

CITY OF ALAMO HEIGHTS  
CITY COUNCIL  
May 28, 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 Tuesday, May 28, 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 Lynda Billa Burke  
Councilmember Lawson Jessee  
Councilmember Blake M. Bonner

Also attending were:  
City Manager Buddy Kuhn  
City Attorney Jessie Lopez  
Director of Finance Robert Galindo  
Assistant to City Manager Jennifer Reyna  
City Secretary Elsa T. Robles  
Police Chief Rick Pruitt  
Fire Chief Michael Gdovin  
Deputy Police Chief Cindy Pruitt  
Public Works Director Frank Orta

Not attending:  
Councilmember Karl P. Baker  
Councilmember John Savage  
Assistant City Manager Phil Laney  
Community Development Services Director Lety Hernandez

\* \* \*

Mayor Bobby Rosenthal opened the meeting at 5:30 p.m.

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*Item # 1      Approval of Minutes*

Mayor Rosenthal asked the City Council for a motion on the May 13, 2024 City Council Meeting minutes. Mayor Pro Tem Lynda Billa Burke moved to approve the minutes as presented. The motion was seconded by Councilmember Blake M. Bonner and passed by unanimous vote.

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*Item # 2      Announcements*

Mayor Rosenthal read the following caption.

**a. Strategic Action Plan Work Session, June 13, 2024**

City Secretary Elsa T. Robles announced Council and staff will hold a Strategic Action Plan work session on Thursday, June 13th 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.

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*Item # 3      Citizens to be Heard*

Ms. Vickie Phillips, resident, addressed the City Council and requested a stop sign be installed at the intersection of West Elmview Pl and Columbine Street. She presented a signed petition from residents and stated people speed up to 45-50 miles per hour down the street and residents are concerned it will become a bigger problem during the upcoming high school renovations.

\* \* \*

*Items for Individual Consideration*

*Item # 4      Mayor Rosenthal read the following caption.*

**Architectural Review Board Case No. 926F, request of David Hernandez of Bexar General Contractors LLC, applicant, representing Stephanie Hagee, owner, for the compatibility review of the proposed design located at 525 Argo Ave in order to construct a new two-story detached accessory structure**

City Manager Buddy Kuhn stated he would be presenting on behalf of Community Development Services Department Director Lety Hernandez. He stated the Single-Family B property is located on the north side between Alamo Heights Blvd and Greely St. The applicant requests approval for a compatibility review of the proposed design in order to build a new two-story detached accessory structure.

Mr. Kuhn stated the demolition of one-story detached accessory structures are exempt from a significance review; however, construction of two-story detached accessory structures are subject to a compatibility review. He reviewed the site plan, proposed elevations, and roof plan. The proposed main structure elevation is 30ft with hardie siding and composition shingle roof.

In terms of policy analysis, Mr. Kuhn noted the proposed lot coverage is 39.71% of the maximum allowed of 40% in a SF-B zone. The applicant is requesting a .423 floor to area ratio of the max .49 with bonus. Due to the preservation of the main structure, the applicant is allowed a 4-point bonus.

Staff is currently completing the plan review process to ensure compliance with the city's code requirements. The Architectural Review Board (ARB) considered the request at their May 21, 2024 meeting and voted unanimously to recommend approval.

Mr. Kuhn 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 two in opposition. He commented one of the opposing responses was from the next-door neighbor who was concerned with looming over their backyard.

Mr. David Hernandez, representing the owner, stated the opposing response came from a neighbor to the right side of the property. He noted there were no proposed windows on that side of the structure. He added there was an 8-foot privacy fence and several trees for privacy. Mr. Kuhn commented the proposed structure meets the city's looming standards.

Councilmember Lawson Jessee moved to approve ARB Case No. 926F as presented. The motion was seconded by Councilmember Bonner and passed by unanimous vote.

*Item # 5* Mayor Rosenthal read the following caption.

**Architectural Review Board Case No. 930F, request of James Deng, owner, represented by Brian Fox of Interior Architects, for the final design review of the proposed modifications to the exterior façade of the existing commercial use building located at 5330 Broadway St**

Mr. Kuhn stated the Business-1 (B-1) property is located on the east side between Grandview Pl and Arcadia Pl. The applicant requests approval of the final design for proposed modifications to the exterior façade on the commercial building located at 5330 Broadway St.

Mr. Kuhn reviewed the existing conditions, proposed demolition of exterior partition, including doors, frames, window, and glazing. He noted the building will retain its same footprint and reviewed the proposed elevations and rendering of the proposed modifications.

