

City of Alamo Heights
PLANNING AND ZONING COMMISSION
MINUTES
February 05, 2024

The Planning and Zoning Commission held a regularly scheduled meeting at the Council Chambers of the City of Alamo Heights, located at 6116 Broadway St, and via Zoom with teleconference on Monday, February 05, 2024, at 5:30 p.m.

Members present composing a quorum of the Commission:

Lori Becknell, Chairman
La Una Cuffy
Katherine Gish
Al Honigblum
Stephen McAllister
Richard Garison
Laura Propp
Mark Browne
Richard Bilanceri
Carlos Platero Jr.
Christopher Walker

Members Absent:

John Grable

Staff Present:

Phil Laney, Assistant City Manager
Lety Hernandez, Director of Community Development
Jesse Lopez, City Attorney
Dakotah Procell, City Planner

The meeting was called to order by Chairman Becknell at 5:31 p.m.

Chairman Becknell announced that the May 01, 2023 meeting minutes were not available for review and rescheduled for the next regularly scheduled meeting of March 04, 2024.

Commissioner Honigblum requested a point of privilege to make comments and questions to City Attorney for clarification. Chairman Becknell approved the request.

Commissioner Honigblum sought clarification from the City Attorney on 202.05 Texas Government Code regarding mandatory plat approval if all regulations are met. Attorney Lopez confirmed that plats meeting all city and state regulations must be approved according to state law. He cautioned against discretionary denials due to potential legal ramifications.

Chairman Becknell emphasized the focus on keeping the discussions on platting for all cases.

Case No. 443

Public hearing, consideration, and action regarding a request to replat the properties identified as CB 5571A, BLK 8, LOT 29, also known as 227 Rosemary Ave and a CB 5571A, BLK 8, LOT 30, also known as 229 Rosemary Ave.

Ms. Hernandez presented the case. Chairman Becknell opened the floor for board discussion.

Commissioner Browne inquired why the property wasn't re-platted during construction. Ms. Hernandez explained it originally comprised five lots, consolidated to two before construction, with separate permits for each. The property, now fenced as a single unit, seeks to revert to its original five-lot configuration, a move Chairman Becknell commended.

Commissioner Garison questioned whether the fencing met code requirements, which Ms. Hernandez confirmed compliance.

Chairman Becknell opened the public hearing at 5:42pm.

Those speaking with interest in the case were as follows:

Sarah Reveley of 436 Corona Ave mistook the property for another and subsequently apologized.

No one else requested to speak so the public hearing was closed at 5:44pm.

Chairman Becknell moved to recommend approval of the proposed request as presented. Commissioner Honigblum seconded the motion.

The motion was approved with the following vote:

FOR: Bilanceri, Browne, Cuffy, Gish, Honigblum, Propp, Walker, Platero, Becknell, Garison,
McAllister

AGAINST: None

Case No. 432

Public hearing, consideration, and action regarding a request to replat the properties identified as CB 4024, BLK 197, LOT 8, also known as 218 Canyon Dr, and a .1148ac out of CB 4024, also known as Lot 8A.

Ms. Hernandez presented the case. James Griffin, attorney for the applicant, was present and addressed the commission.

The commission had an extensive dialogue regarding the drainage study provided by the applicant and deed restrictions in place.

Chairman Becknell opened the public hearing at 6:02pm.

Those speaking with interest in the case were as follows:

Mark Randolph, attorney representing neighboring property owners at 236 Canyon (Opposed)

Mr. Randolph presented concerns with the replat from the perspective of the neighbors at 236 Canyon. Three main issues were brought up: lack of platting for the rear lot, deed restriction violations, and a post-approval drainage study adversely impacting his clients. Randolph displayed photos to emphasize drainage problems allegedly caused by the construction.

Chairman Becknell asked Mr. Randolph if the drainage issues stem from roof downspouts and sloping and he agreed. A discussion followed regarding the deed restrictions and drainage solutions. Commissioner Honigblum suggested exploring additional drainage resolutions.

