

MINUTES
REGULAR MEETING
HELOTES CITY COUNCIL

The City of Helotes City Council met for a regular meeting on Thursday, December 11, 2014 at 7:00 p.m. in the City Hall Council Chamber, 12951 Bandera Road, Helotes, Texas. This was an open meeting, subject to the open meeting laws of the State of Texas.

Council

Present: Thomas A. Schoolcraft, Mayor
Cynthia Massey, Mayor Pro Tem
Edward Villanueva
Alex Blue
Bert Buys
Paul Friedrichs

Staff Present: Rick Schroder, City Administrator
Grace Tamez, City Secretary

1. Call to Order.

Mayor Schoolcraft called the meeting to order at 7:00 p.m. Council Member Buys led the invocation. Mayor Schoolcraft led the pledge to the U.S. flag and the Texas flag.

PUBLIC HEARINGS:

- 2. Public hearing to give all interested persons the right to appear and be heard on a Replat without Vacating the Prior Plat establishing Autozone Helotes Subdivision for an Auto Zone automotive retail facility on real property located, generally, adjacent to Bill Miller's Barbeque restaurant near the intersection of S.H. 16 (Bandera Rd.) and Leslie Rd., property more particularly described as CB 4480 P-6 (1.1446 AC) ABS 647. (Applicant)**

Mayor Schoolcraft opened the public hearing at 7:01 p.m. No one signed up to speak on this item. Mayor Schoolcraft closed the public hearing at 7:02 p.m.

- 3. Public hearing to give all interested persons the right to appear and be heard on a request for a City Council Specific Use Permit to allow a First Choice Emergency Room (Medical Institution other than Hospital) on an approximate 3.588 acre tract of real property located, generally, at Cedar Trail and Bandera Road and zoned Overlay District (B3-OD), real property more particularly described as CB 4478B Blk 19 Lot 1A Helotes Crossing Com'l Sub'd. (Applicant)**

Mayor Schoolcraft opened the public hearing at 7:02 p.m. Mayor Schoolcraft noted that Melko Dobroslavic, owner of the home located at 12119 Branding Point, submitted a letter opposing the project due to noise concerns. That letter was included in the agenda packet.

No one signed up to speak on this item. Mayor Schoolcraft closed the public hearing at 7:04 p.m.

OPEN SESSION:

4. Citizens to be Heard.

No one signed up to speak on this item.

CONSENT AGENDA: All items marked with an asterisk (**) on the consent agenda were voted on at the beginning of the meeting. Motion was made by Council Member Buys, second by Council Member Villanueva, to approve items 5, 6, 7, 8, 9, 10, and 12 on the consent agenda. Motion to approve carried unanimously.

- 5.** Approval of the minutes of the meeting dated November 13, 2014. (Staff)**
- 6.** Approval of the FYE 2015 City of Helotes Revenue and Expense Report dated December 4, 2014. (Staff)**
- 7.** Approval of the Quarterly Investment Reports for the City of Helotes and the City of Helotes Economic Development Corporation for the quarter ending September 30, 2014. (Staff)**
- 8.** Approval of a Storm Water Management Plan, pursuant to Code of Ordinances Chapter 34 *Environment*, Article IV *Stormwater Detention and Drainage*, for an Auto Zone automotive retail facility located, generally, adjacent to Bill Miller's Barbeque restaurant near the intersection of S.H. 16 (Bandera Rd.) and Leslie Rd., real property more particularly described as CB 4480 P-6 (1.1446 AC) ABS 647. (Applicant)**
- 9.** Approval of a request for a variance from Code of Ordinances Chapter 78 *Subdivisions*, Article I *In General*, Section 78-3 *Dedication of Right-of-Way by Subdividers* requiring the dedication of right-of-way adjacent to State-maintained streets, roads, or highways for an Auto Zone automotive retail facility located, generally, adjacent to Bill Miller's Barbeque restaurant near the intersection of S.H. 16 (Bandera Rd.) and Leslie Rd., real property more particularly described as CB 4480 P-6 (1.1446 AC) ABS 647. (Applicant)**
- 10.** Approval of a Replat without Vacating the Prior Plat establishing Auto Zone Helotes Subdivision for an Auto Zone automotive retail facility on real property located, generally, adjacent to Bill Miller's Barbeque restaurant near the intersection of S.H. 16 (Bandera Rd.) and Leslie Rd., property more particularly described as CB 4480 P-6 (1.1446 AC) ABS 647. (Applicant)**
- 11. Approval of an Agreement for Medical Control and Medical Director Services between the City of Helotes and the University of Texas Health Science Center at San Antonio for the provision of said services to the City of Helotes Fire, Emergency Medical Service, and Dispatch Departments for an initial term of three (3) years with two (2), one-year renewal options in the amount of \$15,000.00 the first year and a three percent (3%) annual increase thereafter and authorizing Mayor Thomas A. Schoolcraft to execute said Agreement on behalf of the City Council of the City of Helotes, Texas. (Staff)**

Motion was made by Council Member Buys, second by Mayor Pro Tem Massey, to discuss and act on this item as written.

Mayor Schoolcraft pulled this item off the consent agenda because the agreement will be amended slightly to add clarifying language, make minor amendments, and correct typographical errors. No substantive changes will be made to the agreement.

