

NOTICE OF PUBLIC MEETING

AGENDA

LEON VALLEY CITY COUNCIL MEETING

APRIL 16, 2013, 7:00 P.M.

LEON VALLEY CITY HALL, CITY COUNCIL CHAMBERS

6400 EL VERDE ROAD, LEON VALLEY, TEXAS 78238

REGULAR MEETING OF THE CITY OF LEON VALLEY CITY COUNCIL, 7 P.M.

1. **Call the City of Leon Valley Regular City Council Meeting to Order, Determine a Quorum is Present, and Pledge of Allegiance. (Mayor Riley)**
2. **Tree City USA Designation & Presentation. (Paul W. Johnson, Texas Urban Forester, Texas A & M University)**
3. **Citizens to be Heard and Time for Objections to the Consent Agenda.**
"Citizens to be Heard" is for the City Council to receive information on issues that may be of concern to the public. The purpose of this provision of the Open Meetings Act is to ensure that the public is always given appropriate notice of the items that will be discussed by the Council. Should a member of the public bring an item to the Council for which the subject was not posted on the agenda of that meeting, the Council may receive the information, but cannot act upon it at that meeting. They may direct staff to contact the requestor or request that the issue be placed on a future agenda for discussion by the Council.

Note: City Council may not debate any non-agenda issue, nor may any action be taken on any non-agenda issue at this time; however City Council may present any factual response to items brought up by citizens [Attorney General Opinion – JC 0169].

Consent Agenda

4. **Consider Approval of the Regular City Council Meeting Minutes of April 2, 2013. (Willman)**
5. **Consider Action on City Board, Commission, and Committee Appointments, M&C # 04-03-13. (Willman)**
6. **Consider Action on an Ordinance Appointing a Committee Member to the 2012 Bond Program Oversight Committee, M&C # 04-04-13. (Willman)**
7. **Consider Action Approving Quarterly Investment Report for January 1, 2013 through March 31, 2013, M&C # 04-05-13. (Vickie Wallace)**

8. Consider Action on M&C # 04-06-13 with Ordinance, Awarding the Bid Received for the 2013 Water and Sewer Improvement Projects to San Antonio Constructors and Authorizing the City Manager to Execute the Bid Award Documents. (Vick)
9. Consider Approval of an Ordinance Amending the FY2013 Budget for an Amendment for Grant Funds Received from the Southwest Texas Regional Advisory Council (STRAC) for Fire Department EMS Supplies and Equipment, M&C # 04-07-13. (Valdez)

Regular and Public Hearing Agenda

10. Consider Approval of an Ordinance Authorizing the City Manager to Enter into an Agreement with the Texas A&M Forest Service for the Construction of the Defensible Space Project at the Leon Valley Natural Area, M&C # 04-08-13. (Valdez)
11. Presentation of Annual Report by the Leon Valley Historical Society. (Darby Riley, President, of the Leon Valley Historical Society)
 - A. Open Public Hearing.
 - B. Close Public Hearing.
12. Discussion and Possible Action Regarding the Natural Area Triangle Property Controlled by the Leon Valley Historical Society Through a Lease Agreement with the City of Leon Valley (COLV); and Status of Allowing the COLV to Develop the Triangle Property into a Community Park. (Councilman Art Reyna and Councilman Jack Dean)
13. Discussion and Possible Action to Evaluate the Process That the City of Leon Valley (COLV) Can Use to Consider Possible Breaches of the Natural Area Lease Agreement Between the Leon Valley Historical Society and the COLV or Violations of Law Related to the Management of the Natural Area. (Councilman Art Reyna and Councilman Jack Dean)
14. Conduct a Public Hearing to Consider Zoning Case # 2013-389, the Rezoning of Approximately 6.38 Acres of Land Generally Located at 6111 Bandera Road and 5901 Wurzbach Road from R-4 (Townhouse) and B-2 (Retail) to B-3 (Commercial) and to Re-zone from the Sustainability Overlay District to the Commercial / Industrial Overlay District, M&C # 04-09-13. (Flores)
 - A. Open Public Hearing.
 - B. Close Public Hearing.
 - C. City Council to Consider Action on proposed rezoning.
15. Conduct a Public Hearing to Consider Zoning Case # 2013-390, the Rezoning of Approximately 1.709 Acres of Land Generally Located at 7430 Huebner Road, from B-1 (Small Business) to B-2 (Retail), M&C # 04-10-13. (Flores)
 - A. Open Public Hearing.
 - B. Close Public Hearing.
 - C. City Council to Consider Action on proposed rezoning.

16. **Conduct a Public Hearing to Consider Specific Use Permit Case # 2013-271, to Allow Operation of a "Kennel," Generally Located at 6737 Poss Road, in a B-3 (Commercial) Zoning District within the Sustainability Overlay District, M&C # 04-11-13. (Flores)**
- A. **Open Public Hearing.**
 - B. **Close Public Hearing.**
 - C. **City Council to Consider Action on requested Specific Use Permit.**

Discussion Agenda

17. **City Manager's Report. (Longoria)**
- A. **Report on Status of the Evers and Huebner Roads Traffic Improvements Project.**
 - B. **Report by Public Works on Street Maintenance Program for 2013. (Vick)**
 - C. **2013 Swimming Pool Season and Report on City's Pool Operation, with Possible Direction to Staff.**
 - D. **Financial Statement for March 2013. (Vickie Wallace)**
 - E. **Monthly Departmental Reports.**
 - F. **Approved Minutes of City-Affiliated Boards, Committees, and Commissions.**
 - G. **Leon Valley 2012 Bond Oversight Committee Meetings of January 24, 2013 and February 28, 2013.**
 - H. **Leon Valley Park Commission Meetings of January 14, 2013, February 11, 2013, and March 11, 2013.**
 - I. **Future Agenda Items.**
 - (1) **Candidates Forum, April 30, 7 p.m., Leon Valley Conference Center.**
 - (2) **Canvass Results of the May 11, 2013 General Election, May 14-22.**
 - (3) **Consider Action on an Ordinance Authorizing the City Manager to Execute a Contract with a Service Provider for Construction Manager at Risk for the Municipal Facilities Improvement Project, May.**
 - (4) **Next Quarterly Update and Dialogue Between the City Council and the Leon Valley Economic Development Board of Directors, June.**

18. **Citizens to be Heard.**

19. **Announcements by the Mayor and Council Members.**

At this time, reports about items of community interest regarding which no action will be taken may be given to the public as per Chapter 551.0415 of the Government Code, such as: expressions of thanks, congratulations or condolence, information regarding holiday schedules, reminders of social, ceremonial, or community events organized or sponsored by the governing body or that was or will be attended by a member of the Leon Valley Council or a City official.

- **Next Prescription Drug Collection, April 27, Leon Valley Police Department, 6400 El Verde Road, 10 a.m. – 2 p.m.**
- **Monday, April 29, Early Voting Begins at 8 a.m., Leon Valley Conference Center, 6421 Evers Road, and other Bexar County Locations**
- **Tuesday, April 30, League of Women Voters Candidates Forum, 7 p.m., Leon Valley Conference Center, 6421 Evers Road**

- Pet Parade, May 18, Leon Valley Conference Center, 6421 Evers Road, 10 a.m. – 12 Noon

Executive Session

20. The City Council of the City of Leon Valley reserves the right to adjourn into Executive Session at any time during the course of this meeting to discuss any of the matters listed on the posted agenda, above, as authorized by the Texas Government Code Sections 551.071 (consultation with attorney), 551.072 (deliberations about real property), 551.073 (deliberations about gifts and donations, 551.074 (personnel matters), 551.076 (deliberations about security devices), and 551.087 (economic development).
21. **Adjourn.**

Attendance by Other Elected or Appointed Officials:

It is anticipated that members of other city board, commissions and/or committees may attend the meeting in numbers that may constitute a quorum of other city boards, commissions and/or committees. Notice is hereby given that the meeting, to the extent required by law, is also noticed as a meeting of other boards, commissions and/or committees of the City, whose members may be in attendance. The members of other city boards, commissions and/or committees may not participate in discussions on the items listed on the agenda, which occur at the meeting, and no action will be taken by such in attendance unless such item and action is specifically provided for on an agenda for that city board, commission or committee subject to the Texas Open Meetings Act. [Attorney General Opinion – No. GA-0957 (2012)].

I hereby certify that the above NOTICE OF PUBLIC MEETING(S) AND AGENDA OF THE LEON VALLEY CITY COUNCIL were posted on the Bulletin Board at City Hall, 6400 El Verde Road, Leon Valley, Texas, on Friday, April 12, 2013, by 11:30 a.m. and remained posted until after the meeting(s) hereby posted concluded. This notice was likewise posted on the City website at www.leonvalleytexas.gov. This building is wheelchair accessible. Any request for sign interpretive or other services must be made 48 hours ahead of the meeting. To make arrangements call (210) 684-1391, Ext. 216.




Janie Willman, City Secretary



March 08, 2013

Mayor Chris Riley
6400 El Verde Road
Leon Valley, TX 78238

Dear Tree City USA Supporter,

On behalf of the Arbor Day Foundation, I write to congratulate Leon Valley on earning recognition as a 2012 Tree City USA. Residents of Leon Valley ought to be proud to live in a community that makes the planting and care of trees a priority.

Your community joins more than 3,400 Tree City USAs, with a combined population of 140 million. The Tree City USA program is sponsored by the Arbor Day Foundation in partnership with the U.S. Forest Service and the National Association of State Foresters.

As a result of your commitment to effective urban forest management, you already know that trees are vital to the public infrastructure of cities and towns throughout the country, providing numerous environmental, social and economic benefits. In fact, trees are the one piece of community infrastructure that actually increases in value over time.

We hope you are excited to share this accomplishment. Enclosed in this packet is a press release for your convenience as you prepare to contact local media and the public. If you wish to receive an electronic version of the release, please email Sean Barry, Director of Media Relations at sbarry@arborday.org and we will reply with a copy within one business day.

State foresters are responsible for the presentation of the Tree City USA flag and other materials. We will forward information about your awards to Paul Johnson in your state forester's office to coordinate presentation. It would be especially appropriate to make the Tree City USA award a part of your community's Arbor Day ceremony.

Again, we celebrate your commitment to the people and trees of Leon Valley and thank you for helping to create a healthier planet for all of us.

Best Regards,

A handwritten signature in black ink that reads "John Rosenow".

John Rosenow
Chief Executive

cc: Paul Johnson

enclosure

For more information, contact:
Sean Barry, 402-473-9563
sbarry@arborday.org



FOR IMMEDIATE RELEASE:

Arbor Day Foundation Names Leon Valley Tree City USA

Leon Valley, TX was named a 2012 Tree City USA by the Arbor Day Foundation in honor of its commitment to effective urban forest management. This is the 1st year Leon Valley has earned the national designation.

Leon Valley achieved Tree City USA recognition by meeting the program's four requirements: a tree board or department, a tree-care ordinance, an annual community forestry budget of at least \$2 per capita and an Arbor Day observance and proclamation.

The Tree City USA program is sponsored by the Arbor Day Foundation, in partnership with the U.S. Forest Service and the National Association of State Foresters.

"Everyone benefits when elected officials, volunteers and committed citizens in communities like Leon Valley make smart investments in urban forests," said John Rosenow, founder and chief executive of the Arbor Day Foundation. "Trees bring shade to our homes and beauty to our neighborhoods, along with numerous economic, social and environmental benefits."

Cleaner air, improved storm water management, energy savings and increased property values and commercial activity are among the benefits enjoyed by Tree City USA communities.

More information on the program is available at arborday.org/TreeCityUSA.

About the Arbor Day Foundation: The Arbor Day Foundation is a nonprofit conservation and education organization of one million members, with the mission to inspire people to plant, nurture and celebrate trees. More information on the Foundation and its programs can be found at arborday.org, or by visiting us on [Facebook](#), [Twitter](#) or our [blog](#).

Agenda Item 4

**CITY COUNCIL MEETING OF THE CITY OF LEON VALLEY, TEXAS
APRIL 2, 2013**

The City Council of the City of Leon Valley, Texas, met on the 2nd day of April, 2013, at 7:00 p.m. at the Leon Valley City Council Chambers, at 6400 El Verde Road, Leon Valley, Texas, for the purpose of the following business, to-wit:

REGULAR MEETING OF THE CITY OF LEON VALLEY CITY COUNCIL, 7 P.M.

- 1. Call the City of Leon Valley Regular City Council Meeting to Order, Determine a Quorum is Present, and Pledge of Allegiance.** Mayor Riley called the meeting to order at 7:00 p.m. with the following City Council Members in attendance: Hill, Reyna, Baldrige, Dean, and Bieber.

City staff in attendance: City Manager Longoria, City Attorney Zech, City Secretary Willman, Interim Fire Chief Valdez, Human Resources Director Caldera, and Police Chief Wallace.

Councilwoman Kathy Hill led the assembly in the Pledge of Allegiance.

- 2. Citizens to be Heard and Time for Objections to the Consent Agenda.** Mayor Riley noted that the City Secretary had emailed the City Council earlier asking for separate consideration of the March 19 Meeting Minutes.

Lyn Joseph, 6423 Trotter Lane, asked the City Council's consideration of wildflowers and naturally growing plants that attract butterflies and bees in all areas of the City, including those that require maintenance by the City's Public Works employees. She noted that in other cities like Denver, Seattle, and Phoenix wildflowers are planted along their main thoroughfares for display during the blooming season.

Consent Agenda

City Secretary Willman asked that the City Council consider approving the amended minutes as presented at the City Council dais this evening with the following change noted in red lettering on page 9 of 12 as located in the original City Council Agenda packet:

"Mayor Riley asked about the cost to the City or if the work is to be grant-funded. Interim Fire Chief Valdez answered that this project is not grant-funded. **The cost will be manpower of Texas Forest Service employees at no cost to the City. The City will be involved and provide the Fire Chief's time and some assistance from the Public Works Department, dependent on the scope of the work, as determined by the Texas Forest Service.**"

Ms. Willman explained that the amended minutes were the final draft with changes added to provide clarification.

- 3. Consider Approval of the Regular City Council Meeting Minutes of March 19, 2013.**

Agenda Item 4

**CITY COUNCIL MEETING OF THE CITY OF LEON VALLEY, TEXAS
APRIL 2, 2013**

Motion by Councilman Reyna and second by Councilwoman Hill to approve the amended Meeting Minutes of March 19, 2013. Voting Aye: Hill, Reyna, Baldrige, Dean, and Bieber. Voting Nay: None. Mayor Riley announced the motion carried.

Regular Agenda

4. Consider Ordinance Authorizing the City Manager to Utilize an On-Call Engineer List, M&C # 04-01-13.

City Manager Longoria briefed the City Council on this agenda item. Following the City Manager's presentation, the City Council took action.

Motion by Councilman Reyna and second by Councilman Dean to approve the Ordinance authorizing the City Manager to utilize an on-call engineer list. Voting Aye: Hill, Reyna, Baldrige, Dean, and Bieber. Voting Nay: None. Mayor Riley announced the motion carried.

Adopted Ordinance Number 13-011 – Authorizing the City Manager to Utilize an On-Call Engineer List.

Discussion Agenda

5. Discussion on the Request for Proposal (RFP) Process for Selecting the City Of Leon Valley's Insurance Agent of Record, M&C # 04-02-13.

Human Resources Director Caldera briefed the City Council on this agenda item. Ms. Caldera noted that one of the items left off of the selection criteria was that during the panel oral interviews, the questions are going to be focused towards the Affordable Healthcare Act because there are some compliance issues with which the City is going to have comply in 2014. She noted this information was left off of the selection criteria.

6. City Manager's Report. (Longoria)

- A. **Legislative Update.** Mr. Longoria reported the progress on the City's legislative initiative regarding indefinite suspension of the Street Maintenance Sales and Use Tax. Councilman Reyna and Councilman Dean added to the Update.
- B. **Staff Report on the Neighborhood Sweep Program.** Mr. Longoria reported that Code Enforcement went street by street with Public Works as a part of the Spring Clean-up. Police Chief Wallace provided some detail about the Neighborhood Sweep Program. City Council asked if this was posted on the City's website because some residents thought they were being targeted. It was noted that persons without code violations seemed pleased with the effort. The City Council asked for access to a list of reported violations to ensure that actual violations are being worked versus those that need to be reported or are in active status. Mr. Longoria noted that there are some changes that can be made to the Program before it is used again during the Fall Clean-up. The City Manager indicated a database of code issues can be posted to the City's web. Councilman Dean noted there are some problems with abandoned homes with may not actually be a code violation. The City Council clarified that what is

**CITY COUNCIL MEETING OF THE CITY OF LEON VALLEY, TEXAS
APRIL 2, 2013**

needed is follow-up with residents reporting what is happening with code violations. The City Manager stated he would get with the Code Enforcement Officer and work on a solution to the City Council's request for additional information on initial code violations reported as well as follow-up calls.

- C. **Report on the Edwards Aquifer Drought Management and Water Restrictions.** Mr. Longoria reported the City is at Stage II Restrictions. He noted that the San Antonio Water System (SAWS) expects the area to reach Stage III based on averaging. It was further noted that the City's drought management ordinance needs updating to further align the City's requirements with those promulgated by SAWS. SAWS restricts water usage for their customers. The Edwards Aquifer restricts water usage for municipal, industrial, and irrigation purveyors. The City Council indicated a need to inform the City's water customer consumers. Mr. Longoria clarified that the City of Leon Valley, as a municipality, is under the restrictions of the Edwards Aquifer Authority. The City Manager noted that staff will bring an ordinance amendment for the City Council's consideration. There were City Council questions regarding penalties that SAWS applies to the City's usage. The City Council asked that changes reflect consistency and modifications to be in compliance with the current drought management and water restriction standards. There was a question raised about the City's control versus the control that SAWS has in relation to those customers who purchase City water and those customers who purchase SAWS water. The City Manager indicated he would consult with the City Attorney on the matter.
- D. **Approved Minutes of the City-Affiliated Boards, Committees, and Commissions.**
- (1) Leon Valley Economic Development Corporation, Approved Meeting Minutes of February 27, 2013 Meeting.
 - (2) Zoning Commission Approved Meeting Minutes of January 29 and February 26, 2013 Meetings.
- E. **Future Agenda Items.**
- (1) Presentation of Annual Report by the Leon Valley Historical Society, April 16.
 - (2) Consider Accepting Bid Award and Award of Water and Sewer Project Contract, April 16.
 - (3) Report by Public Works on Street Maintenance Program for 2013, April 16.
 - (4) Consider Zoning Cases with Public Hearing, April 16.
 - (5) Public Hearing on Proposed Ordinance Amending the Leon Valley Code of Ordinances, Chapter 10 "Subdivision Regulation for the Purpose of Prohibiting Wooden Utility Poles," April 16.
 - (6) Candidates Forum, April 30, 7 p.m., Leon Valley Conference Center.
 - (7) Canvass Results of the May 11, 2013 General Election, May 14-22.
 - (8) Consider Action on an Ordinance Authorizing the City Manager to Execute a Contract with a Service Provider for Construction Manager at Risk for the Municipal Facilities Improvement Project, May, 2013.
 - (9) Next Quarterly Update and Dialogue Between the City Council and the Leon Valley Economic Development Board of Directors, June.

Agenda Item 4

**CITY COUNCIL MEETING OF THE CITY OF LEON VALLEY, TEXAS
APRIL 2, 2013**

7. **Citizens to be Heard.** There were no citizens to come forward to address the City Council.
8. **Announcements by the Mayor and Council Members.**
City Attorney Zech announced that Denton, Navarro, Rocha and Bernal is again hosting its annual Hogwild Event. He will bring details about the date at a future meeting. He stated he thought this year's Event is the last Friday in June in New Braunfels.

Mayor Riley thanked the staff for their support in attending the Terrell Hills City Complex Grand Opening. She announced the next Walk with the Mayor as being on Saturday, April 6. Mayor Riley announced the City Manager will provide a report on traffic improvements near the DPS Center at the next City Council meeting. She asked that everyone keep longtime City volunteer Bob Tome in their prayers due to his health considerations. City Council Members were requested to donate a bottle of wine for the Volunteer Appreciation Dinner.

Executive Session

9. The City Council of the City of Leon Valley reserves the right to adjourn into Executive Session at any time during the course of this meeting to discuss any of the matters listed on the posted agenda, above, as authorized by the Texas Government Code Sections 551.071 (consultation with attorney), 551.072 (deliberations about real property), 551.073 (deliberations about gifts and donations), 551.074 (personnel matters), 551.076 (deliberations about security devices), and 551.087 (economic development).

There was no Executive Session conducted under this agenda item.

10. **Adjourn.** Motion by Councilman Dean and second by Councilman Reyna to adjourn the meeting at 7:54 p.m. Mayor Riley adjourned the meeting without objection at 7:54 p.m.

Mayor Chris Riley

ATTEST:

Janie Willman, City Secretary

MAYOR AND COUNCIL COMMUNICATION

DATE: **April 16, 2013**
M&C # **04-03-13**

TO: MAYOR AND CITY COUNCIL

SUBJECT: TO APPOINT MEMBERS TO THE CITY'S BOARDS, COMMITTEES, AND COMMISSIONS

PURPOSE

The attached application reflects a request to serve on the City of Leon Valley Boards, Committees, Sub-Committees, and Commissions. In addition to any appointments the City Council may make to its Branding, Communications, and Festivals Subcommittees, the following persons have completed applications. The applications are attached.

Branding/Identity:

Gail Tribble

S.E.E IMPACT

Social Equity – Residents, business owner/operators, and other stakeholders volunteer to actively participate in the decision-making processes affecting City services.

Economic Development – Not applicable.

Environmental Stewardship – Not applicable.

FISCAL IMPACT

Not applicable.

APPROVED: _____ DISAPPROVED: _____

APPROVED WITH THE FOLLOWING AMENDMENTS:

ATTEST:

Janie Willman, City Secretary

each month at 7:00 p.m. at City Hall. There are nine (9) members on this commission.

- Tree Advisory Board:** This seven member (7) Board with three (3) alternate members will meet to oversee the Leon Valley Tree Challenge and work toward the City's goal to plant 10,000 trees by the year 2020. Board members serve a term co-terminus with the Mayor. This Board began meeting in July 2009 and holds meetings monthly at 6:30 p.m. in Council Chambers on the 3rd Wednesday of the month.
- Zoning Commission:** The Zoning Commission (ZC) acts as an advisory board to the City Council on land use and zoning matters. The Commission holds public meetings on all matters relating to:
 - creation of zoning districts
 - enforcement of zoning regulations
 - amendments to all zoning ordinances
 - any other matter within the scope of the zoning power
 Meetings are held on the fourth Tuesday of each month at 6:30 p.m. at City Hall. There are seven (7) members and three (3) alternates.

City Council Sub-Committees Formed from January 2013 Town Hall Meeting

Please check the box to the left of the Committee to indicate your interest. Thank you.

<input checked="" type="checkbox"/>	City Branding/Identity - To help determine the City's branding, logos, and identity for recommendation to the City Council
<input type="checkbox"/>	City Communications - To help determine the best uses of the City's resources for enhanced communications for recommendation to the City Council
<input type="checkbox"/>	City Festival(s) - To help determine and define options for future City Festivals for recommendation to the City Council

- I would like to serve on the Committee(s)** I have checked above. Please contact me with further information regarding meetings and appointment.
- I'm not able to volunteer at this time, but perhaps in the future.**

Name <i>Gail Trebble</i>	Address <i>6003 Forest Bend</i>
Phone Number <i>256-2234</i>	E-mail Address
Alternate Phone Number <i>684-3668</i>	

- I have felony convictions.**
 - I do not have felony convictions.**
- This information will not disqualify you from consideration.*

Return your application: Mail, email, or drop off your application in care of the Mayor's Office at Leon Valley City Hall, 6400 El Verde Road, Leon Valley, Texas 78238-2399, fax your application to (210) 684-4476, or email to Mayorriley@leonvalleytexas.gov.

MAYOR AND COUNCIL COMMUNICATION

DATE: April 16, 2013
M&C # 04-04-13

TO: MAYOR AND CITY COUNCIL

SUBJECT: APPOINTING A MEMBER TO THE 2012 BOND PROGRAM
OVERSIGHT COMMITTEE

PURPOSE

The 2012 Bond Program Oversight Committee is authorized a membership total of seven persons. A vacancy occurred with the death of Committee Member Robert "Bob" Tome.

An application for service has been received. Due to urgent business decisions to be made by the Committee this month, the City Council is requested to consider action on this appointment with the adoption of the attached ordinance.

The following person is hereby appointed as a member to the 2012 Bond Program Oversight Committee: Mr. Francisco "Frank" Zavala.

Mr. Zavala is a committee member of the Bandera Road – CAG. Mr. Zavala's background is civil engineering. He taught construction management for 8 years for the Department of the Air Force. He holds a Bachelor of Science in Occupational Education, major in Civil Engineering.

FISCAL IMPACT

N/A

S.E.E. IMPACT

Social – To ensure good stewardship of taxpayers monies by having a Committee, which reports directly to the Mayor and Council, oversee the 2012 Bond Program

Economic – N/A

Environmental – N/A

APPROVED: _____

DISAPPROVED: _____

APPROVED WITH THE FOLLOWING COMMENTS: _____

ATTEST:

Janie Willman, City Secretary

each month at 7:00 p.m. at City Hall. There are nine (9) members on this commission.

- Tree Advisory Board:** This seven member (7) Board with three (3) alternate members will meet to oversee the Leon Valley Tree Challenge and work toward the City's goal to plant 10,000 trees by the year 2020. Board members serve a term co-terminus with the Mayor. This Board began meeting in July 2009 and holds meetings monthly at 6:30 p.m. in Council Chambers on the 3rd Wednesday of the month.
- Zoning Commission:** The Zoning Commission (ZC) acts as an advisory board to the City Council on land use and zoning matters. The Commission holds public meetings on all matters relating to:
 - creation of zoning districts
 - enforcement of zoning regulations
 - amendments to all zoning ordinances
 - any other matter within the scope of the zoning power
 Meetings are held on the fourth Tuesday of each month at 6:30 p.m. at City Hall. There are seven (7) members and three (3) alternates.

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City Council Sub-Committees Formed from January 2013 Town Hall Meeting

Please check the box to the left of the Committee to indicate your interest. Thank you.

	City Branding/Identity - To help determine the City's branding, logos, and identity for recommendation to the City Council
	City Communications - To help determine the best uses of the City's resources for enhanced communications for recommendation to the City Council
	City Festival(s) - To help determine and define options for future City Festivals for recommendation to the City Council

-
- I would like to serve on the Committee(s) I have checked above. Please contact me with further information regarding meetings and appointment.
 - I'm not able to volunteer at this time, but perhaps in the future.

Name <i>Francisco Zavala</i>	Address
Francisco "Frank" Zavala	6005 Trone Trail, Leon Valley, 78238
Phone Number	E-mail Address – None
210-523-6981	
Alternate Phone Number	

- I have felony convictions.
 - I do not have felony convictions.
- This information will not disqualify you from consideration.*
-

Return your application: Mail, email, or drop off your application in care of the Mayor's Office at Leon Valley City Hall, 6400 El Verde Road, Leon Valley, Texas 78238-2399, fax your application to (210) 684-4476, or email to Mayorriley@leonvalleytexas.gov.

ORD. NO. _____

AN ORDINANCE

**APPOINTING A MEMBER TO THE 2012 BOND PROGRAM OVERSIGHT
COMMITTEE**

**NOW THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF
LEON VALLEY, TEXAS, THAT:**

1. The following individual is hereby appointed to the 2012 Bond Program Oversight Committee

Francisco "Frank" Zavala

This ordinance shall take effect immediately upon its approval, passage, and the meeting of all publication requirements under law.

PASSED and **APPROVED** this the 16th day of April, 2013.

Mayor Chris Riley

ATTEST:

Janie Willman, City Secretary

APPROVED AS TO FORM:

City Attorney's Office
Denton, Navarro, Rocha and Bernal, P.C.

Agenda Item 7

MAYOR AND COUNCIL COMMUNICATION

DATE: April 16, 2013
M&C # 04-05-13

TO: MAYOR AND COUNCIL

SUBJECT: APPROVAL OF QUARTERLY INVESTMENT REPORT FOR THE
QUARTER ENDED MARCH 31, 2013.

PURPOSE

Approval of the Quarterly Investment Report for the quarter ended March 31, 2013

FISCAL IMPACT

None.

RECOMMENDATION

Approve Quarterly Investment Report for the quarter ended March 31, 2013.

S.E.E IMPACT

Social Equity - To ensure compliance with the Public Funds Investment Act of 1987. The Public Funds Investment Act of 1987 (PFIA) established rules and regulations for governmental entities to follow for the proper investment of public monies. The City's investment program is conducted to accomplish the following objectives, listed in priority order.

A. Safety

The primary objective of the City's investment program is the preservation and safety of principal in the overall portfolio. Each investment transaction shall seek first to ensure that capital losses are avoided, whether they are from security defaults or erosion of market value.

B. Liquidity

The City's investment portfolio will remain sufficiently liquid to enable the City to meet operating requirements that might be reasonably anticipated. Liquidity shall be achieved by matching investment maturities with forecasted cash flow requirements; thereby avoiding the need to liquidate investments under adverse market condition. It is the intent of the City

to invest its funds to maturity.

C. Diversification

The investment portfolio will be designed to limit risk by avoiding the concentration of assets with a specific maturity, with a specific issuer, or in a specific class of securities.

D. Yield

A fundamental rule of investing is that risk equals return. The City has deliberately established a low risk threshold to protect its financial resources and ensure that cash is available when needed. The City will invest idle cash at the highest possible rate of return, consistent with the objectives and provisions of this policy, and in compliance with state and federal laws governing the investment of public funds.

Economic Development - N/A

Environmental Stewardship - N/A

APPROVED: _____ DISAPPROVED: _____

APPROVED WITH THE FOLLOWING COMMENTS: _____

ATTEST:

Janie Willman, City Secretary

**City of Leon Valley, Texas
Quarterly Investment Report
January 1, 2013 - March 31, 2013**

April 16, 2013

Honorable Mayor Riley and City Council Members:

The Quarterly Investment Report for the City of Leon Valley, Texas for the quarter ended March 31, 2013 is hereby submitted.

The current depository bank for the City is Frost National Bank. Only enough funds to meet current obligations are being maintained at this bank. All excess funds are invested as allowed by the City's Investment Policy.

For the quarter, TexPool's yield ranged between .0935% and .1047%, compared to the quarter ended December 31, 2013 yield of between .1657% and .1506%. In comparison, interest rates for 13-week U.S. Treasury Bills ranged between .127% and .066% for the quarter.

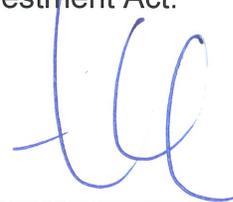
A cash flow analysis is made to determine the cash liquidity needs of the City. The City must have ready access to liquid cash to provide for day-to-day business needs, accounts payable, payroll, and capital projects. Short-term dollars are maintained in checking accounts, investment pools, or certificate of deposits. As of March 31, 2013 the City had \$16,390,184.84 in its investment portfolio.

Bank accounts are insured by a combination of FDIC insurance and pledged securities maintained at the Federal Reserve Bank. U.S. Treasuries and Agencies are guaranteed as to principal and interest by the full faith and credit of the United States of America. TexPool's Liquid Asset Portfolio seeks to maintain a net asset value of \$1.00 per unit invested to preserve the principal of all pool participants.

This report is in full compliance with the investment strategies as established by the City of Leon Valley Investment Policy and the Public Funds Investment Act.



Manuel Longoria, Jr.
City Manager



Vickie Wallace
Finance Director

CITY OF LEON VALLEY, TEXAS
INVESTMENT PORTFOLIO SUMMARY
FOR THE QUARTER ENDED MARCH 31, 2013

<i>FUND</i>	<i>VALUE BY TYPE OF INVESTMENT</i>		<i>INTEREST EARNED FOR QUARTER</i>	<i>TOTAL</i>
	<i>INVESTMENT POOL</i>	<i>CERTIFICATE OF DEPOSITS</i>		
GENERAL FUND	\$ 5,041,704.13	\$ -	\$ 1,070.47	\$ 5,041,704.13
ENTERPRISE FUND	\$ 2,754,464.60	\$ -	\$ 673.00	\$ 2,754,464.60
COMMUNITY CENTER	\$ 71.28	\$ -	\$ -	\$ 71.28
POLICE FORFEITURE TRUST	\$ 436,172.10	\$ -	\$ 106.57	\$ 436,172.10
STREET SALES TAX	\$ 392,100.55	\$ -	\$ 95.83	\$ 392,100.55
CAPITAL PROJECT FUND	\$ 7,006,321.40	\$ -	\$ 1,711.87	\$ 7,006,321.40
CIED FUND	\$ 759,350.78	\$ -	\$ 185.45	\$ 759,350.78
TOTAL INVESTMENT PORTFOLIO AS OF 03/31/13			\$ 3,843.19	\$ 16,390,184.84

**GENERAL FUND
INVESTMENT PORTFOLIO
BY TYPE OF INVESTMENT
FOR THE QUARTER ENDED MARCH 31, 2013**

INVESTMENT POOL - TEXPOOL						
<i>DATE</i>	<i>ACCOUNT NUMBER</i>	<i>SHARES PURCHASED</i>	<i>SHARES REDEEMED</i>	<i>PRICE PER SHARE</i>	<i>SHARES OWNED</i>	<i>MARKET VALUE</i>
AS OF 12/31/12	151400005			1.000	\$ 3,640,633.66	\$ 3,640,633.66
01/31/2013	151400005	\$ 500,321.76	\$ -	1.000	\$ 4,140,955.42	\$ 4,140,955.42
02/28/2013	151400005	\$ 600,310.62	\$ -	1.000	\$ 4,741,266.04	\$ 4,741,266.04
03/31/2013	151400005	\$ 300,438.09	\$ -	1.000	\$ 5,041,704.13	\$ 5,041,704.13
TOTAL TEXPOOL AS OF 03/31/13						\$ 5,041,704.13

CERTIFICATES OF DEPOSIT						
<i>PURCHASE DATE</i>	<i>INVESTMENT</i>	<i>TERM</i>	<i>MATURITY DATE</i>	<i>YIELD AT PURCHASE</i>	<i>FACE VALUE</i>	<i>MARKET VALUE</i>
TOTAL CERTIFICATES OF DEPOSIT AS OF 03/31/13						\$ -

TOTAL GENERAL FUND INVESTMENT PORTFOLIO AS OF 03/31/13						\$ 5,041,704.13
---	--	--	--	--	--	------------------------

**ENTERPRISE FUND
INVESTMENT PORTFOLIO
BY TYPE OF INVESTMENT
FOR THE QUARTER ENDED MARCH 31, 2013**

INVESTMENT POOL - TEXPOOL						
<i>DATE</i>	<i>ACCOUNT NUMBER</i>	<i>SHARES PURCHASED</i>	<i>SHARES REDEEMED</i>	<i>PRICE PER SHARE</i>	<i>SHARES OWNED</i>	<i>MARKET VALUE</i>
AS OF 12/31/12	151400003			1.000	\$ 2,753,791.60	\$ 2,753,791.60
01/31/2013	151400003	\$ 230.66	\$ -	1.000	\$ 2,754,022.26	\$ 2,754,022.26
02/28/2013	151400003	\$ 197.48	\$ -	1.000	\$ 2,754,219.74	\$ 2,754,219.74
03/31/2013	151400003	\$ 244.86	\$ -	1.000	\$ 2,754,464.60	\$ 2,754,464.60
TOTAL TEXPOOL AS OF 03/31/13						\$ 2,754,464.60

CERTIFICATES OF DEPOSIT						
<i>PURCHASE DATE</i>	<i>INVESTMENT</i>	<i>TERM</i>	<i>MATURITY DATE</i>	<i>VALUE AT PURCHASE</i>	<i>FACE VALUE</i>	<i>MARKET VALUE</i>
TOTAL CERTIFICATES OF DEPOSIT AS OF 03/31/13						\$ -

TOTAL ENTERPRISE FUND INVESTMENT PORTFOLIO AS OF 03/31/13	\$ 2,754,464.60
--	------------------------

**COMMUNITY CENTER
INVESTMENT PORTFOLIO
BY TYPE OF INVESTMENT
FOR THE QUARTER ENDED MARCH 31, 2013**

INVESTMENT POOL - TEXPOOL						
<i>DATE</i>	<i>ACCOUNT NUMBER</i>	<i>SHARES PURCHASED</i>	<i>SHARES REDEEMED</i>	<i>PRICE PER SHARE</i>	<i>SHARES OWNED</i>	<i>MARKET VALUE</i>
AS OF 12/31/12	151400001				\$ 71.28	\$ 71.28
01/31/2013	151400001	\$ -	\$ -	1.000	\$ 71.28	\$ 71.28
02/28/2013	151400001	\$ -	\$ -	1.000	\$ 71.28	\$ 71.28
03/31/2013	151400001	\$ -	\$ -	1.000	\$ 71.28	\$ 71.28
TOTAL TEXPOOL AS OF 03/31/13						\$ 71.28
TOTAL COMMUNITY CENTER INVESTMENT PORTFOLIO AS OF 03/31/13						\$ 71.28

**POLICE FORFEITURE TRUST ACCOUNT
INVESTMENT PORTFOLIO
BY TYPE OF INVESTMENT
FOR THE QUARTER ENDED MARCH 31, 2013**

INVESTMENT POOL - TEXPOOL						
<i>DATE</i>	<i>ACCOUNT NUMBER</i>	<i>SHARES PURCHASED</i>	<i>SHARES REDEEMED</i>	<i>PRICE PER SHARE</i>	<i>SHARES OWNED</i>	<i>MARKET VALUE</i>
AS OF 12/31/12	151400008			1.000	\$ 436,065.53	\$ 436,065.53
01/31/2013	151400008	\$ 36.52	\$ -	1.000	\$ 436,102.05	\$ 436,102.05
02/28/2013	151400008	\$ 31.28	\$ -	1.000	\$ 436,133.33	\$ 436,133.33
03/31/2013	151400008	\$ 38.77	\$ -	1.000	\$ 436,172.10	\$ 436,172.10
TOTAL TEXPOOL AS OF 03/31/13						\$ 436,172.10
TOTAL POLICE FORFEITURE INVESTMENT PORTFOLIO AS OF 03/31/13						\$ 436,172.10

**STREET TAX
INVESTMENT PORTFOLIO
BY TYPE OF INVESTMENT
FOR THE QUARTER ENDED MARCH 31, 2013**

INVESTMENT POOL - TEXPOOL						
<i>DATE</i>	<i>ACCOUNT NUMBER ACCOUNT</i>	<i>SHARES PURCHASED SHARES</i>	<i>SHARES REDEEMED SHARES</i>	<i>PRICE PER SHARE PRICE PER</i>	<i>SHARES OWNED SHARES</i>	<i>MARKET VALUE MARKET</i>
AS OF 12/31/12	151400005			1.000	\$ 392,004.72	\$ 392,004.72
01/31/2013	151400005	\$ 32.85	\$ -	1.000	\$ 392,037.57	\$ 392,037.57
02/28/2013	151400005	\$ 28.12	\$ -	1.000	\$ 392,065.69	\$ 392,065.69
03/31/2013	151400005	\$ 34.86	\$ -	1.000	\$ 392,100.55	\$ 392,100.55
TOTAL TEXPOOL AS OF 03/31/13						\$ 392,100.55

TOTAL STREET TAX INVESTMENT PORTFOLIO AS OF 03/31/13	\$392,100.55
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**CAPITAL PROJECT FUND
INVESTMENT PORTFOLIO
BY TYPE OF INVESTMENT
FOR THE QUARTER ENDED MARCH 31, 2013**

INVESTMENT POOL - TEXPOOL						
<i>DATE</i>	<i>ACCOUNT NUMBER</i>	<i>SHARES PURCHASED</i>	<i>SHARES REDEEMED</i>	<i>PRICE PER SHARE</i>	<i>SHARES OWNED</i>	<i>MARKET VALUE</i>
AS OF 12/31/12	151400013			1.000	\$ 7,004,609.53	\$ 7,004,609.53
01/31/2013	151400013	\$ 586.80		1.000	\$ 7,005,196.33	\$ 7,005,196.33
02/28/2013	151400013	\$ 502.33	\$ -	1.000	7,005,698.66	7,005,698.66
03/31/2013	151400013	\$ 622.74	\$ -	1.000	\$ 7,006,321.40	\$ 7,006,321.40
TOTAL TEXPOOL AS OF 03/31/13						\$ 7,006,321.40
TOTAL 2009 PFCO INVESTMENT PORTFOLIO AS OF 03/31/13						\$ 7,006,321.40

**CIED FUND
 INVESTMENT PORTFOLIO
 BY TYPE OF INVESTMENT
 FOR THE QUARTER ENDED MARCH 31, 2013**

INVESTMENT POOL - TEXPOOL						
<i>DATE</i>	<i>ACCOUNT NUMBER</i>	<i>SHARES PURCHASED</i>	<i>SHARES REDEEMED</i>	<i>PRICE PER SHARE</i>	<i>SHARES OWNED</i>	<i>MARKET VALUE</i>
AS OF 12/31/12	151400013			1.000	\$ 759,165.33	\$ 759,165.33
01/31/2013	151400013	\$ 63.58	\$ -	1.000	\$ 759,228.91	\$ 759,228.91
02/28/2013	151400013	\$ 54.40	\$ -	1.000	\$ 759,283.31	\$ 759,283.31
03/31/2013	151400013	\$ 67.47	\$ -	1.000	\$ 759,350.78	\$ 759,350.78
TOTAL TEXPOOL AS OF 03/31/13						\$ 759,350.78

Agenda Item 8

MAYOR AND COUNCIL COMMUNICATION

**DATE: April 16, 2013
M&C: # 04-05-13**

TO: MAYOR AND CITY COUNCIL

SUBJECT: CONSIDER ACTION ON ORDINANCE AWARDED THE BID RECEIVED FOR THE 2013 WATER AND SEWER IMPROVEMENT PROJECTS TO SAN ANTONIO CONSTRUCTORS AND AUTHORIZING THE CITY MANAGER TO EXECUTE THE BID AWARD DOCUMENTS IN THE AMOUNT OF \$235,459.00 AND AUTHORIZING UP TO 25 PERCENT INCREASE, AS PERMITTED BY LAW, AND FOUND TO BE NECESSARY.

PURPOSE

The City has received bids for the 2013 Water and Sanitary Sewer Improvement Project. The bid opening was held on March 26, 2013 and seven bids were received.

This project involves the following work: replacing a concrete water main on William Rancher Rd, the installation of an 8” water line on Evers Rd. to loop the line between Seneca and Forest Meadow, the installation of an 8” water main to loop the line between Shadow Mist and El Verde Road, the addition of a water valve at Shadow Mist and Grissom, a sanitary sewer point repair at 6310 Stirrup Lane, and the replacement of an 8” clay pipe sanitary sewer line on Stirrup Lane between Withers and Crownpiece.