In terms of policy analysis, since the existing building is in the flood plain, it is required to go through flood plain review to ensure the exterior remodeling of an existing structure does not change the existing footprint, first floor elevation, or elevation of the land. In this case, there are no changes. Encroachments are prohibited, unless certified by a professional registered engineer or architect. Certification must demonstrate that encroachments shall not result in any increase in flood levels within the community during the occurrence of the base flood discharge. If this is satisfied, all new construction and substantial improvements shall comply with all applicable flood hazard reduction provisions as stated in Chapter 7, Flood Damage and Prevention Control.

Staff is currently completing the plan review and Floodplain Development Permit processes to ensure compliance with code requirements. The ARB considered the request at their May 21, 2024 meeting and voted unanimously to recommend approval.

Mr. Kuhn 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 on this case.

Councilmember Jessee moved to approve ARB Case No. 930F as presented. The motion was seconded by Councilmember Bonner and passed by unanimous vote.

Item # 6 Mayor Rosenthal read the following caption.

**Architectural Review Board Case No. 933F, request of Eric Baumgartner of LPA Design Studios, applicant, representing Trebes Sasser, Colony House Apartments LTD, owner, for the significance review of an existing main structure located at 7001 Broadway St in order to demolish 100% of the existing multi-family use building**

Mr. Kuhn stated the Multi-Family (MF-D) property is located on the west side of Broadway between W. Fair Oaks Pl and Tuxedo Ave. The applicant requests approval for the significance review of an existing main structure located at 7001 Broadway St in order to demolish 100% of the existing multi-family use building.

Mr. Kuhn reviewed the existing building footprint/conditions and stated the property is to be used as a temporary parking lot to accommodate students and staff from the Alamo Heights High School during the upcoming AHISD project.

In terms of policy analysis, an asbestos survey confirmed abatement will be required. It must be completed and confirmed prior to approval and issuance of a demolition permit. The proposed temporary parking is subject to the plan review process to ensure compliance with current building regulations.

The ARB considered the request at their May 21, 2024 meeting; however, the motion to declare the existing main structure as non-significant and recommend approval of the 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.

Mr. Kuhn 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. He clarified AHISD owns the property which was purchased from Mr. Trebes Sasser after the demolition application was submitted to the city.

Councilmember Bonner moved to approve ARB Case No. 933F as presented. The motion was seconded by Councilmember Jessee and passed by unanimous vote.

Item # 7 Mayor Rosenthal read the following caption.

**RESOLUTION NO. 2024R - 186**

**A RESOLUTION AUTHORIZING THE CITY MANAGER TO EXECUTE AN AGREEMENT WITH BB INSPECTION SERVICES FOR CONSTRUCTION INSPECTION AND PLAN REVIEW SERVICES TO THE CITY OF ALAMO HEIGHTS FOR THE ALAMO HEIGHTS HIGH SCHOOL PROJECT; AND SET AN EFFECTIVE DATE.**

Mr. Kuhn provided background information on the request to execute an agreement with BB Inspection Services. He stated this item was related to the demolition and construction project of the new academic building at Alamo Heights High School as included in Alamo

Heights ISD 2023 Bond. The project includes several components requiring plan review and construction inspection services.

The Alamo Heights ISD 2023 Bond approved major construction projects at Alamo Heights High School which included the demolition and construction of new academic and administrative buildings, renovations to visitor bleachers and athletic facility at Orem Stadium, temporary parking lots, academic buildings and other incidental uses which may be constructed for use during construction. The project is scheduled to begin June 2024, with scheduled completion in the Fall of 2026.

Mr. Kuhn reviewed the existing/proposed sites and proposed renderings. He provided additional background information on BB Inspection Services stating the company provides construction inspection services and offer plans reviews to the City and 25 other local communities. They are on-call and have provided services to the City for over 20 years. BB staff hold various master licenses that are required for all the buildings and trades.

Mr. Kuhn noted BB Inspection Services would represent the City during the school project but would oversee all the reviews and inspection of the building trade, mechanical, electrical, plumbing, pre-construction meetings and all reviews necessary to complete the permit process.

The proposed agreement with BB Inspection Services is consistent with the City's practice to negotiate professional services contracts and with the City's interest to have professional expertise to provide detailed plan review and construction-related feedback on major construction projects. The agreement was coordinated with the City Attorney.

Mr. Kuhn explained BB Inspection Services' proposal. As part of this proposal, they will receive 50% of fees collected by the City from AHISD for the project.

