence was approved by Council in 2019.

Ms. Shealey provided background information on the case and reviewed the property location. The original city development extended further northwest. It was never developed beyond 224 & 223 Allen due to topography. In 1964, City Ordinance No. 424 abandoned 230

feet of undeveloped right-of-way and half of the right-of-way was conveyed to 224 and 223 Allen.

In terms of policy analysis, Ms. Shealey stated this case meets City policies:

Sec. 16-105 – Closure, vacation and abandonment of public rights-of-way

- d) Prior to an abandonment ordinance being considered by the city council, the following shall occur:
 - 2) A public hearing shall be held by the city council after twenty-one (21) calendar days written notice, by U.S. Mail, is given to all property owners within two hundred (200) feet of the requested abandonment, and such notice is published in the official newspaper of the city.
 - 3) The city council shall consider the recommendation of the planning and zoning commission regarding the requested abandonment.
- e) The abandoning ordinance shall further provide that in consideration of the foregoing requirements and upon receipt from the petitioner of the fair market value of the public right-of-way to be abandoned as determined in accordance with section 16-101(g)

Section 16-101 – General Provisions

- g) When fair market value is required by this article, the city may, at its option, rely on an average of the per-square-foot Bexar Appraisal District market values in the vicinity of the property in question, or the city may require that an independent professional appraisal be obtained. The petitioner and the city shall jointly select the appraiser, if they can agree. If they cannot agree, the city shall select the appraiser.

Ms. Shealey noted staff coordinated with Public Works, Police and Fire departments to ensure abandoning this portion of the right-of-way will not have adverse impact on city services. She added the requestor elected to determine the fair market value based on the average per-square-foot Bexar Appraisal District market value of \$9.94 per square foot for a total of \$15,385.60. The agreement must be recorded by the requestor via a separate instrument at the Bexar County Courthouse.

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 three responses in support, and no other responses on this case.

After discussion, Mayor Pro Tem Billa Burke moved to approve Ordinance No. 2174 as presented. The motion was seconded by Councilmember Sharples and passed by unanimous vote.

Item # 6 Mayor Rosenthal read the following caption.

Architectural Review Board Case No. 832F. A request from Joseph Valdez of Valdez Designs, applicant, representing James W. and Jessica Collins, owners, for the compatibility review of the proposed design located at 730 Corona in order to construct a new single-family residence with detached accessory structure

Ms. Shealey stated the SF-A zoned property is located at 730 Corona Avenue at the intersection of St. Luke's Lane and Ciruela Street. The applicant requests approval of a compatibility review in order to construct a single-family residence with detached accessory structure. She reviewed the proposed site plan and noted the Architectural Review Board (ARB) and the City Council approved the demolition of the existing structure in December 2020 and January 2021 respectively.

The Board of Adjustment (BOA) heard the case on February 3, 2021 and denied variances for the driveway width, parking, and height of the structure. A lawsuit was filed against the BOA's decision were mediated and issues were addressed. Ms. Shealey stated the ARB also heard the case for the new construction on February 23, 2021, but tabled the item until legal issues pertaining to a variance were resolved.

Ms. Shealey reviewed renderings of the property floor plan, elevations, and roof plan. The proposed building materials are stucco and barrel tile roof with a height of 37 feet.

In terms of policy analysis, Ms. Shealey noted the existing total lot coverage is 22% and the proposed lot coverage is 32% under the maximum allowed in a SF-A zone. The floor area ratio existing is 27% and the proposed is 42%, under the maximum of 45% or 50% with bonuses.

The ARB reviewed this case a second time on June 15, 2021 and recommended approval of proposed plans as submitted.

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 opposition, and no other responses on this case. Ms. Shealey noted concerns shared in the opposing notice have since been resolved with the new construction plans.

Mayor Pro Tem Billa Burke moved to approve ARB Case No. 832F as requested. The motion was seconded by Councilmember Blake M. Bonner and passed by unanimous vote.

Item # 7 Mayor Rosenthal read the following caption.

Architectural Review Board Case No. 840F. A request from Mike McGlone, Architect, of Alamo Architects, applicant, representing Kip Gilliland, owner, for the significance review of the existing main structure and compatibility review of the proposed design located at 510 College in order to demolish 67.98% of the existing street-facing façade and add covered parking to the front of the single-family residence with detached garage

Ms. Shealey stated the property zone SF-A is located at 510 College at the corner of La Jara and Woodway. The request is to demolish 67.98% of the existing street-facing façade, raise the roofline and construct a new entry way and carport at the front of the main structure. This item was originally scheduled for the May ARB meeting but was unable to be heard due to lack of quorum. She reviewed the existing and proposed site plans.

The proposed project required four variances. The BOA heard the case on May 5, 2021 and approved the four variances as requested:

VARIANCE	LOCATION	REQUEST	CODE	ALLOWED
Impervious Coverage	Footprint	39.95%	3-18	Max 30%
Parking	Carport	Towards the front	3-21	Behind midpoint
Width	Approach	22ft	3-21	Max 14ft
Width	Driveway	25ft 6 ¾ in	3-21	Max 14ft

Ms. Shealey reviewed elevations and renderings of the proposed construction. The proposed building height is 20' 1 ¼" with hardie siding and limestone and a standing seam metal roof.