FISCAL IMPACT

Funding for this project is included in the current 2013 budget in the amount of \$286,683 under the enterprise program .The bid of \$235,459.00 is below the budget and staff recommends approval.

S.E.E Statement

Social- this effort does not impact social equity

Economic – This activity extends the life of the existing infrastructure.

Environmental- By replacing concrete pipe the life of the sewer is extended and the installation of water main loops helps to equalize water pressure in the system and removes dead ends that cause increased maintenance.

APPROVED: _____ DISAPPROVED: _____

APPROVED WITH THE FOLLOWING AMENDMENTS: _____

ATTEST:

Janie Willman, City Secretary

Agenda Item 8

BID #2011-02 - SANITARY SEWER & WATER PROJECTS

MAY 24, 2011

SUMMARY

M&C Fonseca Construction*	\$ 51,679.81	\$ 129,084.31	(Non responsive Bidder – Bid rejected)
HL Zumwalt Construction	\$ 42,891.35	\$ 138,670.00	\$ 181,561.35
Wiking Corporation	\$ 32,618.30	\$ 165,070.90	\$ 197,689.20
Du-Mor	\$ 42,666.50	\$ 168,136.00	\$ 210,802.50
Briones Utility Company*	\$ 58,380.10	\$ 162,802.47	\$ 221,182.57
Pronto Sandblasting	\$ 58,450.00	\$ 165,477.00	\$ 223,927.00
San Antonio Constructors	\$ 49,439.50	\$ 174,887.63	\$ 224,327.13
Jacobs Plumbing & Utility*	\$ 49,568.76	\$ 204,430.36	\$ 253,999.12
Slack & Co Contracting	\$ 63,275.00	\$ 194,352.00	\$ 257,627.00
RTM Construction	\$ 44,155.00	\$ 216,738.00	\$ 260,893.00
Rockin Q Construction*	\$ 55,335.00	\$ 207,406.00	\$ 262,741.00
Wauters Engineering	\$ 46,708.88	\$ 217,239.13	\$ 263,948.01
Pipelayers	\$ 64,900.00	\$ 216,166.00	\$ 281,066.00
DC Civil Construction*	\$ 85,492.72	\$ 238,782.55	\$ 324,275.27
Bartek	\$ 56,927.00	\$ 268,425.00	\$ 325,352.00

* These totals have been adjusted and now reflect the correct price (based on extended calculations - please see the itemized bid tabulation for further information).

AN ORDINANCE

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF LEON VALLEY AUTHORIZING THE CITY MANAGER TO EXECUTE THE BID AWARD DOCUMENTS FOR THE 2013 WATER AND SANITARY SEWER IMPROVEMENT PROJECT AWARDED TO SAN ANTONIO CONSTRUCTORS IN THE AMOUNT OF \$235,459.00, AND AUTHORIZING UP TO 25% PERCENT INCREASE, AS PERMITTED BY LAW, AND FOUND TO BE NECESSARY.

WHEREAS, The City Council has awarded San Antonio Constructors, the bid for the 2013 Water and Sanitary Sewer Improvement Project in the amount of \$235,459.00 for project work to include replacing a concrete water main on William Rancher Rd, the installation of an 8" water line on Evers Rd. to loop the line between Seneca and Forest Meadow, the installation of an 8" water main to loop the line between Shadow Mist and El Verde Rd, the addition of a water valve at Shadow Mist and Grissom, a sanitary sewer point repair at 6310 Stirrup Lane, and the replacement of an 8" clay pipe sanitary sewer line on Stirrup Lane between Whithers and Crownpiece, and any other work needed to complete the project, including the authorization of up to 25% increase of the bid amount, as permitted by law and found to be necessary.

WHEREAS, the City Council desires to authorize the City Manager execute the bid award documents with San Antonio Constructors.

NOW THEREFORE BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF LEON VALLEY, TEXAS:

1. To hereby authorize the City Manager to execute the bid award documents for the 2013 Water and Sanitary Sewer Improvement Project awarded to San Antonio Constructors in the amount of \$235,459.00, and authorizing up to 25% percent increase, as permitted by law, and found to be necessary.
2. That this authorization granted to the City Manager is hereby effective as of the date of adoption of this Ordinance and the compliance by the contractor of all conditions required by state law and the City of Leon Valley City Council.

PASSED and APPROVED this the 16th day of April, 2013.

Chris Riley, Mayor

ATTEST:

Janie Willman, City Secretary

APPROVED AS TO FORM:

City Attorney's Office
Denton, Navarro, Rocha and Bernal,
P.C.



2013 Water and Sanitary Sewer Bid Award

Byron Vick, Director of Public Works
April 16, 2013

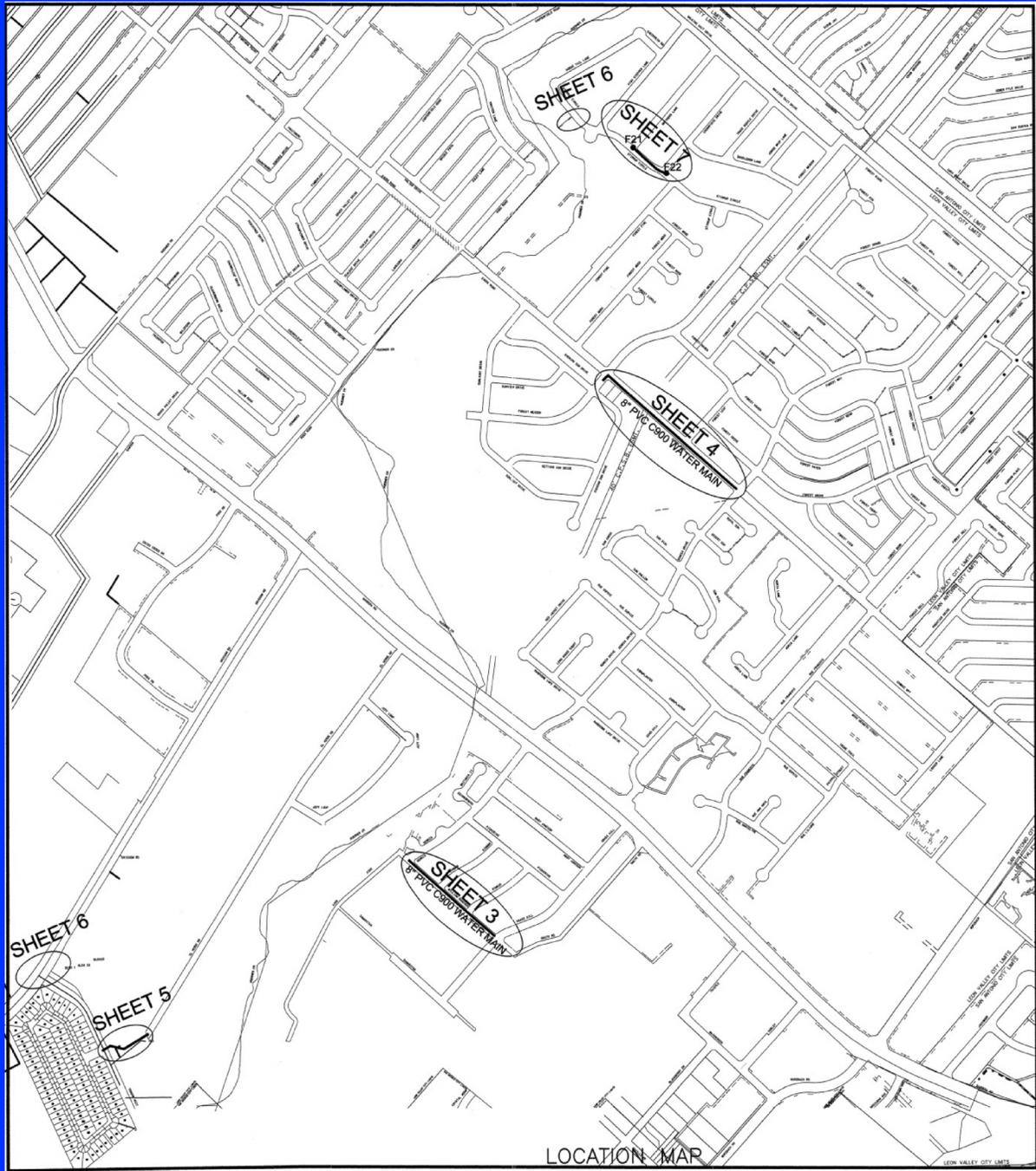


2013 Water and Sanitary Sewer

PURPOSE

The City has received bids for the 2013 Water and Sanitary Sewer Improvement project. The bid opening was held on March 26, 2013 and seven bids were received.

This project includes one concrete water main replacement, one concrete sewer main replacement, installation of two water main loops, one water valve addition, and a sanitary sewer point repair.



LOCATION MAP



2013 Water and Sanitary Sewer

BID #2013-01 - 2013 WATER & SANITARY SEWER PROJECTS

MARCH 26, 2013

VENDOR	WATER	SEWER	TOTALS
SAN ANTONIO CONSTRUCTORS	\$ 212,909.00	\$ 22,550.00	\$ 235,459.00
QROMEX CONSTRUCTION	\$ 205,094.00	\$ 34,056.00	\$ 239,150.00
M&C FONSECA	\$ 221,179.00	\$ 26,764.00	\$ 247,943.00
AUSTIN CONSTRUCTORS	\$ 243,029.00	\$ 34,689.00	\$ 277,718.00
BARTEK CONSTRUCTION *	\$ 262,409.00	\$ 34,277.00	\$ 296,686.00
DC CIVIL CONSTRUCTION **	\$ 258,911.53	\$ 37,799.84	\$ 296,711.37
PRONTO SANDBLASTING	\$ 282,656.00	\$ 54,145.00	\$ 336,801.00

TOTALS REFLECT CORRECTED PRICES

* Calculation error on Sanitary Sewer

** Calculation error on Water Projects



2013 Water and Sanitary Sewer

RECOMMENDATION

Staff and Engineer, Steve Cady, P.E. have reviewed the bids and references and recommend the award of the bid to San Antonio Constructors in the amount of \$235,459.00.



2013 Water and Sanitary Sewer Bid Award

Byron Vick, Director of Public Works
April 16, 2013

MAYOR AND COUNCIL COMMUNICATION

DATE: April 16, 2013
M&C #: 04-07-13

TO: MAYOR AND CITY COUNCIL

SUBJECT: CONSIDER APPROVAL OF AN ORDINANCE AMENDING THE FY2013 FOR A BUDGET ADJUSTMENT FOR GRANT FUNDS RECEIVED IN THE AMOUNT OF \$4,523.13 FROM THE SOUTHWEST TEXAS REGIONAL ADVISORY COUNCIL (STRAC) FOR FIRE DEPARTMENT EMS SUPPLIES AND EQUIPMENT

PURPOSE:

To amend the current fiscal year budget to allow for the purchase of data communication services, and training classes for the Leon Valley Firefighter/Paramedics.

Leon Valley Fire/EMS received a \$4,524 grant allotment from the STRAC for fiscal year 2013. In order to expend these funds, a budget adjustment is needed.

The funds will be used to fund the monthly data charges for the three mobile gateways that allow for the transmission of 12-lead electrocardiograms (EKGs) in the field to the emergency room. Obtaining and transmitting the EKGs in the field saves time and duplication of effort, reducing the door-to-catheter lab time for the emergency cardiac patient.

The funds will also be used to bring in specialized advanced certification training courses to the Leon Valley Paramedics such as; Pre-Hospital Trauma Life Support, and Advanced Cardiac Life Support.

The following adjustment is needed:

General Fund/Fire Department/EMS: + 4,524

FISCAL IMPACT

None. Funding is coming from a grant the Leon Valley Fire Department received from the STRAC.

SEE VISION IMPACT

Social Equity – The equipment and training will enhance the medical care and life safety of the public.

Economic Development – Use of grant funding conserves City funds for other uses.

Environmental Stewardship – No impact.

APPROVED: _____

DISAPPROVED: _____

APPROVED WITH THE FOLLOWING AMENDMENTS:

Agenda Item 9

ATTEST:

Janie Willman, City Secretary

ORD. NO. _____

AN ORDINANCE

APPROVING AMENDMENTS TO THE ORIGINAL BUDGET OF THE CITY OF LEON VALLEY, TEXAS, FOR THE FISCAL YEAR OF 2013

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF LEON VALLEY, TEXAS, THAT:

1. The attached and incorporated Mayor and Council Communication # 04-07-13, as approved on April 16, 2013 contains an amendment to the original Budget for the City of Leon Valley, Texas, for the Fiscal Year 2013 as approved by the Leon Valley City Council on September 18, 2012 under Ordinance 12-024. A true copy of said documents are on file in the office of the Secretary and made a part hereof by reference, are hereby amended and approved and are ordered filed in the office of the City Secretary.

GENERAL FUND / FIRE DEPARTMENT / EMS

PASSED and APPROVED this 16th day of April 2013.

Mayor Chris Riley

ATTEST:

Janie Willman, City Secretary

APPROVED AS TO FORM:

City Attorney's Office
Denton, Navarro, Rocha and Bernal, P.C.



Trauma Funds Grant Budget Adjustment

City Council Meeting
April 16, 2013



Purpose

- Acceptance of grant communications equipment and services, and acceptance of grant funds in the amount of \$4,523.13 from Southwest Texas Regional Advisory Council and associated budget adjustments for the Fire Department general fund.



Background

- Leon Valley Fire/EMS received a grant allotment of \$4,523.13 from the Texas EMS/Trauma Systems funding for fiscal year 2013



Background

- If approved, trauma funds will be used to purchase:
 - Data services for air cards (\$1,031.76)
 - One medi-vault safe for controlled substances (\$800)
 - Pre-hospital Trauma Life Support, and Advanced Trauma Life Support courses (\$2,700)



Fiscal Impact

- None.
- The ongoing expense of data transmission will be funded by trauma grants.



S.E.E. Impact

- Social Equity
 - This equipment will enhance the medical care and life safety of the public
- Economic Development
 - Use of grant funding conserves City funds for other uses
- Environmental Stewardship
 - None



Trauma Funds Grant Budget Adjustment

City Council Meeting
April 16, 2013

MAYOR AND COUNCIL COMMUNICATION

DATE: April 16, 2013
M&C #: 04-08-13

TO: MAYOR AND CITY COUNCIL

SUBJECT: CONSIDER APPROVAL OF AN ORDINANCE AUTHORIZING THE CITY MANAGER TO ENTER INTO AN AGREEMENT WITH THE TEXAS A&M FOREST SERVICE FOR THE CONSTRUCTION OF THE DEFENSIBLE SPACE PROJECT AT THE LEON VALLEY NATURAL AREA

PURPOSE:

This agenda item will allow the City Council to consider approving an ordinance authorizing the City Manager to enter into an agreement with the Texas A&M Forest Service for the construction of the Defensible Space Project at the Leon Valley Natural Area. Ordinance 08-058 dedicated the City's real property as a natural area park, known as Huebner-Onion Natural Area Park and locally known as the Leon Valley Natural Area.

In response to questions raised about the standards for maintaining the fire break (defensible space) in the Leon Valley Natural Area, Interim Fire Chief Luis Valdez conducted an evaluation with City officials and Leon Valley Historical Society Officers on several occasions.

In order to determine the standards, Interim Fire Chief Valdez reviewed City's Fire Code, the International Fire Code, which referenced the specific codes setting the standards for fire breaks.

Following that determination, Interim Fire Chief Valdez contacted the Texas A&M Forest Service and spoke with a Wildland-Urban Interface Code Specialist. Following an on-site visit of the Natural Area with the Wildland-Urban Interface Code Specialist, the Chief asked for information to ensure that no adverse environmental impact occurred while completing such a fire break project. He was informed that the State has a program to assist cities with constructing these kinds of projects. It was at that point, Mr. Valdez started the application process for assistance.

The Project was approved in mid-March for assistance. Funding has been earmarked for the Leon Valley Project by the Texas A&M Forest Service, and the project is in the scheduling process. Staff is seeking authorization for the City Manager to sign the insurance and indemnification agreements, attached as Exhibits to the Ordinance. If this project meets with the City Council's approval, the Defensible Space Project will be scheduled commencing between the date range beginning April 10 and terminating on June 10. Because of risk management issues, it is recommended that the City's contribution be limited to those Public Works employees and equipment required to do the project along with overtime for City firefighters volunteering to learn from professional wildland firefighters. The City's firefighters would be working under the supervision of Interim Fire Chief Valdez.

Approval is sought to ensure that the City's Natural Area Parkland fire safety be stabilized thereby ensuring its continuation as a source of beauty for all to enjoy. An equally important consideration is the duty of the City of Leon Valley to ensure the public safety, health, and welfare of the adjoining property owners and residents throughout the City through the use of effective fire safety practices. Completing this project would allow the City of Leon Valley to provide fire safety for the homes that border along the natural area.

Agenda Item 10

FISCAL IMPACT

There is no fiscal impact in direct financial contribution. In-kind Staff support to the project is estimated at \$9,886.

The Texas A&M Forest Service is absorbing other costs that include personnel and equipment at no expense to the City.

SEE VISION IMPACT

Social Equity – This project will help ensure the public safety, health, and welfare of the adjoining property owners and residents throughout the City through the use of effective fire safety practices

Economic Development – No impact.

Environmental Stewardship – This project helps to maintain the Natural Area by providing fire protection.

APPROVED: _____

DISAPPROVED: _____

APPROVED WITH THE FOLLOWING AMENDMENTS:

ATTEST:

Janie Willman, City Secretary

ORD. NO. _____

AN ORDINANCE

**AUTHORIZING THE CITY MANAGER TO ENTER INTO AN AGREEMENT
WITH THE TEXAS A&M FOREST SERVICE FOR THE CONSTRUCTION OF
THE DEFENSIBLE SPACE PROJECT AT THE LEON VALLEY NATURAL
AREA**

**NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF LEON
VALLEY, TEXAS, THAT:**

1. The attached and incorporated Mayor and Council Communication # 04-08-13, as approved on April 16, 2013 authorizes the City Manager to sign the indemnification and insurance agreements, attached as exhibits to this ordinance, as part of the defensible space project with the Texas A&M Forest Service at the Leon Valley Natural Area. A true copy of said documents are on file in the office of the Secretary and made a part hereof by reference, are hereby amended and approved and are ordered filed in the office of the City Secretary.

PASSED and APPROVED this 16th day of April 2013.

Mayor Chris Riley

ATTEST:

Janie Willman, City Secretary

APPROVED AS TO FORM:

City Attorney's Office
Denton, Navarro, Rocha and Bernal, P.C.



FUEL MITIGATION AGREEMENT

(MULCHING ON PUBLIC LANDS)

THIS AGREEMENT is between the Texas A&M Forest Service, a member of The Texas A&M University System, an agency of the State of Texas ("TFS"), and the City of Leon Valley.

WHEREAS, the City of Leon Valley's land, located at 6440 Evers Rd., is identified in a Community Wildfire Protection Plan as an area of interest for public protection; and

WHEREAS, the City of Leon Valley has requested that TFS assist by providing fire fuel mitigation through mulching.

NOW THEREFORE, TFS and Leon Valley hereby agree:

- 1. Purpose:** In response to Leon Valley's request for assistance, TFS will, as part of its Mitigation and Prevention Program, perform mulching on Subject Property.
 - The mulching will cover approximately 36 acres.
 - Work will be performed on a day and time mutually agreed upon by TFS and Leon Valley.
 - Work will be performed in accordance with typical industry practices and in with a mitigation plan developed by TFS and approved by the City of Leon Valley.
- 2. Term of Agreement:** The term of this agreement shall commence on April 10, 2013 and terminate on June 10, 2013. The indemnification clauses in this agreement shall survive the termination of this agreement.
- 3. Consideration:** Compensation for performance of the services described in this agreement will not be monetary. TFS will benefit by furthering its progress toward its mission of providing wildfire community protection.
- 4. Agreement Terms and Conditions:**
 - 4.1 Leon Valley does by these presents for itself and its officers, employees, agents, and representatives hereby release and agree not to hold liable the State of Texas, TFS, The Texas A&M University System, its officers, agents and employees ("RELEASEES" OR "INDEMNITEES") for any and all actions, causes of actions, claims, demands, costs or damages arising from or resulting property damage, personal injury or death sustained by the City of Leon Valley or its property during the removal of brush and tree debris from the subject property, **including injuries or property damage sustained as a result of the sole, joint, or concurrent negligence, negligence per se, statutory fault, or strict liability of RELEASEES.** This waiver does not apply to injuries caused by intentional or grossly negligent conduct.

There are inherent risks involved with this activity, including but not limited to bodily injury or death, and City of Leon Valley chooses to voluntarily have its employees be

present during the conduct of the activities described herein with the full knowledge that the activity may be hazardous to people and property. **Leon Valley further agrees by these presents for Leon Valley, its heirs, executors, administrators, and assigns, to indemnify, hold, and save harmless the INDEMNITEES** from any and all liabilities, claims, demands, injuries (including death), or damages including court costs and attorney's fees and expenses, which may be incurred by Leon Valley, other participants, and third-persons as a result of the performance of the activity, **including injuries sustained as a result of the sole, joint, or concurrent negligence, negligence per se, statutory fault, or strict liability of INDEMNITEES.**

In addition, Leon Valley makes the following representations and acknowledgements upon which TFS shall rely: (1) During the removal of brush and tree debris a limb chipper, mulching machine, or other similar products or equipment will be operated by employees of TFS and that use of a limb chipper or mulching machine is inherently dangerous, and Leon Valley voluntarily assume all risks of its employees being present during the use of the limb chipper or other similar products or equipment utilized in the removal of brush and tree debris from the subject property; (2) Leon Valley will not be considered an agent, servant, or employee of the State of Texas, and, thus, Leon Valley will not be covered by the State for any workers' compensation, death, or disability benefits; (3) Leon Valley agrees that Leon Valley's employees will not consume or be under the influence of alcohol or illegal drugs or abuse prescription drugs or other substance that may impair mental and physical faculties prior to being present for the removal of brush and tree debris from the subject property; (4) in signing this agreement Leon Valley acknowledges and represent that Leon Valley has read it, understands it, and signs it voluntarily as its own free act and deed; (5) RELEASEES have not made and Leon Valley has not relied on any oral representations, statements, or inducements apart from the terms contained in this agreement; and (6) Leon Valley executes this document for full, adequate and complete consideration fully intending to be bound by the same, now and in the future.

- 4.2 This Agreement may only be amended or modified in writing with express mutual consent of both parties.
- 4.4 All notices, consents, approvals, demands, requests, or other communications provided for, required of, or permitted to be given under any of the provisions of this Agreement shall be in writing and shall be deemed to have been duly given or served when delivered by hand delivery, delivered by an express delivery service, or when deposited in the U.S. mail by registered or certified mail, return receipt requested, postage prepaid, and addressed as follows:

TFS
Texas A&M Forest Service
200 Technology Way
College Station, TX 77840

City of Leon Valley
City Manager
6400 El Verde Rd.
Leon Valley, TX 78238

IN WITNESS WHEREOF, TFS and Leon Valley have executed and delivered this Agreement to be effective as of the effective date outlined in paragraph 2.

(Signatures on next page)

TEXAS A&M FOREST SERVICE

By _____
Associate Director for
Finance and Administration

Date: _____

City of Leon Valley

Signature: _____

Printed Name: _____

Title: _____

Date: _____



**FUEL MITIGATION
AGREEMENT**

(MULCHING ON PUBLIC LANDS)

THIS AGREEMENT is between the Texas A&M Forest Service, a member of The Texas A&M University System, an agency of the State of Texas ("TFS"), and the City of Leon Valley.

WHEREAS, the City of Leon Valley's land, located at 6440 Evers Rd., is identified in a Community Wildfire Protection Plan as an area of interest for public protection; and

WHEREAS, the City of Leon Valley has requested that TFS assist by providing fire fuel mitigation through mulching.

NOW THEREFORE, TFS and Leon Valley hereby agree

- 1. Purpose:** In response to Leon Valley's request for assistance, TFS will, as part of its Mitigation and Prevention Program, perform mulching on Subject Property.
 - The mulching will cover approximately 36 acres.
 - Work will be performed on a day and time mutually agreed upon by TFS and Leon Valley.
 - Work will be performed in accordance with typical industry practices and in with a mitigation plan developed by TFS and approved by the City of Leon Valley.

- 2. Term of Agreement:** The term of this agreement shall commence on April 10, 2013 and terminate on June 10, 2013. The indemnification clauses in this agreement shall survive the termination of this agreement.

- 3. Consideration:** Compensation for performance of the services described in this agreement will not be monetary. TFS will benefit by furthering its progress toward its mission of providing wildfire community protection.

- 4. Agreement Terms and Conditions:**

4.1 Leon Valley shall either name TFS (along with its officers, agents, and employees) as an additional insured on its policy and shall have the policy endorsed by the insurer to waive any rights of subrogation against TFS; or the CITY shall purchase a new insurance policy with TFS as the named insured (along with its officers, agents, and employees). Where the CITY purchases a separate insurance policy for TFS, such policy shall, at a minimum, provide for the following coverage:

Comprehensive Gen. Liability

a. Bodily Injury	\$300,000 Each occurrence	500,000 Aggregate
b. Property Damage	\$100,000 each occurrence	\$300,000 Aggregate

If TFS is named as an additional assured on the CITY's policy, the CITY shall maintain such insurance for the duration of this agreement. If the CITY purchases a separate

Insurance policy for TFS, the term of such insurance policy shall be sufficient to cover the duration of the term of this agreement. The CITY shall be responsible for the cost of any deductibles, self-insurance retention, and exclusion amounts, whether arising under the CITY's insurance policy or under a separate policy of insurance having TFS as the named insured.

- 4.2 There are inherent risks involved with this activity, including but not limited to bodily injury or death, and Leon Valley chooses to voluntarily have its employees witness the activity with the fully knowledge that the activity may be hazardous to people and property. **Leon Valley further agrees by these presents that the Leon Valley, its officers, employees, administrators, and representatives, release, hold, and save harmless TFS and its officers, employees, agents, and representatives** from any and all liabilities, claims, demands, injuries (including death), or damages including court costs and attorney's fees and expenses, which may occur to Leon Valley as a result of the performance of the activity, **including injuries sustained as a result of the sole, joint, or concurrent negligence, negligence per se, statutory fault, or strict liability of TFS and its officers, employees, agents, and representatives.**

In addition, Leon Valley makes the following representations and acknowledgements upon which TFS shall rely: (1) During the removal of brush and tree debris a limb chipper, mulching machine, or other similar products or equipment will be operated by employees of TFS and that use or being in the presence of a limb chipper or mulching machine is inherently dangerous, and Leon Valley voluntarily assume all risks of its employees being present during the use of the limb chipper or other similar products or equipment utilized in the removal of brush and tree debris from the subject property; (2) Leon Valley will not be considered an agent, servant, or employee of the State of Texas, and, thus, Leon Valley will not be covered by the State for any workers' compensation, death, or disability benefits; (3) Leon Valley agrees that Leon Valley's employees will not consume or be under the influence of alcohol or illegal drugs or abuse prescription drugs or other substance that may impair mental and physical faculties prior to being present for the removal of brush and tree debris from the subject property; (4) in signing this agreement Leon Valley acknowledges and represent that Leon Valley has read it, understands it, and signs it voluntarily as its own free act and deed; (5) RELEASEES have not made and Leon Valley has not relied on any oral representations, statements, or inducements apart from the terms contained in this agreement; and (6) Leon Valley executes this document for full, adequate and complete consideration fully intending to be bound by the same, now and in the future.

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200 Technology Way
College Station, TX 77840

Leon Valley
City of Leon Valley
City Manager
6400 El Verde Rd.
Leon Valley, TX 78238

IN WITNESS WHEREOF, TFS and Leon Valley have executed and delivered this Agreement to be effective as of the effective date outlined in paragraph 2.

(Signatures on next page)

TEXAS A&M FOREST SERVICE

By _____
Associate Director for
Finance and Administration

Date: _____

Leon Valley

Signature: _____

Printed Name: _____

Title: _____

Date: _____



**Defensible Space Project
Texas A&M Forest Service –
City of Leon Valley Agreement**

City Council Meeting

April 16, 2013



Purpose

- **AUTHORIZES THE CITY MANAGER TO ENTER INTO AN AGREEMENT WITH THE TEXAS A&M FOREST SERVICE FOR THE CONSTRUCTION OF THE DEFENSIBLE SPACE PROJECT AT THE LEON VALLEY NATURAL AREA**





Background

- Thorough evaluation of fire code analysis was completed to ensure accuracy.
- Contacted the Texas A&M Forest Service to inquire about environmental impact of performing work.



Background

- After meeting with Mr. Justice Jones, Wildland-Urban Interface Coordinator for Texas A&M Forest Service, City was notified of possible state assistance through nationally recognized Firewise program.
- Staff began application process in October, 2012.



Background

- The cooperative project has been approved by the Texas A&M Forest Service, and is currently in the scheduling process, pending approval on indemnification and insurance agreements.



Background

- If approved, work would commence with the Texas Task Force Wildland Firefighters team between April 10th and June 10th, 2013. The work should extend not more than 10 days.
- Because of risk management issues, it is recommended that the City's contribution be limited to City employees and equipment required to do the project alongside the professional Wildland Firefighters.



Fiscal Impact

- There is no fiscal impact in direct financial contribution
- In-kind Staff support to the Project is estimated at \$9,886.
- The Texas A&M Forest Service is absorbing other costs that include personnel and equipment at no expense to the City.



S.E.E. Impact

- **Social Equity** – This project will help ensure the public safety, health, and welfare of the adjoining property owners and residents throughout the City through the use of effective fire safety practices
- **Economic Development** – No impact.
- **Environmental Stewardship** – This project helps to maintain the Natural Area by providing fire protection.

Texas A&M Forest Service

- Justice Jones, Wildland Urban Interface Coordinator
- Will Boettner, Wildland Urban Interface Specialist
- Patrick Allen, Firewise Coordinator
- Paul Johnson, Urban Forester

Texas A&M Forest Service Defensible Space photograph samples



Before the work was done

Texas A&M Forest Service Defensible Space photograph samples



After work was completed

Texas A&M Forest Service Defensible Space photograph samples



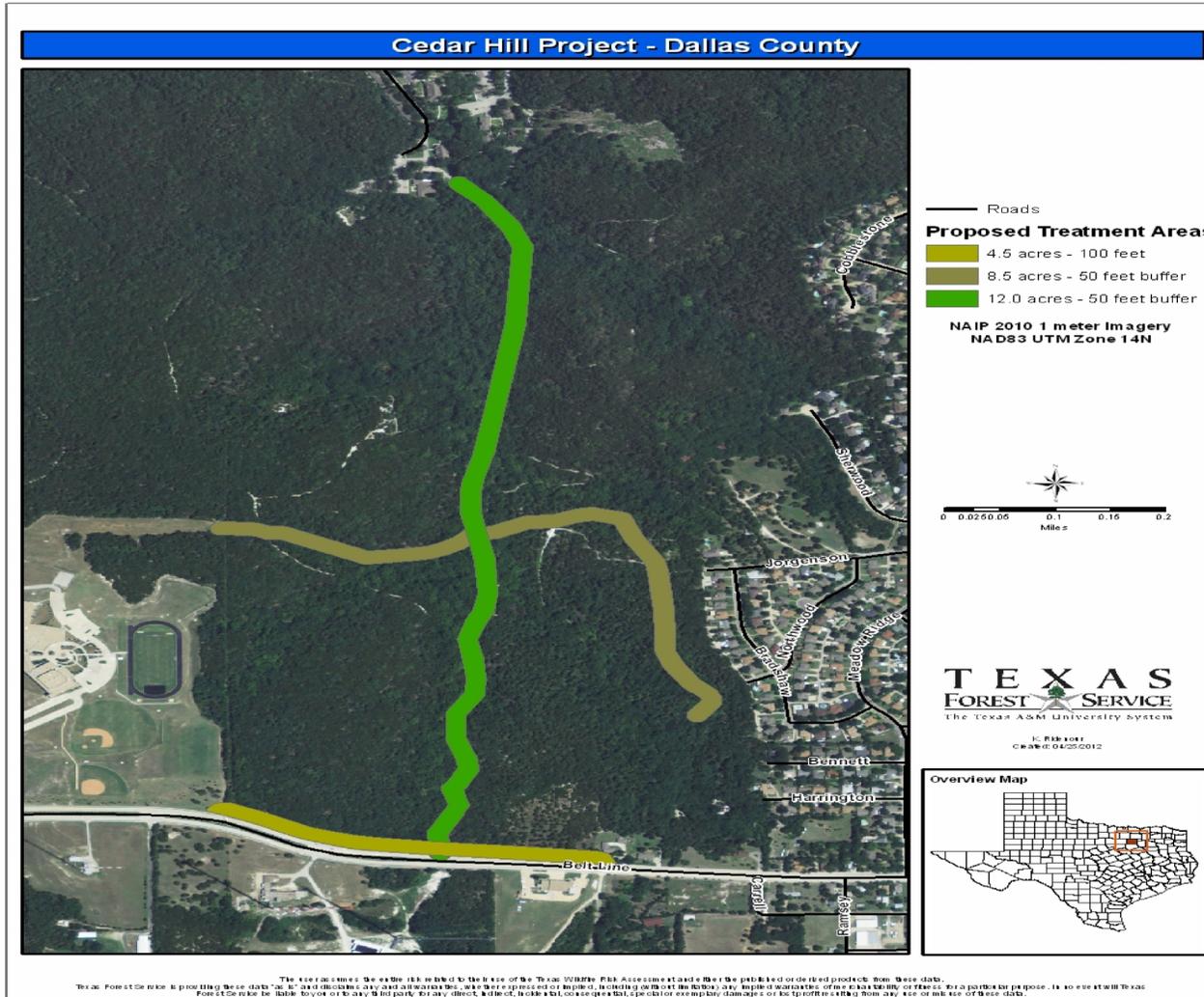
Before the work was done

Texas A&M Forest Service Defensible Space photograph samples



After the work was completed

Texas A&M Forest Service Defensible Space past project photograph samples



Texas A&M Forest Service Defensible Space photograph samples



Before the work was done

Texas A&M Forest Service Defensible Space past project photograph samples



After the work was completed



Discussion



**Defensible Space Project
Texas A&M Forest Service –
City of Leon Valley Agreement**

City Council Meeting

April 16, 2013

Manny Longoria

From: Art Reyna
Sent: Wednesday, April 03, 2013 10:13 PM
To: Manny Longoria; Jack Dean
Subject: Historical Society Agenda Item

Manny,

Jack and I would like additional items to be added to next meeting's agenda. Since the historical society is giving its annual report anyway, we would like to know why the park improvements have not been installed. If there is some legal impediment, perhaps the city attorney could explain it. We would like it to be an action item so that we can do whatever is needed to complete the project in a timely manner.

We would like a discussion/action item to evaluate what steps, if any, should be taken to resolve any alleged breaches of the natural area lease or violations of law. Frankly, after the society's presentation and the first agenda item, we are hoping that there will be enough information to allow council to postpone the second item.

Of course, if Charlie advises that our requests should be handled procedurally differently, we intend to follow his advice.

Jack, please let Manny know if I have stated this as we discussed it. Thanks.

Sincerely,
Art Reyna
Councilman, Place 2
210-232-1677

My goal is to ensure that our city is fair to all, efficient in its efforts, consistent in its application of rules, effective in its work, with laser-like focus on its main business.

Manny Longoria

From: Manny Longoria
Sent: Tuesday, April 09, 2013 9:59 AM
To: Mayor Riley; mayorriley@hotmail.com
Subject: FW: Historical Society Agenda Item

Mayor, Here is the request from Dean. ML.

From: Jack Dean [mailto:jdean2@att.net]
Sent: Wednesday, April 03, 2013 10:31 PM
To: Manny Longoria
Subject: Fw: Historical Society Agenda Item

Manny,
As we discussed I concur with Art and desire this to be added to the next meetings agenda. Any questions please feel free to contact me.
Jack

----- Forwarded Message -----

From: Art Reyna <art.reyna@leonvalleytexas.gov>
To: Manny Longoria <m.longoria@leonvalleytexas.gov>; Jack Dean <jdean2@att.net>
Sent: Wed, April 3, 2013 10:12:45 PM
Subject: Historical Society Agenda Item

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- Discussion and action regarding the Natural Area Triangle Property controlled by the Leon Valley Historic Society through a lease agreement with the City of Leon Valley (COLV); and status of allowing the COLV to develop the Triangle Property into a community park. (Requested by Councilman Art Reyna and Councilman Jack Dean)
- Discussion and action to evaluate the process that the City of Leon Valley (COLV) can use to consider possible breaches or violations of law related to the Natural Area Lease Agreement between the Leon Valley Historic Society and the COLV. (Requested by Councilman Art Reyna and Councilman Jack Dean)

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MAYOR AND COUNCIL COMMUNICATION

DATE: April 16, 2013
M&C: # 04-09-13

TO: MAYOR AND CITY COUNCIL

SUBJECT: CONDUCT A PUBLIC HEARING TO CONSIDER ZONING CASE #2013-389, THE REZONING OF APPROXIMATELY 6.38 ACRES OF LAND GENERALLY LOCATED AT 6111 BANDERA ROAD AND 5901 WURZBACH ROAD FROM R-4 (TOWNHOUSE) AND B-2 (RETAIL) TO B-3 (COMMERCIAL) AND TO REZONE FROM THE SUSTAINABILITY OVERLAY DISTRICT TO THE COMMERCIAL/INDUSTRIAL OVERLAY DISTRICT

PURPOSE

Zoning Case #2013-389 is a request by Ernesto Ancira Jr., to rezone approximately 6.38 acres of land from R-4 (Townhouse) and B-2 (Retail) to B-3 (Commercial). This request also includes rezoning said property from the Sustainability Overlay Zoning District to the Commercial/Industrial Overlay Zoning District (see attached documents).

FISCAL IMPACT

The applicant paid a fee of \$960 for consideration of this zoning application.

RECOMMENDATION

On March 26, 2013, the Zoning Commission recommended, by a vote of 7-0, to APPROVE the request to rezone from R-4 (Townhouse) and B-2 (Retail) to B-3 (Commercial) noting it is Consistent and Compatible with the Master Plan and to rezone from the Sustainability Overlay to the Commercial/Industrial Overlay.

S.E.E IMPACT STATEMENT

Social Equity – the property owner’s agents have met with the adjacent community members to share their expansion plans and to consider the neighbors concerns and desires. The owner has made an effort towards a mutually beneficial partnership.

Environmental Stewardship – the owner has noted that as many trees as possible will be preserved on the property and addition landscaping will be added.

Economic Development – Ancira is an established Leon Valley business and they are encouraging their partners Volkswagen and Kia to make Leon Valley their home as well. Additionally the dealership promotes economic development through their automobile parts retail and services.

APPROVED: _____

DISAPPROVED: _____

APPROVED WITH THE FOLLOWING COMMENTS: _____

ATTEST:

Janie Willman, City Secretary



**MINUTES OF THE MEETING OF THE
LEON VALLEY ZONING COMMISSION**

March 26, 2013

The regular meeting of the Leon Valley Zoning Commission convened at 6:30 p.m. on Tuesday, March 26, 2013, in City Council Chambers at 6400 El Verde Road, Leon Valley, Texas.

I. Roll Call

Present were Chairman Claude Guerra III, 1st Vice-Chair Wendy Phelps, 2nd Vice-Chair Olen Yarnell, and Members Hal Burnside, Mike Davis Jr., Pedro Esquivel and Alternate Members Phyllis McMillan, Nicole Monsibais and Carlos Fernandez. Absent and excused was Member Carmen Sanchez. Also present was Kristie Flores, Director of Community Development, acting as recording secretary.

In the absence of regular Commission Member Carmen Sanchez; Alternate Member Phyllis McMillan was seated as a voting member.

Also available for the questions was contracted engineer for the City, Sia Sayyadi, P.E.

II. Approval of Minutes – February 26, 2013

Commissioner Pedro Esquivel made a motion to approve the minutes as written. Commissioner Phyllis McMillan seconded the motion, and the motion passed unanimously by voice vote.

III. Conduct a Public Hearing and Consider Zoning Case #2013-389, a Request by Ernesto Ancira, Jr., to Rezone Approximately 6.38 acres of land, Being Lots 4 and 5, Block 1, CB 4429F, of the Ancira-Winton Subdivision, from R-4 (Townhouse) and B-2 (Retail) to B-3 (Commercial) and to Rezone the Property from the Sustainability Overlay to the Commercial/Industrial Overlay, located at 6111 Bandera Road and 5901 Wurzbach Road.

Staff presented the Zoning Case #2013-389, a request by Ernest Ancira Jr., applicant and property owner to rezone approximately 6.38 acres of land, being Lots 4 and 5, Block 1, CB 4429F, of the Ancira-Winton Subdivision, from R-4 (Townhouse) and B-2 (Retail) to B-3 (Commercial) and to rezone the property from the Sustainability Overlay to the Commercial/Industrial Overlay, located at 6111 Bandera Road and 5901 Wurzbach Road. Staff noted the surrounding zoning and the history of the property which indicated that it had slowly rezoned from residential to retail and then to commercial between 1972 and 1998. Staff also noted that the 2009 Master Plan, Section 2aCC, "Bandera Road/Loop 410 Corridor," addressed the area in general noting that zoning in the area consisted mostly of B-2 (Retail) and B-3 (Commercial) and that any B-3 (Commercial) which abuts residential must provide adequate and effective buffering. Staff explained that as a basic planning principle B-3 (Commercial) is not intended to abut R-1 (Single-Family Dwelling), but noted that if commercial zoning is allowed an eight (8) foot fence is required between commercial and residential properties. Staff further explained that other buffering techniques, such as landscaping may also be considered to guard against potential light and noise intrusion. Staff indicated that B-3 (Commercial) zoning is consistent with the adjacent B-2 (Retail) and B-3 (Commercial) zoning which already made up a large area which is platted and developed along Bandera Road and Wurzbach Road. Staff

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further indicated that per Chapter 14 Zoning, Section 14.02.551b, of the Leon Valley Code of Ordinances the applicant submitted a Traffic Impact Analysis Worksheet which indicated that the proposed use will generate less than 100 peak hour trips. Staff noted that twenty-eight (28) letters had been mailed to property owners within 200-feet and that two (2) letters were received in opposition to the request, ten (10) letters were received in favor, and one (1) letter was returned undeliverable. Staff also noted that two (2) letters were received in favor outside the 200-foot notification area. Staff presented pictures of the site, concluded the presentation and remained available for questions.

Commissioner Mike Davis Jr., asked staff if there was a utility easement along the property line, staff verified from the plat that there were drainage and sanitary sewer easements. Sia Sayyadi, P.E. addressed the Commission and noted that there is was also a waterline that has also been extended from Wurzbach Road. He explained that there was need for more water easements because the waterline dead ends and the Fire Department presently has to clean out that section of the water line to mitigate hazards, thus the City has approached Ancira about additional easements to clear up these concerns. Mr. Sayyadi did confirm that there are utility easements along Rue Liliane for homes. He also pointed to an area in the middle section of the property that was not buildable due to being in the FEMA floodway.