The breakdown would be:

- Building Plan Review – 50% of Plan Review Permit Fees
- Building Inspections – 50% of Building, Electrical, Mechanical, and Plumbing Permit Fees

In addition, BB Inspections' portion of fees is to be paid from the General Fund budget. Currently, staff does not have a cost estimate, because the final cost of the building, etc., is still unknown. Since the amount may exceed \$50,000, staff requests Council to discuss and consider authorizing this service agreement before moving forward.

Mayor Pro Tem Billa Burke moved to approve Resolution No. 2024R - 186 as presented. The motion was seconded by Councilmember Jessee and passed by unanimous vote.

*Item # 8* Mayor Rosenthal read the following caption.

**ORDINANCE NO. 2222**

**AN ORDINANCE BY THE CITY COUNCIL OF THE CITY OF ALAMO HEIGHTS, TEXAS, AMENDING CHAPTER 18, TRAFFIC, SECTION 18-147, SCHEDULE B, STOP SIGNS BY CREATING A**

**NEW THREE-WAY STOP INTERSECTION AT COLUMBINE AND TUXEDO AVENUE AND PROVIDING FOR A PENALTY; REPEALING ALL PARTS OF ORDINANCES IN CONFLICT; PROVIDING A SEVERABILITY CLAUSE; AND OPEN MEETINGS CLAUSE.**

Mayor Rosenthal commented this item had been requested by Councilmember Karl P. Baker who was not present. He suggested Council listen to the item and residents who signed up to speak, then decide to consider a motion or table until Councilmember Baker is present.

Police Chief Rick Pruitt stated this item was to discuss the traffic survey results for the 200 blk of Tuxedo Avenue and Columbine Street. He noted the discussion will include the intersection/neighborhood profile, traffic survey results, and requested traffic control at the intersection. He provided background information and the traffic survey data on Tuxedo Avenue and Columbine Street.

- 200 block of Tuxedo Avenue: The street is 30 feet wide, is 100% residential, has front driveways and no sidewalks, has unobstructed corner vision, and no street lighting. There is no traffic control device for east and westbound traffic at the intersection with Columbine Street. There is a school bus stop at 239 Tuxedo and there is a student pedestrian route to the Alamo Heights High School crosswalk on Broadway at Tuxedo.
- Columbine Street: The street is 29 feet wide, is 100% residential, has side driveways and no sidewalks, has unobstructed corner vision, and no street lighting. There is stop sign at the intersection with Tuxedo Avenue. There were no accidents reported at the intersection in the past 10 years.
- Traffic Survey Data:

	200 blk. Tuxedo	Columbine
Total vehicles	2,923	203
Average Speed	19 mph	16 mph
10 mph Pace Speed	16-25 mph	15-24 mph
Number in Pace	2,120	137
Percentage in Pace	72%	67%
95 <sup>th</sup> Percentile Speed	26 mph	24 mph

Police Chief Pruitt discussed a map depicting all the stop sign intersections in the neighborhood. He stated there are no adverse impacts anticipated to surrounding streets by making this intersection a three-way stop intersection. All of the streets in the neighborhood have stop signs on them with the exception of West Elmview Pl. He reiterated; it will not cause an impact on surrounding streets because traffic is not going to be diverted from one street to another if a stop sign is established. If approved by Council, Public Works will install the poles and signs at the intersection.

Staff proposes an ordinance to change the existing one-way stop intersection on Columbine Street at Tuxedo Avenue to a three-way stop intersection, north, northeast, and southwest corners is allowed by the provisions of the Texas Transportation Code and Section 18-98 "Stop Intersections" of the City Code.

Police Chief Pruitt stated the City Manager reviewed the proposal, and the City Attorney prepared the proposed ordinance. Additionally, the ordinance will be published in the San Antonio Express-News (June 5th, June 12th) and posted on the COAH website if approved.

Public notifications were mailed to all addresses in the 100 and 200 blocks of Tuxedo Avenue. Staff received no responses in support and three in opposition. One resident's driveway is 48 feet from the proposed stop sign. There are concerns about the inability to exit their driveway if a stop sign is placed there.

Police Chief Pruitt shared costs related to the proposed stop sign. Two stop signs, one pole and labor - \$325, traffic survey - \$552, and cost to publish the Ordinance in the SA Express-News - \$460.

Mayor Rosenthal asked to hear comments from citizens.