In terms of policy analysis, the proposed lot coverage is 37% under the maximum 40% allowed in a SF-A zone. The proposed floor to area ration is 33% which is below the maximum of 45% or 50% with bonuses.

Staff found no historical or architectural significance in this case. The ARB reviewed this case on June 15, 2021 and recommended approval of the plans as submitted.

Staff mailed public notifications to property owners within a 200-foot radius. Notices were posted on the City's website and on the property itself. Staff received four responses in support, and no other responses for this project.

Mayor Pro Tem Billa Burke moved to approve ARB Case No. 840F as requested. The motion was seconded by Councilmember Bonner and passed by unanimous vote.

Item # 8 Mayor Rosenthal read the following caption.

Architectural Review Board Case No. 848F. A request from Jack Uptmore of Uptmore LLC, owner, for the compatibility review of the proposed design located at 636 Tuxedo in order to construct a new single-family residence with detached accessory structure

Ms. Shealey stated the property is located at 636 Tuxedo zoned SF-A between Canyon and Loveta and is a vacant lot. The applicant requests a compatibility review of the proposed design in order to construct a new single-family residence with detached accessory structure.

Ms. Shealey reviewed existing elevations and renderings of the proposed construction with a height of 32' 11 ¾". The proposed building materials consist of stucco and stone with a standing seam metal roof.

In terms of policy analysis, the proposed lot coverage is 27% under the maximum 40% allowed in a SF-A zone. The proposed floor to area ration is 32% which is below the maximum of 45% or 50% with bonuses.

The ARB reviewed this case on June 15, 2021 and recommended approval of the plans as submitted.

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 no other responses for this project.

Mayor Pro Tem Billa Burke moved to approve ARB Case No. 848F as requested. The motion was seconded by Councilmember Savage and passed by unanimous vote.

Item # 9 Mayor Rosenthal read the following caption.

Architectural Review Board Case No. 851F. A request from Jack Dabney of Dabney Homes, owner, for the significance review of the existing main structure located at 227 Rosemary in order to demolish the existing single-family residence and accessory structures

Ms. Shealey stated the SF-A zoned property is located at 227 Rosemary Avenue and the corner of Buttercup Drive. The request is for 100% demolition. She reviewed pictures of the existing site plan and current structure.

In terms of policy analysis, staff found no historical or architectural significance. The ARB reviewed this case on June 15, 2021 and found no historical or architectural significance. The ARB recommended approval of the demolition as requested.

Staff mailed public notifications 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 opposition, and no other responses for this project.

Councilmember Jessee moved to approve ARB Case No. 851F as requested. The motion was seconded by Councilmember Sharples and passed by unanimous vote.

Item # 11 Mayor Rosenthal read the following caption.

RESOLUTION NO. 2021R - 132

A RESOLUTION APPROVING THE CITY'S PARTICIPATION IN THE BEXAR COUNTY HOUSING AND URBAN DEVELOPMENT COMMUNITY DEVELOPMENT BLOCK GRANT AND HOME INVESTMENT PARTNERSHIP PROGRAM APPLICATION AND AUTHORIZING THE MAYOR TO EXECUTE AN AGREEMENT WITH BEXAR COUNTY FOR SUCH PURPOSE

Ms. Shealey stated this resolution is to renew the cooperative agreement with Bexar County for the inclusion in the County's application for Housing and Urban Development (HUD) Programs to include Community Development Block Grant (CDBG), HOME Investment Partnership Program and Emergency Solutions Grant (ESG) programs.

Bexar County has started the re-qualification process for continued participation in these programs for the fiscal years 2022-2024. Bexar County is requesting the City of Alamo Heights join them in qualifying for the next three-year Urban County entitlement period by entering into a cooperative agreement for inclusion in the Urban County designation.

This cooperative agreement allows for funding in neighborhood revitalization, economic development and assists with community facilities and services. Eligibility requirements include: income driven, 70% of funding towards low and moderate income, and public improvement projects are an exception. Because of the income levels in the Alamo Heights census tract, most funds will not be available. However, sidewalks and ADA funds are not income dependent and Alamo Heights would be eligible to receive both sidewalk and ADA funds. The agreement ensures the City is eligible to apply for CDBG, HOME, and ESG program funding.

Mayor Pro Tem Billa Burke moved to approve Resolution No. 2021R-132 as requested. The motion was seconded by Councilmember Savage and passed by unanimous vote.

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Item # 3 Citizens to be heard

No comments made.

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With no further business to consider, Councilmember Bonner moved to adjourn the meeting at 6:00 p.m. The motion was seconded by Councilmember Savage and passed by unanimous vote.

PASSED AND APPROVED THIS 26TH DAY OF JULY, 2021.



Elsa T. Robles, TRMC
City Secretary



Bobby Rosenthal
Mayor