Commissioner Hal Burnside noted that the area where the drainage culvert is paved and was concerned with which way the water would flow. Mr. Sayyadi noted that it would flow towards Wurzbach Road.

2nd Vice-Chair Olen Yarnell asked the engineer if a large portion of the area which was grass/field could have a building on it. Mr. Sayyadi noted it could not, but may have pavement on it for parking cars. Mr. Sayyadi noted that there was a building proposed for the site that would be like the newly constructed Volkswagen dealership, that would front along Bandera Road.

Commissioner Mike Davis Jr., noted that with the new building, then the area nearest the residents would be to park vehicles.

Joey Blackmon, the agent for the applicant, 6111 Bandera Road, addressed the Commission and noted that he has worked with Mr. Ancira for 38 years. He explained that Mr. Ancira was committed to in staying in Leon Valley, so much so that he invested \$10 million into the existing Chevrolet and Ancira Volkswagen and he convinced Kia to make Leon Valley their home as well. He noted that \$5 million would be invested into a new Kia facility on 6 acres. Mr. Blackmon explained that they met with neighbors at a series of meetings to discuss concerns and alternatives. He noted that Ancira committed to neighbors to construct a concrete, eight foot (8') fence immediately inside the dealership property line. He also noted that they committed to keeping trees, a 15-foot buffer from the fence line to keep drainage away from the fence, as well as to keep cars away from the fence. He concluded by noting that Ancira wanted to grow their business which would benefit Leon Valley from their new building construction and from the sales tax generated from their parts and services.

2nd Vice-Chair Olen Yarnell asked for clarification regarding the proposed fence. Mr. Blackmon noted that they committed to neighbors to construct the fence from Bandera Road all the way to Wurzbach Road.

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Commissioner Hal Burnside asked Mr. Blackmon for clarification regarding the property buffer between the fence and start of the dealership. Mr. Blackmon noted that they would landscape between the back fence and would curb the area 15-feet away for new parking car display and inventory.

Commissioner Hal Burnside asked about security lighting along the 15-foot buffer zone. Chairman Claude Guerra III also noted the lighting he observed upon the site visit. Mr. Blackmon noted that the lighting would be directional; pointing down or away from residents.

Chairman Claude Guerra III also asked staff about the heritage size trees he saw on the property. Staff noted that they cannot be removed.

2nd Vice-Chair Olen Yarnell asked what the surface of the fence would look like. Mr. Blackmon noted that it would be Fence Crete and would have a decorate look rather than just being a solid concrete fence.

Chairman Claude Guerra III asked what the parking area would be made of. Mr. Blackmon noted it would be asphalt.

Being no further discussion, Chairman Claude Guerra III opened the public hearing at 7:07 p.m.

John and Margie Phelan, 6100 Rue Liliane, addressed the Commission and noted that their concerns were with drainage, loud speaker from the dealership, trees and lighting and they noted that many of their questions were answered in the discussion.

Eluterio Toscano, 6010 Rue Liliane, addressed the Commission noting that his questions were addressed by Mr. Blackmon. Mr. Toscano also answered Commissioner Mike Davis, Jr.'s question regarding the location of the utilities noting that they were in the front of the property along Rue Liliane. He noted his support of Ancira's commercial growth.

Commissioner Mike Davis, Jr., noted that his concern was for residential properties along the adjacent property line and that is why he asked about the utility easement.

Being no further discussion, the public hearing was closed at 7:14p.m.

2nd Vice-Chair Olen Yarnell noted that the request appeared to solve many concerns surrounding the property. He also noted that questions regarding trees, building location, fencing and lighting had been answered.

Chairman Claude Guerra III noted that all of his questions were answered regarding fencing, lighting and trees and that the Commission members and those in attendance were now aware that a building could not be built within that portion of the property that is in the floodway. He additionally noted that a precedent had been set with the Fiesta Dodge property across the street and the boundary was changed from the Sustainability Overlay to the Commercial/ Industrial Overlay which was similar to the request at hand.

Vice-Chair Wendy Phelps made a motion to recommend approval of Zoning Case #2013-389, to include both rezoning requests to rezone from R-4 (Townhouse) and B-2 (Retail) to B-3 (Commercial)

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and to rezone to the Commercial/Industrial Overlay Zoning District noting that the requests were consistent and compatible with the Master Plan. 2nd Vice Chair Olen Yarnell seconded the motion and the motion passed unanimously by voice vote, 7-0.

IV. Consider Zoning Case #2013-390, a Request by Dirt Dealer V., LLC., to Rezone Approximately 1.709 acres of land, Being a Portion of Parcel 29G, ABS 741, CB 4445, Murchison Remainder Tract, from B-1 (Small Business) to B-2, located at 7430 Huebner Road.

Staff presented the Zoning Case #2013-390, a request by Dirt Dealer V., LLC., to rezone approximately 1.709 acres of land, being a portion of Parcel 29G, ABS 741, CB 4445, Murchison Remainder Tract, from B-1 (Small Business) to B-2 (Retail), located at 7430 Huebner Road. Staff noted the surrounding zoning and the history of the property which indicated that it had been rezoned in 1985 from R-1 (Single-Family) to B-1 (Small Business). Staff also noted that the 2009 Master Plan, Section 7N, "Canterfield Area," addressed the area in general noting residential zoning and mixed use zoning. Staff explained that by land use comparison B-2 (Retail) zoning is consistent with the area and is compatible with the existing B-1 (Small Business) and R-1 (Single-Family). Staff further explained that this is demonstrated by the existing and adjacent B-2 (Retail) of the Church of Latter Day Saints and the Department of Public Safety Mega Center, as well as the corner of Evers Road and Huebner Road and surrounding neighborhoods. Staff noted that B-2 (Retail) is intended to abut residential and act as a buffer. Staff also noted that B-1 (Small Business) zoning does not allow outside storage and limits the buildable area of a building to 3,000 square feet. Staff indicated that B-1 (Small Business) is mostly designed for office and very light service and retail business. Staff also indicated that B-2 (Retail) zoning limits outside storage but does not limit the buildable area of a building; however, both zoning districts are intended to provide goods, services however B-2 (Retail) gives more alternatives for permitted uses and buildable area. Staff noted that per Chapter 14 Zoning, Section 14.02.551b, of the Leon Valley Code of Ordinances the applicant submitted a Traffic Impact Analysis Worksheet which indicated that the proposed use will generate less than 100 peak hour trips. Staff noted that sixteen (16) letters had been mailed to property owners within 200-feet and that one (1) letter were received in opposition to the request, none were received in favor, and none were returned undeliverable. Staff presented pictures of the site, concluded the presentation and remained available for questions.

Chairman Claude Guerra III asked for clarification as to the City well site in relation to the proposed rezoning. Staff and the engineer Sia Sayyadi indicated the location of the well on the site plan. Staff also indicated that the well site is protected by a 150-foot boundary by law for well systems.

Commissioner Pedro Esquivel asked Staff about preservation of the silos on site. He noted that there had been discussion at a Council meeting about preserving them. Staff noted that in speaking to the representatives for the property they indicated that they were will to work with the City in regard to the silos. Staff further noted that there was not presently a definitive plan for the silos.

Chairman Claude Guerra III asked for clarification regarding development and the City well site. Mr. Sayyadi noted that there would need to be a sanitary controlled easement, meaning that developers cannot store chemicals onsite. Staff noted that more than likely the only thing located within the 150-foot would be parking. Mr. Sayyadi noted additional property limitations due to the

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main water line, drainage requirements, tree preservation and a needed detention pond.

Vice-Chair Wendy Phelps asked if the site was going to be utilized for the storage of bulldozers. Staff indicated that there was not a building plan. Staff also noted that the developer wants to build a building bigger than 3,000 square feet. Chairman Claude Guerra III noted that it was an office building.

2nd Vice Chair Olen Yarnell asked if the dotted line on the site plan was the well site. Staff indicated that it was and that the long road leading from Huebner was the access easement. 2nd Vice Chair Yarnell noted that the water tower had been moved over by Marshall High School for higher elevation and well site remained. Staff noted that was accurate. 2nd Vice-Chair Olen Yarnell also asked for further clarification on the site plan to the rear of the property and staff indicated that it was the area where there was drainage and a natural tree line. Mr. Yarnell noted that it appeared that only the B-2 (Retail) portion of the property would be built on. Staff noted that the B-1 (Small Business) portion of the property would have a detention pond and did have the potential to have a 3,000 square foot building limited by B-1 regulations and uses.

Commissioner Burnside noted that there appeared to be constraints on the property, which prompted the owner to try to use the portion they are requesting for rezoning

Commissioner Pedro Esquivel noted that there has been considerable discussion on the traffic impact by Council in regard to Huebner and Evers and the affect of the DPS Facility. Mr. Esquivel wanted to be sure that the traffic impact for this project was being considered in addition to what was already being studied. Staff noted that the traffic impact would be considered and City Staff and the property owner and potential developers were aware or would be made aware of the impact. Staff noted that the focus for the evening needed to be whether B-2 (Retail) was consistent and compatible with the Master Plan and surrounding zoning, not a particular use. Mr. Esquivel reiterated that he just wanted to make sure that traffic and school zones were measured.

Sia Sayyadi noted that the property as B-1 (Small Business) could be platted into several lots with 3,000 square foot buildings, with necessary parking, site plans and driveways. Staff noted that if the property was platted separately State law required access to each site with proper utility development. Mr. Sayyadi noted that the property owner was trying to make the best use of the property from that site as B-2 (Retail) with only one (1) building.

Tony Saucedo, agent for the applicant, addressed the Commission and noted that he did not have any addition information to add and would remain available for questions.

Chairman Claude Guerra III noted that the Land Use Statement stated that they wanted to construct an "office" building larger than 3,000 square feet but then went on to note that the letter stated that they wanted to rezone to utilize other uses within the B-2 (Retail) zoning district. Chairman Claude Guerra III felt that this was contradictory to his first statement in the letter. Mr. Saucedo noted that he did not know what the use of the property would be until after they had a buyer for the property. He also noted that they needed to maintain the access easement and wanted to preserve the remaining trees. He further explained that they would be limited by how much parking is required for the use as to what type and size of building would be constructed.

Staff noted that the property was also protected by the Sustainability Overlay regulations.

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Chairman Claude Guerra III noted that his concern is based on the controversy with the neighboring DPS Office. Commissioner Pedro Esquivel agreed that the statement that rezoning was being requested to construct an office building was misleading. He explained that if it was not going to be an office building as stated and something else from the B-2 (Retail) then it should have remained ambiguous on the application.

Staff noted that the applicant has expressed that they would like to build an office building larger than 3,000 square feet; however, staff also noted that the Commission needed to be aware that the applicant did not have to build an office building and if the property was rezoned to B-2 (Retail) it could be another type of building such as retail. Staff commented that the matter at hand was whether B-2 (Retail) was consistent and compatible with the Master Plan and surrounding zoning.

Commissioner Mike Davis Jr., noted that he had no issue with the current zoning of B-1 (Small Business). He also noted that the property owner should have known what the property was zoned when they purchased it and what uses were allowed.

Commissioner Hal Burnside asked Staff if parking could be built on the B-1 portion. Staff noted it could.

2nd Vice Chair Olen Yarnell noted that there is always a chance that the developer may not do as they may have noted in an application or the plans fall through all together.

Commissioner Mike Davis Jr., noted that the area has a great deal of sensitivity and a concept for the site would be helpful. Mr. Saucedo noted that they were not in that stage of planning for the property and were aware of the sensitivity in the area which is why they were maintaining the B-1 (Small Business) buffer to shelter the surrounding properties.

Per the Chairman's request Staff read some of the uses allowed in B-2 (Retail) some of which were: alcoholic beverage sales (no on-premise consumption), alteration and apparel, animal clinic, antique store, appliance (minor), appliance repair, art gallery and other such uses.

Being no further discussion, Chairman Claude Guerra III opened the public hearing at 8:05p.m.

Roland Perez, 6534 Hoofs Lane, addressed the Commission and noted his opposition to the proposed rezoning noting addition concerns with traffic and noise from trash pick-up has he already experienced weekly from the pick-up at the Church. He explained that he was opposed to the original rezoning from R-1 to B-1, when neighbors were told that there would be a greenbelt and a fence. Mr. Perez noted that although promises were made by the developer when the request for B-1 (Small Business) was considered, they never followed through. Mr. Perez commented that he understood that the Commission needed to consider development that would bring revenue to the City but he did not want it to be at the cost of the residents who would have to endure light and noise pollution from whatever was developed.

Sandy Perez, 6534 Hoofs Lane, asked if there would be any buffer between them and the development. Staff noted that there was at least one hundred feet (100') between them and the proposed development as well as the remaining B-1 (Small Business) buffering.

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Being no further discussion, Claude Guerra III closed the public hearing at 8:10p.m.

Chairman Claude Guerra III noted to Mr. Perez that the Zoning Commission's responsibility was to make zoning recommendations on zoning cases, not for economic development.

2nd Vice-Chair Olen Yarnell noted that as long as the property remains vacant there will be zoning case considerations. He further explained that anytime anyone lives up again a property that is zoned anything other than residential this will always be something that they will need to deal with. He added that the owner was leaving the B-1 buffer

Commissioner Hal Burnside noted that he was concerned neighbors and gradual deterioration of the area based on the uses allowed in the B-2 (Retail) zoning.

Commissioner Phyllis McMillan noted that even if the property is not rezoned to B-2 (Retail) there could still be a building constructed on the B-1 (Small Business).

Staff noted there were development constraints on the property due to the well site and the required drainage. Mr. Sayyadi noted that the detention pond was estimated at \$60,000. He further explained that the City might have a very active part in the installation in order to protect the well site.

2nd Vice-Chair Olen Yarnell asked how many 3,000 square foot building could be placed on the property. Mr. Sayyadi addressed the question and noted that with proper platting a rough estimate was fifteen (15) buildings because the total acreage of the B-1 (Small Business) is six (6) acres and 3,000 square feet is not very large.

Chairman Claude Guerra III reiterated that he felt that the letter submitted by the applicant was misleading and for that reason he had doubts and hesitancy about the rezoning.

Commissioner Pedro Esquivel made a motion recommending denial of Zoning Case #2013-390 noting that it does not protect the property rights of owners of real property. Vice-Chair Wendy Phelps seconded the motion and the motion passed 5-2.

IN FAVOR OF THE MOTION

Commissioner Hal Burnside
Commissioner Mike Davis Jr.
Commissioner Pedro Esquivel
Chairman Claude Guerra III
Vice-Chair Wendy Phelps

AGAINST THE MOTION

2nd Vice-Chair Olen Yarnell
Commissioner Phyllis McMillan

- V. Consider Specific Use Permit Case #2013-271, a Request by Jonathan King, Applicant, to Operate a "Kennel," in a B-3 (Commercial) zoning district within the Sustainability Overlay, Being Lot 56, Block 3, CB 5784, Leon valley Addition – Glass Service Subdivision, located at 6737 Poss Road, Building/Suite #300.**

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Staff presented the Specific Use Permit Case #2013-271, a request by Jonathan King, applicant to operate a "Kennel" in a B-3 (Commercial) zoning district within the Sustainability Overlay, being Lot 56, Block 3, CB 5784, Leon Valley Addition – Glass Service Subdivision, located at 6737 Poss Road, Building/Suite #300. Staff noted the surrounding zoning and the history of the property which indicated that there had been several Specific Use Permit requests for the buildings at 6737 Poss Road including: office/warehouse, church, and banquet hall. Staff also noted that the 2009 Master Plan, Section 4CC, "Grissom Road Corridor," addressed the area in general noting B-3 (Commercial) zoning and consolidation of properties in the area. Staff explained that operation of a "kennel" appears to be consistent and compatible with the area. Staff further explained that the B-3 (Commercial) zoning district is designed to be more intense in nature and can include service facilities such as kennels to provide services to existing and surrounding districts. Staff went on to note that the B-3 district also allows outside display and storage of merchandise and limited outside services (such as dog runs). Staff also noted that although B-3 is not intended to abut R-1 (Single-Family) in some instances it does and this is one such occasion. Staff stated that there is a single-family home which fronts and accesses from Sawyer Road. Staff explained that where commercial does abut residential adequate and effective buffers are required. Staff further noted that there was an existing tree lined buffer on the residential side and a fencing buffer from the commercial side. Staff noted that per Chapter 14 Zoning, Section 14.02.551b, of the Leon Valley Code of Ordinances the applicant submitted a Traffic Impact Analysis Worksheet which indicated that the proposed use will generate less than 100 peak hour trips. Staff noted that six (6) letters had been mailed to property owners within 200-feet and no letters were received in opposition to the request, none were received in favor, and none were returned undeliverable. Staff presented pictures of the site, concluded the presentation and remained available for questions.

The leasing agent for the property addressed the Commission and noted a correction that Mr. King's business would only be taking up 3,000 square feet of Building #2 not Building #3. She further explained that this was the rear of the building in the same space as the glass service building all of which are located at 6737 Poss Road.

Jonathan King, applicant, addressed the Commission and noted that he did not have any comments but was happy to answer questions.

Commissioner Phyllis McMillan thanked Mr. King for the thorough information he provided regarding kenneling.

Commissioner Hal Burnside asked for clarification on the on the dog to employee ratio. MR. King noted that if the facility was to capacity at thirty (30) dogs then two (2) employees would be required.

Chairman Guerra III asked if employees would stay overnight. Mr. King noted that they would not stay over night. Chairman Claude Guerra III also asked whether Mr. King has operated a kennel before. Mr. King noted that they have a facility in Junction, Texas. Chairman Claude Guerra III asked how Mr. King selected Leon Valley. Mr. King commented that he lived nearby and a good opportunity and location had presented themselves.

Commissioner Mike Davis Jr. asked Mr. King about whether there would be training outside. Mr. King noted that there would be no group training. He noted his business would provide private

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training inside the building and there would be outings to local pet stores as well as going outside occasionally to train for distractions. Mr. King further explained that he would train the dog for 2-3 weeks and then after they are trained then a month and a half to two months

Commissioner Pedro Esquivel asked if there would be a veterinarian on call. Mr. King noted during business hours he was going to approach Leon Valley Veterinary Services and he also noted that Southwest Animal Clinic on 1604 would be utilized after hours.

Chairman Claude Guerra III asked how long people leave their pets for boarding. Mr. King noted that the average is 4-5 days. Chairman Claude Guerra III asked who would handle all the feeding and watering. Mr. King noted that he and his staff would do all the feeding and watering.

Chairman Claude Guerra III noted that the building would be air conditioned. Mr. King noted that he would be installing an air conditioner because the building did not presently have one.

2nd Vice-Chair Olen Yarnell noted that the letter of request stated that parking would be utilized from the Poss Center and he asked whether parking was adequate because had been a concern with an event center request that the Commission considered in the past. Mr. King noted that he only needed 4-5 parking spaces; staff noted that he was only required 12 spaces which the site provides.

Chairman Claude Guerra III asked about a sprinkler system. Mr. King noted that he spoke to Luis Valdez who noted that there would not need to be a sprinkler system for a 3,000 square foot space. Staff noted he would

Commissioner Hal Burnside asked about barking and noise. Mr. King noted that the

Being no further discussion, Chairman Claude Guerra III opened the public hearing at 8:55p.m., being no one in the audience to speak the public hearing was closed at 8:56p.m.

2nd Vice-Chair Olen Yarnell asked what would happen if Mr. King's business got bigger and he needed more space. Staff noted that he would have to be expanding by 50% or greater before he would have to come back to the Zoning Commission for further Specific Use consideration.

Commissioner Pedro Esquivel made a motion to recommend approval of Specific Use Permit Case #2013-271, for operation of a "kennel" in a B-3 (Commercial) zoning district within the Sustainability Overlay noting it protected the property rights of owners of real property. Vice Chair Wendy Phelps seconded the motion and the motion passed unanimously by voice vote, 6-1.

IN FAVOR OF THE MOTION
Commissioner Hal Burnside
Commissioner Pedro Esquivel
Chairman Claude Guerra III
Commissioner Phyllis McMillan
Vice-Chair Wendy Phelps
2nd Vice-Chair Olen Yarnell

AGAINST THE MOTION
Commissioner Mike Davis Jr.

IV. Executive Session in Accordance with the Texas Local Government Codes

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There was neither item, nor action necessary for this session.

VII. Adjourn

2nd Vice-Chair Olen Yarnell, made a motion to adjourn, seconded by Commissioner Hal Burnside. The motion carried by voice vote and the meeting was adjourned at 9:02p.m.

CHAIR

STAFF

AN ORDINANCE

REZONING CERTAIN PROPERTY FROM R-4 (TOWNHOUSE) AND B-2 (RETAIL) TO A B-3 (COMMERCIAL) ZONING DISTRICT AND TO FURTHER REZONE SAID CERTAIN PROPERTY FROM THE SUSTAINABILITY OVERLAY ZONING DISTRICT TO THE COMMERCIAL/INDUSTRIAL OVERLAY ZONING DISTRICT UPON APPLICATION BY ERNESTO ANCIRA, JR., APPLICANT AND PROPERTY OWNER.

WHEREAS, Chapter 211 of the Vernon's Local Government Code empowers a city to enact zoning regulations and provide for their administration, enforcement and amendment; and

WHEREAS, the City has previously deemed it necessary and desirable to adopt zoning regulations to provide for the orderly development of property within the City in order to promote the public health, safety, morals and general welfare of the residents of the City, and

WHEREAS, the Leon Valley Code of Ordinances Chapter 14 constitutes the City's Zoning Regulations and requires property to be zoned in accordance with proper designations as defined by the City; and

WHEREAS, the Planning and Zoning Commission of the City of Leon Valley provided adequate notice and held a public hearing in accordance with Chapter 14 of the Leon Valley Code of Ordinances; and

WHEREAS, the Planning and Zoning Commission of the City of Leon Valley has recommended approval of the re-zoning of the designated properties and has confirmed that the re-zoning is uniform and conforms to the plan and design of the City of Leon Valley's Zoning regulations and the City of Leon Valley Comprehensive Plan; and

WHEREAS, the City Council of the City of Leon Valley has also held a public hearing regarding the re-zoning on affected properties and has issued adequate notice to all the affected parties; and

WHEREAS, the City Council of the City of Leon Valley believes the re-zoning of affected properties will not adversely affect the character of the area of the neighborhood in which it is proposed to rezone; will not substantially depreciate the value of adjacent or nearby properties; will be in keeping with the spirit and intent of the City's Zoning Ordinance; will comply with applicable standards of the district in which located; and will not adversely affect traffic, public health, public utilities, public safety and the general welfare of the residents of the City of Leon Valley;

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF LEON VALLEY, TEXAS, THAT:

1. Property being described as Lots 4 and 5, Block 1, CB 4429F, Ancira-Winton Subdivision, being approximately 6.38 acres of land, generally located at 6111 Bandera Road and 5901 Wurzbach Road, and more particularly described in case file ZC 2013-389, is hereby rezoned from R-4 (Townhouse) and B-2 (Retail) to B-3 (Commercial) and from the Sustainability Overlay Zoning District to the Commercial/Industrial Overlay District.
2. The City staff is hereby authorized to issue said zoning when all conditions imposed by the City Council have been addressed and complied with in full.

PASSED and **APPROVED** this the 16th day of April 2013.

ATTEST:

Mayor

City Secretary

APPROVED AS TO FORM:

City Attorney

Zoning Case #2013-389

Request by: Ernesto Ancira, Jr.

Rezone Approximately 6.38 acres from R-4 (Townhouse) and B-2 (Retail) to B-3 (Commercial) and Rezone from the Sustainability Overlay to the Commercial/Industrial Overlay

CASE WORKSHEET

Page 1 of 2

Zoning Case No. ZC 2013-389

Applicant:	Ernesto Ancira Jr., applicant and property owner.
Request:	To rezone approximately 6.38 acres of land from R-4 (Townhouse) and B-2 (Retail) to B-3 (Commercial). This request also includes rezoning said property from the Sustainability Overlay to the Commercial/Industrial Overlay (att.1&2).
Site:	Lots 4 and 5, Block 1, CB 4429F, Ancira-Winton Subdivision, at 6111 Bandera Road and 5901 Wurzbach Road, in the City of Leon Valley, Bexar County, Texas (att. 3).
Surrounding Zoning and Land Use:	Surrounding zoning consists of: To the north, developed R-1 (Single-Family Dwelling) and R-3 (Multiple-Family Dwelling); to the south developed B-3 (Commercial); to the east, developed B-2 (Retail), R-3 (Multiple-Family Dwelling); and to the west undeveloped B-2 (Retail), R-4 (Townhouse), R-2 (Two-Family Dwelling) and R-1 (Single-Family Dwelling) (att.4)
History:	<ul style="list-style-type: none"> ▶ 1972 - rezoned from R-1 (Single-Family Dwelling) to R-4 (Townhouse) and B-2 (Retail) ▶ 1976 - 800' x 1000' is rezoned from B-2 (Retail) to B-3 (Commercial) ▶ 1984 – 16 acres of land is rezoned from B-2 (Retail) to B-3 (Commercial), extending from Bandera Road to Wurzbach Road in an "L" shape ▶ 1994 - another .054 acres rezoned from B-2 (Retail) to B-3 (Commercial) ▶ 1998 – another 5.688 acres rezoned from B-2 (Retail) to B-3 (Commercial)
Master Plan:	The 2009 Master Plan, Section 2aCC: Bandera Road/Loop 410 Area addresses this area in general, stating that Land Use in this area consists of B-2 (Retail) and B-3 (Commercial) zoning. The Plan notes that any B-3 (Commercial) which abuts residential must provide adequate and effective buffering to maintain the character of the surrounding neighborhoods.
Staff Comments:	<ol style="list-style-type: none"> 1) As a basic planning principle B-3 (Commercial) is not intended to abut R-1 (Single-Family Dwelling). However, if zoning is allowed an eight (8) foot fence is required between commercial and residential properties. Other buffering techniques, such as landscaping may also be considered to guard against potential light and noise intrusion. 2) B-3 (Commercial) zoning is consistent with the adjacent B-2 (Retail) and B-3 (Commercial) zoning which already makes up a large area which is platted and developed along Bandera Road and Wurzbach Road.

CASE WORKSHEET

Page 2 of 2

Zoning Case No. ZC 2013-389

Staff Comments Continued:	<p>3) If rezoned to B-3 (Commercial) consideration will also need to be given to rezoning the 6.38 acres of land from the Sustainability Overlay to the Commercial/Industrial Overlay (note: intended use is further expansion of car dealership).</p> <p>4) Per Chapter 14 Zoning, Section 14.02.551b, of the Leon Valley Code of Ordinances the applicant submitted a Traffic Impact Analysis Worksheet which indicated that the proposed use will generate less than 100 peak hour trips.</p>
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<p>Letters Mailed and Responses Received from Property Owners within 200-feet</p> <p><u>28</u> Mailed <u>11</u> In Favor <u>3</u> Opposed</p> <p style="padding-left: 40px;"><u>1</u> Returned, unable to deliver</p> <p style="text-align: center;">+</p> <p><u>3</u> Duplicates (2-in favor/ 1-opposed)</p> <p style="padding-left: 40px;"><u>2</u> - in favor outside 200-feet</p> <p>TOTAL RECEIVED <u>20</u> as of April 8, 2013 (includes all types)</p>

ZONING COMMISSION RECOMMENDATION

On March 26, 2013, the Zoning Commission recommended, by a vote of 7-0 to APPROVE the request to rezone from R-4 (Townhouse) and B-2 (Retail) to B-3 (Commercial) noting it is Consistent and Compatible with the Master Plan and to rezone from the Sustainability Overlay to the Commercial/Industrial Overlay.

Attachments:

- 1) application
- 2) land use statement
- 3) location map
- 4) zoning map
- 5) zoning history exhibit
- 6) permitted use table
- 7) R-4, B-2 and B-3 regulations
- 8) letters

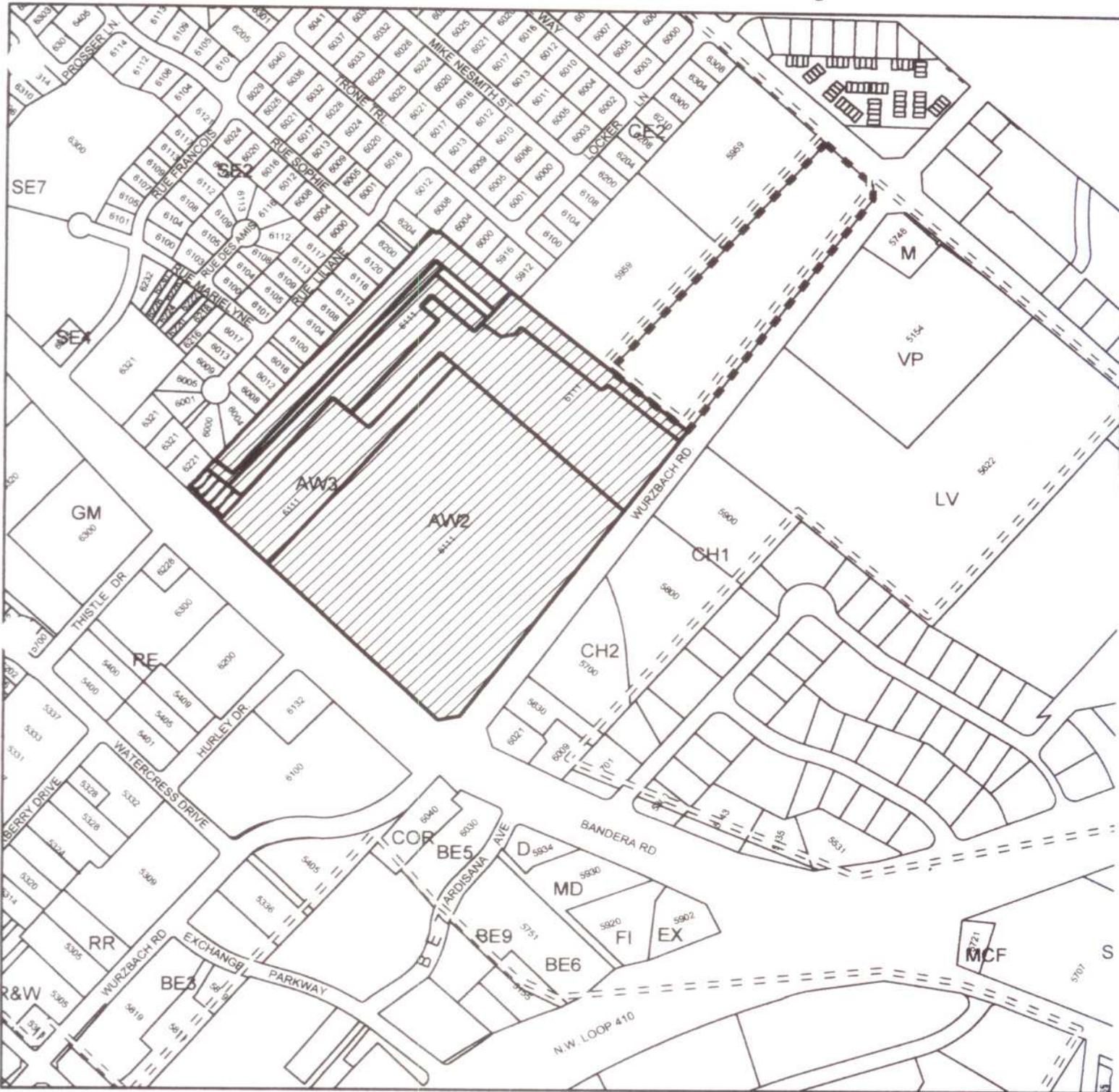
Supporting Documents

- Application
- Letter of Request
- Location Map
- Zoning Map
(black hashed area to be considered for rezoning from R-4 & B-2 to B-3 and rezone from Sustainability Overlay to Commercial Industrial Overlay)
- Zoning History Exhibits
- City Regulations
(R-4, B-2 & B-3)
- Letters Received

LAND USE STATEMENT

The purpose for this rezoning is to establish a new Auto Sales Dealership within the existing Auto Dealership Property. The building will be constructed within the existing improve Auto Storage area, and remaining portion for auto storage as needed.

The City of Leon Valley

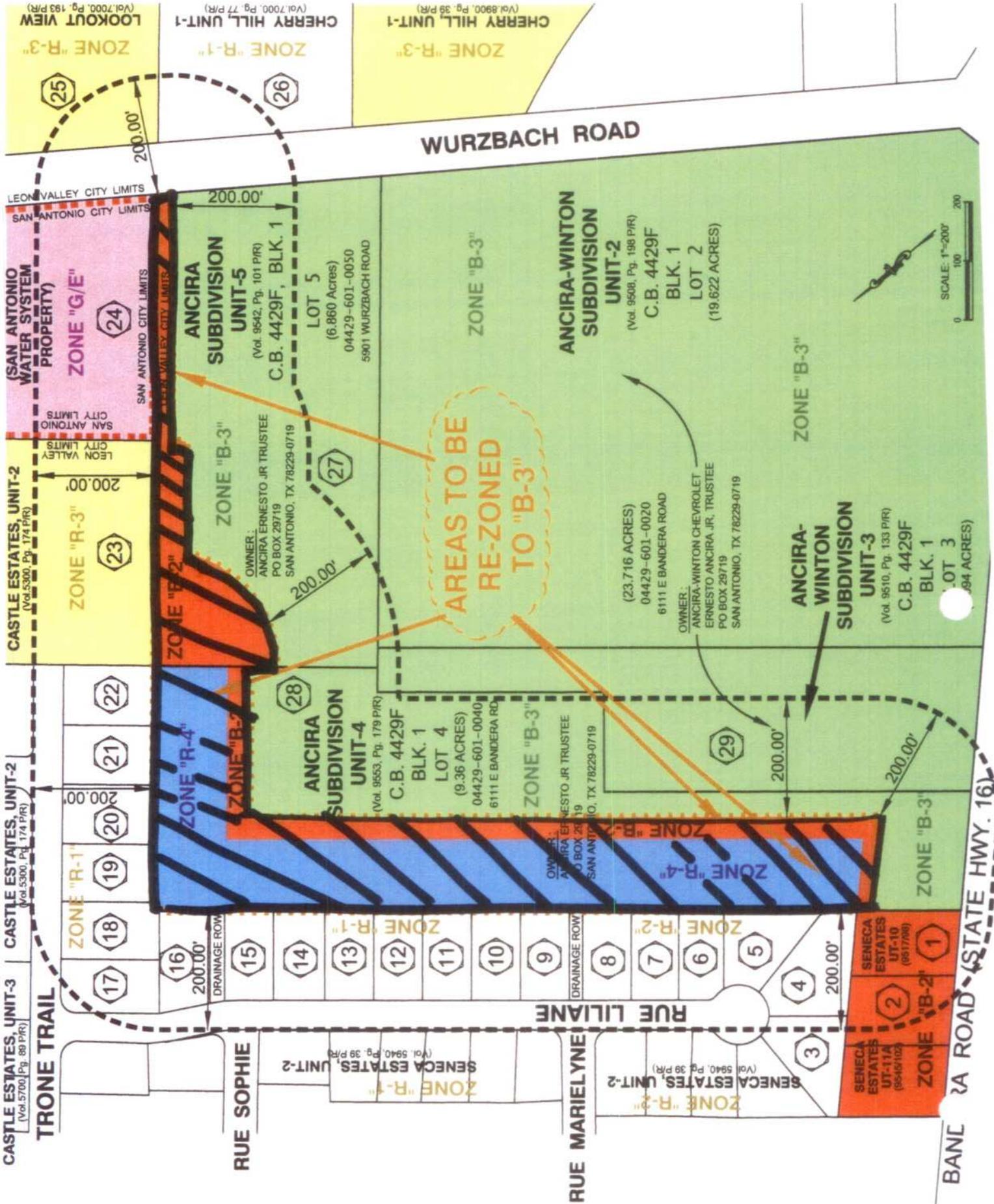


Legend

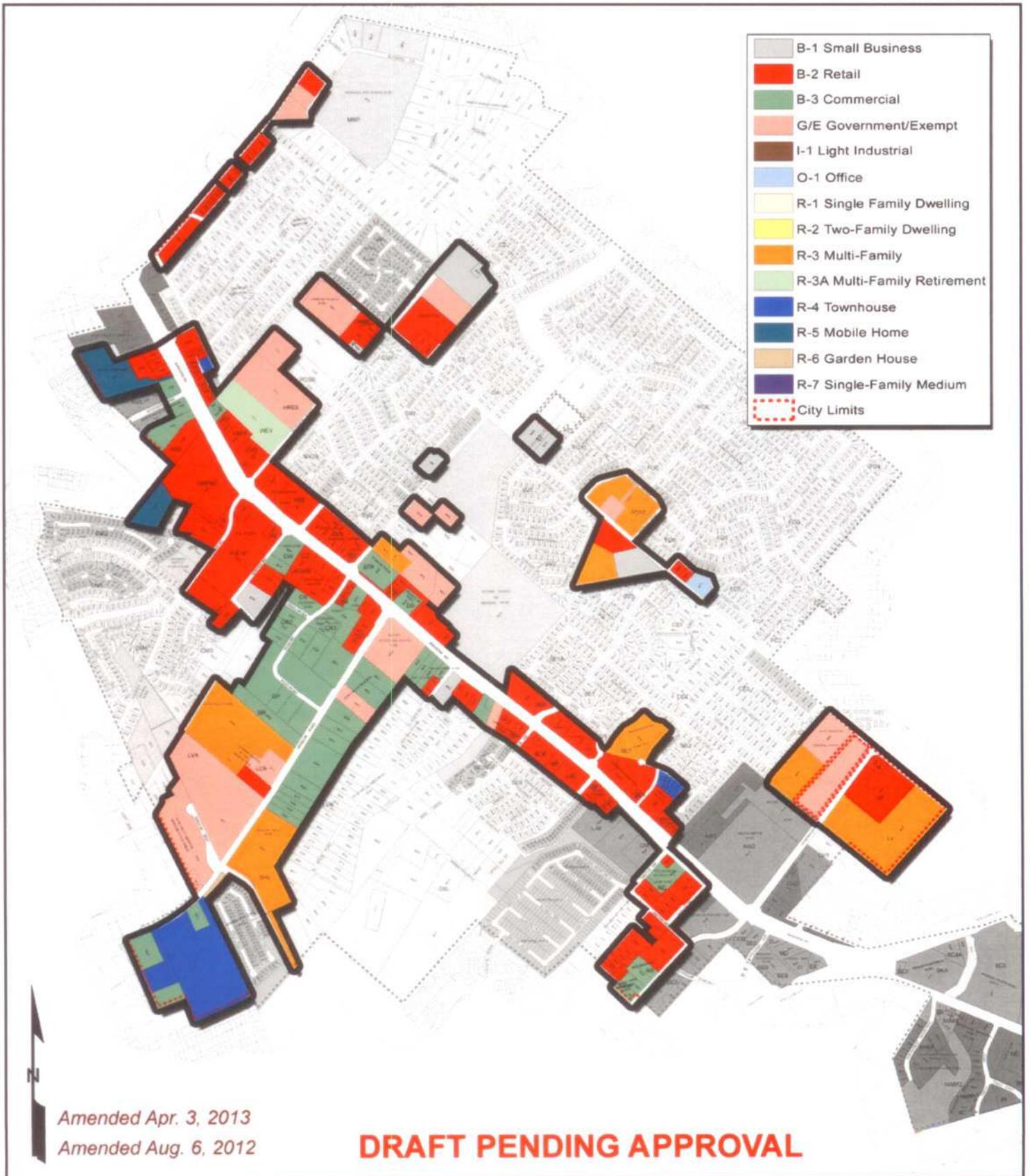
-  CITY LIMITS
-  Parcel

Zoning Case #2013-389 (Ancira)
Request to Rezone 6.38 acres of Land
from R-4 (Townhouse) and B-2 (Retail)
to B-3 (Commercial) at 6111 Bandera Rd
and 5901 Wurzbach Rd





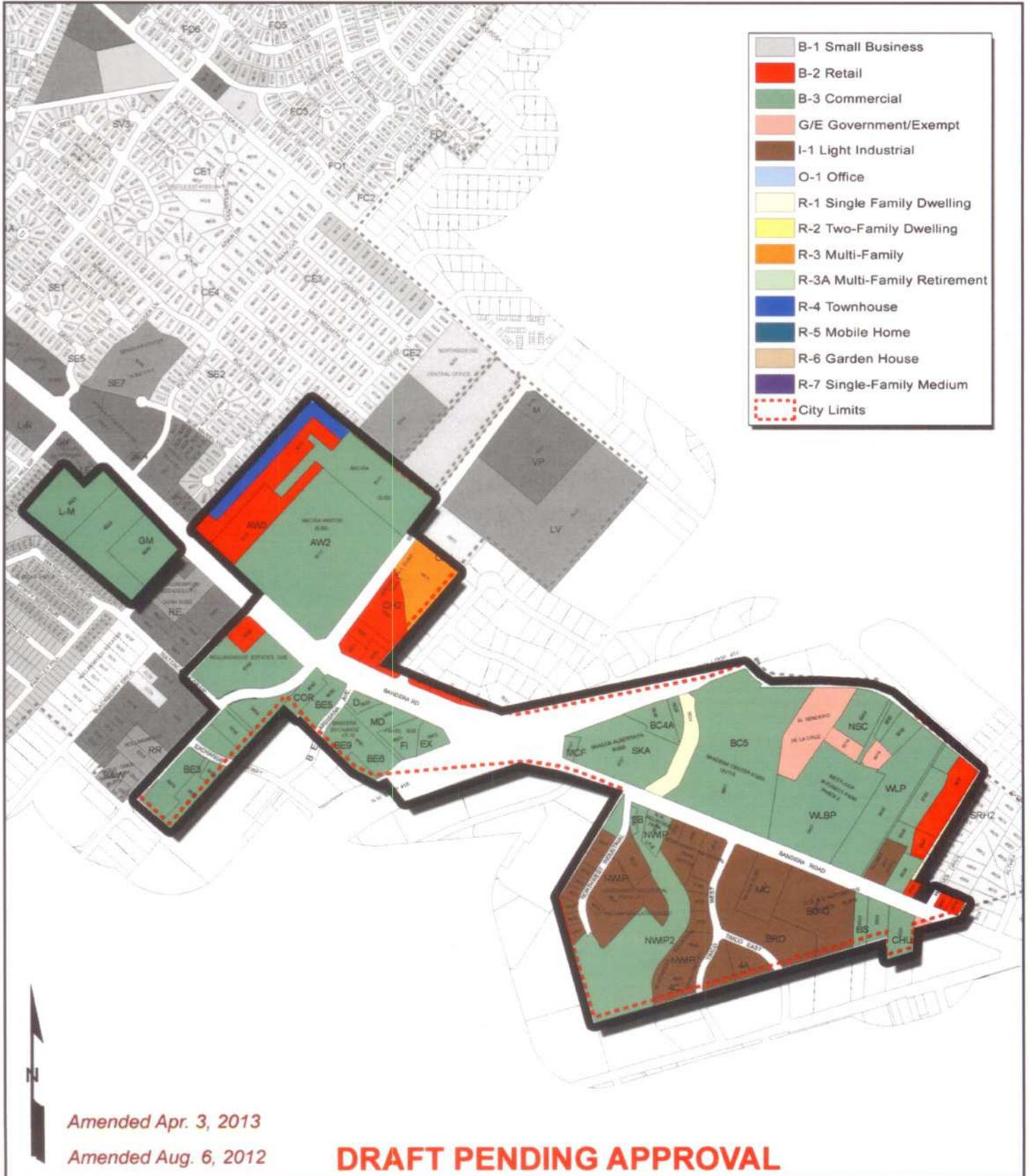
SUSTAINABILITY OVERLAY DISTRICT



Amended Apr. 3, 2013
Amended Aug. 6, 2012

DRAFT PENDING APPROVAL

COMMERCIAL-INDUSTRIAL OVERLAY DISTRICT





LOCATION MAP



* MODIFIED REQUEST *

ZC 98-338

6111 BANDERA ROAD

P-11, ABSTRACT 399, CB 4429

APPROXIMATELY 5.688 ACRES OUT OF

16.214 ACRES OF LAND FROM

B-2 (RETAIL) TO B-3 (COMMERCIAL)

BLOCK 1
C.B. 44788
CHERRY HILL
SUBDIVISION
UNIT-3

WURZBACH ROAD
(66' R.O.W.)