- Mr. Andrew Scott, resident, stated he disagreed with the proposed stop sign because it would cause a traffic jam for cars turning left off Alamo High School Boulevard, or going westbound and Tuxedo Avenue.
- Ms. Donna Balin, resident, stated she was opposed to the new stop intersection and agreed with Mr. Scott noting the sign would be an impediment to the flow of traffic. She pointed out there have been no accidents in 10 years and did not see the need for it.
- Mr. Paul Bertolino, resident, opposed the proposed stop sign. He is concerned with traffic accelerating down Tuxedo to get to Broadway. His daughter walks to school and she would be facing accelerated traffic as she is trying to cross to the other side of Tuxedo Avenue.
- Ms. Suzanne Buchanan, resident, stated her mom (Maggie Looney) lives in the area and already deals with traffic, especially during peak hours. It is difficult to back out of her driveway. With a stop sign, cars would stack up and it would be worse to get in and out of her driveway.
- Ms. Maggie Looney, resident, opposed the new stop sign. The proposed sign would be right by her house/driveway. She had previously complained to Police Chief Pruitt and agreed with her daughter that it would be difficult to pull out of her driveway with a stop sign a few feet from her property.

Council discussed the opposition expressed by residents. They agreed traffic patterns will change with the school project and only time will tell if a stop sign is warranted in the future. Council concurred this could be revisited at a later time if necessary.

After a brief discussion, Councilmember Jessee moved to deny creating a new three-way stop intersection at Columbine Street and Tuxedo Avenue. The motion was seconded by Mayor Pro Tem Billa Burke and passed by unanimous vote.

*Item # 9* Mayor Rosenthal read the following caption.

**RESOLUTION NO. 2024R - 187**

**A RESOLUTION AUTHORIZING THE CITY MANAGER TO AMEND THE TASK AUTHORIZATION WITH FREESE AND NICHOLS INC. FOR ENGINEERING DESIGN AND PROJECT MANAGEMENT SERVICES FOR THE 2024 STREET MAINTENANCE PROGRAM AND ISSUE TASK AUTHORIZATION NO. 6 AMENDMENT #1; AND SET AN EFFECTIVE DATE.**

Public Works Director Frank Orta stated City Council budgeted \$1 million for streets and sidewalk improvements in the 2024 Street Maintenance Program (SMP). The agreement with City Engineer Freese and Nichols (FNI) for engineering design and project management services was approved by Council on February 26, 2024 in the amount of \$65,000. Amendment #1 is to revise the project scope to include a final list of projects and add reprofiling of Townsend in support of the sidewalk improvement project.

Historically, FNI has provided engineering design and project management services. They oversee bid process and project management of selected construction contractors, most recently during the 2023 SMP.

After Council's approval in February 2024, staff identified the projected cost of the project scope exceeded the authorized budget and reprioritized needed projects. In addition, preparation for the non-SMP sidewalk installation project on west side of Townsend identified a potential drainage issue. This required reprofiling the street.

Mr. Orta explained the proposed Amendment #1 to the task authorization with FNI will compensate for the changes in the 2024 SMP project scope. Task authorization with Amendment #1 will cost \$68,125. With this amendment, the 2024 SMP would include six projects, three resurfacing projects, one markings project, one pedestrian crossing, and one sidewalk improvement. One alternate street resurfacing project will be contingent on savings or unforeseen challenges to any of the other projects.

The amendment request is consistent with city policy and practices, negotiating fees and services in the best interest of the city. Coordination was attained with Freese and Nichols, Public Works, the City Manager, and City Attorney. The fiscal impact would be an increase of \$3,125 to the original \$65,000 authorized to Freese and Nichols. The amount is budgeted in the FY 2024 Budget. Any future Council action is required to authorize construction contract.

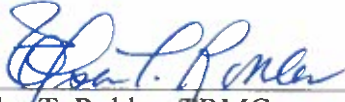
Mayor Pro Tem Billa Burke moved to approve Resolution No. 2024R - 187 as presented. The motion was seconded by Councilmember Bonner and passed by unanimous vote.

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With no further business to consider, Councilmember Bonner moved to adjourn the meeting at 6:11 p.m. The motion was seconded by Mayor Pro Tem Billa Burke and passed by unanimous vote.

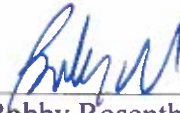


PASSED AND APPROVED THIS 28<sup>th</sup> DAY OF MAY, 2024.



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Elsa T. Robles, TRMC  
City Secretary



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Bobby Rosenthal  
Mayor