City Attorney Lopez clarified that the dispute is about drainage and not code compliance, indicating the City Council will still consider the proposal if no action is taken.

After additional discussion, Mr. Griffin and his clients, the applicant for the replat, consented to a 30-day voluntary delay to address the neighbors' concerns.

At that time, Commissioner McAllister moved to recommend approval of a voluntary 30-day delay of the replat. Commissioner Cuffy seconded the motion.

The motion for delay was approved with the following vote:

FOR: Bilanceri, Browne, Cuffy, Gish, Honigblum, Propp, Walker, Platero, Becknell, Garison,
McAlister

AGAINST: None

Case No. 434

Public hearing, consideration, and action regarding a request to replat the properties identified as CB 4024, BLK 20, LOTs south 50ft of 4, all of 5, and north 50ft of 6, also known as 231 Encino Ave.

On advice from the City Attorney, Ms. Hernandez asked if the Chairman would like the Commissioners to adjourn to Executive Session. City Attorney Lopez stated Executive Session could be called pursuant to Local Government Code 551.01 Consultation with Attorney. Chairman Becknell entered the Commission into Executive Session at 7:03p.m. Chairman Becknell closed the Executive Session at 7:48p.m.

After being called to order, Commissioner Honigblum asked staff about the approval for the demolition of an accessory structure on the property. Ms. Hernandez confirmed that an accessory structure had been approved for demolition, while demolition of the main structure had not been approved by the Architecture Review Board. She noted that accessory structures are generally exempt from the demolition review unless they are two stories, in which case they undergo a compatibility review.

Ms. Hernandez presented the case. Frank Burney, attorney representing the property owner, was present and addressed the board. He stated their adherence to all codes and the necessity for commission approval, emphasizing the proposed lots' compliance and relative size compared to neighboring properties. He addressed the historical significance of the existing structure but urged to focus discussions solely on the replat matter.

Chairman Becknell opened the public hearing at 8:00pm. Those speaking regarding the case were as follows:

Erich Menger, unspecified (Opposed)

Claire Alexander, 251 Encino (Opposed)

Michael Imber, 309 Encino (Opposed)
Eugene Marck, 345 Argyle, reading a letter from the San Antonio Conservation Society (Opposed)
Steve Shanfield, 122 Chester (Opposed)
John Joseph, 206 Joliet (Opposed)
Gilbert Mathews, 301 Encino (Opposed)
Ted Flato, unspecified (Opposed)
Sarah Reveley, 436 Corona, reading a letter from Luke Gilroy (Opposed)
Jose Rosales, unspecified (Opposed)

Chairman Becknell closed the public hearing at 8:50pm.

The Commissioners discussed state law requirements, emphasizing compliance as the basis for approval. Commissioner Propp echoed the sentiment, calling for community engagement to influence development in line with city charm.

Applicant Frank Bernie reiterated the code compliance of the replat and requested written reasons for any denial.

Commissioner Honigblum moved to recommend approval of the replat as requested subject to removal of the accessory structure. Commissioner Bilanceri seconded the motion.

The motion was approved with the following vote:

FOR: Bilanceri, Browne, Cuffy, Honigblum, Propp, Walker, Platero, Becknell, Garison,
McAlister


AGAINST: Gish

There being no further business, Commissioner Cuffy moved to Adjourn the meeting. Commissioner Walker seconded the motion followed by unanimous consent from the Commission. The meeting was adjourned at 8:54PM

THE PROCEEDINGS OF THE MEETING ARE ALSO DIGITALLY RECORDED, AND THESE MINUTES ARE ONLY A SUMMARY OF THE MEETING. THESE MINUTES ARE NOT A VERBATIM TRANSCRIPT OF THE PROCEEDINGS AND DO NOT PURPORT TO INCLUDE ALL IMPORTANT EVIDENCE PRESENTED OR STATEMENTS MADE.



Lori Becknell, Chairman
(Board Approval)



Date Signed



Dakotah Procell, Planner
Community Development Services