BLOCK 1
C.B. 44327

P-18
CB-4132
VOLUME 481
PAGE 287
SAWS

LOT 11
CB-41328
BLK 8
R-3

PROPOSED B-3
5.688 ACRES

1998 5th ZONING REQUEST
B-3

LOT 2
BLOCK 1
ANCHOR-WINTON SUBDIVISION
UNIT-3
M.C.E. 0440
C.B. 44728
VOLUME 488
PAGE 118

LOT 3
BLOCK 1
M.C.E. 0440
C.B. 44728
ANCHOR-WINTON
SUBDIVISION
UNIT-3
5.684 ACRES
VOLUME 488
PAGE 118

R-1
CHARLE BRIDGES SUBDIVISION
LOT 2
VOLUME 220
PAGE 174
BLOCK 8

R-4

B-2

B-3

UNPLATTED
B-2

R-4

CB-4432D
BLK 3

SENEDA ESTATES, UNIT-2
VOLUME 684G, PAGE 38

ATT 63



SIA ENGINEERING, INC.
705 K. BAYVIEW
SAN ANTONIO, TEXAS 78205
(512) 344-9800 FAX (512) 344-9801

BANDERA ROAD (STATE HWY. 16)
(VARIABLE R.C.T.)

Use	O-1	B-1	B-2	B-3	I-1	SO	CIO	GO	Notes
P - Allowed by right X - Not allowed U - Per Underlying Zoning SUP - Specific use permit SO - Sustainability Overlay CIO - Commercial and Industrial Overlay GO - Gateway Overlay									
Automobile service station - gasoline sales only	X	X	P	P	P	SUP	U	SUP	
Automobile service station - repair incidental	X	X	X	P	P	SUP	U	SUP	
Automobile and truck sales - service incidental	X	X	X	P	P	X	U	X	
Automobile/vehicle inspection station	X	X	P	P	P	SUP	U	SUP	
Automobile/vehicle storage	X	X	X	P	P	X	U	X	**Vehicles to be in operating condition w/current sticker and license
Automobile wrecker service	X	X	X	X	P	U	U	U	
Bait store	X	X	X	P	P	X	U	X	
Bakery	X	X	P	P	P	U	U	U	
Bank, savings & loan	X	X	P	P	P	U	U	U	
Bar	X	X	X	SUP	SUP	U	U	U	
Barber or beauty equipment and supplies	X	X	P	P	P	U	U	U	
Barber or beauty shop	P	P	P	P	P	U	U	U	

Sec. 14.02.310 "R-4" townhouse district

(a) Purpose and description. The R-4 district is composed mainly of areas suitable for townhouse dwellings. The R-4 townhouse district implements the policies of the master plan by 1) protecting the residential character of the areas by prohibiting commercial and industrial activities; 2) encouraging a suitable neighborhood environment for family life; 3) preserving the openness of the area and the unique residential design of a townhouse, by requiring that certain minimum yard and area standards and building construction standard requirements are met; 4) recognizing that land is a valuable resource and is in short supply within the city; 5) encouraging a level of growth that provides housing opportunities to meet the different housing needs of all income types of the city's present and future populations.

(b) Lot regulations.

(1) Area. See density requirements.

(2) Density. No development shall exceed a density of more than twenty (20) units per acre, nor contain less than 10,000 square feet. The total dwelling units in any group of attached dwellings shall not be less than three (3).

(3) Depth. The minimum depth of the lot shall be one hundred and twenty (120) feet.

(4) Floor space. There shall be a total heated living area in each townhouse unit of not less than the following: One-story - 1,000 square feet; two- or three-story - 1,400 square feet.

(5) Frontage. There shall be a minimum of 45 feet per lot of frontage on a public right-of-way.

(6) Height. A maximum of three (3) stories shall be allowed in the R-4 district.

(c) Setback requirements.

(1) Front yard. There shall be a front yard having a minimum depth of thirty (30) feet, except as hereinafter provided.

(2) Rear yard. A rear yard setback of twenty-five (25) feet is required. A rear yard shall not be required when the townhouse lot abuts an alley or access easement having a minimum width of twenty-four (24) feet which is used to provide ingress and egress to such townhouse development, except that a 25-foot setback is required if a garage entry is used. For townhouse lots that abut at the rear, an alley

or access easement having a minimum width of twenty-four (24) feet shall be required.

(3) Side yard. A minimum of ten (10) feet, or twenty-five (25) feet if garage entry is used, shall separate any townhouse or garage structure from the property line that parallels the curb. Each corner lot shall have a side yard of at least twenty-five (25) feet. No portion of a townhouse or accessory structure in, or related to, one group of contiguous townhouses shall be closer than ten (10) feet to any portion of a townhouse or accessory structure related to another group. In cases of reversed frontage, a side yard equal, at least, to the depth of the front yard required for a structure fronting the side street shall be required. A side yard of ten (10) feet shall be provided when townhouse lots abut a side lot line outside of the development.

(4) Corner lot. Where lots abut on two (2) intersecting or intercepting streets, where the interior angle of intersection or interception does not exceed 135 degrees, a side yard shall be provided on the street side equal to the front yard.

(5) Reverse frontage. On corner lots, where interior lots have been platted or sold, fronting on the side street, a side yard shall be provided on the street side equal to the front yard on the lots in the rear. No accessory building on said corner lot shall project beyond the front line of the lots in the rear.

(d) Other.

(1) Accessory buildings. Shall be allowed, but shall be located no closer than 5 feet from any property line, and must be located in the rear yard. In no case shall an accessory building occupy more than 25% of the total open space in the rear yard.

(2) Firewall. A two-hour rated firewall of materials and construction, as required by the currently adopted versions of the International building and fire codes, shall separate each adjacent townhouse unit. The firewall is to be constructed so as to be continuous from the foundation to the roof deck.

(3) Landscaping. A total of 35% of street yard area must be landscaped. The use of drought tolerant turf grasses, such as zoysia or buffalo tif or combination, or other drought tolerant plantings and hardscape is strongly recommended. See "Appendix A" for a list of trees, shrubs and plants suitable for the region. Also see [division 9](#) of this article for other landscaping regulations.

(4) Lighting. All outdoor lighting shall be hooded and all light emissions shielded, and shall be oriented such that light is directed

towards the property and does not trespass onto surrounding properties. Lights affixed to the buildings shall be mounted no higher than the eaves of said building. Lights affixed to a pole shall be mounted no higher than 40% of the distance from the front property line to the main structure.

(5) Masonry required. Townhouses shall be constructed of masonry or other similar noncombustible materials to the extent of not less than seventy-five (75) percent of overall exterior walls.

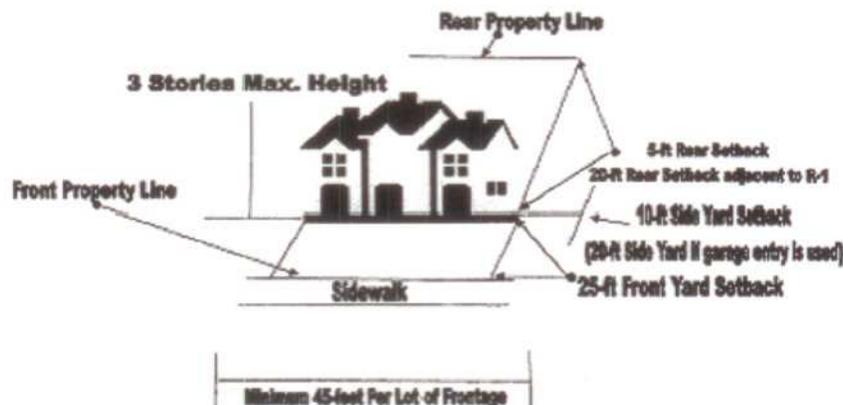
(6) Nonconforming dwellings. The provisions of this section shall not be applicable to nonconforming dwellings in existence on the date of the adoption thereof or to dwellings built hereafter on the same lot to replace such nonconforming dwellings as may be destroyed by fire, windstorm or other involuntary cause.

(7) Parking. Two off-street parking spaces shall be provided for each separate townhouse unit. Garage areas shall not be counted as off-street parking areas. Each townhouse unit shall have at least one (1) street curb parking area twenty (20) feet long.

(8) Public facilities. All townhouse developments shall be connected to the city's water and sewer system and shall be provided sidewalks and fire protection. See [article 10.02](#) (subdivision ordinance).

(9) Storage. Outside storage is not allowed in the R-4 district, with the exception of vehicles, trailers, recreational vehicles and boats in accordance with [article 3.05](#) and [article 12.03](#) of the Leon Valley City Code. Items to be stored must be completely contained in either the townhouse units, garage or an accessory building.

Figure 5 (R-4 Townhouse)



Sec. 14.02.321 "B-2" retail district

(a) Purpose and description.

(1) The B-2 district is composed of land and structures occupied by or suitable for the furnishing of retail goods and services to surrounding residential areas. The B-2 district is intended to allow a limited amount of outside storage of retail merchandise. The district regulations implement the policies of the master plan by 1) promoting the offering of goods and services which are appropriate for surrounding business districts; 2) protecting surrounding residential districts by requiring certain minimum yard and area standards are met; 3) encouraging economic viability and stability within the city.

(2) A general description of a "B-2" retail use is a business where the primary use specifically meets one (1) or more of the following, and no ancillary use conflicts herewith:

(A) A retail facility the purpose of which is the sale or lease of personal, novelty, food, alcohol or household items, not including the sale or lease of vehicles, firearms, or wholesale items, with incidental alcohol consumption allowed on-site;

(B) A repair facility the purpose of which is the repair or maintenance of personal, novelty, or household items, including minor appliances, but not including vehicles, machinery or major appliances; and/or

(C) A service facility the purpose of which is providing a service to surrounding districts, including food services if incidental to the primary use, but not including vehicle, cremation, embalming, or any service in which there may be disposal, storage, or use of any federally or state regulated chemical, even if incidental to the primary use.

(b) Outside storage regulations.

(1) There shall be no outside storage of any retail or nonretail merchandise, equipment, or other business related items, specifically including six (6) or more business related vehicles and/or any customer vehicles which remain on the property beyond the normal business hours of operation.

(2) A limited amount of outside display is allowed in the B-2 district, including display of plants for sale, display of lawn furnishings for sale, and occasional display of new goods for sale. These items are to be on

display for retail purposes only, and shall only be displayed at such times as the store is actually open for business;

(3) There shall be no outside service or repair allowed in the B-2 district, except for food services, and alcohol services if ancillary to food services, but these must meet the requirements of article 3.05 of the Leon Valley City Code regarding screening requirements.

(c) Height, area and lot requirements.

- (1) Lot area. There shall be a minimum area of 9,000 square feet.
- (2) Lot frontage. There shall be a minimum frontage of 70 feet along a public right-of-way.
- (3) Minimum depth. There shall be a minimum of 130 feet.
- (4) Masonry required. None.
- (5) Height. There shall be a maximum of three (3) stories allowed.

(d) Setback requirements.

- (1) Front yard. There shall be a front yard having a minimum of 25 feet from the front property line to the structure.
- (2) Rear yard. None, except in those instances where the retail lot adjoins residential zoning to the rear, a rear yard of twenty-five (25) feet or twenty percent (20%) of the average depth of the lot (whichever is less) shall be provided. In both cases, if the two (2) districts are separated by an alley, said alley is not to be used for purposes of calculating the required setback and the building setbacks are required as if the lots adjoined the residential zoning district.
- (3) Side yard. None, except in those instances where the property adjoins a residential property to the side, then a side yard of twenty (20) feet shall be provided.
- (4) Corner lot. Where lots abut on two (2) intersecting or intercepting streets, where the interior angle of intersection or interception does not exceed 135 degrees, a side yard shall be provided on the street side of twenty (20) feet.
- (5) Landscaping. The use of drought tolerant turf grasses, such as zoysia or buffalo tif or combination, or other drought tolerant plantings and hardscape is strongly recommended. Landscaping shall consist of

twenty percent (20%) of the street yard. Refer to landscaping section [division 9 of this article] for other regulations regarding site landscaping requirements.

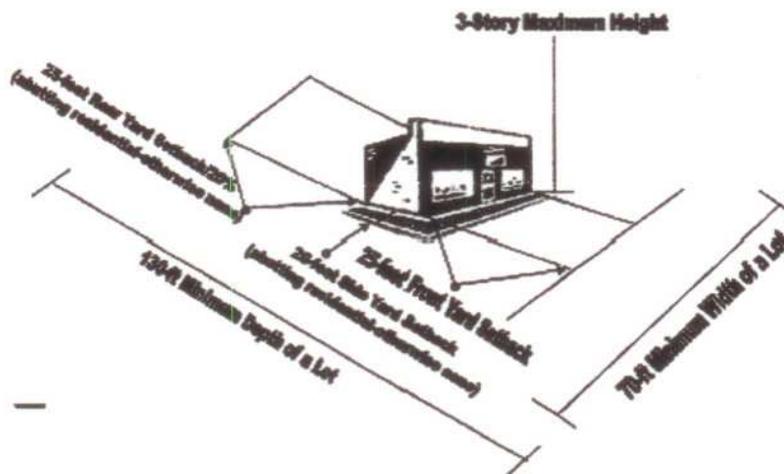
(6) Lighting. All outdoor lighting shall be hooded and all light emissions shielded, and shall be oriented such that light is directed towards the property and does not trespass onto surrounding properties. Lighting facilities shall be arranged so as to reflect the illumination away from any residentially zoned property. All lighting facilities shall be placed, masked or otherwise arranged such that illumination or glare shall not create a hazard to motorists on any street, alley or other public way.

(7) Parking. Refer to parking table for site parking requirements.

(8) Public facilities. Each lot shall be connected to the city's public water and sewer system, and shall have appropriate sidewalks and fire protection. See article 10.02 (subdivision ordinance).

(9) Nonconforming structures. The provisions of floor space and masonry above shall not be applicable to nonconforming structures in existence on the date of the adoption thereof or to structures built hereafter on the same lot to replace such nonconforming structures as may be destroyed by fire, windstorm or other involuntary cause.

Figure 11 (B-2 Retail)



Sec. 14.02.322 "B-3" commercial district

(a) Purpose and description.

(1) The B-3 district is composed of land and structures used to furnish commercial needs, wholesale services, and some light assembling of goods, in addition to most of the uses found in the B-2 district. The B-3 district regulations are designed to protect the character of the residential areas by regulating unenclosed activities or uses, which could intrude upon the lifestyle of the community through inappropriate lighting, noise, vibration, smoke, dust, or pollutants. The district regulations implement the policies of the master plan by 1) permitting the development of districts for the purpose of providing commercial and wholesale uses; 2) protecting surrounding and abutting areas by requiring certain minimum yard and area standards are met; and 3) encouraging economic viability and stability in the city.

(2) A B-3 use is a business where the primary use specifically meets one (1) or more of the following, and no ancillary use conflicts herewith:

(A) A retail facility the purpose of which is the sale or lease of personal, novelty, food, household, or business items, including wholesale;

(B) A repair facility the purpose of which is the repair or maintenance of personal, novelty, or household items, including appliances and vehicles; and/or

(C) A service facility the purpose of which is providing a service to surrounding districts,

(D) Although it may occur in certain instances, it is not intended that the B-3 district abut R1, R-2, R-4 or R-6 districts.

(b) Outside storage regulations.

(1) Outside display of retail merchandise is allowed in a B-3 district.

(2) Outside storage of retail merchandise is allowed in a B-3 district only if such merchandise is screened in accordance with article 3.05 of the Leon Valley City Code.

(3) Outside storage of nonretail equipment, vehicles, including the vehicles of any customers which remain on the property beyond the normal hours of operation, or other business related items, or any

hazardous or toxic chemicals or substances shall be allowed in the B-3 district, only with a specific use permit.

(4) A limited amount of outside repair or service is allowed in the B-3 district, but only with a specific use permit, except that food services shall not require a specific use permit, however, they must meet the requirements of article 3.05 of the Leon Valley City Code regarding screening requirements.

(c) Lot requirements.

(1) Lot area. There shall be a minimum lot area of 9,100 square feet.

(2) Lot frontage. There shall be a minimum frontage of 70 feet along a public right-of-way.

(3) Minimum depth. There shall be a minimum of 130 feet.

(4) Masonry required. None.

(5) Height. None.

(d) Setback requirements.

(1) Front yard. There shall be a front yard having a minimum of 25 feet from the front property line to the structure.

(2) Rear yard. None, except in those instances where the retail lot adjoins residential zoning to the rear, a rear yard of twenty-five (25) feet or twenty percent (20%) of the average depth of the lot (whichever is less) shall be provided. In both cases, if the two (2) districts are separated by an alley, said alley is not to be used for purposes of calculating the required setback and the building setbacks are required as if the lots adjoined the residential zoning district.

(3) Side yard. None, except in those instances where the property adjoins a residential property to the side, then a side yard of twenty (20) feet shall be provided.

(4) Corner lot. Where lots abut on two (2) intersecting or intercepting streets, where the interior angle of intersection or interception does not exceed 135 degrees, a side yard shall be provided on the street side of twenty (20) feet.

(5) Landscaping. The use of drought tolerant turf grasses, such as zoysia or buffalo tif or combination, or other drought tolerant plantings

and hardscape is strongly recommended. Landscaping shall consist of twenty percent (20%) of the street yard. Refer to landscaping section [division 9 of this article] for other regulations regarding site landscaping requirements.

(6) Lighting. All outdoor lighting shall be hooded and all light emissions shielded, and shall be oriented such that light is directed towards the property and does not trespass onto surrounding properties. Lighting facilities shall be arranged so as to reflect the illumination away from any residentially zoned property. All lighting facilities shall be placed, masked or otherwise arranged such that illumination or glare shall not create a hazard to motorists on any street, alley or other public way.

(7) Parking. Refer to parking table for site parking requirements.

(8) Public facilities. Each lot shall be connected to the city's public water and sewer system, and shall have appropriate sidewalks and fire protection. See article 10.02 (subdivision ordinance).

(9) Nonconforming structures. The provisions of floor space and masonry above shall not be applicable to nonconforming structures in existence on the date of the adoption thereof or to structures built hereafter on the same lot to replace such nonconforming structures as may be destroyed by fire, windstorm or other involuntary cause.

Figure 12 (B-3 Commercial)



Letters in Favor
within 200-feet with
duplicates = **13**

11 w/o duplicates

ANCIRA

applicant
w/in 200ft.

ANCIRA ENTERPRISES, INC.

10855 IH-10 West • P.O. Box 29719 • San Antonio, TX 78230 • (210) 697-3001 • ancira.com

favor

March 20, 2013

Zoning and Land Use Commission
Leon Valley City Hall
6400 El Verde Road
Leon Valley, Texas 78238

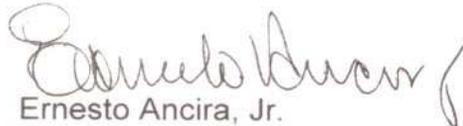
RE: Zoning Case No. ZC 2013-389

Dear Commission:

As a property owner within 200 feet of the property in question, I would like to affirm my approval of the rezoning request referenced above.

Thank you.

Sincerely,



Ernesto Ancira, Jr.

/lmk



ANCIRA

applicant rep
duplicate

THE ANCIRA-WINTON CHEVROLET, INC.

6111 Bandera Road • P.O. Box 29719 • San Antonio, TX 78238 • (210) 681-4900 • ancira.com

favor

March 20, 2013

Zoning and Land Use Commission
Leon Valley City Hall
6400 El Verde Road
Leon Valley, Texas 78238

RE: Zoning Case No. ZC 2013-389

Dear Commission:

As a property owner within 200 feet of the property in question, I would like to affirm Ancira-Winton Chevrolet, Inc.'s approval of the rezoning request referenced above.

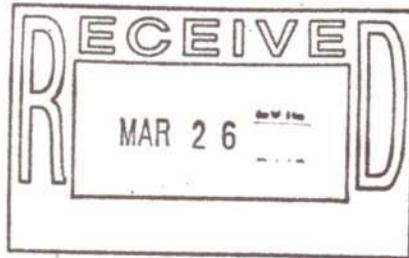
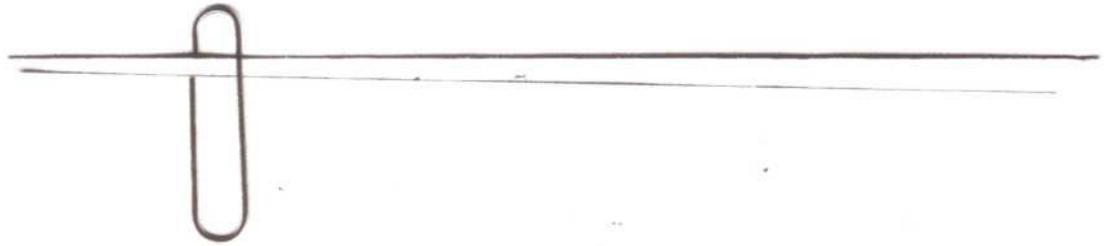
Thank you.

Sincerely,


Joey Blackmon
VP, Operations

/lmk





within 200-ft
favor

Young Commission ^{March 24 2013}
I Yelanda B. Ludwick
6170 Rue
Liliane
paper the Commercial
Business. My back
you connect to Anselm
Wintons. Business
Green belt, I don't
want any apartments
there Yelanda B. Ludwick

March 25, 2013

Kristie Flores
Community Development Dept.
6400 El Verde Road
Leon Valley, TX 78238



Within 200-ft
IN FAVOR

Please consider this to be my written response concerning zoning case # ZC 2013-389, the request to rezone 6.38 acres of land owned by Ernesto Ancira.

I am 'In FAVOR' of the proposed zoning changes requested by Mr. Ancira so that he may build a new KIA dealership on this property.

I cannot support the construction of townhomes adjacent to my property line. Constructing townhomes will negatively affect my property value and will also create traffic issues and noise issues.

Thank you for your consideration.

Robert Antipora

6200 Rue Luliane 78238 Phone 210-680-0246

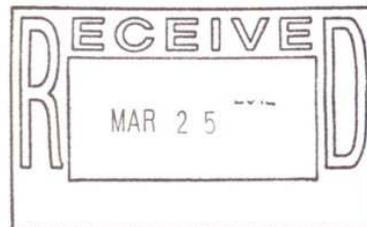
U Leon Valley Zoning Case: # LC2013-389

3-25-13

We John + Margie Filer of 6100 Rue Libane, Leon Valley are writing in respond to the request of Andrea Winton for rezoning property. This is to let you know that we are IN FAVOR of rezoning.

Sincerely

John + Margie Filer
210-684-7178



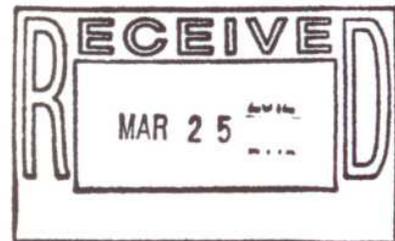
Within 200-ft
In Favor

March 22, 2013

U To whom it may concern:

Regarding the Zoning Case No. ZC 2013-389 requested by Ernesto Aneira, Jr. I am sending this written response in favor of the request. I own the property at 6104 Rue Liliane which is within 200 feet of the property in the zoning request. Thank you for your consideration -

Sincerely,
Nancy L. Jaros -



6104 Rue Liliane
within 200 feet
In Favor

March, 2013

Zoning Case No. 2C

2013-389

To whom it may concern: Zoning Case No. 2C ²⁰¹³⁻ 389

As a property owner within 200 feet of the property owned by Ernesto Ancira Jr we are "in favor" of rezoning approximately 6.38 ~~acres~~ acres of land from R-4 + B-2 to B-3 (Commercial).

Sincerely,
Luzinda Saldaña

Address: 6012 Rue Leliane
78238



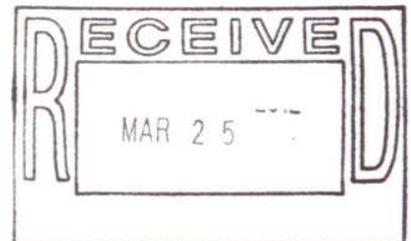
Within 200-foot
In Favor

CITY HALL
KRISTIE FLORES
ZONING CASE NO. ZC 2013-389

I AM IN FAVOR OF REZONING
SAID PROPERTY TO COMMERCIAL PROPERTY.

ELUTERIO W TOSCANO
MARGARET TOSCANO
6016 RUE LILIANE
PO Box 100695
S.A. TX 78201
210-543-9999

Margaret S. Toscano
Eluterio W. Toscano



Within 200-ft
In Favor

Rafael A. Perez
Monica Hernandez
4108 Rue Liliane
S.A. Tx 78230
210-833-7985
210-256-9951

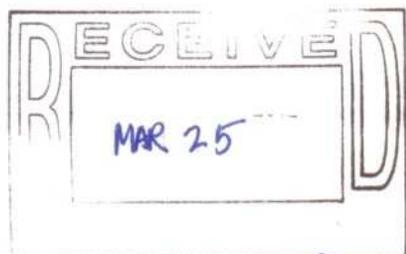
✓ We Agree with the Commercial
Rezoning, on the conditions presented to
the

residents
on

March 21, 2013. 3-23-13
at 7:00pm.

R.A.P.

Monica Hernandez
3/23/13



Within 200ft
In Favor

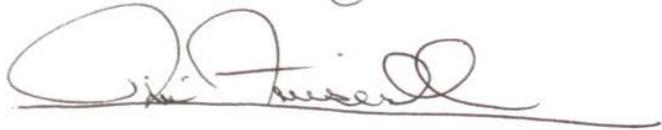
April 1, 2013

Leon Valley

Land use Commission -

on Jimmie R. Friesenhahn am in FAVOR

of the request by Ernesto Ancochea Jr. to
rezone approx. 6.38 acres of land to B3
Commercial.



6004 Trone Trail
~~So~~ Leon Valley, TX. 78238

RECEIVED
APR 01 2013

BY: KMF

2013-389

Within 200ft
in favor

April 1, 2013

Levin Valley

Land use Commission -

on Judith Friesenhahn opinion FAVOR

of the request by Ernesto Alvarez Jr. to
rezone approx. 6.38 acres of land to B3
Commercial.

Judith Friesenhahn
6004 Trone Trail
~~50~~ Levin Valley, TX. 78738

RECEIVED
APR 01 2013

BY: KMF

ZC 2013-389
within 30 days
in favor

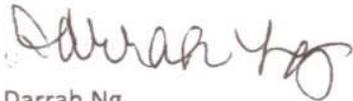
Duplicate

March 26, 2013

To whom it may concern:

I, Darrah Ng, reside at 6116 Rue Liliane, San Antonio, Texas, 78238, would be in favor of Ancira changing the track of land behind my home from residential use to commercial use.

Thank you.



Darrah Ng

6116 Rue Liliane

San Antonio, Texas 78238

(210) 859-7899

RECEIVED
MAR 26 2013

BY: *KMF @ mtg*
within 200ft
favor

Leon Valley

24 March 2013

Attention: Kristie Flores

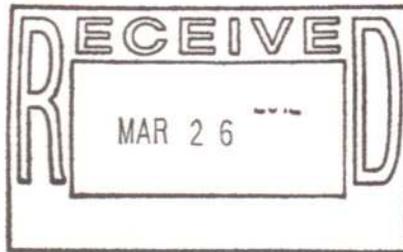
Subject; Public Hearing - March 26, 2013

I am submitting my vote in favor of rezoning the 6.38 acres of land as specified by Ernesto Alvarez from R-4 Townhouse to Commercial including overlay to the Commercial/Arden overlay.

For further info contact me at 210-520-9411

Respectfully submitted,

Boni C. Padilla
6004 Rue Liliann
San Antonio, TX 78238



within 200 ft
in favor

Letters Opposed
within 200-feet with
duplicates = 4

3 w/o duplicates

2013-03-17

Amanda Ballew & Steven Darby
6000 Trone Trail
San Antonio, TX 78238

Within 200-ft.
(2 letters Received)
(Same household)
opposed

The Zoning and Land Use Commission
cc: The City Council of Leon Valley

Re: Zoning Case No. ZC 2013-389

To Whom It May Concern:

We own the property at 6000 Trone Trail and our family has maintained continuous ownership and occupancy of the property since it was new in 1966. Needless to say, we have enjoyed calling Leon Valley home for quite some time.

We are strictly opposed to any further development by Ancira-Winton near our home. The lot has seemed to grow slowly year after year, with multiple construction projects, heavy machinery, and more and more traffic in and out of the area. We realize that in order for Leon Valley to grow, commercial progress must be made, but there must be some consideration for the residents of Leon Valley.

A major part of what makes our home attractive to us is that there is a largely undeveloped parcel of land directly behind our house. We don't use this land at all, but it is a luxury to not have any neighbors behind us, let alone a loud car dealership. As has been the case for decades, throughout much of the day Ancira makes use of a loud PA system which only adds to the noise of the now ever-present and annoying drone of traffic on the highway flyover. With further development and construction from Ancira, we would expect our property value to decrease further, and in consideration of the current state of the economy, this is a risk that should be mitigated whenever possible to maintain the level of pride residents take in their homes and in their city.

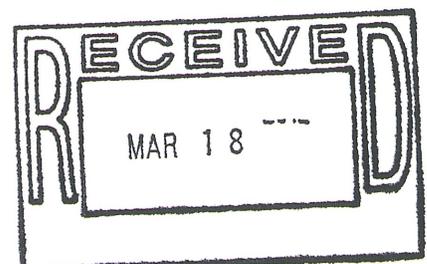
Our family can live and work anywhere, but we *choose* to make Leon Valley our home. We would like to see Leon Valley continue to make strides in becoming more livable, instead of regressing at the will of commercial enterprise. Too much of Leon Valley is already a series of under developed and/or under-occupied strip malls, and while we understand that commercial development in Leon Valley is necessary for long term success, it can't happen at the expense of residents' quality of life or residential property values. Our neighborhood is one of the most well-kept and most comfortable in Leon Valley, so it would sadden us as a family to lose any more of what makes us happy in our neighborhood. It is the single neighborhood in Leon Valley where we would choose to live. In all honesty, if we lose anymore of what makes this neighborhood special to us, it is likely we'll move out of Leon Valley altogether.

We think some middle ground can be found. Ancira's lot has flourished and continues to be successful while all other big lots in the area have failed and folded. Perhaps part of their success has been that they have existed in some moderate harmony with the neighborhoods to which they are in close proximity. We expect that Ernesto Ancira Jr. doesn't share a fence with a car lot. No one should really have to.

Thanks for your consideration of our thoughts and we look forward to your recommendation opposed to rezoning.

Sincerely,

Amanda Ballew
Amanda Ballew & Steven Darby



Duplicate

opposed

2013-03-17

Amanda Ballew & Steven Darby
6000 Trone Trail
San Antonio, TX 78238

The Zoning and Land Use Commission
cc: The City Council of Leon Valley

Re: Zoning Case No. ZC 2013-389

To Whom It May Concern:

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A major part of what makes our home attractive to us is that there is a largely undeveloped parcel of land directly behind our house. We don't use this land at all, but it is a luxury to not have any neighbors behind us, let alone a loud car dealership. As has been the case for decades, throughout much of the day Ancira makes use of a loud PA system which only adds to the noise of the now ever-present and annoying drone of traffic on the highway flyover. With further development and construction from Ancira, we would expect our property value to decrease further, and in consideration of the current state of the economy, this is a risk that should be mitigated whenever possible to maintain the level of pride residents take in their homes and in their city.

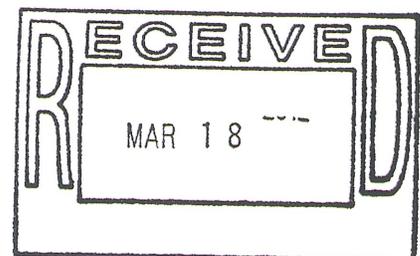
Our family can live and work anywhere, but we *choose* to make Leon Valley our home. We would like to see Leon Valley continue to make strides in becoming more livable, instead of regressing at the will of commercial enterprise. Too much of Leon Valley is already a series of under developed and/or under-occupied strip malls, and while we understand that commercial development in Leon Valley is necessary for long term success, it can't happen at the expense of residents' quality of life or residential property values. Our neighborhood is one of the most well-kept and most comfortable in Leon Valley, so it would sadden us as a family to lose any more of what makes us happy in our neighborhood. It is the single neighborhood in Leon Valley where we would choose to live. In all honesty, if we lose anymore of what makes this neighborhood special to us, it is likely we'll move out of Leon Valley altogether.

We think some middle ground can be found. Ancira's lot has flourished and continues to be successful while all other big lots in the area have failed and folded. Perhaps part of their success has been that they have existed in some moderate harmony with the neighborhoods to which they are in close proximity. We expect that Ernesto Ancira Jr. doesn't share a fence with a car lot. No one should really have to.

Thanks for your consideration of our thoughts and we look forward to your recommendation opposed to rezoning.

Sincerely,


Amanda Ballew & Steven Darby



Within 200-ft.
(opposed)

Kristie Flores

From: Tracy Hammer
Sent: Thursday, March 21, 2013 9:45 AM
To: Kristie Flores
Subject: ZC 2013-389

Ms. Flores-

At this early point in the process I would like to express my opposition =
to the zoning change and conversion of R-4 to B-3 . We own the Hidden =
Meadow Apartments and have a need to protect our residents from excessive
noise and light; = its imperative that a Green Zone be maintained as a
buffer between = these properties. =20

Tracy Hammer
210-269-1634
Hidden Meadow Apts=20
General Partner

Renee Tanguma
6008 Trone Trail
Leon Valley, Texas 78238

March 25, 2013

Kristie Flores
Community Development Department
City Hall
6400 El Verde Road
Leon Valley, Texas 78238

Re: Zoning Case No. ZC 2013-389

Dear Mrs. Flores:

Thank you for notifying me of the Public Hearing.

Response: I **oppose** the zoning and use of the land. One reason is that I already hear on a daily basis their loud speaker overhead when they are calling out for their customers. Secondly the crime rate in this area of the city is too high and I don't believe my neighbors will appreciate commercial properties having closer access to our neighborhood. This will only devalue the properties even more.

Thank you for your time.

Renee Tanguma



RECEIVED
MAR 28 2013

BY: KMF
within 200ft
opposed

Letters in Favor
Outside 200-ft = 2
+
Letters Returned
Undelivered = 1

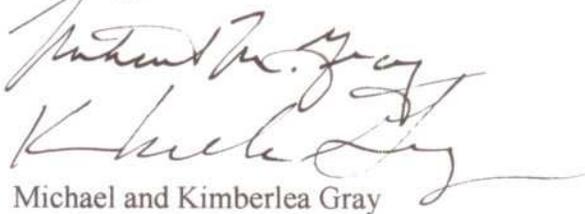
Michael and Kimberlea Gray
6105 Rue Liliane
Leon Valley, Tx 78238
210-684-9447

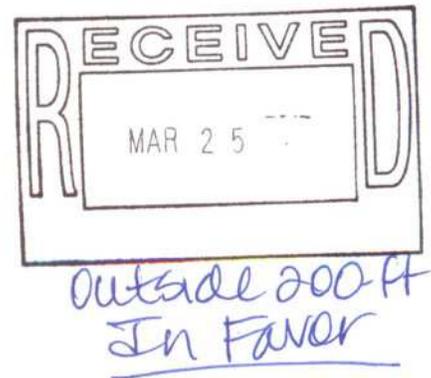
March 24, 2013

To Whom It May Concern:

As residents of Leon Valley for a cumulative of 35 years, we would strongly prefer to see more expansion of **Commercial Space**, and are opposed to apartments or condos. Instituting additional commercial property would contribute more positively to the ongoing revitalization of our great city. Bringing additional apartments or condos to our area would result in similar activities as seen at Loop 410 and Evers area: vagrancy, pan handling, and questionable activity. These activities are close enough to home and any further expansion of such would result in our consideration of relocation.

Sincerely,


Michael and Kimberlea Gray

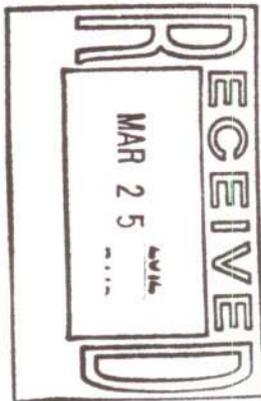


3/24/13

My name is Elizabeth Dorn
and I vote that you allow
America to extend their commercial
lot.

Please DO NOT put Apartments
or other housing there.

This area is going down enough
as it is.



Thank you
Elizabeth Dorn
6013 Rue Liliane
78238

Outside 200-ft
In Favor

**Zoning Case
#2013-389 (Ancira)**

**PowerPoint
Presentation**



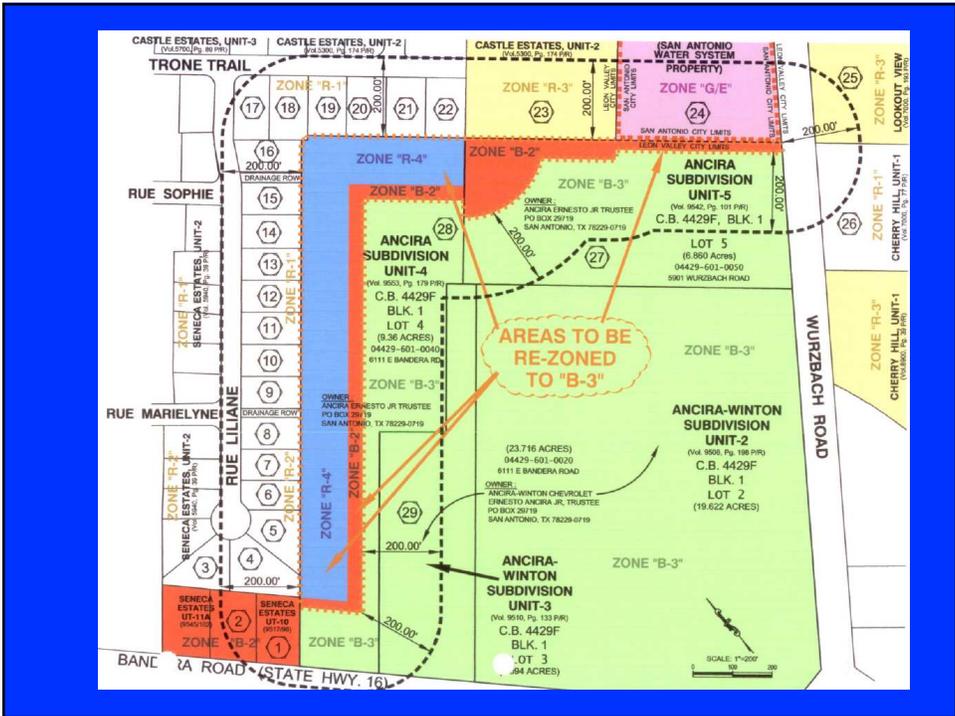
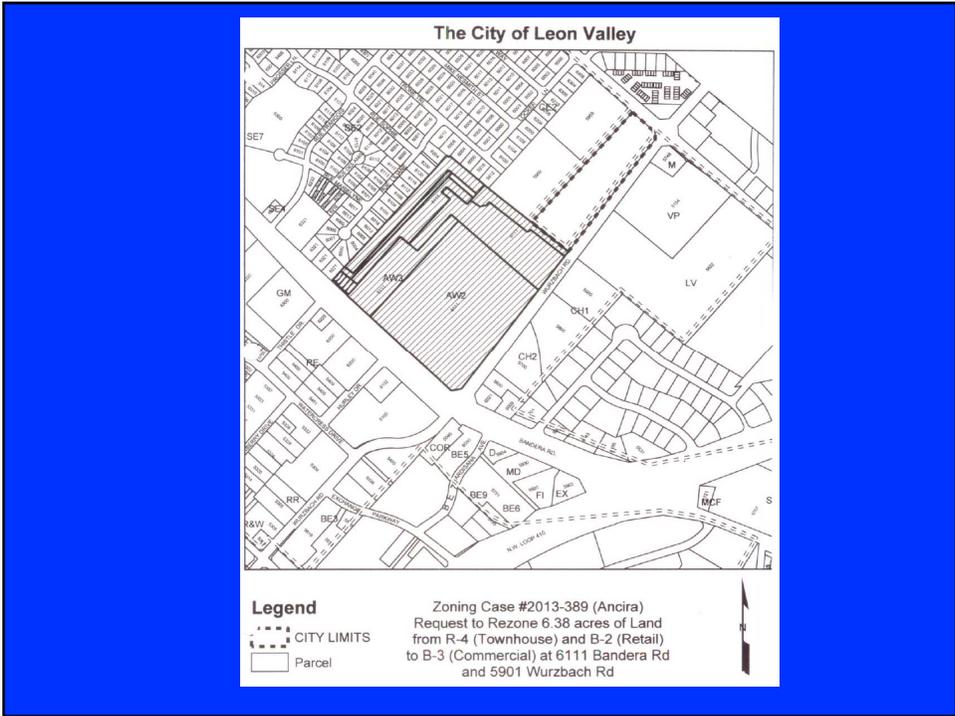
City of Leon Valley City Council

Public Hearing
April 16, 2013



Zoning Case # 2013-389 Request and Location

- Request by Ernest Ancira Jr., Applicant and Property Owner
- Rezone approximately 6.38 acres from R-4 (Townhouse) and B-2 (Retail) to B-3 (Commercial)
- Rezone from Sustainability Overlay to Commercial/Industrial Overlay
- 6111 Bandera & 5901 Wurzbach





History

- **1972** - rezoned from R-1 (Single-Family Dwelling) to R-4 (Townhouse) and B-2 (Retail)
- **1976** - 800' x 1000' is rezoned from B-2 (Retail) to B-3 (Commercial)



History

- **1984** – 16 acres of land is rezoned from B-2 (Retail) to B-3 (Commercial), extending from Bandera Road to Wurzbach Road in an “L” shape
- **1994** - another .054 acres rezoned from B-2 (Retail) to B-3 (Commercial)
- **1998** – another 5.688 acres rezoned from B-2 (Retail) to B-3 (Commercial)



2009 Comprehensive Master Plan 2aCC Bandera Rd/Loop 410 Area

Addresses the area in general:

- noting that any B-3 (Commercial) which abuts residential must provide adequate and effective buffering



Staff Comments

- As a basic planning principle B-3 (Commercial) is not intended to abut R-1 (Single-Family Dwelling)



Staff Comments

- B-3 (Commercial) zoning is consistent with the adjacent B-2 (Retail) and B-3 (Commercial) zoning which already makes up a large area which is platted and developed along Bandera Road



Property Owner's within 200-feet

- 28 Letters Mailed to Property Owners
- 11 Received in FAVOR
- 3 Received in OPPOSITION
- 1 Returned UNDELIVERABLE

- 3 duplicates (2-in favor/ 1-opposed)
- 2 in favor outside 200-feet



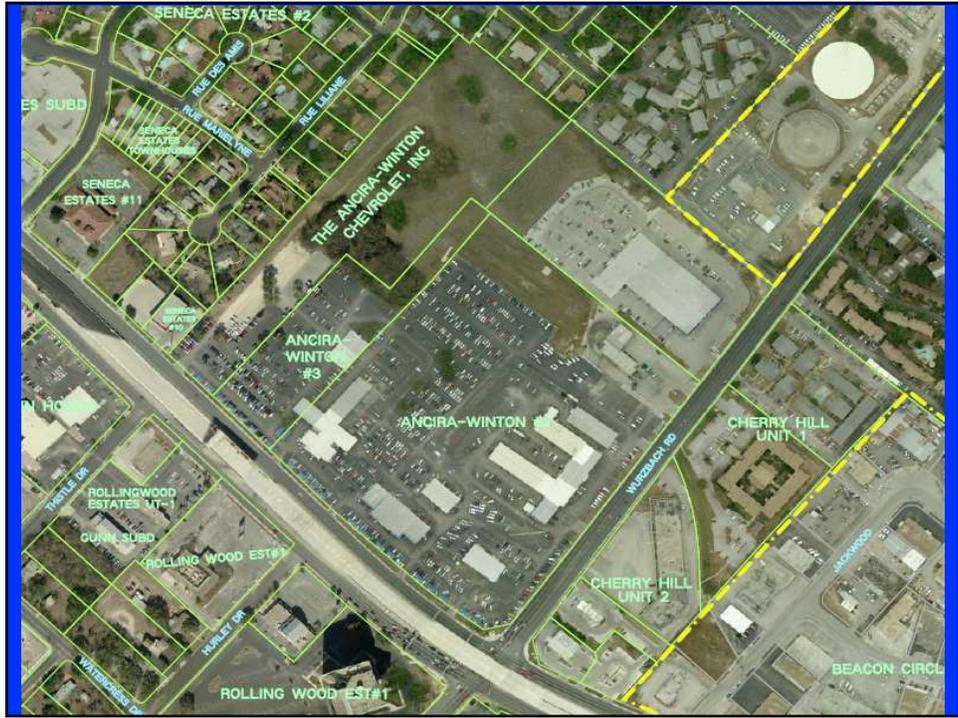
Zoning Commission Recommendation

On March 26, 2013, the Zoning Commission Recommended, 7-0 to APPROVE the request to rezone from R-4 and B-2 to B-3 and to rezone from the Sustainability Overlay to the Commercial/Industrial Overlay



Conclusion

- Questions
 - Staff
 - Joey Blackmon, agent for the applicant















City of Leon Valley City Council

Public Hearing
April 16, 2013

MAYOR AND COUNCIL COMMUNICATION

DATE: April 16, 2013
M&C: # 04-10-13

TO: MAYOR AND CITY COUNCIL

SUBJECT: CONDUCT A PUBLIC HEARING TO CONSIDER ZONING CASE #2013-390, THE REZONING OF APPROXIMATELY 1.709 ACRES OF LAND GENERALLY LOCATED AT 7430 HUEBNER ROAD FROM B-1 (SMALL BUSINESS) TO B-2 (RETAIL)

PURPOSE

Zoning Case #2013-390 is a request by Dirt Dealers v., to rezone approximately 1.709 acres of land from B-1 (Small Business) to B-2 (Retail) (see attached documents).