Motion to amend was made by Council Member Buys, second by Mayor Pro Tem Massey, to authorize the Mayor to negotiate terms of the agreement as discussed and execute said agreement on behalf of the City Council.

Motion to approve as amended carried unanimously.

12. Approval of a Storm Water Management Plan and a fee-in-lieu of on-site detention, pursuant to Code of Ordinances Chapter 34 *Environment*, Article IV *Stormwater Detention and Drainage*, in the amount of \$4,302.04 for Hill Country Vet Clinic (Hill Country Animal Hospital and Palms Pet resort & Spa) on property located at 12410 E. Bandera Road, Helotes, Texas 78023, more particularly described as CB 4477D Blk 1 Lot 1 Cedar Springs Subd UT-10. (Applicant)**

ITEMS FOR INDIVIDUAL CONSIDERATION:

13. Discussion of and action on a request for a City Council Specific Use Permit to allow a First Choice Emergency Room (Medical Institution other than Hospital) on an approximate 3.588 acre tract of real property located, generally, at Cedar Trail and Bandera Road and zoned Overlay District (B3-OD), real property more particularly described as CB 4478B Blk 19 Lot 1A Helotes Crossing Com'l Sub'd. (Applicant)

Motion was made by Mayor Pro Tem Massey, second by Council Member Friedrichs, to discuss and act on this item as written.

On December 2, 2014, the Planning and Zoning Commission unanimously voted to recommend approval of this request. City Council concerns included the proximity of the project to the entrance of a subdivision, flooding in this area, and the intent of an overlay district zoning designation to protect adjacent residential neighborhoods. Council also noted that neighbors did not oppose this project (other than the one letter as noted in item #3).

Motion to approve carried: 4 Ayes; 1 Nay – Council Member Blue; 0 Abstain.

14. Discussion of and action on a request for a variance to Code of Ordinances Chapter 66 *Signs*, Article V *Sign Classifications; Permit*, Sec. 66-51 *Commercial Signs: Projecting, Wall and Hanging, or In/On Windows* for wall and in/on window signage for First Choice Emergency Room on an approximate 3.588 acre tract of real property located, generally, at Cedar Trail and Bandera Road and zoned Overlay District (B3-OD), real property more particularly described as CB 4478B Blk 19 Lot 1A Helotes Crossing Com'l Sub'd. (Applicant)

Motion was made by Council Member Friedrichs, second by Council Member Villanueva, to discuss and act on this item as written.

Speaking on this item was Rick Schroder, City Administrator. Anne Kuta, applicant and Development Manager with Street Level Investments, answered Council questions.

On December 2, 2014, the Planning and Zoning Commission approved the site plan, building design, exterior lighting, and monument signage, recommended approval of variances for the front and side building signage that exceeds allowable square footage and sign height (for the Caduceus), for signage on the "ambulance" door and "front door," as proposed, and recommended disapproval of a variance for on-window signage.

The proposed building walls will be composed of limestone / rock while the top of the building is glass. One monument sign will be placed along Bandera Road and a smaller monument sign will be placed along Cedar Trail. The side of the building facing Loop 1604 will not have signage. Concerns included light from the signs shining into the homes adjacent to the property and the large quantity of signs on the building.

Motion to amend was made by Council Member Friedrichs, second by Council Member Villanueva, to approve signage as recommended by P&Z and permit the variances for the front and side building and sign height for the Caduceus (the red "crosses"), to move the illuminated "ambulance" sign on the southwest elevation to the northwest elevation so that the sign will now face Cedar Trail, to not allow decals on the windows, to allow decals on the front door and on the back door (the "ambulance" door). Motion to approve as amended carried unanimously.

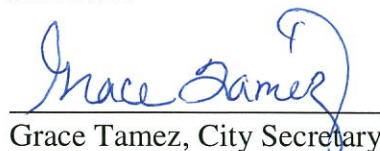
- 15. Discussion of and direction on an Ordinance of the City Council of the City of Helotes, Texas amending Chapter 94 Vegetation, Article I Commercial and Residential Tree Preservation, Section 94-2 Definitions of the Municipal Code of Ordinances by providing for protections for Ashe Juniper and Hackberry trees; authorizing the City Administrator to take all necessary steps to implement the provisions of this Ordinance; incorporating recitals; providing a penalty; providing for severability; repealing any other Code provisions, ordinances, or parts of ordinances, and other provisions in conflict herewith; and setting an effective date. (Staff)**

Speaking on this item were Rick Schroder, City Administrator, and Rene Pina, City Arborist. Discussion included preserving large Ashe Juniper and Hackberry trees based on size instead of clear cutting these trees. Council consensus was to bring this item to Council early next year for possible action.

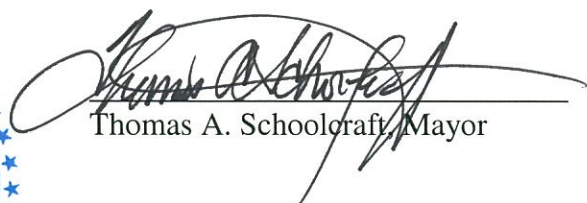
Adjourn.

With no more business to come before Council, Mayor Schoolcraft adjourned the meeting at 8:03 p.m.

ATTEST:


Grace Tamez, City Secretary




Thomas A. Schoolcraft, Mayor