FISCAL IMPACT

The applicant paid a fee of \$960 for consideration of this zoning application.

RECOMMENDATION

On March 26, 2013, the Zoning Commission recommended, by a vote of 5-2, to DENY rezoning from B-1 (Small Business) to B-2 (Retail) noting it did not protect the property rights of owners of real property.

S.E.E IMPACT STATEMENT

Social Equity – the property owner has indicated that the B-1 (Small Business) buffer is being preserved to buffer the adjacent neighbors. Development of this site will also bring needed attention to stormwater runoff and detention which is sociable for all individuals affected by rain and/or flood waters.

Environmental Stewardship – the owner has noted that upon development efforts will be made to preserve as much of the remaining natural features of the property. Additionally, landscaping and streetscaping will be added to enhance the property.

Economic Development – Rezoning the property to B-2 (Retail) will allow for retail development which can produce goods, services and generate sales tax.

APPROVED:_____

DISAPPROVED:_____

APPROVED WITH THE FOLLOWING COMMENTS:_____

ATTEST:

Janie Willman, City Secretary

*****PLEASE NOTE THERE ARE CHURCHES AND SCHOOLS NEARBY SO THERE MAY BE ADDITION RESTRICTIONS TO USES (I.E. ALCOHOL USE OR SALES)
W/SUP DENOTES SPECIFIC USE PERMIT REQUIRED**

B-1 USES

ADULT CARE CENTER W/SUP
ANTIQUA STORE
ART GALLERY
BEAUTY SHOP
BOOKSTORE
CHILDCARE FACILITY W/SUP
CLINIC-MEDICAL OR DENTAL
CLUB/LODGE (PRIVATE W/SUP)
COSMETICS STORE
DRUG STORE
DRY CLEANING PICK UP ONLY
ENTERTAINMENT - INDOOR W/SUP
ENTERTAINMENT - OUTDOOR W/SUP
FLORAL SHOP
GIFT SHOP
GROCERY STORE
HOBBY OR CRAFT STORE
PERMANENT COSMETICS W/SUP
INTERIOR DECORATING
JEWELRY SALES
LEATHER GOOD SALES
LIBRARY
LOCKSMITH
BOARDING HOUSE W/SUP
NURSING HOME W/SUP
INN W/SUP
OFFICE - PROFESSIONAL BLDG
OPTICAL STORE
PLANT NURSERY LEVEL 1 W/SUP
PLAYROOM OR BIRTHDAY FOR KIDS W/SUP
RECREATIONAL FACILITY FOR A NEIGHBORHOOD
SALON SPECIALTY (I.E TANNING, NAILS)
SCHOOL

B-2 USES

ALCOHOL BEVERAGE SALES - NO ON PREMISE CONSUMPTION
ALTERATIONS & APPAREL
ANIMAL CLINIC
ANTIQUA STORE
APPLIANCE - MINOR
APPLIANCE REPAIR
ART GALLERY
ATTENDED DONATION STATION W/SUP
AUDITORIUM, CONVENTION CTR, OTHER SIMILAR MTG FACILITIES W/SUP
AUTO ACCESSORIES W/SUP
AUTO SERVICE STATION - GAS SALES ONLY W/SUP
AUTO INSPECTION STATION W/SUP
BAKERY
BANK, SAVINGS AND LOAN
BARBER/BEAUTY EQUIPMENT
BARBER/BEAUTY SHOP
BICYCLE SALES/REPAIR
BOOKSTORE
BUILDING SPECIALTY
CAMERA RETAIL
CANDY, NUTS & CONFECTIONS
CHILDCARE
CLINIC - MEDICAL OR DENTAL
CLOTHING ACCESSORIES
CLUB/LODGE (PRIVATE W/SUP)
COMMUNICATIONS DISTRIBUTION HUB W/SUP
COMPUTER STORE
CONVENIENCE STORE
COSMETIC SALES
DAIRY PRODUCT SALES
DEPARTMENT/VARIETY STORE
DRUGSTORE
DRY CLEANING PICK-UP ONLY

*****PLEASE NOTE THERE ARE CHURCHES AND SCHOOLS NEARBY SO THERE MAY BE ADDITION RESTRICTIONS TO USES (I.E. ALCOHOL USE OR SALES)
W/SUP DENOTES SPECIFIC USE PERMIT REQUIRED**

B-1 USES

STAMPS/COINS
STATIONERY
FINE ARTS STUDIO W/SUP
TAILOR SHOP
TROPHY SALES
WATCH RETAIL/REPAIR
*****END*****

B-2 USES

ENTERTAINMENT - INDOOR W/SUP
ENTERTAINMENT - OUTDOOR W/SUP
FEED/SEED SALES
FIREARMS & AMMO W/SUP
FISH MARKET
FLOOR CLEANING SERVICE W/SUP
FLOOR COVERING SALES
FLORAL SHOP
FOOD PRODUCT SALES
FRUIT/PRODUCE MARKET
FUNERAL HOME W/SUP
FURNITURE SALES
GARDEN SPECIALTY
GIFT SHOP
GLASS SHEET SALES
GROCERY STORE
GYM/FITNESS CENTER
HARDWARE STORE
HOBBY/CRAFT STORE
HOSPITAL W/SUP
PERMANENT COSMETICS W/SUP
INTERIOR DECORATING
JEWELRY SALES
LABORATORY - MEDICAL OR DENTAL W/SUP
LAUNDROMAT
LEATHER GOOD SALES
LIBRARY
LOCKSMITH
CONVALESCENT CTR W/SUP
NURSING HM W/SUP
INN
MEDICAL EQUIPMENT SALES
MUSIC STORE

*****PLEASE NOTE THERE ARE CHURCHES AND SCHOOLS NEARBY SO THERE MAY BE ADDITION RESTRICTIONS TO USES (I.E. ALCOHOL USE OR SALES)
W/SUP DENOTES SPECIFIC USE PERMIT REQUIRED**

B-1 USES

B-2 USES

NON-EMERGENCY MEDICAL TRANSPORT SERVICE
OFFICE EQUIPMENT/SUPPLY
OFFICE - PROFESSIONAL
OPTICAL STORE
PAINT/WALLPAPER STORE
PARKING LOT OR GARAGE
PET GROOMING
PET STORE
PHOTO EQUIPMENT
PICTURE FRAME SHOP
PLANT NURSERY LEVEL 1 W/SUP
PLANT NURSERY LEVEL 2 W/SUP
PLANT NURSERY LEVEL 3 W/SUP
PLANT NURSERY SALES
PLAYGROUND EQUIPMENT
PLAYROOM/BIRTHDAY PARTIES FOR KIDS
PLUMBING FIXTURE
POOL & SPA SALES
POST OFFICE
PRINTING & REPRODUCTION SERVICES W/SUP
RADIO/TV STATION
RECREATIONAL FACILITY FOR NEIGHBORHOOD
RESTAURANT - COMPLETELY ENCLOSED
RESTAURANT - NOT COMPLETELY ENCLOSED W/SUP
RETAIL OUTLET STORE
SALON SPECIALTY
SCHOOL
SHOE REPAIR
SIGN SHOP W/SUP
SPORTING GOODS
STAMP/COIN COLLECTION
STATIONERY STORE
FINE ARTS

*****PLEASE NOTE THERE ARE CHURCHES AND SCHOOLS NEARBY SO THERE MAY BE ADDITION RESTRICTIONS TO USES (I.E. ALCOHOL USE OR SALES)
W/SUP DENOTES SPECIFIC USE PERMIT REQUIRED**

B-1 USES

B-2 USES

TAILOR SHOP
TELEPHONE SALES
THEATER - INDOOR
TOBACCO STORE
TOOL/EQUIPMENT RENTAL
TOY STORE
TROPHY SALES
VIDEO SALES & RENTAL
WATCH RETAIL/REPAIR



**MINUTES OF THE MEETING OF THE
LEON VALLEY ZONING COMMISSION**

March 26, 2013

The regular meeting of the Leon Valley Zoning Commission convened at 6:30 p.m. on Tuesday, March 26, 2013, in City Council Chambers at 6400 El Verde Road, Leon Valley, Texas.

I. Roll Call

Present were Chairman Claude Guerra III, 1st Vice-Chair Wendy Phelps, 2nd Vice-Chair Olen Yarnell, and Members Hal Burnside, Mike Davis Jr., Pedro Esquivel and Alternate Members Phyllis McMillan, Nicole Monsibais and Carlos Fernandez. Absent and excused was Member Carmen Sanchez. Also present was Kristie Flores, Director of Community Development, acting as recording secretary.

In the absence of regular Commission Member Carmen Sanchez; Alternate Member Phyllis McMillan was seated as a voting member.

Also available for the questions was contracted engineer for the City, Sia Sayyadi, P.E.

II. Approval of Minutes – February 26, 2013

Commissioner Pedro Esquivel made a motion to approve the minutes as written. Commissioner Phyllis McMillan seconded the motion, and the motion passed unanimously by voice vote.

III. Conduct a Public Hearing and Consider Zoning Case #2013-389, a Request by Ernesto Ancira, Jr., to Rezone Approximately 6.38 acres of land, Being Lots 4 and 5, Block 1, CB 4429F, of the Ancira-Winton Subdivision, from R-4 (Townhouse) and B-2 (Retail) to B-3 (Commercial) and to Rezone the Property from the Sustainability Overlay to the Commercial/Industrial Overlay, located at 6111 Bandera Road and 5901 Wurzbach Road.

Staff presented the Zoning Case #2013-389, a request by Ernest Ancira Jr., applicant and property owner to rezone approximately 6.38 acres of land, being Lots 4 and 5, Block 1, CB 4429F, of the Ancira-Winton Subdivision, from R-4 (Townhouse) and B-2 (Retail) to B-3 (Commercial) and to rezone the property from the Sustainability Overlay to the Commercial/Industrial Overlay, located at 6111 Bandera Road and 5901 Wurzbach Road. Staff noted the surrounding zoning and the history of the property which indicated that it had slowly rezoned from residential to retail and then to commercial between 1972 and 1998. Staff also noted that the 2009 Master Plan, Section 2aCC, "Bandera Road/Loop 410 Corridor," addressed the area in general noting that zoning in the area consisted mostly of B-2 (Retail) and B-3 (Commercial) and that any B-3 (Commercial) which abuts residential must provide adequate and effective buffering. Staff explained that as a basic planning principle B-3 (Commercial) is not intended to abut R-1 (Single-Family Dwelling), but noted that if commercial zoning is allowed an eight (8) foot fence is required between commercial and residential properties. Staff further explained that other buffering techniques, such as landscaping may also be considered to guard against potential light and noise intrusion. Staff indicated that B-3 (Commercial) zoning is consistent with the adjacent B-2 (Retail) and B-3 (Commercial) zoning which already made up a large area which is platted and developed along Bandera Road and Wurzbach Road. Staff

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further indicated that per Chapter 14 Zoning, Section 14.02.551b, of the Leon Valley Code of Ordinances the applicant submitted a Traffic Impact Analysis Worksheet which indicated that the proposed use will generate less than 100 peak hour trips. Staff noted that twenty-eight (28) letters had been mailed to property owners within 200-feet and that two (2) letters were received in opposition to the request, ten (10) letters were received in favor, and one (1) letter was returned undeliverable. Staff also noted that two (2) letters were received in favor outside the 200-foot notification area. Staff presented pictures of the site, concluded the presentation and remained available for questions.

Commissioner Mike Davis Jr., asked staff if there was a utility easement along the property line, staff verified from the plat that there were drainage and sanitary sewer easements. Sia Sayyadi, P.E. addressed the Commission and noted that there is was also a waterline that has also been extended from Wurzbach Road. He explained that there was need for more water easements because the waterline dead ends and the Fire Department presently has to clean out that section of the water line to mitigate hazards, thus the City has approached Ancira about additional easements to clear up these concerns. Mr. Sayyadi did confirm that there are utility easements along Rue Liliane for homes. He also pointed to an area in the middle section of the property that was not buildable due to being in the FEMA floodway.

Commissioner Hal Burnside noted that the area where the drainage culvert is paved and was concerned with which way the water would flow. Mr. Sayyadi noted that it would flow towards Wurzbach Road.

2nd Vice-Chair Olen Yarnell asked the engineer if a large portion of the area which was grass/field could have a building on it. Mr. Sayyadi noted it could not, but may have pavement on it for parking cars. Mr. Sayyadi noted that there was a building proposed for the site that would be like the newly constructed Volkswagen dealership, that would front along Bandera Road.

Commissioner Mike Davis Jr., noted that with the new building, then the area nearest the residents would be to park vehicles.

Joey Blackmon, the agent for the applicant, 6111 Bandera Road, addressed the Commission and noted that he has worked with Mr. Ancira for 38 years. He explained that Mr. Ancira was committed to in staying in Leon Valley, so much so that he invested \$10 million into the existing Chevrolet and Ancira Volkswagen and he convinced Kia to make Leon Valley their home as well. He noted that \$5 million would be invested into a new Kia facility on 6 acres. Mr. Blackmon explained that they met with neighbors at a series of meetings to discuss concerns and alternatives. He noted that Ancira committed to neighbors to construct a concrete, eight foot (8') fence immediately inside the dealership property line. He also noted that they committed to keeping trees, a 15-foot buffer from the fence line to keep drainage away from the fence, as well as to keep cars away from the fence. He concluded by noting that Ancira wanted to grow their business which would benefit Leon Valley from their new building construction and from the sales tax generated from their parts and services.

2nd Vice-Chair Olen Yarnell asked for clarification regarding the proposed fence. Mr. Blackmon noted that they committed to neighbors to construct the fence from Bandera Road all the way to Wurzbach Road.

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Commissioner Hal Burnside asked Mr. Blackmon for clarification regarding the property buffer between the fence and start of the dealership. Mr. Blackmon noted that they would landscape between the back fence and would curb the area 15-feet away for new parking car display and inventory.

Commissioner Hal Burnside asked about security lighting along the 15-foot buffer zone. Chairman Claude Guerra III also noted the lighting he observed upon the site visit. Mr. Blackmon noted that the lighting would be directional; pointing down or away from residents.

Chairman Claude Guerra III also asked staff about the heritage size trees he saw on the property. Staff noted that they cannot be removed.

2nd Vice-Chair Olen Yarnell asked what the surface of the fence would look like. Mr. Blackmon noted that it would be Fence Crete and would have a decorate look rather than just being a solid concrete fence.

Chairman Claude Guerra III asked what the parking area would be made of. Mr. Blackmon noted it would be asphalt.

Being no further discussion, Chairman Claude Guerra III opened the public hearing at 7:07 p.m.

John and Margie Phelan, 6100 Rue Liliane, addressed the Commission and noted that their concerns were with drainage, loud speaker from the dealership, trees and lighting and they noted that many of their questions were answered in the discussion.

Eluterio Toscano, 6010 Rue Liliane, addressed the Commission noting that his questions were addressed by Mr. Blackmon. Mr. Toscano also answered Commissioner Mike Davis, Jr.'s question regarding the location of the utilities noting that they were in the front of the property along Rue Liliane. He noted his support of Ancira's commercial growth.

Commissioner Mike Davis, Jr., noted that his concern was for residential properties along the adjacent property line and that is why he asked about the utility easement.

Being no further discussion, the public hearing was closed at 7:14p.m.

2nd Vice-Chair Olen Yarnell noted that the request appeared to solve many concerns surrounding the property. He also noted that questions regarding trees, building location, fencing and lighting had been answered.

Chairman Claude Guerra III noted that all of his questions were answered regarding fencing, lighting and trees and that the Commission members and those in attendance were now aware that a building could not be built within that portion of the property that is in the floodway. He additionally noted that a precedent had been set with the Fiesta Dodge property across the street and the boundary was changed from the Sustainability Overlay to the Commercial/ Industrial Overlay which was similar to the request at hand.

Vice-Chair Wendy Phelps made a motion to recommend approval of Zoning Case #2013-389, to include both rezoning requests to rezone from R-4 (Townhouse) and B-2 (Retail) to B-3 (Commercial)

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and to rezone to the Commercial/Industrial Overlay Zoning District noting that the requests were consistent and compatible with the Master Plan. 2nd Vice Chair Olen Yarnell seconded the motion and the motion passed unanimously by voice vote, 7-0.

IV. Consider Zoning Case #2013-390, a Request by Dirt Dealer V., LLC., to Rezone Approximately 1.709 acres of land, Being a Portion of Parcel 29G, ABS 741, CB 4445, Murchison Remainder Tract, from B-1 (Small Business) to B-2, located at 7430 Huebner Road.

Staff presented the Zoning Case #2013-390, a request by Dirt Dealer V., LLC., to rezone approximately 1.709 acres of land, being a portion of Parcel 29G, ABS 741, CB 4445, Murchison Remainder Tract, from B-1 (Small Business) to B-2 (Retail), located at 7430 Huebner Road. Staff noted the surrounding zoning and the history of the property which indicated that it had been rezoned in 1985 from R-1 (Single-Family) to B-1 (Small Business). Staff also noted that the 2009 Master Plan, Section 7N, "Canterfield Area," addressed the area in general noting residential zoning and mixed use zoning. Staff explained that by land use comparison B-2 (Retail) zoning is consistent with the area and is compatible with the existing B-1 (Small Business) and R-1 (Single-Family). Staff further explained that this is demonstrated by the existing and adjacent B-2 (Retail) of the Church of Latter Day Saints and the Department of Public Safety Mega Center, as well as the corner of Evers Road and Huebner Road and surrounding neighborhoods. Staff noted that B-2 (Retail) is intended to abut residential and act as a buffer. Staff also noted that B-1 (Small Business) zoning does not allow outside storage and limits the buildable area of a building to 3,000 square feet. Staff indicated that B-1 (Small Business) is mostly designed for office and very light service and retail business. Staff also indicated that B-2 (Retail) zoning limits outside storage but does not limit the buildable area of a building; however, both zoning districts are intended to provide goods, services however B-2 (Retail) gives more alternatives for permitted uses and buildable area. Staff noted that per Chapter 14 Zoning, Section 14.02.551b, of the Leon Valley Code of Ordinances the applicant submitted a Traffic Impact Analysis Worksheet which indicated that the proposed use will generate less than 100 peak hour trips. Staff noted that sixteen (16) letters had been mailed to property owners within 200-feet and that one (1) letter were received in opposition to the request, none were received in favor, and none were returned undeliverable. Staff presented pictures of the site, concluded the presentation and remained available for questions.

Chairman Claude Guerra III asked for clarification as to the City well site in relation to the proposed rezoning. Staff and the engineer Sia Sayyadi indicated the location of the well on the site plan. Staff also indicated that the well site is protected by a 150-foot boundary by law for well systems.

Commissioner Pedro Esquivel asked Staff about preservation of the silos on site. He noted that there had been discussion at a Council meeting about preserving them. Staff noted that in speaking to the representatives for the property they indicated that they were will to work with the City in regard to the silos. Staff further noted that there was not presently a definitive plan for the silos.

Chairman Claude Guerra III asked for clarification regarding development and the City well site. Mr. Sayyadi noted that there would need to be a sanitary controlled easement, meaning that developers cannot store chemicals onsite. Staff noted that more than likely the only thing located within the 150-foot would be parking. Mr. Sayyadi noted additional property limitations due to the

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main water line, drainage requirements, tree preservation and a needed detention pond.

Vice-Chair Wendy Phelps asked if the site was going to be utilized for the storage of bulldozers. Staff indicated that there was not a building plan. Staff also noted that the developer wants to build a building bigger than 3,000 square feet. Chairman Claude Guerra III noted that it was an office building.

2nd Vice Chair Olen Yarnell asked if the dotted line on the site plan was the well site. Staff indicated that it was and that the long road leading from Huebner was the access easement. 2nd Vice Chair Yarnell noted that the water tower had been moved over by Marshall High School for higher elevation and well site remained. Staff noted that was accurate. 2nd Vice-Chair Olen Yarnell also asked for further clarification on the site plan to the rear of the property and staff indicated that it was the area where there was drainage and a natural tree line. Mr. Yarnell noted that it appeared that only the B-2 (Retail) portion of the property would be built on. Staff noted that the B-1 (Small Business) portion of the property would have a detention pond and did have the potential to have a 3,000 square foot building limited by B-1 regulations and uses.

Commissioner Burnside noted that there appeared to be constraints on the property, which prompted the owner to try to use the portion they are requesting for rezoning

Commissioner Pedro Esquivel noted that there has been considerable discussion on the traffic impact by Council in regard to Huebner and Evers and the affect of the DPS Facility. Mr. Esquivel wanted to be sure that the traffic impact for this project was being considered in addition to what was already being studied. Staff noted that the traffic impact would be considered and City Staff and the property owner and potential developers were aware or would be made aware of the impact. Staff noted that the focus for the evening needed to be whether B-2 (Retail) was consistent and compatible with the Master Plan and surrounding zoning, not a particular use. Mr. Esquivel reiterated that he just wanted to make sure that traffic and school zones were measured.

Sia Sayyadi noted that the property as B-1 (Small Business) could be platted into several lots with 3,000 square foot buildings, with necessary parking, site plans and driveways. Staff noted that if the property was platted separately State law required access to each site with proper utility development. Mr. Sayyadi noted that the property owner was trying to make the best use of the property from that site as B-2 (Retail) with only one (1) building.

Tony Saucedo, agent for the applicant, addressed the Commission and noted that he did not have any addition information to add and would remain available for questions.

Chairman Claude Guerra III noted that the Land Use Statement stated that they wanted to construct an "office" building larger than 3,000 square feet but then went on to note that the letter stated that they wanted to rezone to utilize other uses within the B-2 (Retail) zoning district. Chairman Claude Guerra III felt that this was contradictory to his first statement in the letter. Mr. Saucedo noted that he did not know what the use of the property would be until after they had a buyer for the property. He also noted that they needed to maintain the access easement and wanted to preserve the remaining trees. He further explained that they would be limited by how much parking is required for the use as to what type and size of building would be constructed.

Staff noted that the property was also protected by the Sustainability Overlay regulations.

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Chairman Claude Guerra III noted that his concern is based on the controversy with the neighboring DPS Office. Commissioner Pedro Esquivel agreed that the statement that rezoning was being requested to construct an office building was misleading. He explained that if it was not going to be an office building as stated and something else from the B-2 (Retail) then it should have remained ambiguous on the application.

Staff noted that the applicant has expressed that they would like to build an office building larger than 3,000 square feet; however, staff also noted that the Commission needed to be aware that the applicant did not have to build an office building and if the property was rezoned to B-2 (Retail) it could be another type of building such as retail. Staff commented that the matter at hand was whether B-2 (Retail) was consistent and compatible with the Master Plan and surrounding zoning.

Commissioner Mike Davis Jr., noted that he had no issue with the current zoning of B-1 (Small Business). He also noted that the property owner should have known what the property was zoned when they purchased it and what uses were allowed.

Commissioner Hal Burnside asked Staff if parking could be built on the B-1 portion. Staff noted it could.

2nd Vice Chair Olen Yarnell noted that there is always a chance that the developer may not do as they may have noted in an application or the plans fall through all together.

Commissioner Mike Davis Jr., noted that the area has a great deal of sensitivity and a concept for the site would be helpful. Mr. Saucedo noted that they were not in that stage of planning for the property and were aware of the sensitivity in the area which is why they were maintaining the B-1 (Small Business) buffer to shelter the surrounding properties.

Per the Chairman's request Staff read some of the uses allowed in B-2 (Retail) some of which were: alcoholic beverage sales (no on-premise consumption), alteration and apparel, animal clinic, antique store, appliance (minor), appliance repair, art gallery and other such uses.

Being no further discussion, Chairman Claude Guerra III opened the public hearing at 8:05p.m.

Roland Perez, 6534 Hoofs Lane, addressed the Commission and noted his opposition to the proposed rezoning noting addition concerns with traffic and noise from trash pick-up has he already experienced weekly from the pick-up at the Church. He explained that he was opposed to the original rezoning from R-1 to B-1, when neighbors were told that there would be a greenbelt and a fence. Mr. Perez noted that although promises were made by the developer when the request for B-1 (Small Business) was considered, they never followed through. Mr. Perez commented that he understood that the Commission needed to consider development that would bring revenue to the City but he did not want it to be at the cost of the residents who would have to endure light and noise pollution from whatever was developed.

Sandy Perez, 6534 Hoofs Lane, asked if there would be any buffer between them and the development. Staff noted that there was at least one hundred feet (100') between them and the proposed development as well as the remaining B-1 (Small Business) buffering.

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Being no further discussion, Claude Guerra III closed the public hearing at 8:10p.m.

Chairman Claude Guerra III noted to Mr. Perez that the Zoning Commission's responsibility was to make zoning recommendations on zoning cases, not for economic development.

2nd Vice-Chair Olen Yarnell noted that as long as the property remains vacant there will be zoning case considerations. He further explained that anytime anyone lives up again a property that is zoned anything other than residential this will always be something that they will need to deal with. He added that the owner was leaving the B-1 buffer

Commissioner Hal Burnside noted that he was concerned neighbors and gradual deterioration of the area based on the uses allowed in the B-2 (Retail) zoning.

Commissioner Phyllis McMillan noted that even if the property is not rezoned to B-2 (Retail) there could still be a building constructed on the B-1 (Small Business).

Staff noted there were development constraints on the property due to the well site and the required drainage. Mr. Sayyadi noted that the detention pond was estimated at \$60,000. He further explained that the City might have a very active part in the installation in order to protect the well site.

2nd Vice-Chair Olen Yarnell asked how many 3,000 square foot building could be placed on the property. Mr. Sayyadi addressed the question and noted that with proper platting a rough estimate was fifteen (15) buildings because the total acreage of the B-1 (Small Business) is six (6) acres and 3,000 square feet is not very large.

Chairman Claude Guerra III reiterated that he felt that the letter submitted by the applicant was misleading and for that reason he had doubts and hesitancy about the rezoning.

Commissioner Pedro Esquivel made a motion recommending denial of Zoning Case #2013-390 noting that it does not protect the property rights of owners of real property. Vice-Chair Wendy Phelps seconded the motion and the motion passed 5-2.

IN FAVOR OF THE MOTION

Commissioner Hal Burnside
Commissioner Mike Davis Jr.
Commissioner Pedro Esquivel
Chairman Claude Guerra III
Vice-Chair Wendy Phelps

AGAINST THE MOTION

2nd Vice-Chair Olen Yarnell
Commissioner Phyllis McMillan

- V. Consider Specific Use Permit Case #2013-271, a Request by Jonathan King, Applicant, to Operate a "Kennel," in a B-3 (Commercial) zoning district within the Sustainability Overlay, Being Lot 56, Block 3, CB 5784, Leon valley Addition – Glass Service Subdivision, located at 6737 Poss Road, Building/Suite #300.**

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Staff presented the Specific Use Permit Case #2013-271, a request by Jonathan King, applicant to operate a "Kennel" in a B-3 (Commercial) zoning district within the Sustainability Overlay, being Lot 56, Block 3, CB 5784, Leon Valley Addition – Glass Service Subdivision, located at 6737 Poss Road, Building/Suite #300. Staff noted the surrounding zoning and the history of the property which indicated that there had been several Specific Use Permit requests for the buildings at 6737 Poss Road including: office/warehouse, church, and banquet hall. Staff also noted that the 2009 Master Plan, Section 4CC, "Grissom Road Corridor," addressed the area in general noting B-3 (Commercial) zoning and consolidation of properties in the area. Staff explained that operation of a "kennel" appears to be consistent and compatible with the area. Staff further explained that the B-3 (Commercial) zoning district is designed to be more intense in nature and can include service facilities such as kennels to provide services to existing and surrounding districts. Staff went on to note that the B-3 district also allows outside display and storage of merchandise and limited outside services (such as dog runs). Staff also noted that although B-3 is not intended to abut R-1 (Single-Family) in some instances it does and this is one such occasion. Staff stated that there is a single-family home which fronts and accesses from Sawyer Road. Staff explained that where commercial does abut residential adequate and effective buffers are required. Staff further noted that there was an existing tree lined buffer on the residential side and a fencing buffer from the commercial side. Staff noted that per Chapter 14 Zoning, Section 14.02.551b, of the Leon Valley Code of Ordinances the applicant submitted a Traffic Impact Analysis Worksheet which indicated that the proposed use will generate less than 100 peak hour trips. Staff noted that six (6) letters had been mailed to property owners within 200-feet and no letters were received in opposition to the request, none were received in favor, and none were returned undeliverable. Staff presented pictures of the site, concluded the presentation and remained available for questions.

The leasing agent for the property addressed the Commission and noted a correction that Mr. King's business would only be taking up 3,000 square feet of Building #2 not Building #3. She further explained that this was the rear of the building in the same space as the glass service building all of which are located at 6737 Poss Road.

Jonathan King, applicant, addressed the Commission and noted that he did not have any comments but was happy to answer questions.

Commissioner Phyllis McMillan thanked Mr. King for the thorough information he provided regarding kenneling.

Commissioner Hal Burnside asked for clarification on the on the dog to employee ratio. MR. King noted that if the facility was to capacity at thirty (30) dogs then two (2) employees would be required.

Chairman Guerra III asked if employees would stay overnight. Mr. King noted that they would not stay over night. Chairman Claude Guerra III also asked whether Mr. King has operated a kennel before. Mr. King noted that they have a facility in Junction, Texas. Chairman Claude Guerra III asked how Mr. King selected Leon Valley. Mr. King commented that he lived nearby and a good opportunity and location had presented themselves.

Commissioner Mike Davis Jr. asked Mr. King about whether there would be training outside. Mr. King noted that there would be no group training. He noted his business would provide private

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training inside the building and there would be outings to local pet stores as well as going outside occasionally to train for distractions. Mr. King further explained that he would train the dog for 2-3 weeks and then after they are trained then a month and a half to two months

Commissioner Pedro Esquivel asked if there would be a veterinarian on call. Mr. King noted during business hours he was going to approach Leon Valley Veterinary Services and he also noted that Southwest Animal Clinic on 1604 would be utilized after hours.

Chairman Claude Guerra III asked how long people leave their pets for boarding. Mr. King noted that the average is 4-5 days. Chairman Claude Guerra III asked who would handle all the feeding and watering. Mr. King noted that he and his staff would do all the feeding and watering.

Chairman Claude Guerra III noted that the building would be air conditioned. Mr. King noted that he would be installing an air conditioner because the building did not presently have one.

2nd Vice-Chair Olen Yarnell noted that the letter of request stated that parking would be utilized from the Poss Center and he asked whether parking was adequate because had been a concern with an event center request that the Commission considered in the past. Mr. King noted that he only needed 4-5 parking spaces; staff noted that he was only required 12 spaces which the site provides.

Chairman Claude Guerra III asked about a sprinkler system. Mr. King noted that he spoke to Luis Valdez who noted that there would not need to be a sprinkler system for a 3,000 square foot space. Staff noted he would

Commissioner Hal Burnside asked about barking and noise. Mr. King noted that the

Being no further discussion, Chairman Claude Guerra III opened the public hearing at 8:55p.m., being no one in the audience to speak the public hearing was closed at 8:56p.m.

2nd Vice-Chair Olen Yarnell asked what would happen if Mr. King's business got bigger and he needed more space. Staff noted that he would have to be expanding by 50% or greater before he would have to come back to the Zoning Commission for further Specific Use consideration.

Commissioner Pedro Esquivel made a motion to recommend approval of Specific Use Permit Case #2013-271, for operation of a "kennel" in a B-3 (Commercial) zoning district within the Sustainability Overlay noting it protected the property rights of owners of real property. Vice Chair Wendy Phelps seconded the motion and the motion passed unanimously by voice vote, 6-1.

IN FAVOR OF THE MOTION
Commissioner Hal Burnside
Commissioner Pedro Esquivel
Chairman Claude Guerra III
Commissioner Phyllis McMillan
Vice-Chair Wendy Phelps
2nd Vice-Chair Olen Yarnell

AGAINST THE MOTION
Commissioner Mike Davis Jr.

IV. Executive Session in Accordance with the Texas Local Government Codes

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There was neither item, nor action necessary for this session.

VII. Adjourn

2nd Vice-Chair Olen Yarnell, made a motion to adjourn, seconded by Commissioner Hal Burnside. The motion carried by voice vote and the meeting was adjourned at 9:02p.m.

CHAIR

STAFF

AN ORDINANCE**REZONING CERTAIN PROPERTY FROM B-1 (SMALL BUSINESS) TO A B-2 (RETAIL) ZONING DISTRICT UPON APPLICATION BY DIRT DEALERS V., APPLICANT AND PROPERTY OWNER.**

WHEREAS, Chapter 211 of the Vernon's Local Government Code empowers a city to enact zoning regulations and provide for their administration, enforcement and amendment; and

WHEREAS, the City has previously deemed it necessary and desirable to adopt zoning regulations to provide for the orderly development of property within the City in order to promote the public health, safety, morals and general welfare of the residents of the City, and

WHEREAS, the Leon Valley Code of Ordinances Chapter 14 constitutes the City's Zoning Regulations and requires property to be zoned in accordance with proper designations as defined by the City; and

WHEREAS, the Planning and Zoning Commission of the City of Leon Valley provided adequate notice and held a public hearing in accordance with Chapter 14 of the Leon Valley Code of Ordinances; and

WHEREAS, the Planning and Zoning Commission of the City of Leon Valley has recommended approval of the re-zoning of the designated properties and has confirmed that the re-zoning is uniform and conforms to the plan and design of the City of Leon Valley's Zoning regulations and the City of Leon Valley Comprehensive Plan; and

WHEREAS, the City Council of the City of Leon Valley has also held a public hearing regarding the re-zoning on affected properties and has issued adequate notice to all the affected parties; and

WHEREAS, the City Council of the City of Leon Valley believes the re-zoning of affected properties will not adversely affect the character of the area of the neighborhood in which it is proposed to rezone; will not substantially depreciate the value of adjacent or nearby properties; will be in keeping with the spirit and intent of the City's Zoning Ordinance; will comply with applicable standards of the district in which located; and will not adversely affect traffic, public health, public utilities, public safety and the general welfare of the residents of the City of Leon Valley;

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF LEON VALLEY, TEXAS, THAT:

1. Property being described as Parcel 29G, ABS 741, CB 4445, Murchison Remainder Tract, being approximately 1.709 acres of land, generally located at

7430 Huebner Road, and more particularly described in case file ZC 2013-390, is hereby rezoned from B-1 (Small Business) to B-2 (Retail).

2. The City staff is hereby authorized to issue said zoning when all conditions imposed by the City Council have been addressed and complied with in full.

PASSED and **APPROVED** this the 16th day of April 2013.

ATTEST:

Mayor

City Secretary

APPROVED AS TO FORM:

City Attorney

Zoning Case #2013-390

Request by: Dirt Dealers V

Rezone Approximately 1.709 acres from
B-1 (Small Business) to B-2 (Retail)

CASE WORKSHEET
Page 1 of 2
Zoning Case No. ZC 2013-390

Applicant:	Dirt Dealer V., LLC, property owner.
Request:	To rezone 1.709 acres of land from B-1 (Small Business) to B-2 (Retail). (att.1&2).
Site:	Parcel 29G, ABS 741, CB 4445, Murchison Remainder Tract, at 7430 Huebner Road, in the City of Leon Valley, Bexar County, Texas (att. 3).
Surrounding Zoning and Land Use:	Surrounding zoning consists of: To the north, developed R-1 (Single-Family Dwelling); to the south developed R-1 (Single-Family Dwelling); to the east, developed R-1 (Single-Family Dwelling); and to the west developed R-6 (Garden Home), and developed and undeveloped B-2 (Retail) (att.4)
History:	<ul style="list-style-type: none"> ➤ 1985 – 6.8 acres is rezoned from R-1 (Single-Family Dwelling) to B-1 (Small Business) ➤ 1991 - a request is denied to rezone 12.86 acres of land from B-1 (Small Business) and B-2 (Retail) to R-3 (Multiple-Family Dwelling)
Master Plan:	The 2009 Master Plan, Section 7N Canterfield Area addresses the area in general noting that any undeveloped land in the area should be considered for rezoning to R-1 (Single-Family), R-4 (Townhouse), R-6 (Garden Home), R-7 (Medium Density Single-Family) and MX-1 (Mixed Use). The 2009 Master Plan Section 5CC Huebner Road Corridor addresses B-2 (Retail) noting that vacant B-2 should be considered for rezoning as prescribed by the Canterfield neighborhood matrix.
Staff Comments:	<ol style="list-style-type: none"> 1) Rezoning to residential zoning types is noted in the Master Plan. However, by land use comparison B-2 (Retail) zoning is consistent with the area and is compatible with the existing B-1 (Small Business) and R-1 (Single-Family). This is demonstrated with the existing and adjacent B-2 (Retail) of the Church of Latter Day Saints and the Department of Public Safety Mega Center, as well as the corner of Evers Road and Huebner Road and surrounding neighborhoods. B-2 (Retail) is intended to abut residential as well as act as a buffer. 2) B-1 (Small Business) zoning does not allow outside storage and limits the buildable area of a building to 3,000 square feet. B-1 (Small Business) is mostly designed for office and very light service and retail business. B-2 (Retail) zoning limits outside storage but does not limit the buildable area of a building. Both zoning districts are intended to provide goods, services however B-2 (Retail) gives more alternatives for permitted uses and buildable area. 3) Per Chapter 14 Zoning, Section 14.02.551b, of the Leon Valley Code of Ordinances the applicant submitted a Traffic Impact Analysis Worksheet which indicated that the proposed use will generate less than 100 peak hour trips.

CASE WORKSHEET
Page 2 of 2
Zoning Case No. ZC 2013-390

Letters Mailed and Responses Received from Property Owners within 200-ft

16 Mailed 1 In Favor 1 Opposed
0 Returned, unable to deliver

TOTAL RECEIVED 2 as of April 8, 2013

ZONING COMMISSION RECOMMENDATION

March 26, 2013, the Zoning Commission Recommended, by a vote of 5-2 to DENY rezoning from B-1 (Small Business) to B-2 (Retail) noting that it does not protect the property rights of owners of real property.

Attachments:

- | | |
|-----------------------|-------------------------------|
| 1) application | 5) exhibit of proposed zoning |
| 2) land use statement | 6) B-1 & B-2 Regulations |
| 3) location map | 7) letters |
| 4) zoning map | |

Supporting Documents

- Application
- Letter of Request
- Location Map
- Zoning Map
- Exhibit of Proposed Zoning
- Letters Received

LEON VALLEY

ZONING APPLICATION FORM (please print or type in black)

Personal Information

Name of Applicant: Dirt Dealers V LLC

Address: 18618 Tuscany Stone Ste. 200 S.A. TX 78258

Phone No: Home () Work (210) 496-7775 Fax (210) 496-3256

Status (check one): Owner Agent (if agent, attach notarized Letter of Authorization)

Property Description

Address: Huebner Rd.

Legal Description: CB 4445 P-29G ABS 241

Current Zoning: B1 Requested Zoning: B2

Existing Property Use or State None: NONE

Acreage and/or Square Footage: 1.709 Acres

Does owner own adjacent property? Yes No

List Existing Structures: NONE

and/or

Existing Uses: NONE

I hereby certify that I have read and examined this application and the attached instruction sheet and know the information I have provided to be true and correct. All provisions of laws and ordinances governing this application will be complied with whether specified herein or not. The granting of a zoning change does not presume to give authority to violate or cancel the provisions of any other state or local law regulating the use of the property.

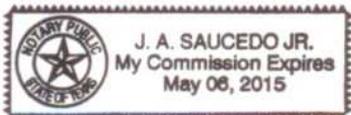
Brett Bellio
Signature of Applicant

3-4-13
Date

BEFORE ME, A Notary Public in and for Zoning Application on this date personally appeared Brett Bellio (Applicant) who duly states that all facts on this application are true to the best of his/her knowledge.

SWORN TO and SUBSCRIBED before me this 4 day of March, 2013.

SEAL



J. A. Saucedo Jr.
Notary Public, Bexar County, Texas
My Commission expires: 5/6/2015



March 4, 2013

RE: LAND USE STATEMENT.

The owner is requesting a change of zoning from B1 to B2. The owner is requesting a re-zoning of a part of P-29G CB 4445. He would like to be able to build an office building larger than 3000 square feet, and to be allowed the land uses outlined in a B2 zoning.

This request will not substantially or permanently injure the property rights of the owners of all real property affected by the proposed change in zoning.

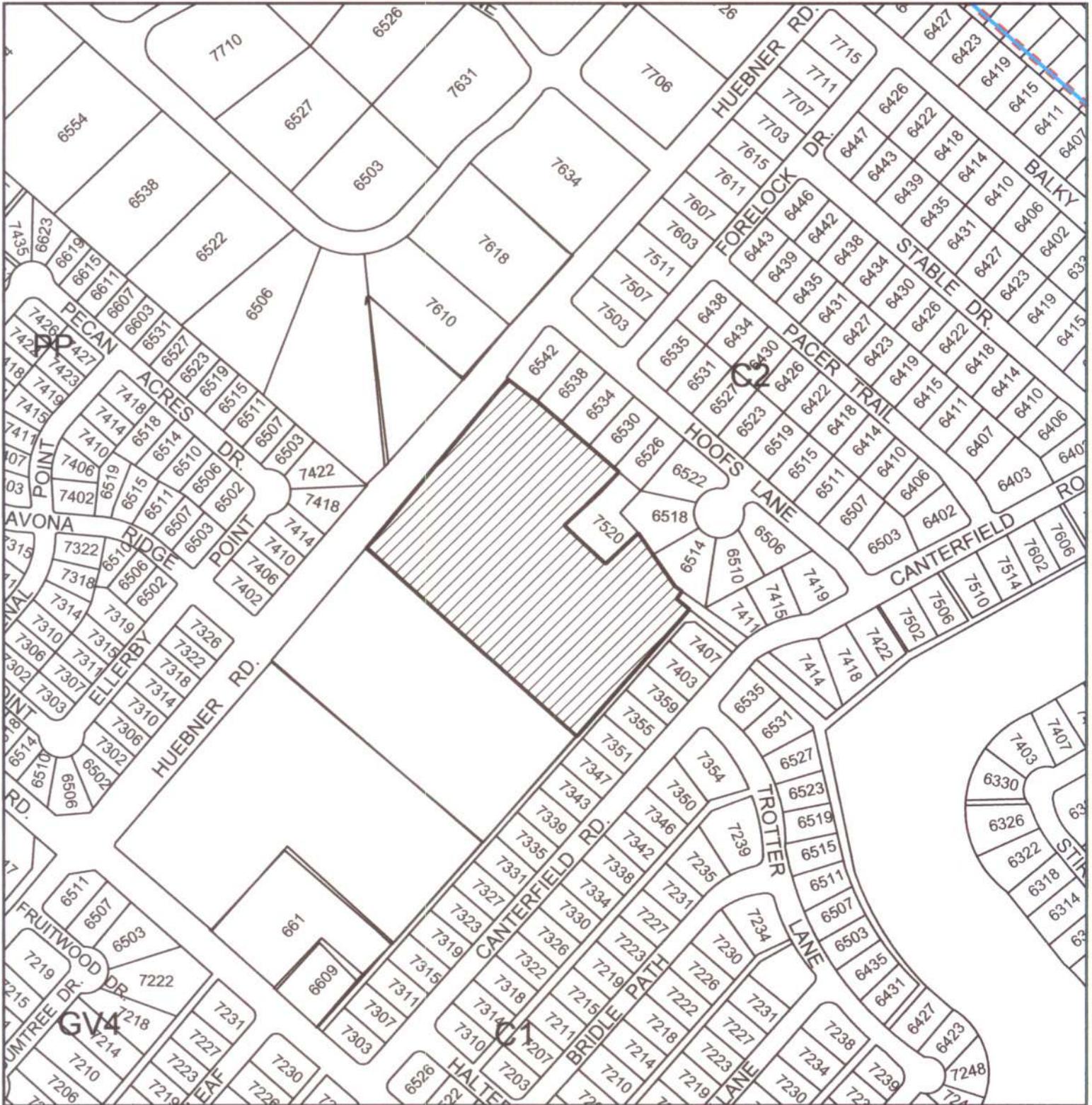
This request does not adversely affect the health, safety, and welfare of the general public. This project will be developing a vacant piece of property in accordance with the City of Leon Valley Unified Development Code.

Sincerely



J. A. Saucedo Jr.
Principal

The City of Leon Valley



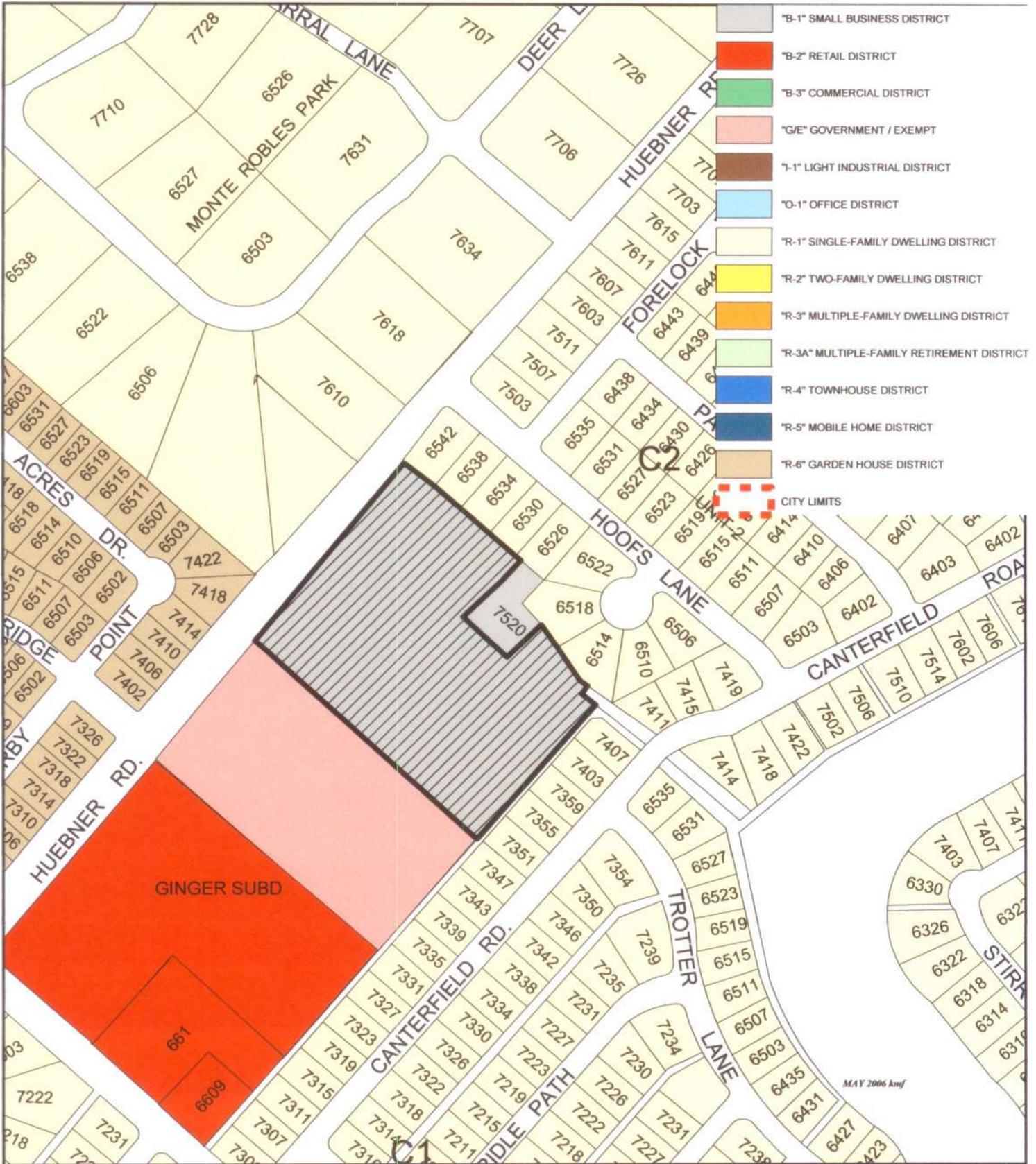
Legend

-  CITY LIMITS
-  Parcel

Zoning Case #2013-390 (Dirt Dealers V, LLC)
Request to Rezone Approximately 1.709 acres of Land
from B-1 (Small Business) to B-2 (Retail)
at 7430 Huebner Rd



CITY OF LEON VALLEY



Zoning Case #2013-390

A Request to Rezone Approximately
1.709 acres of Land from B-1 (Small Business)
to B-2 (Retail) at 7430 Huebner Road

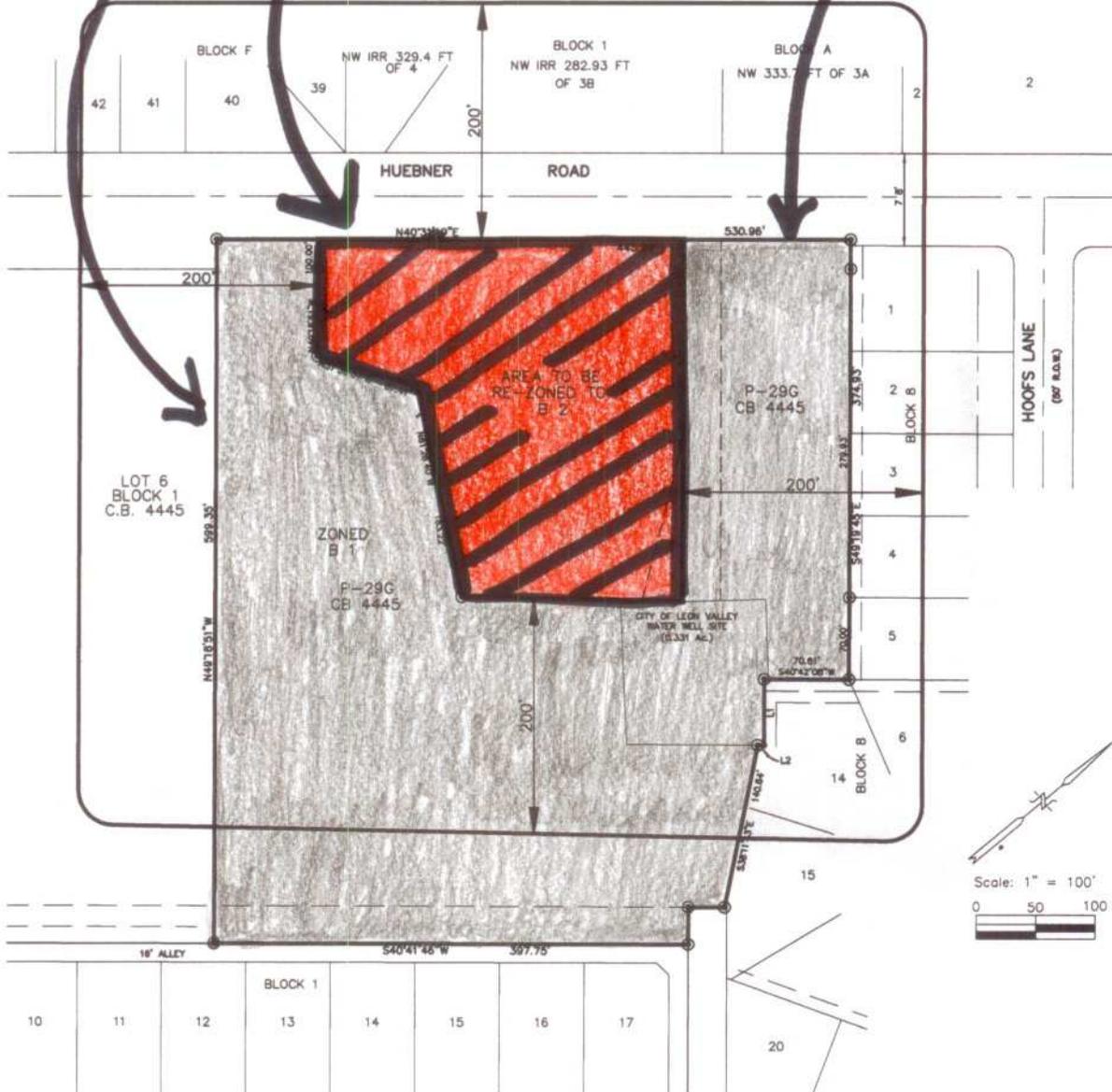


MAY 2006 kmf

ZONING CASE NO. 2013_390

B1 to B2
Approx 1.709 ac

WILL REMAIN B1



Sec. 14.02.320 "B-1" small business district

(a) Purpose.

(1) The B-1 district is composed of land and structures occupied or suitable for such uses as offices, light service, and light retail. B-1 uses are usually located between residential areas and business areas, and there is no outside storage allowed. The district regulations implement the policies of the master plan by 1) protecting and encouraging the transitional character of certain areas by permitting a limited group of uses of an office, service or retail nature to provide goods and services to surrounding residential districts; and 2) protecting surrounding districts by requiring certain minimum yard and area standard requirements that are compatible with those essential in residential districts.

(2) A B-1 small business is a completely enclosed business not exceeding 3,000 square feet of gross floor area (GFA), where the primary use specifically meets one (1) or more of the following, and no ancillary use conflicts herewith:

(A) A retail facility for the purpose of the sale or lease of personal, novelty, or household items, not including the sale [of], appliances, firearms, vehicles, vehicle parts, or wholesale items;

(B) A repair facility for the purpose of repair or maintenance of personal, novelty, or household items, not including vehicles, machinery, or appliances;

(C) A service facility for the purpose of providing a service to surrounding districts, but not including vehicle, cremation, embalming, or any service in which there may be disposal, storage, or use of any federally or state regulated chemical, even if incidental to the primary use.

(D) Professional offices.

(E) Low density residential uses are allowed in B-1 (small business) districts.

(b) Height, area and lot regulations.

(1) Structures. Every building hereafter erected shall be located on a lot as herein defined and in no case shall there be more than one (1) building on one (1) lot in the "R-1," "R-2" or "B-1" districts, or as

otherwise provided herein, and in no case shall any building be hereafter erected on more than one (1) lot.

- (2) Lot area. There shall be a minimum area of 8400 square feet.
- (3) Lot frontage. There shall be a minimum frontage of 70 feet along a public right-of-way.
- (4) Minimum depth. There shall be a minimum of 120 feet.
- (5) Floor space. A minimum floor space of 1200 square feet of heated living space shall be provided in each one-story structure and 1400 square feet for each two-story structure. In no case shall there be any structure with over 3000 square feet in the B-1 district.
- (6) Masonry required. A minimum of 75% of total overall exterior walls shall be constructed of masonry, or other similar noncombustible materials.
- (7) Height. There shall be a maximum of two and one-half (2-1/2) stories allowed.

(d) Setback requirements.

- (1) Front yard. There shall be a front yard having a minimum of twenty-five (25) feet from the front property line to the structure.
- (2) Rear yard. There shall be a rear yard of not less than thirty (30) feet from rear property line to rear of main structure.
- (3) Side yard. There shall be a side yard of not less than ten (10) feet from side property line to structure.
- (4) Corner lot. Where lots abut on two (2) intersecting or intercepting streets, where the interior angle of intersection or interception does not exceed 135 degrees, a side yard shall be provided on the street side equal to the front yard.
- (5) Reverse frontage. On corner lots, where interior lots have been platted or sold, fronting on the side street, a side yard shall be provided on the street side equal to the front yard on the lots in the rear. No accessory building on said corner lot shall project beyond the front line of the lots in the rear.
- (6) Accessory buildings. Shall be allowed, but shall be located no closer than 5 feet from any property line, and must be located in the

rear yard. In no case shall an accessory building occupy more than 25% of the total open space in the rear yard.

(7) Landscaping. The use of drought tolerant turf grasses, such as zoysia or buffalo tif or combination, or other drought tolerant plantings and hardscape is strongly recommended. Landscaping shall consist of twenty percent (20%) of the street yard. Refer to [division 9](#) of this article, "Landscaping," for other regulations regarding site landscaping requirements.

(8) Lighting. All outdoor lighting shall be hooded and all light emissions shielded, and shall be oriented such that light is directed towards the property and does not trespass onto surrounding properties. Lighting facilities shall be arranged so as to reflect the illumination away from any residentially zoned property. All lighting facilities shall be placed, masked or otherwise arranged such that illumination or glare shall not create a hazard to motorists on any street, alley or other public way. Lights affixed to the buildings shall be mounted no higher than the eaves of said building. Lights affixed to a pole shall be mounted no higher than 40% of the distance from the front property line to the main structure.

(9) Nonconforming structures. The provisions of floor space and masonry above shall not be applicable to nonconforming structures in existence on the date of the adoption thereof or to structures built hereafter on the same lot to replace such nonconforming structures as may be destroyed by fire, windstorm or other involuntary cause.

(10) Parking. Refer to parking table and site requirements.

(11) Public facilities. Each lot shall be connected to the city's public water and sewer system, and shall have appropriate sidewalks and fire protection. See [article 10.02](#) (subdivision ordinance).

(12) Outside storage. There shall be no outside display or storage of any retail merchandise, equipment, or other business related items, all business activities must be conducted within an enclosed structure, there shall be no outside service or repair of any kind or nature, and there shall be no outside entertainment.

Figure 10 (B-1 Small Business)



Sec. 14.02.321 “B-2” retail district

(a) Purpose and description.

(1) The B-2 district is composed of land and structures occupied by or suitable for the furnishing of retail goods and services to surrounding residential areas. The B-2 district is intended to allow a limited amount of outside storage of retail merchandise. The district regulations implement the policies of the master plan by 1) promoting the offering of goods and services which are appropriate for surrounding business districts; 2) protecting surrounding residential districts by requiring certain minimum yard and area standards are met; 3) encouraging economic viability and stability within the city.

(2) A general description of a “B-2” retail use is a business where the primary use specifically meets one (1) or more of the following, and no ancillary use conflicts herewith:

(A) A retail facility the purpose of which is the sale or lease of personal, novelty, food, alcohol or household items, not including the sale or lease of vehicles, firearms, or wholesale items, with incidental alcohol consumption allowed on-site;

(B) A repair facility the purpose of which is the repair or maintenance of personal, novelty, or household items, including minor appliances, but not including vehicles, machinery or major appliances; and/or

(C) A service facility the purpose of which is providing a service to surrounding districts, including food services if incidental to the primary use, but not including vehicle, cremation, embalming, or any service in which there may be disposal, storage, or use of any federally or state regulated chemical, even if incidental to the primary use.

(b) Outside storage regulations.

(1) There shall be no outside storage of any retail or nonretail merchandise, equipment, or other business related items, specifically including six (6) or more business related vehicles and/or any customer vehicles which remain on the property beyond the normal business hours of operation.

(2) A limited amount of outside display is allowed in the B-2 district, including display of plants for sale, display of lawn furnishings for sale, and occasional display of new goods for sale. These items are to be on

display for retail purposes only, and shall only be displayed at such times as the store is actually open for business;

(3) There shall be no outside service or repair allowed in the B-2 district, except for food services, and alcohol services if ancillary to food services, but these must meet the requirements of [article 3.05](#) of the Leon Valley City Code regarding screening requirements.

(c) Height, area and lot requirements.

(1) Lot area. There shall be a minimum area of 9,000 square feet.

(2) Lot frontage. There shall be a minimum frontage of 70 feet along a public right-of-way.

(3) Minimum depth. There shall be a minimum of 130 feet.

(4) Masonry required. None.

(5) Height. There shall be a maximum of three (3) stories allowed.

(d) Setback requirements.

(1) Front yard. There shall be a front yard having a minimum of 25 feet from the front property line to the structure.

(2) Rear yard. None, except in those instances where the retail lot adjoins residential zoning to the rear, a rear yard of twenty-five (25) feet or twenty percent (20%) of the average depth of the lot (whichever is less) shall be provided. In both cases, if the two (2) districts are separated by an alley, said alley is not to be used for purposes of calculating the required setback and the building setbacks are required as if the lots adjoined the residential zoning district.

(3) Side yard. None, except in those instances where the property adjoins a residential property to the side, then a side yard of twenty (20) feet shall be provided.

(4) Corner lot. Where lots abut on two (2) intersecting or intercepting streets, where the interior angle of intersection or interception does not exceed 135 degrees, a side yard shall be provided on the street side of twenty (20) feet.

(5) Landscaping. The use of drought tolerant turf grasses, such as zoysia or buffalo tif or combination, or other drought tolerant plantings and hardscape is strongly recommended. Landscaping shall consist of

twenty percent (20%) of the street yard. Refer to landscaping section [[division 9](#) of this article] for other regulations regarding site landscaping requirements.

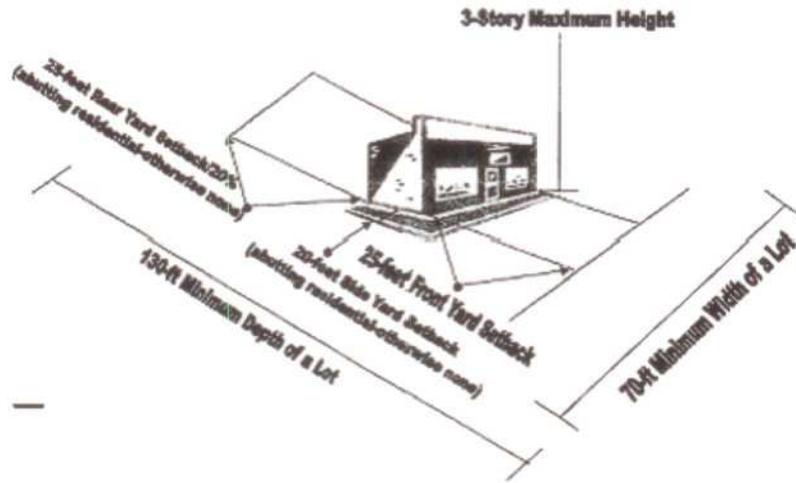
(6) Lighting. All outdoor lighting shall be hooded and all light emissions shielded, and shall be oriented such that light is directed towards the property and does not trespass onto surrounding properties. Lighting facilities shall be arranged so as to reflect the illumination away from any residentially zoned property. All lighting facilities shall be placed, masked or otherwise arranged such that illumination or glare shall not create a hazard to motorists on any street, alley or other public way.

(7) Parking. Refer to parking table for site parking requirements.

(8) Public facilities. Each lot shall be connected to the city's public water and sewer system, and shall have appropriate sidewalks and fire protection. See [article 10.02](#) (subdivision ordinance).

(9) Nonconforming structures. The provisions of floor space and masonry above shall not be applicable to nonconforming structures in existence on the date of the adoption thereof or to structures built hereafter on the same lot to replace such nonconforming structures as may be destroyed by fire, windstorm or other involuntary cause.

Figure 11 (B-2 Retail)



Letter Opposed
Within 200-feet = 1

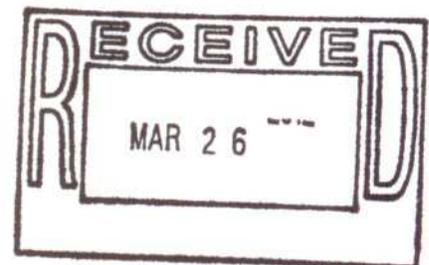
Letter in Favor
Within 200-feet = 1

2 total letters

Leon Valley

Zoning case no. ZC 2013-390 Opposed zoning change

I, Roland Perez reside at 6534 Hoofs Lane I am opposed to any additional zoning change ie. B2 (retail). B2 retail will add to the traffic congestion which already exists on Huebner road. Additionally the noise from sanitation companies picking up dumpsters several times a week will create a public nuisance.



*within 200-ft
Opposed*



Commercial Property Group

April 8, 2013

City of Leon Valley
C/o Kristie Flores
6400 El Verde Road
Leon Valley, TX 78238

RE: Zoning Case #2013 - 390

Dear Mayor and Council,

As a property owner within 200-feet of the property in question, I support the approval of the rezoning request referenced above. Thank you.

Sincerely,

A handwritten signature in blue ink, appearing to read "Matt Baillio".

Matt Baillio – Partner - Broker
Dirtdealers dba First American Commercial Property Group

RECEIVED
APR 08 2013

BY: KMF applicant
zc 2013-390
within 200-ft
In Favor

**Zoning Case
#2013-390
(Dirt Dealers V)**

**PowerPoint
Presentation**



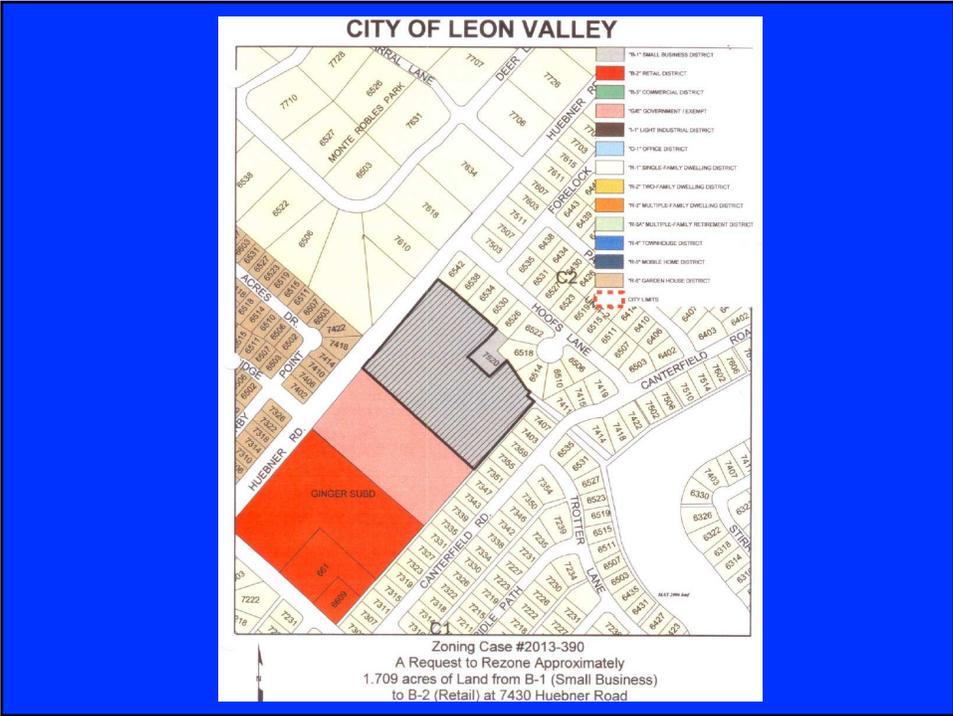
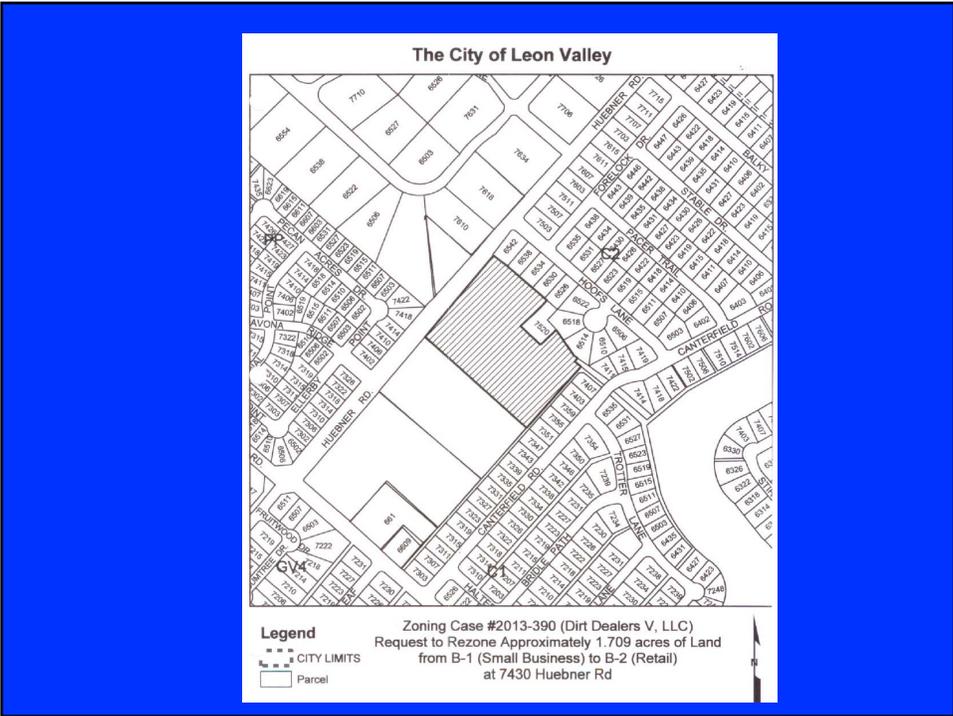
City of Leon Valley City Council

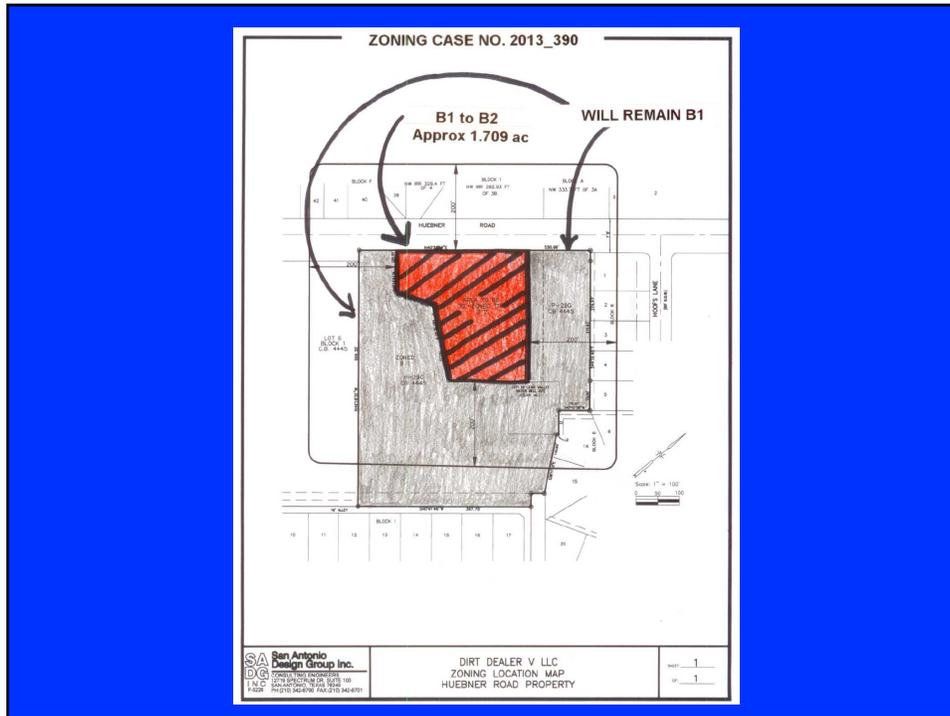
Public Hearing
April 16, 2013



Zoning Case # 2013-390 Request and Location

- Request by Dirt Dealers V, LLC, Applicant and Property Owner
- To rezone approximately 1.709 acres from B-1 (Small Business) to and B-2 (Retail)
- 7430 Huebner Road





History

- 1985 – 6.8 acres is rezoned from R-1 (Single-Family Dwelling) to B-1 (Small Business)
- 1991 – a request is denied to rezone 12.86 acres of land from B-1 (Small Business) and B-2 (Retail) to R-3 (Multiple-Family Dwelling)



2009 Comprehensive Master Plan Section 7N Canterfield Area

Addresses the area in general:

- undeveloped land in the area may be considered for low density residential zoning or mixed use.



Staff Comments

- By land use comparison B-2 (Retail) zoning is consistent with the area and is compatible with the existing B-1 (Small Business) and R-1 (Single-Family).



Staff Comments

- B-2 (Retail) is intended to abut residential as well as act as a buffer.
- B-1 (Small Business) zoning does not allow outside storage and limits the buildable area of a building to 3,000 square feet. B-2 (Retail) zoning limits outside storage but does not limit the buildable area of a building.



Staff Comments

- Per Chapter 14, the applicant submitted a Traffic Impact Analysis Worksheet which indicated that the proposed use will generate less than 100.



Property Owner's within 200-feet

- 16 Letters Mailed to Property Owners
- 1 Received in FAVOR
- 1 Received in OPPOSITION
- 0 Returned UNDELIVERABLE



Zoning Commission Recommendation

On March 26, 2013, the Zoning Commission Recommended, by a vote of 5-2 to DENY rezoning from B-1 to B-2 noting that it does not protect the property rights of owners of real property.



Conclusion

- Questions
 - Staff
 - Tony Saucedo or Roy Akiona, agents for the applicant







City of Leon Valley City Council

Public Hearing
April 16, 2013

MAYOR AND COUNCIL COMMUNICATION

DATE: April 16, 2013
M&C: # 04-11-13

TO: MAYOR AND CITY COUNCIL

SUBJECT: CONDUCT A PUBLIC HEARING TO CONSIDER SPECIFIC USE PERMIT #2013-271, TO ALLOW OPERATION OF A "KENNEL," GENERALLY LOCATED AT 6737 POSS ROAD, IN A B-3 (COMMERCIAL) ZONING DISTRICT WITHIN THE SUSTAINABILITY OVERLAY

PURPOSE

Specific Use Permit #2013-271 is a request by Jonathan King, to operate a "Kennel" at the above noted location within a B-3 (Commercial) zoning district in the Sustainability Overlay District.

FISCAL IMPACT

The applicant paid a fee of \$300 for consideration of this specific use permit application.

RECOMMENDATION

On March 26, 2013, the Zoning Commission recommended, by a vote of 6-1, to APPROVE the Specific Use Permit #2013-271 to operate a "Kennel," noting it protects property rights of owners of real property.

S.E.E IMPACT STATEMENT

Social Equity – Approval of the Specific Use permit encourages the applicant to become part of the City and provide superior services to the community and other patrons.

Environmental Stewardship – the site is remaining the same. The environment will not be adversely affected.

Economic Development – Animal training and kenneling provides a service to Leon Valley residents and visitors and generates sales tax.

APPROVED: _____

DISAPPROVED: _____

APPROVED WITH THE FOLLOWING COMMENTS: _____

ATTEST:

Janie Willman, City Secretary



**MINUTES OF THE MEETING OF THE
LEON VALLEY ZONING COMMISSION**

March 26, 2013

The regular meeting of the Leon Valley Zoning Commission convened at 6:30 p.m. on Tuesday, March 26, 2013, in City Council Chambers at 6400 El Verde Road, Leon Valley, Texas.

I. Roll Call

Present were Chairman Claude Guerra III, 1st Vice-Chair Wendy Phelps, 2nd Vice-Chair Olen Yarnell, and Members Hal Burnside, Mike Davis Jr., Pedro Esquivel and Alternate Members Phyllis McMillan, Nicole Monsibais and Carlos Fernandez. Absent and excused was Member Carmen Sanchez. Also present was Kristie Flores, Director of Community Development, acting as recording secretary.

In the absence of regular Commission Member Carmen Sanchez; Alternate Member Phyllis McMillan was seated as a voting member.

Also available for the questions was contracted engineer for the City, Sia Sayyadi, P.E.

II. Approval of Minutes – February 26, 2013

Commissioner Pedro Esquivel made a motion to approve the minutes as written. Commissioner Phyllis McMillan seconded the motion, and the motion passed unanimously by voice vote.

III. Conduct a Public Hearing and Consider Zoning Case #2013-389, a Request by Ernesto Ancira, Jr., to Rezone Approximately 6.38 acres of land, Being Lots 4 and 5, Block 1, CB 4429F, of the Ancira-Winton Subdivision, from R-4 (Townhouse) and B-2 (Retail) to B-3 (Commercial) and to Rezone the Property from the Sustainability Overlay to the Commercial/Industrial Overlay, located at 6111 Bandera Road and 5901 Wurzbach Road.

Staff presented the Zoning Case #2013-389, a request by Ernest Ancira Jr., applicant and property owner to rezone approximately 6.38 acres of land, being Lots 4 and 5, Block 1, CB 4429F, of the Ancira-Winton Subdivision, from R-4 (Townhouse) and B-2 (Retail) to B-3 (Commercial) and to rezone the property from the Sustainability Overlay to the Commercial/Industrial Overlay, located at 6111 Bandera Road and 5901 Wurzbach Road. Staff noted the surrounding zoning and the history of the property which indicated that it had slowly rezoned from residential to retail and then to commercial between 1972 and 1998. Staff also noted that the 2009 Master Plan, Section 2aCC, "Bandera Road/Loop 410 Corridor," addressed the area in general noting that zoning in the area consisted mostly of B-2 (Retail) and B-3 (Commercial) and that any B-3 (Commercial) which abuts residential must provide adequate and effective buffering. Staff explained that as a basic planning principle B-3 (Commercial) is not intended to abut R-1 (Single-Family Dwelling), but noted that if commercial zoning is allowed an eight (8) foot fence is required between commercial and residential properties. Staff further explained that other buffering techniques, such as landscaping may also be considered to guard against potential light and noise intrusion. Staff indicated that B-3 (Commercial) zoning is consistent with the adjacent B-2 (Retail) and B-3 (Commercial) zoning which already made up a large area which is platted and developed along Bandera Road and Wurzbach Road. Staff

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further indicated that per Chapter 14 Zoning, Section 14.02.551b, of the Leon Valley Code of Ordinances the applicant submitted a Traffic Impact Analysis Worksheet which indicated that the proposed use will generate less than 100 peak hour trips. Staff noted that twenty-eight (28) letters had been mailed to property owners within 200-feet and that two (2) letters were received in opposition to the request, ten (10) letters were received in favor, and one (1) letter was returned undeliverable. Staff also noted that two (2) letters were received in favor outside the 200-foot notification area. Staff presented pictures of the site, concluded the presentation and remained available for questions.

Commissioner Mike Davis Jr., asked staff if there was a utility easement along the property line, staff verified from the plat that there were drainage and sanitary sewer easements. Sia Sayyadi, P.E. addressed the Commission and noted that there is was also a waterline that has also been extended from Wurzbach Road. He explained that there was need for more water easements because the waterline dead ends and the Fire Department presently has to clean out that section of the water line to mitigate hazards, thus the City has approached Ancira about additional easements to clear up these concerns. Mr. Sayyadi did confirm that there are utility easements along Rue Liliane for homes. He also pointed to an area in the middle section of the property that was not buildable due to being in the FEMA floodway.

Commissioner Hal Burnside noted that the area where the drainage culvert is paved and was concerned with which way the water would flow. Mr. Sayyadi noted that it would flow towards Wurzbach Road.

2nd Vice-Chair Olen Yarnell asked the engineer if a large portion of the area which was grass/field could have a building on it. Mr. Sayyadi noted it could not, but may have pavement on it for parking cars. Mr. Sayyadi noted that there was a building proposed for the site that would be like the newly constructed Volkswagen dealership, that would front along Bandera Road.

Commissioner Mike Davis Jr., noted that with the new building, then the area nearest the residents would be to park vehicles.

Joey Blackmon, the agent for the applicant, 6111 Bandera Road, addressed the Commission and noted that he has worked with Mr. Ancira for 38 years. He explained that Mr. Ancira was committed to in staying in Leon Valley, so much so that he invested \$10 million into the existing Chevrolet and Ancira Volkswagen and he convinced Kia to make Leon Valley their home as well. He noted that \$5 million would be invested into a new Kia facility on 6 acres. Mr. Blackmon explained that they met with neighbors at a series of meetings to discuss concerns and alternatives. He noted that Ancira committed to neighbors to construct a concrete, eight foot (8') fence immediately inside the dealership property line. He also noted that they committed to keeping trees, a 15-foot buffer from the fence line to keep drainage away from the fence, as well as to keep cars away from the fence. He concluded by noting that Ancira wanted to grow their business which would benefit Leon Valley from their new building construction and from the sales tax generated from their parts and services.

2nd Vice-Chair Olen Yarnell asked for clarification regarding the proposed fence. Mr. Blackmon noted that they committed to neighbors to construct the fence from Bandera Road all the way to Wurzbach Road.

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Commissioner Hal Burnside asked Mr. Blackmon for clarification regarding the property buffer between the fence and start of the dealership. Mr. Blackmon noted that they would landscape between the back fence and would curb the area 15-feet away for new parking car display and inventory.

Commissioner Hal Burnside asked about security lighting along the 15-foot buffer zone. Chairman Claude Guerra III also noted the lighting he observed upon the site visit. Mr. Blackmon noted that the lighting would be directional; pointing down or away from residents.

Chairman Claude Guerra III also asked staff about the heritage size trees he saw on the property. Staff noted that they cannot be removed.

2nd Vice-Chair Olen Yarnell asked what the surface of the fence would look like. Mr. Blackmon noted that it would be Fence Crete and would have a decorate look rather than just being a solid concrete fence.

Chairman Claude Guerra III asked what the parking area would be made of. Mr. Blackmon noted it would be asphalt.

Being no further discussion, Chairman Claude Guerra III opened the public hearing at 7:07 p.m.

John and Margie Phelan, 6100 Rue Liliane, addressed the Commission and noted that their concerns were with drainage, loud speaker from the dealership, trees and lighting and they noted that many of their questions were answered in the discussion.

Eluterio Toscano, 6010 Rue Liliane, addressed the Commission noting that his questions were addressed by Mr. Blackmon. Mr. Toscano also answered Commissioner Mike Davis, Jr.'s question regarding the location of the utilities noting that they were in the front of the property along Rue Liliane. He noted his support of Ancira's commercial growth.

Commissioner Mike Davis, Jr., noted that his concern was for residential properties along the adjacent property line and that is why he asked about the utility easement.

Being no further discussion, the public hearing was closed at 7:14p.m.

2nd Vice-Chair Olen Yarnell noted that the request appeared to solve many concerns surrounding the property. He also noted that questions regarding trees, building location, fencing and lighting had been answered.

Chairman Claude Guerra III noted that all of his questions were answered regarding fencing, lighting and trees and that the Commission members and those in attendance were now aware that a building could not be built within that portion of the property that is in the floodway. He additionally noted that a precedent had been set with the Fiesta Dodge property across the street and the boundary was changed from the Sustainability Overlay to the Commercial/ Industrial Overlay which was similar to the request at hand.

Vice-Chair Wendy Phelps made a motion to recommend approval of Zoning Case #2013-389, to include both rezoning requests to rezone from R-4 (Townhouse) and B-2 (Retail) to B-3 (Commercial)

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and to rezone to the Commercial/Industrial Overlay Zoning District noting that the requests were consistent and compatible with the Master Plan. 2nd Vice Chair Olen Yarnell seconded the motion and the motion passed unanimously by voice vote, 7-0.

IV. Consider Zoning Case #2013-390, a Request by Dirt Dealer V., LLC., to Rezone Approximately 1.709 acres of land, Being a Portion of Parcel 29G, ABS 741, CB 4445, Murchison Remainder Tract, from B-1 (Small Business) to B-2, located at 7430 Huebner Road.

Staff presented the Zoning Case #2013-390, a request by Dirt Dealer V., LLC., to rezone approximately 1.709 acres of land, being a portion of Parcel 29G, ABS 741, CB 4445, Murchison Remainder Tract, from B-1 (Small Business) to B-2 (Retail), located at 7430 Huebner Road. Staff noted the surrounding zoning and the history of the property which indicated that it had been rezoned in 1985 from R-1 (Single-Family) to B-1 (Small Business). Staff also noted that the 2009 Master Plan, Section 7N, "Canterfield Area," addressed the area in general noting residential zoning and mixed use zoning. Staff explained that by land use comparison B-2 (Retail) zoning is consistent with the area and is compatible with the existing B-1 (Small Business) and R-1 (Single-Family). Staff further explained that this is demonstrated by the existing and adjacent B-2 (Retail) of the Church of Latter Day Saints and the Department of Public Safety Mega Center, as well as the corner of Evers Road and Huebner Road and surrounding neighborhoods. Staff noted that B-2 (Retail) is intended to abut residential and act as a buffer. Staff also noted that B-1 (Small Business) zoning does not allow outside storage and limits the buildable area of a building to 3,000 square feet. Staff indicated that B-1 (Small Business) is mostly designed for office and very light service and retail business. Staff also indicated that B-2 (Retail) zoning limits outside storage but does not limit the buildable area of a building; however, both zoning districts are intended to provide goods, services however B-2 (Retail) gives more alternatives for permitted uses and buildable area. Staff noted that per Chapter 14 Zoning, Section 14.02.551b, of the Leon Valley Code of Ordinances the applicant submitted a Traffic Impact Analysis Worksheet which indicated that the proposed use will generate less than 100 peak hour trips. Staff noted that sixteen (16) letters had been mailed to property owners within 200-feet and that one (1) letter were received in opposition to the request, none were received in favor, and none were returned undeliverable. Staff presented pictures of the site, concluded the presentation and remained available for questions.

Chairman Claude Guerra III asked for clarification as to the City well site in relation to the proposed rezoning. Staff and the engineer Sia Sayyadi indicated the location of the well on the site plan. Staff also indicated that the well site is protected by a 150-foot boundary by law for well systems.

Commissioner Pedro Esquivel asked Staff about preservation of the silos on site. He noted that there had been discussion at a Council meeting about preserving them. Staff noted that in speaking to the representatives for the property they indicated that they were will to work with the City in regard to the silos. Staff further noted that there was not presently a definitive plan for the silos.

Chairman Claude Guerra III asked for clarification regarding development and the City well site. Mr. Sayyadi noted that there would need to be a sanitary controlled easement, meaning that developers cannot store chemicals onsite. Staff noted that more than likely the only thing located within the 150-foot would be parking. Mr. Sayyadi noted additional property limitations due to the

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main water line, drainage requirements, tree preservation and a needed detention pond.

Vice-Chair Wendy Phelps asked if the site was going to be utilized for the storage of bulldozers. Staff indicated that there was not a building plan. Staff also noted that the developer wants to build a building bigger than 3,000 square feet. Chairman Claude Guerra III noted that it was an office building.

2nd Vice Chair Olen Yarnell asked if the dotted line on the site plan was the well site. Staff indicated that it was and that the long road leading from Huebner was the access easement. 2nd Vice Chair Yarnell noted that the water tower had been moved over by Marshall High School for higher elevation and well site remained. Staff noted that was accurate. 2nd Vice-Chair Olen Yarnell also asked for further clarification on the site plan to the rear of the property and staff indicated that it was the area where there was drainage and a natural tree line. Mr. Yarnell noted that it appeared that only the B-2 (Retail) portion of the property would be built on. Staff noted that the B-1 (Small Business) portion of the property would have a detention pond and did have the potential to have a 3,000 square foot building limited by B-1 regulations and uses.

Commissioner Burnside noted that there appeared to be constraints on the property, which prompted the owner to try to use the portion they are requesting for rezoning

Commissioner Pedro Esquivel noted that there has been considerable discussion on the traffic impact by Council in regard to Huebner and Evers and the affect of the DPS Facility. Mr. Esquivel wanted to be sure that the traffic impact for this project was being considered in addition to what was already being studied. Staff noted that the traffic impact would be considered and City Staff and the property owner and potential developers were aware or would be made aware of the impact. Staff noted that the focus for the evening needed to be whether B-2 (Retail) was consistent and compatible with the Master Plan and surrounding zoning, not a particular use. Mr. Esquivel reiterated that he just wanted to make sure that traffic and school zones were measured.

Sia Sayyadi noted that the property as B-1 (Small Business) could be platted into several lots with 3,000 square foot buildings, with necessary parking, site plans and driveways. Staff noted that if the property was platted separately State law required access to each site with proper utility development. Mr. Sayyadi noted that the property owner was trying to make the best use of the property from that site as B-2 (Retail) with only one (1) building.

Tony Saucedo, agent for the applicant, addressed the Commission and noted that he did not have any addition information to add and would remain available for questions.

Chairman Claude Guerra III noted that the Land Use Statement stated that they wanted to construct an "office" building larger than 3,000 square feet but then went on to note that the letter stated that they wanted to rezone to utilize other uses within the B-2 (Retail) zoning district. Chairman Claude Guerra III felt that this was contradictory to his first statement in the letter. Mr. Saucedo noted that he did not know what the use of the property would be until after they had a buyer for the property. He also noted that they needed to maintain the access easement and wanted to preserve the remaining trees. He further explained that they would be limited by how much parking is required for the use as to what type and size of building would be constructed.

Staff noted that the property was also protected by the Sustainability Overlay regulations.

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Chairman Claude Guerra III noted that his concern is based on the controversy with the neighboring DPS Office. Commissioner Pedro Esquivel agreed that the statement that rezoning was being requested to construct an office building was misleading. He explained that if it was not going to be an office building as stated and something else from the B-2 (Retail) then it should have remained ambiguous on the application.

Staff noted that the applicant has expressed that they would like to build an office building larger than 3,000 square feet; however, staff also noted that the Commission needed to be aware that the applicant did not have to build an office building and if the property was rezoned to B-2 (Retail) it could be another type of building such as retail. Staff commented that the matter at hand was whether B-2 (Retail) was consistent and compatible with the Master Plan and surrounding zoning.

Commissioner Mike Davis Jr., noted that he had no issue with the current zoning of B-1 (Small Business). He also noted that the property owner should have known what the property was zoned when they purchased it and what uses were allowed.

Commissioner Hal Burnside asked Staff if parking could be built on the B-1 portion. Staff noted it could.

2nd Vice Chair Olen Yarnell noted that there is always a chance that the developer may not do as they may have noted in an application or the plans fall through all together.

Commissioner Mike Davis Jr., noted that the area has a great deal of sensitivity and a concept for the site would be helpful. Mr. Saucedo noted that they were not in that stage of planning for the property and were aware of the sensitivity in the area which is why they were maintaining the B-1 (Small Business) buffer to shelter the surrounding properties.

Per the Chairman's request Staff read some of the uses allowed in B-2 (Retail) some of which were: alcoholic beverage sales (no on-premise consumption), alteration and apparel, animal clinic, antique store, appliance (minor), appliance repair, art gallery and other such uses.

Being no further discussion, Chairman Claude Guerra III opened the public hearing at 8:05p.m.

Roland Perez, 6534 Hoofs Lane, addressed the Commission and noted his opposition to the proposed rezoning noting addition concerns with traffic and noise from trash pick-up has he already experienced weekly from the pick-up at the Church. He explained that he was opposed to the original rezoning from R-1 to B-1, when neighbors were told that there would be a greenbelt and a fence. Mr. Perez noted that although promises were made by the developer when the request for B-1 (Small Business) was considered, they never followed through. Mr. Perez commented that he understood that the Commission needed to consider development that would bring revenue to the City but he did not want it to be at the cost of the residents who would have to endure light and noise pollution from whatever was developed.

Sandy Perez, 6534 Hoofs Lane, asked if there would be any buffer between them and the development. Staff noted that there was at least one hundred feet (100') between them and the proposed development as well as the remaining B-1 (Small Business) buffering.

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Being no further discussion, Claude Guerra III closed the public hearing at 8:10p.m.

Chairman Claude Guerra III noted to Mr. Perez that the Zoning Commission's responsibility was to make zoning recommendations on zoning cases, not for economic development.

2nd Vice-Chair Olen Yarnell noted that as long as the property remains vacant there will be zoning case considerations. He further explained that anytime anyone lives up again a property that is zoned anything other than residential this will always be something that they will need to deal with. He added that the owner was leaving the B-1 buffer

Commissioner Hal Burnside noted that he was concerned neighbors and gradual deterioration of the area based on the uses allowed in the B-2 (Retail) zoning.

Commissioner Phyllis McMillan noted that even if the property is not rezoned to B-2 (Retail) there could still be a building constructed on the B-1 (Small Business).

Staff noted there were development constraints on the property due to the well site and the required drainage. Mr. Sayyadi noted that the detention pond was estimated at \$60,000. He further explained that the City might have a very active part in the installation in order to protect the well site.

2nd Vice-Chair Olen Yarnell asked how many 3,000 square foot building could be placed on the property. Mr. Sayyadi addressed the question and noted that with proper platting a rough estimate was fifteen (15) buildings because the total acreage of the B-1 (Small Business) is six (6) acres and 3,000 square feet is not very large.

Chairman Claude Guerra III reiterated that he felt that the letter submitted by the applicant was misleading and for that reason he had doubts and hesitancy about the rezoning.

Commissioner Pedro Esquivel made a motion recommending denial of Zoning Case #2013-390 noting that it does not protect the property rights of owners of real property. Vice-Chair Wendy Phelps seconded the motion and the motion passed 5-2.

IN FAVOR OF THE MOTION

Commissioner Hal Burnside
Commissioner Mike Davis Jr.
Commissioner Pedro Esquivel
Chairman Claude Guerra III
Vice-Chair Wendy Phelps

AGAINST THE MOTION

2nd Vice-Chair Olen Yarnell
Commissioner Phyllis McMillan

- V. Consider Specific Use Permit Case #2013-271, a Request by Jonathan King, Applicant, to Operate a "Kennel," in a B-3 (Commercial) zoning district within the Sustainability Overlay, Being Lot 56, Block 3, CB 5784, Leon valley Addition – Glass Service Subdivision, located at 6737 Poss Road, Building/Suite #300.**

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Staff presented the Specific Use Permit Case #2013-271, a request by Jonathan King, applicant to operate a “Kennel” in a B-3 (Commercial) zoning district within the Sustainability Overlay, being Lot 56, Block 3, CB 5784, Leon Valley Addition – Glass Service Subdivision, located at 6737 Poss Road, Building/Suite #300. Staff noted the surrounding zoning and the history of the property which indicated that there had been several Specific Use Permit requests for the buildings at 6737 Poss Road including: office/warehouse, church, and banquet hall. Staff also noted that the 2009 Master Plan, Section 4CC, “Grissom Road Corridor,” addressed the area in general noting B-3 (Commercial) zoning and consolidation of properties in the area. Staff explained that operation of a “kennel” appears to be consistent and compatible with the area. Staff further explained that the B-3 (Commercial) zoning district is designed to be more intense in nature and can include service facilities such as kennels to provide services to existing and surrounding districts. Staff went on to note that the B-3 district also allows outside display and storage of merchandise and limited outside services (such as dog runs). Staff also noted that although B-3 is not intended to abut R-1 (Single-Family) in some instances it does and this is one such occasion. Staff stated that there is a single-family home which fronts and accesses from Sawyer Road. Staff explained that where commercial does abut residential adequate and effective buffers are required. Staff further noted that there was an existing tree lined buffer on the residential side and a fencing buffer from the commercial side. Staff noted that per Chapter 14 Zoning, Section 14.02.551b, of the Leon Valley Code of Ordinances the applicant submitted a Traffic Impact Analysis Worksheet which indicated that the proposed use will generate less than 100 peak hour trips. Staff noted that six (6) letters had been mailed to property owners within 200-feet and no letters were received in opposition to the request, none were received in favor, and none were returned undeliverable. Staff presented pictures of the site, concluded the presentation and remained available for questions.

The leasing agent for the property addressed the Commission and noted a correction that Mr. King’s business would only be taking up 3,000 square feet of Building #2 not Building #3. She further explained that this was the rear of the building in the same space as the glass service building all of which are located at 6737 Poss Road.

Jonathan King, applicant, addressed the Commission and noted that he did not have any comments but was happy to answer questions.

Commissioner Phyllis McMillan thanked Mr. King for the thorough information he provided regarding kenneling.

Commissioner Hal Burnside asked for clarification on the on the dog to employee ratio. MR. King noted that if the facility was to capacity at thirty (30) dogs then two (2) employees would be required.

Chairman Guerra III asked if employees would stay overnight. Mr. King noted that they would not stay over night. Chairman Claude Guerra III also asked whether Mr. King has operated a kennel before. Mr. King noted that they have a facility in Junction, Texas. Chairman Claude Guerra III asked how Mr. King selected Leon Valley. Mr. King commented that he lived nearby and a good opportunity and location had presented themselves.

Commissioner Mike Davis Jr. asked Mr. King about whether there would be training outside. Mr. King noted that there would be no group training. He noted his business would provide private

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training inside the building and there would be outings to local pet stores as well as going outside occasionally to train for distractions. Mr. King further explained that he would train the dog for 2-3 weeks and then after they are trained then a month and a half to two months

Commissioner Pedro Esquivel asked if there would be a veterinarian on call. Mr. King noted during business hours he was going to approach Leon Valley Veterinary Services and he also noted that Southwest Animal Clinic on 1604 would be utilized after hours.

Chairman Claude Guerra III asked how long people leave their pets for boarding. Mr. King noted that the average is 4-5 days. Chairman Claude Guerra III asked who would handle all the feeding and watering. Mr. King noted that he and his staff would do all the feeding and watering.

Chairman Claude Guerra III noted that the building would be air conditioned. Mr. King noted that he would be installing an air conditioner because the building did not presently have one.

2nd Vice-Chair Olen Yarnell noted that the letter of request stated that parking would be utilized from the Poss Center and he asked whether parking was adequate because had been a concern with an event center request that the Commission considered in the past. Mr. King noted that he only needed 4-5 parking spaces; staff noted that he was only required 12 spaces which the site provides.

Chairman Claude Guerra III asked about a sprinkler system. Mr. King noted that he spoke to Luis Valdez who noted that there would not need to be a sprinkler system for a 3,000 square foot space. Staff noted he would

Commissioner Hal Burnside asked about barking and noise. Mr. King noted that the

Being no further discussion, Chairman Claude Guerra III opened the public hearing at 8:55p.m., being no one in the audience to speak the public hearing was closed at 8:56p.m.

2nd Vice-Chair Olen Yarnell asked what would happen if Mr. King's business got bigger and he needed more space. Staff noted that he would have to be expanding by 50% or greater before he would have to come back to the Zoning Commission for further Specific Use consideration.

Commissioner Pedro Esquivel made a motion to recommend approval of Specific Use Permit Case #2013-271, for operation of a "kennel" in a B-3 (Commercial) zoning district within the Sustainability Overlay noting it protected the property rights of owners of real property. Vice Chair Wendy Phelps seconded the motion and the motion passed unanimously by voice vote, 6-1.

IN FAVOR OF THE MOTION
Commissioner Hal Burnside
Commissioner Pedro Esquivel
Chairman Claude Guerra III
Commissioner Phyllis McMillan
Vice-Chair Wendy Phelps
2nd Vice-Chair Olen Yarnell

AGAINST THE MOTION
Commissioner Mike Davis Jr.

IV. Executive Session in Accordance with the Texas Local Government Codes

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There was neither item, nor action necessary for this session.

VII. Adjourn

2nd Vice-Chair Olen Yarnell, made a motion to adjourn, seconded by Commissioner Hal Burnside. The motion carried by voice vote and the meeting was adjourned at 9:02p.m.

CHAIR

STAFF

AN ORDINANCE

GRANTING A SPECIFIC USE PERMIT TO ALLOW OPERATION OF A “KENNEL,” IN A B-3 (COMMERCIAL) ZONED PROPERTY WITHIN THE SUSTAINABILITY OVERLAY, BEING LOT 58, BLOCK 3, CB 5784, CROSSWAYS-FLOYD SUBDIVISION, GENERALLY LOCATED AT 6737 POSS ROAD, IN THE CITY OF LEON VALLEY, UPON APPLICATION BY JONATHAN KING, APPLICANT

WHEREAS, Chapter 211 of the Vernon’s Local Government Code empowers a city to enact zoning regulations and provide for their administration, enforcement and amendment; and

WHEREAS, the City has previously deemed it necessary and desirable to adopt zoning regulations to provide for the orderly development of property within the City in order to promote the public health, safety, morals and general welfare of the residents of the City, and

WHEREAS, the Leon Valley Code of Ordinances Chapter 14 constitutes the City’s Zoning Regulations and requires property to be zoned in accordance with proper designations as defined by the City; and

WHEREAS, the Planning and Zoning Commission of the City of Leon Valley provided adequate notice and held a public hearing in accordance with Chapter 14 of the Leon Valley Code of Ordinances; and

WHEREAS, the Planning and Zoning Commission of the City of Leon Valley has recommended approval of the re-zoning of the designated properties and has confirmed that the re-zoning is uniform and conforms to the plan and design of the City of Leon Valley’s Zoning regulations and the City of Leon Valley Comprehensive Plan; and

WHEREAS, the City Council of the City of Leon Valley has also held a public hearing regarding the re-zoning on affected properties and has issued adequate notice to all the affected parties; and

WHEREAS, the City Council of the City of Leon Valley believes the re-zoning of affected properties will not adversely affect the character of the area of the neighborhood in which it is proposed to rezone; will not substantially depreciate the value of adjacent or nearby properties; will be in keeping with the spirit and intent of the City’s Zoning Ordinance; will comply with applicable standards of the district in which located; and will not adversely affect traffic, public health, public utilities, public safety and the general welfare of the residents of the City of Leon Valley;

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF LEON VALLEY, TEXAS, THAT:

1. A Specific Use Permit is granted allowing operation of a "Kennel," being Lot 58, Block 3, CB 5784, Crossways-Floyd Subdivision, a B-3 (Commercial) zoned property within the Sustainability Overlay Zoning District, located at 6737 Poss Road and particularly described in case file SUP 2013-271.
2. The City staff is hereby authorized to issue said Specific Use Permit when all conditions imposed by the City Council and as reflected in the Specific Use Permit Case No. 2013-271 have been complied with in full.

PASSED and **APPROVED** this the 16th day of April 2013.

ATTEST:

Mayor

City Secretary

APPROVED AS TO FORM:

City Attorney

Specific Use Permit Case #2013-271

Request by: Jonathan King

Operation of a Kennel

LEON VALLEY

T E X A S

CASE WORKSHEET (Page 1 of 1)
Specific Use Permit Case No. 2013-271

Applicant:	Jonathan King, applicant (att.1&2).
Request:	To allow operation of a "kennel," in a B-3 (Commercial) zoning district within the Sustainability Overlay District (att.3).
Site:	Lot 58, Block 3, CB 5784, Crossways-Floyd Subdivision, generally located at 6737 Poss Road (att.1&2).
Surrounding Zoning/Land Use:	Surrounding zoning consists of: To the north, developed and B-2 (Retail) and B-3 (Commercial) and undeveloped, landlocked R-1 (Single-Family); to south developed and undeveloped B-3 (Commercial); to the east, developed and undeveloped B-3 (Commercial); and to the west developed B-2 (Retail) B-3 (Commercial) and B-1 (Small Business) zoning (att. 4).
History:	<ul style="list-style-type: none"> ➤ 1985 – an SUP is granted for operation of an "office/warehouse" ➤ 1994 – a continuous SUP was requested for "automotive repair" case was withdrawn ➤ 2000 – an SUP was granted for operation of a "church" ➤ 2011– an SUP was granted for operation of a "banquet hall"
Master Plan:	The 2009 Master Plan, Section 4CC, Grissom Road Corridor addresses in this area noting: (att. 6) 1) B-3 (Commercial) zoning 2) Consolidation of properties in the area
Staff Comments:	<ul style="list-style-type: none"> ➤ Operation of a "kennel" appears to be consistent and compatible with the area. The B-3 (Commercial) zoning district is designed to be more intense in nature and can include service facilities such as kennels to provide services to existing and surrounding districts. The B-3 district also allows outside display and storage of merchandise and limited outside services (such as dog runs). ➤ Although B-3 is not intended to abut R-1 (Single-Family) in some instances it does and this is one such occasion. There is a single-family home which fronts and accesses from Sawyer Road. Where commercial does abut residential adequate and effective buffers are required. There is a tree lined buffer on the residential side and a fencing buffer from the commercial side. ➤ Per Chapter 14, Section 14.02.551b, of the 2009 Leon Valley Code of Ordinances, the applicant submitted a Traffic Impact Analysis Worksheet indicating that the proposed use would generate less than 100 peak hour trips.
200-Foot Property Owner Notification:	<u>6</u> Letters Mailed <u>0</u> In Favor <u>0</u> Opposed <u>0</u> Returned, unable to deliver <u>0</u> Total responses received as of April 8, 2013

Attachments:

- 1) Application
- 2) Design Statement
- 3) Location Map
- 4) Zoning Map
- 5) Site Plan
- 6) B-3 regulation

Supporting Documents

- Application
- Design Statement
- Location Map
- Zoning Map
- Site Plan
- B-3 regulations

SUP2013-211
3/08/2013

LEON VALLEY

T E X A S

SPECIFIC USE PERMIT APPLICATION FORM

(please print or type in black)

Personal Information

Name of Applicant: Jonathan King
Address: 8522 Rita Elena San Antonio TX 78250
Phone No: Home (814)422-6020 Work (251)466-2939 Fax (251)446-2984
Status (check one): Owner Agent (if agent, attach notarized Letter of Authorization)

Property Description

Address: 6737 Pass Rd San Antonio TX 78238
Legal Description: _____
Current Zoning: B-3
Proposed Use & Description: Dog Training and Boarding
Existing Property Use or State None: None
Acreage and/or Square Footage: 3000 SF
Does owner own adjacent property? Yes No

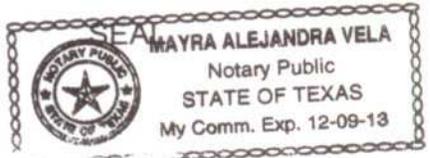
Structure (check one): Addition to existing building - 3000sf **OR** New construction

I hereby certify that I have read and examined this application and the attached instruction sheet and know the information I have provided to be true and correct. All provisions of laws and ordinances governing this application will be complied with whether specified herein or not. I agree to be bound by, and to comply with any terms or conditions imposed by such permit. I further acknowledge that the granting of a Specific Use Permit does not presume to give authority to violate or cancel the provisions of any other state or local law regulating the use of the property.

[Signature] 3-8-13
Signature of Applicant Date

BEFORE ME, A Notary Public in and for TEXAS, on this date personally appeared Jonathan King (Applicant) who duly states that all facts on this application are true to the best of his/her knowledge.

SWORN TO and SUBSCRIBED before me this 8 day of MARCH, 2013.



[Signature]
Notary Public, Bexar County, Texas
My Commission expires: 12-09-13

Development Design Statement

The San Antonio Dog Training Company will be a dog training and boarding facility that will provide dog training and boarding services to dog owners in the greater San Antonio area. Training and boarding dogs will be housed in the kennel throughout the day and overnight. Private lessons will be conducted with dogs and their owners throughout business hours. The anticipated business hours are Monday through Friday from 7:30 AM to 6 PM, Saturday from 9 AM to 1 PM and Sunday from 3 PM to 5 PM. Business hours are defined as hours when customers will be present in the facility. Kennel hours are Monday through Sunday 7 AM to 9 PM. Kennel hours are defined as hours when dogs may be present outside the facility in the outdoor runs. Customer parking will be available in the already established parking areas in the Poss Center.

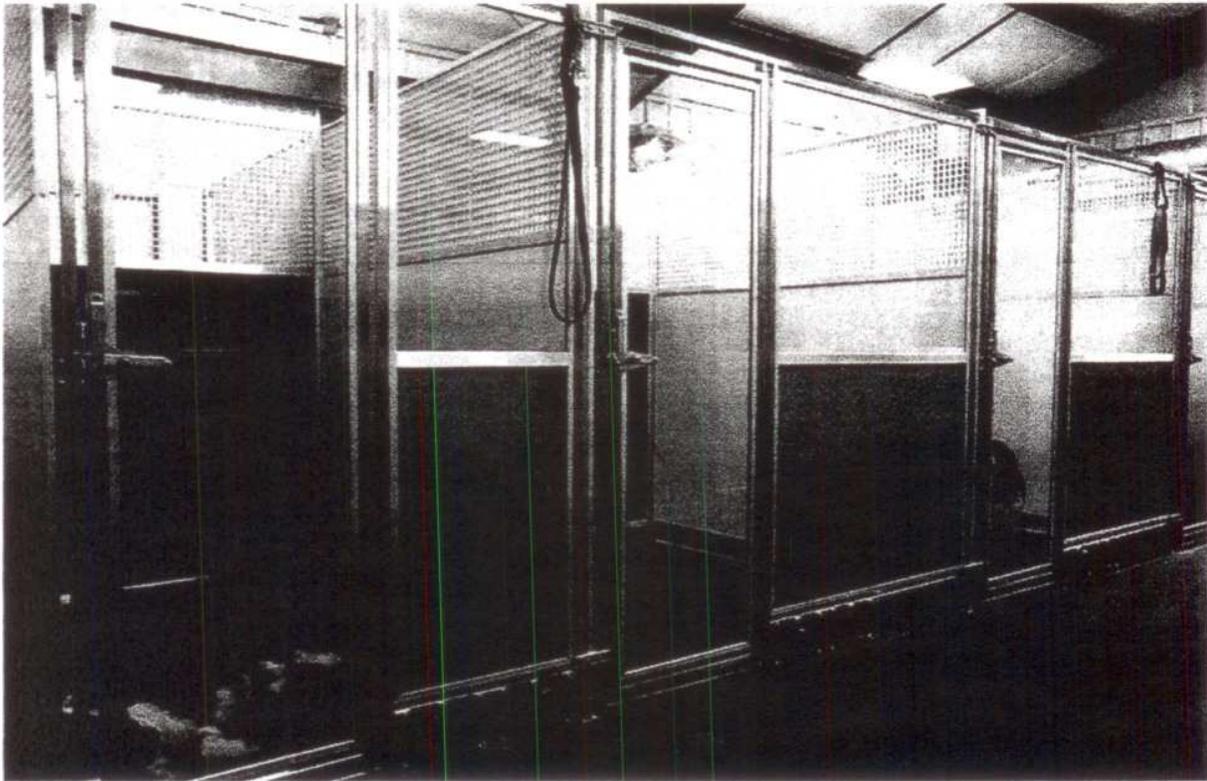
The kennel will contain a total of 20 dog runs inside and 4 dog runs outside. There will be 3 inside runs which will be classified as suites and will measure 5 feet wide by 8 feet long by 6 feet high. The other 17 inside runs will be classified as regular runs and will be 4 feet wide by 6 feet long by 6 feet high. It is anticipated that the maximum capacity will be up to 30 dogs during the busiest times of the year with an average of 10 dogs per day during other times. Each run will provide four solid walls with an opening on at least one side for each dog. The outside runs will provide an exercise area of sufficient size to allow running and sufficient fencing with locked gates for safety. The animals will be provided with daily food of sufficient quantity and quality to meet normal nutrient requirements, as well as fresh water that will be always available and kept in a removable, non-tipping vessel. The kennel will have central air and heating to provide the dogs with the optimal comfort level at all times. All dogs will be required to have up

to date Rabies, Distemper, DHPP and Bordetella vaccinations in order to provide a safe and healthy environment.

During kennel hours, all of the training and boarding dogs will be let out for play time and bathroom breaks anywhere from three to five times daily depending on the day of the week. Dog waste will be picked up after each bathroom break, disposed of in a waste disposal bag, then placed into plastic bags and finally into a waste dumpster in order to minimize any odors. Also, there will be synthetic grass present outside for use during bathroom breaks that will be disinfected and deodorized after each use which will neutralize odors. All dogs will be supervised while in the outdoor runs in order to minimize noise.

The kennel is anticipated to have a minimal impact on traffic in the surrounding area with only an estimate 5-7 trips during peak hours and a total of around 10 trips during one business day. The kennel will not perform any of the following functions: breeding dogs or cats that will be sold to the public, selling of dogs or cats wholesale, participate in the housing of rescue animals, participate in the housing of animals to be adopted, or participate in the housing of surrendered animals. The ratio of dogs/cats to full time employees will be approximately 15:1.

Below is an example of the anticipated look of the indoor runs with details on their construction:



FRP (fiberglass reinforced plastic) isolation panels resist scratching, staining, odor, and moisture

USDA Certified antimicrobial surface is easy to clean and sanitize

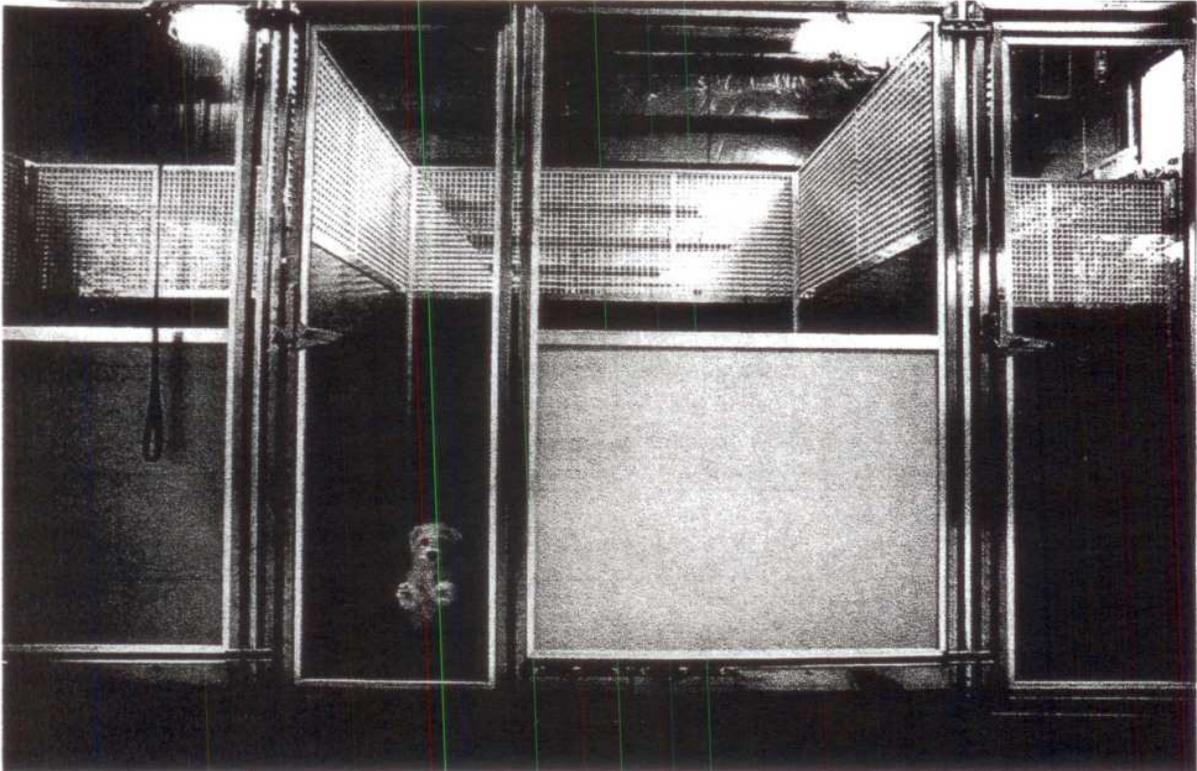
Aluminum framework is strong and rust-proof

Patented Sani-Slope floor sealing system adjusts to various floor slopes while maintaining a water tight seal between runs

Patent Pending Silvis Seal is available to provide long term, trouble free, barrier against cross contamination.

Available in 11 decorative colors and choice of stainless steel, galvanized steel, or polyethylene grid top section for proper airflow

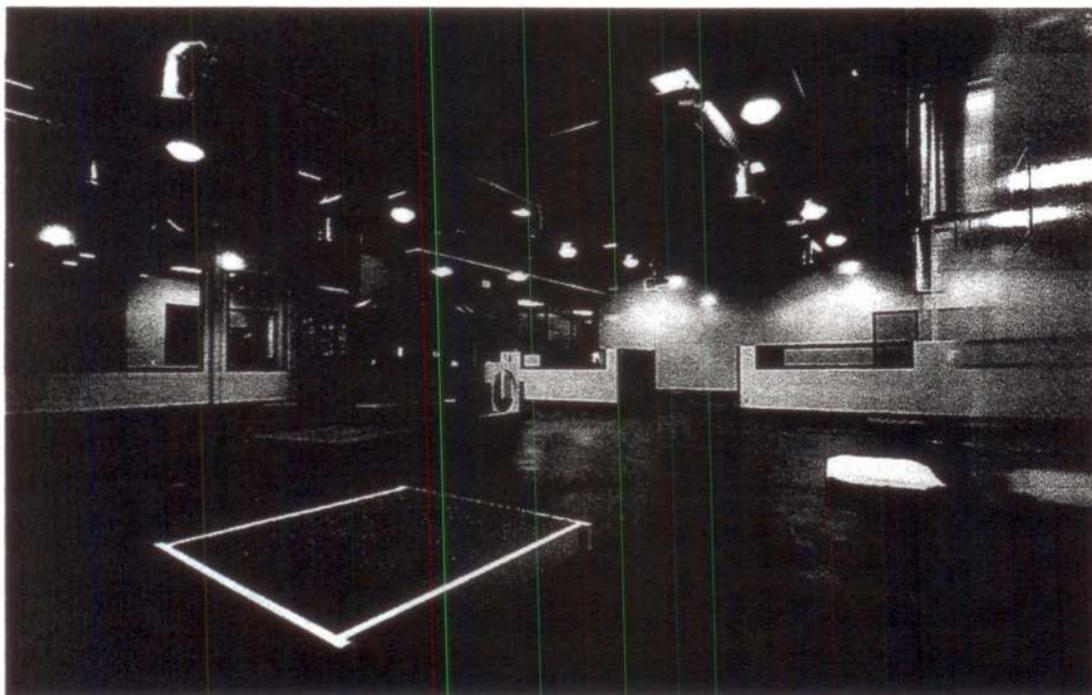
The indoor runs will have tempered glass gates as follows:



Outer framework and latch consists of same as Stainless Steel Gate.

Glass panels shall be 1/4" tempered glass held in place by a semi-rigid PVC extrusion inset into the aluminum framework of 6063-T52 aluminum U-channel 3/4" x 3/4" x 1/8" thick. Panels shall be secured to the frame by means of stainless steel fasteners.

The inside of the kennel will contain rubber flooring as follows:

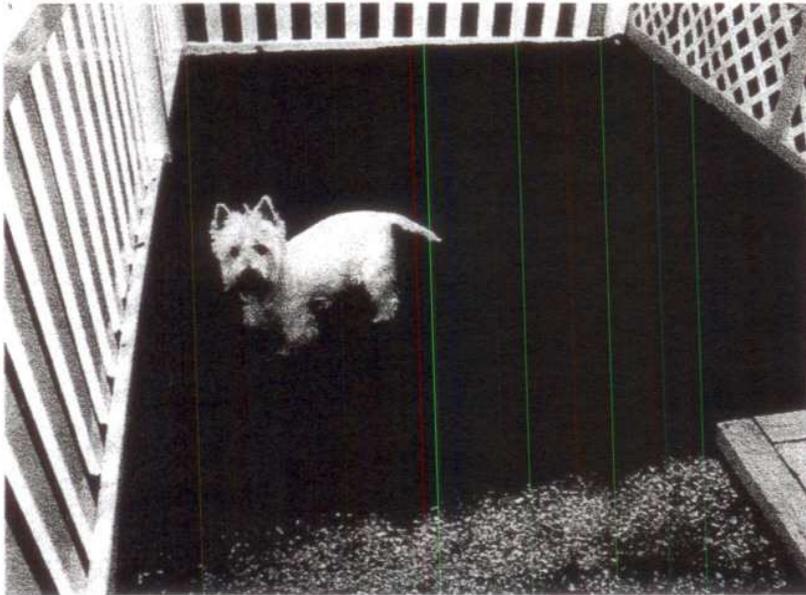


Anti-fatigue qualities reduce the amount of stress on the dog's joints, back and muscles as well as protecting the joints of the people playing or working with them.

Noise The sound absorbency of rubber flooring reduces the problem of noise. Rubber absorbs the sounds rather than reflecting it. In highly populated areas where people are sleeping or working during the day, reducing the sounds of Dogs barking is necessary. The sound is reduced greatly.

Maintenance Rubber mats are stain resistant and repel dirt well. It is easily maintained with a little routine care. The rubber mats can be cleaned with mild soap and water.

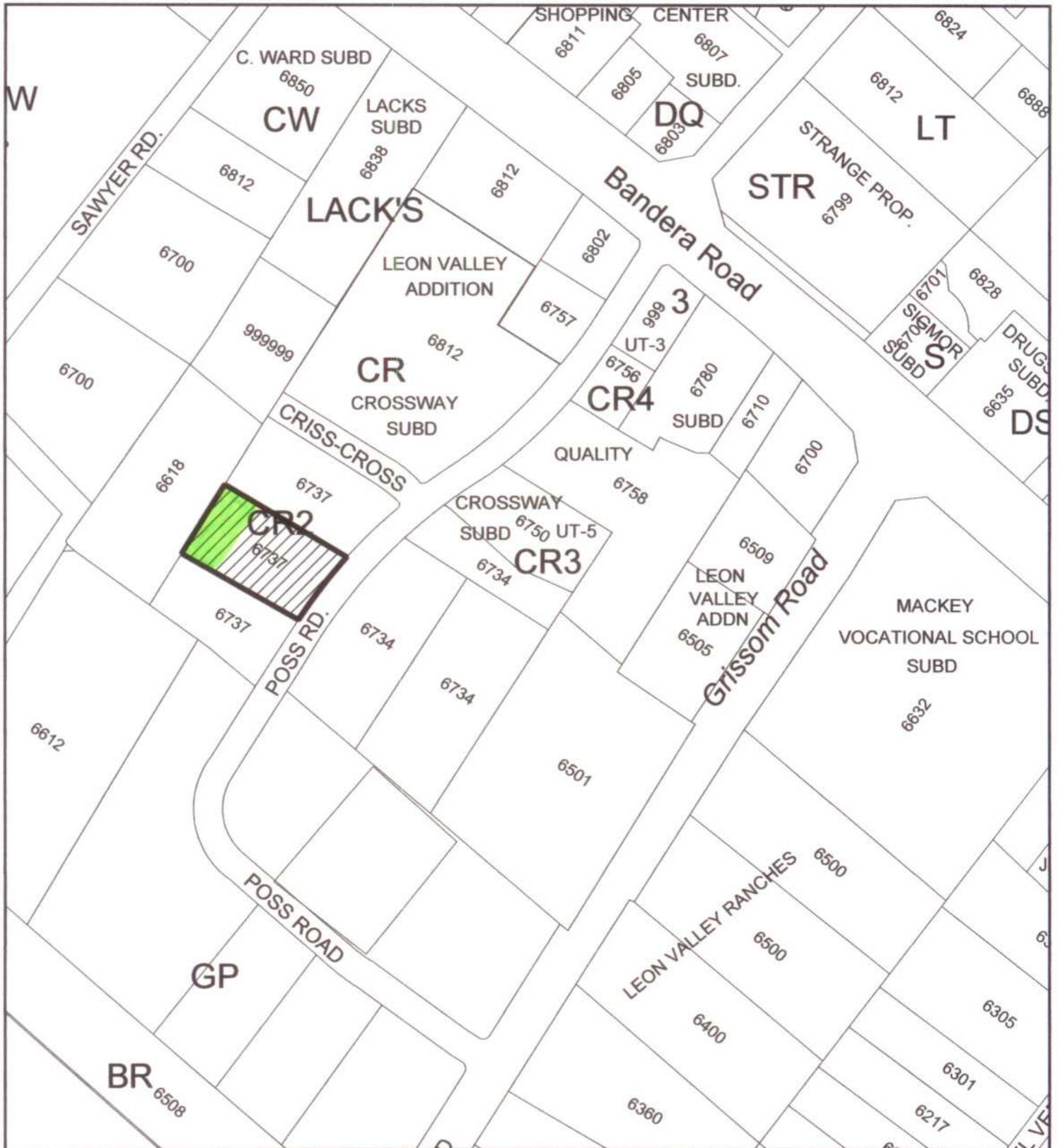
The outdoor runs and exercise area will have synthetic grass as follows:



Artificial turf can accommodate sustained use, even under environmental stresses, amounting to 8-12 times the annual use of a natural grass surface

Even, consistent surface lends to fewer injuries over natural grass. All-rubber infill material softens impact, provides positive traction and a better, more consistent Gmax rating. About 40% fewer injuries observed in independent study.

CITY OF LEON VALLEY

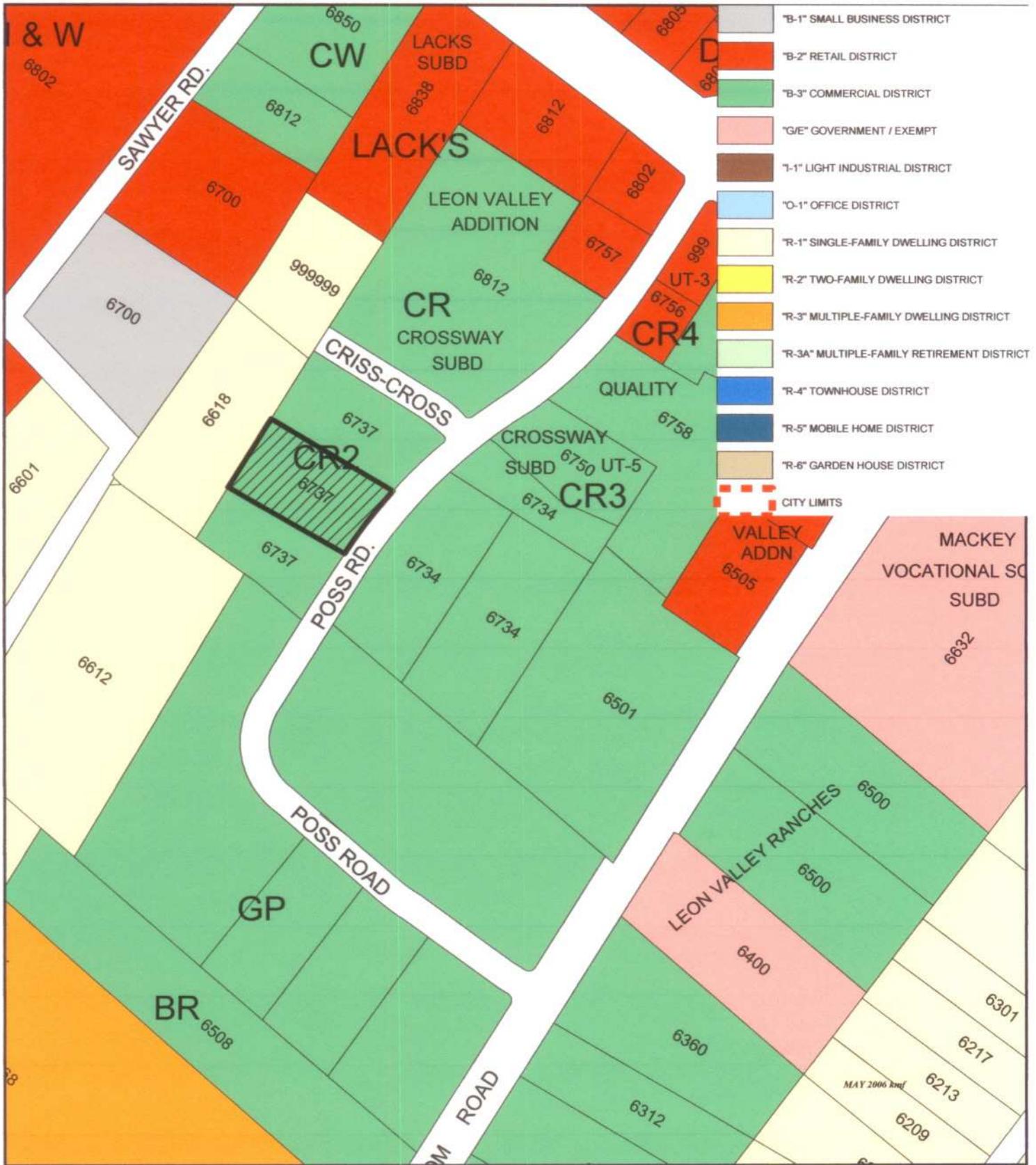


(MAP NOT TO SCALE)

Specific Use Permit Case #2013-271
Operation of a "Kennel" in a B-3 (Commercial)
Zoning District within the Sustainability Overlay District
at 6737 Poss Road



CITY OF LEON VALLEY

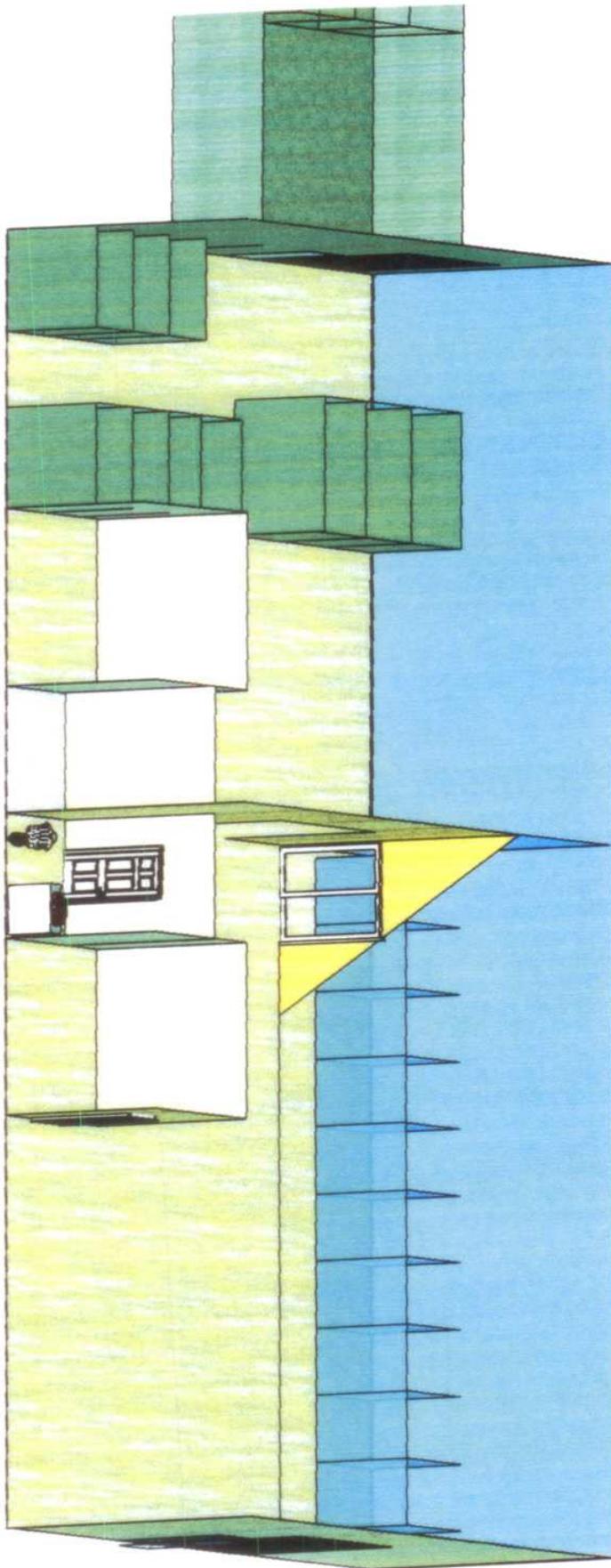


Specific Use Permit #2011-271
 A Request by Jonathan King, Applicant,
 to Operate a "Kennel,"
 at 6737 Poss Road

att.5



Utilizing only
3,000 sq ft
of Bldg. 2



Sec. 14.02.322 “B-3” commercial district

(a) Purpose and description.

(1) The B-3 district is composed of land and structures used to furnish commercial needs, wholesale services, and some light assembling of goods, in addition to most of the uses found in the B-2 district. The B-3 district regulations are designed to protect the character of the residential areas by regulating unenclosed activities or uses, which could intrude upon the lifestyle of the community through inappropriate lighting, noise, vibration, smoke, dust, or pollutants. The district regulations implement the policies of the master plan by 1) permitting the development of districts for the purpose of providing commercial and wholesale uses; 2) protecting surrounding and abutting areas by requiring certain minimum yard and area standards are met; and 3) encouraging economic viability and stability in the city.

(2) A B-3 use is a business where the primary use specifically meets one (1) or more of the following, and no ancillary use conflicts herewith:

(A) A retail facility the purpose of which is the sale or lease of personal, novelty, food, household, or business items, including wholesale;

(B) A repair facility the purpose of which is the repair or maintenance of personal, novelty, or household items, including appliances and vehicles; and/or

(C) A service facility the purpose of which is providing a service to surrounding districts,

(D) Although it may occur in certain instances, it is not intended that the B-3 district abut R1, R-2, R-4 or R-6 districts.

(b) Outside storage regulations.

(1) Outside display of retail merchandise is allowed in a B-3 district.

(2) Outside storage of retail merchandise is allowed in a B-3 district only if such merchandise is screened in accordance with [article 3.05](#) of the Leon Valley City Code.

(3) Outside storage of nonretail equipment, vehicles, including the vehicles of any customers which remain on the property beyond the normal hours of operation, or other business related items, or any

hazardous or toxic chemicals or substances shall be allowed in the B-3 district, only with a specific use permit.

(4) A limited amount of outside repair or service is allowed in the B-3 district, but only with a specific use permit, except that food services shall not require a specific use permit, however, they must meet the requirements of [article 3.05](#) of the Leon Valley City Code regarding screening requirements.

(c) Lot requirements.

(1) Lot area. There shall be a minimum lot area of 9,100 square feet.

(2) Lot frontage. There shall be a minimum frontage of 70 feet along a public right-of-way.

(3) Minimum depth. There shall be a minimum of 130 feet.

(4) Masonry required. None.

(5) Height. None.

(d) Setback requirements.

(1) Front yard. There shall be a front yard having a minimum of 25 feet from the front property line to the structure.

(2) Rear yard. None, except in those instances where the retail lot adjoins residential zoning to the rear, a rear yard of twenty-five (25) feet or twenty percent (20%) of the average depth of the lot (whichever is less) shall be provided. In both cases, if the two (2) districts are separated by an alley, said alley is not to be used for purposes of calculating the required setback and the building setbacks are required as if the lots adjoined the residential zoning district.

(3) Side yard. None, except in those instances where the property adjoins a residential property to the side, then a side yard of twenty (20) feet shall be provided.

(4) Corner lot. Where lots abut on two (2) intersecting or intercepting streets, where the interior angle of intersection or interception does not exceed 135 degrees, a side yard shall be provided on the street side of twenty (20) feet.

(5) Landscaping. The use of drought tolerant turf grasses, such as zoysia or buffalo tif or combination, or other drought tolerant plantings

and hardscape is strongly recommended. Landscaping shall consist of twenty percent (20%) of the street yard. Refer to landscaping section [division 9 of this article] for other regulations regarding site landscaping requirements.

(6) Lighting. All outdoor lighting shall be hooded and all light emissions shielded, and shall be oriented such that light is directed towards the property and does not trespass onto surrounding properties. Lighting facilities shall be arranged so as to reflect the illumination away from any residentially zoned property. All lighting facilities shall be placed, masked or otherwise arranged such that illumination or glare shall not create a hazard to motorists on any street, alley or other public way.

(7) Parking. Refer to parking table for site parking requirements.

(8) Public facilities. Each lot shall be connected to the city's public water and sewer system, and shall have appropriate sidewalks and fire protection. See [article 10.02](#) (subdivision ordinance).

(9) Nonconforming structures. The provisions of floor space and masonry above shall not be applicable to nonconforming structures in existence on the date of the adoption thereof or to structures built hereafter on the same lot to replace such nonconforming structures as may be destroyed by fire, windstorm or other involuntary cause.

Figure 12 (B-3 Commercial)



**Specific Use
Permit Case
#2013-271
(proposed use - kennel)**

**PowerPoint
Presentation**



City of Leon Valley City Council

Public Hearing
April 16, 2013



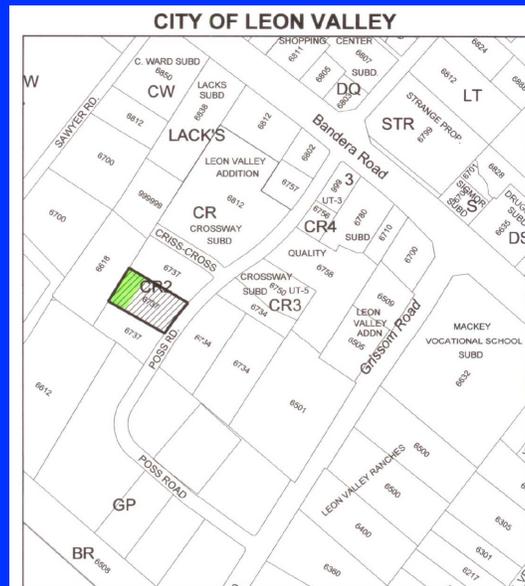
Specific Use Permit (SUP)#2013-271

Request by Jonathan King,
applicant



Request

- Request for operation of a “Kennel,” on a B-3 (Commercial) zoned property in the Sustainability Overlay



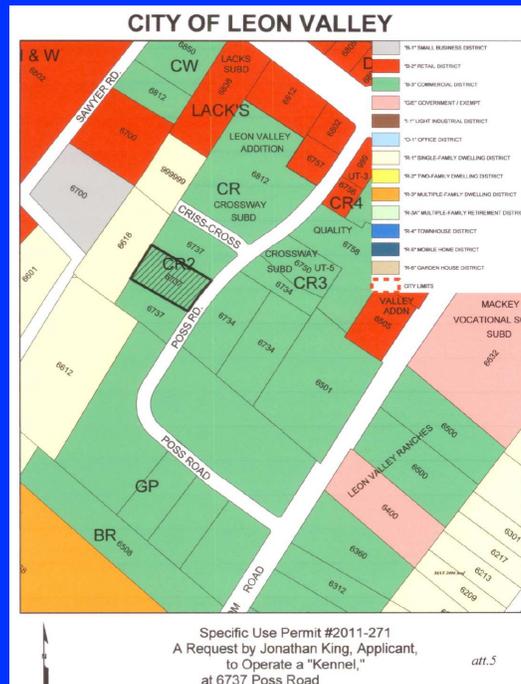
(MAP NOT TO SCALE) Specific Use Permit Case #2013-271
Operation of a "Kennel" in a B-3 (Commercial)
Zoning District within the Sustainability Overlay District
at 6737 Poss Road





History

- 1985-SUP approved for “office/warehouse”
- 1994- a continuous SUP was requested for “auto repair” and was withdrawn
- 2000-SUP was approved for a “church”
- 2011-SUP approved for “banquet room”





Staff Comments

- The site plan meets the minimum requirements for this use
- Operation of a “kennel” appears to be consistent and compatible with the area.



Staff Comments

- The B-3 district also allows outside display and storage of merchandise and limited outside services (such as dog runs).



Staff Comments

- Although B-3 is not intended to abut R-1 (Single-Family) in some instances it does and this is one such occasion. There is a single-family home which fronts and accesses from Sawyer Road.



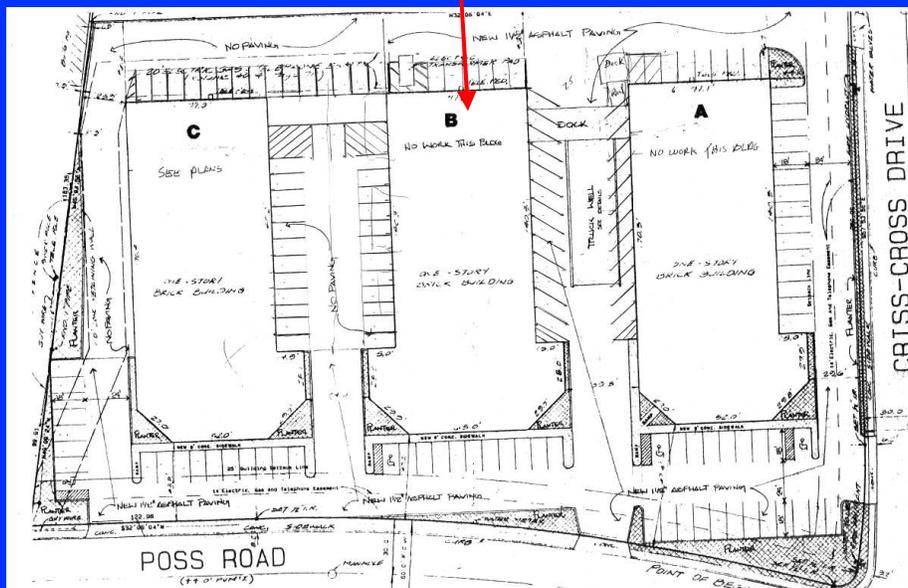
Staff Comments

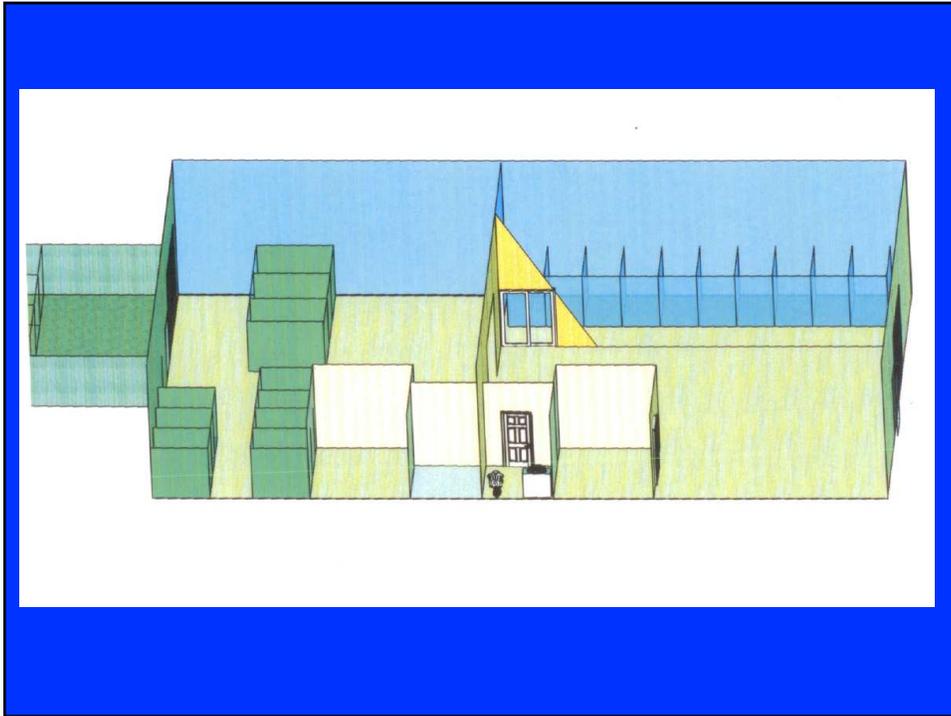
- Where commercial does abut residential adequate and effective buffers are required.



Staff Comments

- Traffic Impact Analysis Worksheet indicated the proposed activity would generate less than 100 peak hour trips.





Notification within 200-ft

- 6 Letters Sent
- 0 Letter in FAVOR
- 0 Letters OPPOSED
- 0 Letter RETURNED UNDELIVERABLE



Conclusion

Questions

-Staff

-Jonathan King, applicant

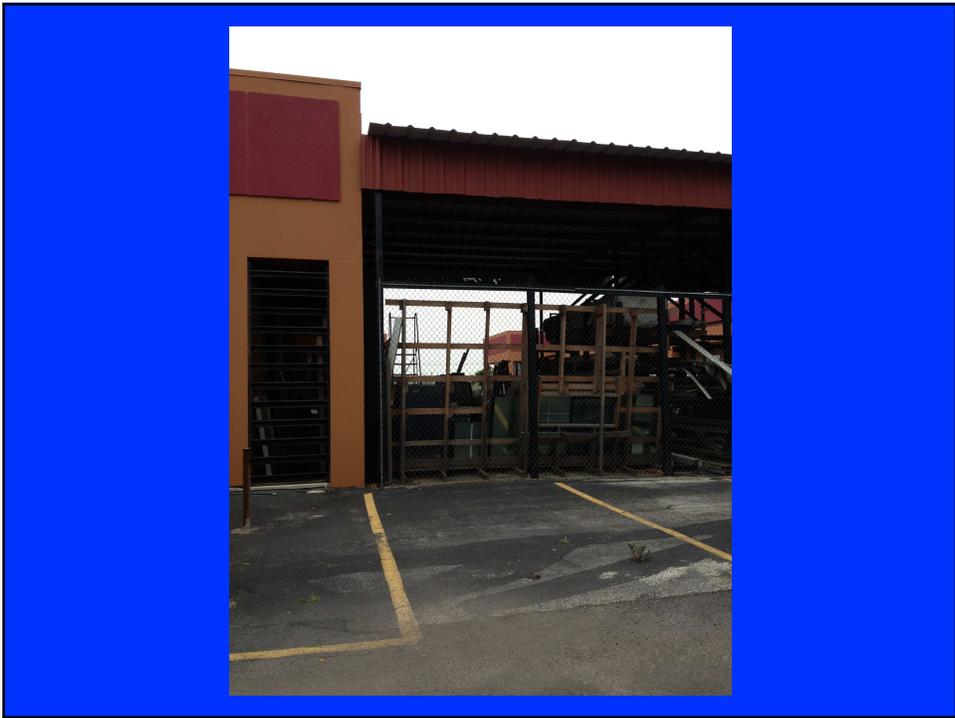
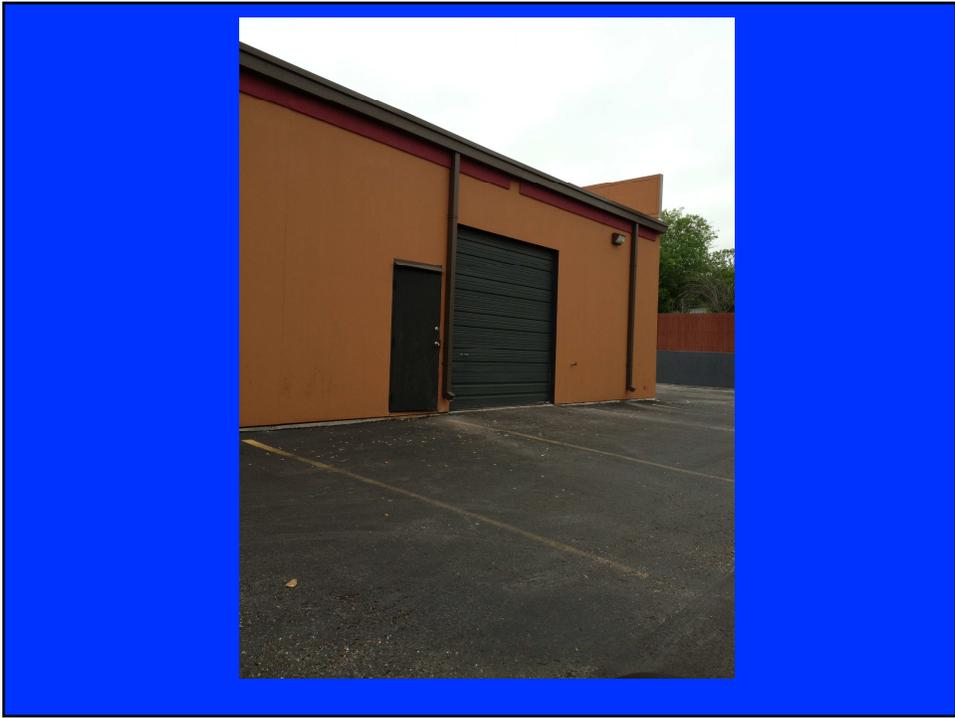


City of Leon Valley City Council

Public Hearing

April 16, 2013









CITY OF LEON VALLEY
FINANCIAL STATEMENT
MARCH 2013



General Fund

	FY 2012-2013 BUDGET		FY 2012-2013 Y-T-D ACTUAL		FY 2011-2012 Y-T-D	
REVENUE						
Ad Valorem	\$ 3,086,388	50.0%	\$2,749,029	89.1%	\$ 2,712,391	88.7%
Sales Taxes	1,793,342	50.0%	604,660	33.7%	562,243	31.3%
Franchise Taxes	725,827	50.0%	351,466	48.4%	361,859	51.2%
Licenses, Permits, Fees, Fines	1,026,965	50.0%	551,871	53.7%	558,705	46.9%
Miscellaneous	120,243	50.0%	309,535	257.4%	59,434	38.1%
TOTAL REVENUE	\$ 6,752,765	50.0%	\$4,566,561	67.6%	\$ 4,254,633	61.6%
EXPENDITURES						
Business Office	\$ 166,311	50.0%	\$ 81,448	49.0%	\$ 73,159	38.5%
Finance	214,447	50.0%	101,504	47.3%	109,962	48.4%
Council & Manager	306,627	50.0%	134,290	43.8%	175,504	47.9%
Police	2,142,438	50.0%	1,013,086	47.0%	1,081,051	50.0%
Fire	2,210,409	50.0%	1,144,564	52.0%	1,037,726	48.0%
Public Works	1,111,763	50.0%	484,754	43.6%	535,852	47.8%
Community Development	310,470	50.0%	143,541	46.2%	207,819	54.7%
Economic Development	124,757	50.0%	57,209	45.9%	29,985	23.2%
Special Events	17,599	50.0%	7,858	44.7%	2,582	18.8%
Parks & Recreation	111,940	50.0%	33,563	30.0%	47,237	40.5%
Library	818,221	50.0%	129,370	15.8%	133,435	31.2%
Other Sources/Uses	10,000	50.0%	-	-	-	-
TOTAL EXPENDITURES	\$ 7,544,982	50.0%	\$3,331,189	44.2%	\$ 3,434,313	47.3%



Water and Sewer Fund

	FY 2012-2013 BUDGET		FY 2012-2013 Y-T-D ACTUAL		FY 2011-2012 Y-T-D	
<u>REVENUE</u>						
Water Sales	\$ 1,590,642	50.0%	\$ 604,949	38.0%	\$ 562,957	38.1%
Sewer Sales	1,612,000	50.0%	763,183	47.3%	700,852	45.5%
Connection & Platting	2,500	50.0%	300	12.0%	450	18.0%
Customer Fees	43,300	50.0%	25,741	59.5%	23,348	53.9%
Tapping Fees	16,000	50.0%	5,857	36.6%	2,805	13.4%
Miscellaneous	48,800	50.0%	7,403	15.2%	1,533	9.6%
TOTAL REVENUE	\$ 3,313,242	50.0%	\$1,407,434	42.5%	\$ 1,291,946	41.7%
<u>EXPENDITURES</u>						
Business Office	630,599	50.0%	265,420	42.1%	248,007	41.8%
Water System	1,157,019	50.0%	562,089	48.6%	451,789	44.0%
Sewer System	1,395,192	50.0%	522,542	37.5%	473,494	33.2%
Storm Water	367,771	50.0%	97,117	26.4%	153,461	44.7%
TOTAL EXPENDITURES	\$ 3,550,581	50.0%	\$1,447,169	40.8%	\$ 1,326,750	39.2%



Community Center Fund

	FY 2012-2013 BUDGET		FY 2012-2013 Y-T-D ACTUAL		FY 2011-2012 Y-T-D	
REVENUE						
Hotel/Motel Taxes	75,746	50.0%	25,573	33.8%	14,358	21.5%
RENTAL FEES:						
Community Center	47,620	50.0%	23,602	49.6%	17,200	35.8%
Conference Center	26,433	50.0%	15,917	60.2%	13,137	50.5%
Miscellaneous:						
CDBG Grant	-		-		-	
CPS Energy Rebate	-		-		-	
TOTAL REVENUE	\$149,799	50.0%	\$ 65,092	43.5%	\$ 44,695	31.8%
TOTAL EXPENDITURES	\$134,714	50.0%	\$ 60,156	44.7%	\$ 55,977	41.5%



Street Maintenance Sales Tax

	Actual FY 2011	Actual FY 2012	Budget FY 2013	Actual FY 2013
Revenues	429,403	443,738	439,560	149,762
Transfers In	-	-	-	-
TOTAL REVENUES	429,403	443,738	439,560	149,762
Expenditures	500,431	546,311	830,254	2,856
TOTAL EXPENDITURES	500,431	546,311	830,254	2,856
FUND BALANCE	504,272	401,699	11,005	548,605

FINANCIAL STATEMENT - UNAUDITED

AS OF: MARCH 31ST, 2013

100-General Fund
FINANCIAL SUMMARY

	CURRENT BUDGET	CURRENT PERIOD	PRIOR YEAR PO ADJUST.	Y-T-D ACTUAL	Y-T-D ENCUMBRANCE	BUDGET BALANCE	% OF BUDGET
REVENUE SUMMARY							

AD VALOREM TAXES	3,086,388.00	40,620.52	0.00	2,749,029.20	0.00	337,358.80	89.07
SALES TAXES	1,793,342.00	134,282.41	0.00	604,659.68	0.00	1,188,682.32	33.72
FRANCHISE FEES	725,827.00	4,727.34	0.00	351,465.83	0.00	374,361.17	48.42
LICENSE, PERMITS, FEES, FINE	1,026,965.00	132,614.17	0.00	551,870.68	0.00	475,094.32	53.74
MISCELLANEOUS	120,243.00	141,394.37	0.00	309,535.41	0.00	189,292.41	257.42
TOTAL REVENUE	6,752,765.00	453,638.81	0.00	4,566,560.80	0.00	2,186,204.20	67.63
	=====	=====	=====	=====	=====	=====	=====
EXPENDITURE SUMMARY							

Business Office							

PERSONNEL SERVICES	74,991.00	5,543.23	0.00	35,793.43	0.00	39,197.57	47.73
SUPPLIES	6,230.00	72.64	0.00	5,849.75	0.00	380.25	93.90
CONTRACTUAL SERVICES	85,090.00	12,592.12	0.00	39,804.85	0.00	45,285.15	46.78
TOTAL Business Office	166,311.00	18,207.99	0.00	81,448.03	0.00	84,862.97	48.97
Finance							

PERSONNEL SERVICES	132,072.00	10,112.16	0.00	67,132.81	0.00	64,939.19	50.83
SUPPLIES	6,800.00	2,241.19	0.00	3,106.63	0.00	3,693.37	45.69
CONTRACTUAL SERVICES	75,575.00	2,317.34	0.00	31,264.45	0.00	44,310.55	41.37
TOTAL Finance	214,447.00	14,670.69	0.00	101,503.89	0.00	112,943.11	47.33
City Manager & Council							

PERSONNEL SERVICES	178,673.00	13,606.78	0.00	88,326.75	0.00	90,346.25	49.43
SUPPLIES	14,600.00	379.69	0.00	5,050.13	0.00	9,549.87	34.59
CONTRACTUAL SERVICES	113,354.00	7,795.95	0.00	40,912.65	0.00	72,441.35	36.09
TOTAL City Manager & Council	306,627.00	21,782.42	0.00	134,289.53	0.00	172,337.47	43.80
Police Administration							

PERSONNEL SERVICES	211,899.00	16,011.88	0.00	103,642.01	117.95	108,139.04	48.97
SUPPLIES	1,900.00	67.64	0.00	3,019.70	66.89	1,186.59	162.45
CONTRACTUAL SERVICES	31,597.00	3,035.01	0.00	15,113.87	0.00	16,483.13	47.83
TOTAL Police Administration	245,396.00	19,114.53	0.00	121,775.58	184.84	123,435.58	49.70

FINANCIAL STATEMENT - UNAUDITED

AS OF: MARCH 31ST, 2013

100-General Fund

FINANCIAL SUMMARY

	CURRENT BUDGET	CURRENT PERIOD	PRIOR YEAR PO ADJUST.	Y-T-D ACTUAL	Y-T-D ENCUMBRANCE	BUDGET BALANCE	% OF BUDGET
Police Crime Prevention							

TOTAL Police Crime Prevention	0.00	0.00	0.00	0.00	0.00	0.00	0.00
Police Patrol							

PERSONNEL SERVICES	1,154,878.00	75,702.44	0.00	532,924.73	0.00	621,953.27	46.15
SUPPLIES	82,900.00	5,394.24	0.00	27,000.48	234.43	55,665.09	32.85
CONTRACTUAL SERVICES	9,700.00	58.79	0.00	7,581.66	0.00	2,118.34	78.16
TOTAL Police Patrol	1,247,478.00	81,155.47	0.00	567,506.87	234.43	679,736.70	45.51
Police Communications							

PERSONNEL SERVICES	271,968.00	17,040.13	0.00	135,486.28	0.00	136,481.72	49.82
SUPPLIES	1,025.00	284.80	0.00	524.47	0.00	500.53	51.17
CONTRACTUAL SERVICES	4,400.00	22.50	0.00	314.75	0.00	4,085.25	7.15
TOTAL Police Communications	277,393.00	17,347.43	0.00	136,325.50	0.00	141,067.50	49.15
Police Investigations							

PERSONNEL SERVICES	289,736.00	21,640.09	0.00	145,846.69	87.95	143,801.36	50.37
SUPPLIES	2,100.00	22.99	0.00	137.68	60.17	1,902.15	9.42
CONTRACTUAL SERVICES	4,950.00	464.25	0.00	1,607.38	0.00	3,342.62	32.47
TOTAL Police Investigations	296,786.00	22,127.33	0.00	147,591.75	148.12	149,046.13	49.78
Police Narcotics TF							

PERSONNEL SERVICES	75,249.00	4,703.16	0.00	39,274.90	0.00	35,974.10	52.19
CONTRACTUAL SERVICES	136.00	3.75	0.00	44.50	0.00	91.50	32.72
TOTAL Police Narcotics TF	75,385.00	4,706.91	0.00	39,319.40	0.00	36,065.60	52.16
Police Reserves							

TOTAL Police Reserves	0.00	0.00	0.00	0.00	0.00	0.00	0.00
Fire Administration							

PERSONNEL SERVICES	219,810.00	12,258.12	0.00	124,445.69	0.00	95,364.31	56.62
SUPPLIES	4,914.00	73.02	0.00	2,031.75	113.24	2,769.01	43.65
CONTRACTUAL SERVICES	37,817.00	3,747.70	0.00	17,079.16	0.00	20,737.84	45.16
CAPITAL OUTLAY	39,000.00	0.00	0.00	0.00	50,599.54	(11,599.54)	129.74
TOTAL Fire Administration	301,541.00	16,078.84	0.00	143,556.60	50,712.78	107,271.62	64.43

FINANCIAL STATEMENT - UNAUDITED

AS OF: MARCH 31ST, 2013

100-General Fund
FINANCIAL SUMMARY

	CURRENT BUDGET	CURRENT PERIOD	PRIOR YEAR PO ADJUST.	Y-T-D ACTUAL	Y-T-D ENCUMBRANCE	BUDGET BALANCE	% OF BUDGET
Fire Reserves							

TOTAL Fire Reserves	0.00	0.00	0.00	0.00	0.00	0.00	0.00
Fire Operations							

PERSONNEL SERVICES	1,633,702.00	118,286.17	0.00	822,391.48	0.00	811,310.52	50.34
SUPPLIES	31,237.00	626.54	0.00	11,167.84	65.00	20,004.16	35.96
CONTRACTUAL SERVICES	67,891.00	12,037.43	0.00	33,272.80	2,914.50	31,703.70	53.30
CAPITAL OUTLAY	67,508.00	0.00	0.00	2,498.85	18,112.00	46,897.15	30.53
TOTAL Fire Operations	1,800,338.00	130,950.14	0.00	869,330.97	21,091.50	909,915.53	49.46
Fire Prevention							

TOTAL Fire Prevention	0.00	0.00	0.00	0.00	0.00	0.00	0.00
Fire EMS							

SUPPLIES	39,610.00	1,093.43	0.00	19,361.16	4,020.45	16,228.39	59.03
CONTRACTUAL SERVICES	68,920.00	3,565.98	0.00	36,490.86	0.00	32,429.14	52.95
TOTAL Fire EMS	108,530.00	4,659.41	0.00	55,852.02	4,020.45	48,657.53	55.17
Public Works M&O							

PERSONNEL SERVICES	699,963.00	47,578.73	0.00	335,830.27	0.00	364,132.73	47.98
SUPPLIES	152,300.00	10,962.58	0.00	50,272.76	0.00	102,027.24	33.01
CONTRACTUAL SERVICES	210,000.00	20,867.68	0.00	75,052.82	0.00	134,947.18	35.74
CAPITAL OUTLAY	49,500.00	19,208.69	0.00	23,598.54	0.00	25,901.46	47.67
TOTAL Public Works M&O	1,111,763.00	98,617.68	0.00	484,754.39	0.00	627,008.61	43.60
Public Works Construction							

TOTAL Public Works Construction	0.00	0.00	0.00	0.00	0.00	0.00	0.00
Community Development							

PERSONNEL SERVICES	182,218.00	13,287.15	0.00	79,364.51	0.00	102,853.49	43.55
SUPPLIES	8,000.00	493.43	0.00	4,047.20	671.23	3,281.57	58.98
CONTRACTUAL SERVICES	120,252.00	11,979.75	0.00	59,413.51	45.00	60,793.49	49.44
TOTAL Community Development	310,470.00	25,760.33	0.00	142,825.22	716.23	166,928.55	46.23

FINANCIAL STATEMENT - UNAUDITED

AS OF: MARCH 31ST, 2013

100-General Fund
FINANCIAL SUMMARY

	CURRENT BUDGET	CURRENT PERIOD	PRIOR YEAR PO ADJUST.	Y-T-D ACTUAL	Y-T-D ENCUMBRANCE	BUDGET BALANCE	% OF BUDGET
Economic Development							
PERSONNEL SERVICES	114,814.00	8,736.85	0.00	54,743.18	0.00	60,070.82	47.68
SUPPLIES	1,339.00	98.13	0.00	873.45	0.00	465.55	65.23
CONTRACTUAL SERVICES	<u>8,604.00</u>	<u>113.56</u>	<u>0.00</u>	<u>1,592.57</u>	<u>0.00</u>	<u>7,011.43</u>	<u>18.51</u>
TOTAL Economic Development	124,757.00	8,948.54	0.00	57,209.20	0.00	67,547.80	45.86
Special Events							
SUPPLIES	<u>17,599.00</u>	<u>1,067.37</u>	<u>0.00</u>	<u>7,858.24</u>	<u>0.00</u>	<u>9,740.76</u>	<u>44.65</u>
TOTAL Special Events	17,599.00	1,067.37	0.00	7,858.24	0.00	9,740.76	44.65
Parks & Recreation							
PERSONNEL SERVICES	81,940.00	2,764.25	0.00	25,281.24	0.00	56,658.76	30.85
SUPPLIES	15,000.00	89.21	0.00	2,575.94	0.00	12,424.06	17.17
CONTRACTUAL SERVICES	<u>15,000.00</u>	<u>829.31</u>	<u>0.00</u>	<u>5,706.25</u>	<u>0.00</u>	<u>9,293.75</u>	<u>38.04</u>
TOTAL Parks & Recreation	111,940.00	3,682.77	0.00	33,563.43	0.00	78,376.57	29.98
Library							
PERSONNEL SERVICES	202,437.00	14,878.29	0.00	101,828.52	0.00	100,608.48	50.30
SUPPLIES	20,344.00	517.15	0.00	1,334.07	0.00	19,009.93	6.56
CONTRACTUAL SERVICES	30,530.00	2,335.49	0.00	10,258.66	156.80	20,114.54	34.12
CAPITAL OUTLAY	<u>564,910.00</u>	<u>1,708.57</u>	<u>0.00</u>	<u>15,791.57</u>	<u>0.00</u>	<u>549,118.43</u>	<u>2.80</u>
TOTAL Library	818,221.00	19,439.50	0.00	129,212.82	156.80	688,851.38	15.81
*** TOTAL EXPENDITURES ***							
	7,534,982.00	508,317.35	0.00	3,253,923.44	77,265.15	4,203,793.41	44.21
** REVENUE OVER (UNDER) EXPENDITURES * (
	782,217.00 (	54,678.54)	0.00	1,312,637.36 (	77,265.15 (	2,017,589.21)	257.93
OTHER FINANCING SOURCES (USES)							
OTHER SOURCES/USES	<u>17,216.00</u>	<u>0.00</u>	<u>0.00</u>	<u>200,000.00</u>	<u>0.00 (</u>	<u>182,784.00)</u>	<u>161.71</u>
TOTAL OTHER SOURCES/USES	17,216.00	0.00	0.00	200,000.00	0.00 (	182,784.00)	(161.71)
NET GAIN OR (LOSS)							
	(765,001.00 (	54,678.54)	0.00	1,512,637.36 (	77,265.15 (	2,200,373.21)	

*** END OF REPORT ***

FINANCIAL STATEMENT - UNAUDITED

AS OF: MARCH 31ST, 2013

200-Water & Sewer
FINANCIAL SUMMARY

	CURRENT BUDGET	CURRENT PERIOD	PRIOR YEAR PO ADJUST.	Y-T-D ACTUAL	Y-T-D ENCUMBRANCE	BUDGET BALANCE	% OF BUDGET
REVENUE SUMMARY							

MISCELLANEOUS	48,800.00	0.00	0.00	7,403.02	0.00	41,396.98	15.17
WATER SALES	1,590,642.00	108,638.52	0.00	604,949.23	0.00	985,692.77	38.03
SEWER SALES	1,612,000.00	158,371.93	0.00	763,183.43	0.00	848,816.57	47.34
CONNECTION & PLATTING	2,500.00	0.00	0.00	300.00	0.00	2,200.00	12.00
CUSTOMER FEES	43,300.00	4,051.46	0.00	25,741.39	0.00	17,558.61	59.45
TAPPING FEES	<u>16,000.00</u>	<u>0.00</u>	<u>0.00</u>	<u>5,856.82</u>	<u>0.00</u>	<u>10,143.18</u>	<u>36.61</u>
TOTAL REVENUE	3,313,242.00	271,061.91	0.00	1,407,433.89	0.00	1,905,808.11	42.48
	=====	=====	=====	=====	=====	=====	=====
EXPENDITURE SUMMARY							

Business Office							

PERSONNEL SERVICES	506,992.00	38,417.02	0.00	236,187.48	0.00	270,804.52	46.59
SUPPLIES	33,769.00	1,315.71	0.00	7,298.36	0.00	26,470.64	21.61
CONTRACTUAL SERVICES	<u>89,838.00</u>	<u>1,469.70</u>	<u>0.00</u>	<u>21,934.28</u>	<u>0.00</u>	<u>67,903.72</u>	<u>24.42</u>
TOTAL Business Office	630,599.00	41,202.43	0.00	265,420.12	0.00	365,178.88	42.09
Water System							

PERSONNEL SERVICES	325,763.00	24,084.54	0.00	169,645.32	0.00	156,117.68	52.08
SUPPLIES	87,000.00	15,942.12	0.00	36,587.05	0.00	50,412.95	42.05
CONTRACTUAL SERVICES	476,164.00	10,531.04	0.00	323,384.98	1,538.83	151,240.19	68.24
CAPITAL OUTLAY	<u>268,092.00</u>	<u>30,932.66</u>	<u>0.00</u>	<u>30,932.66</u>	<u>0.00</u>	<u>237,159.34</u>	<u>11.54</u>
TOTAL Water System	1,157,019.00	81,490.36	0.00	560,550.01	1,538.83	594,930.16	48.58
Sewer System							

PERSONNEL SERVICES	125,905.00	7,913.63	0.00	65,348.77	0.00	60,556.23	51.90
SUPPLIES	15,000.00	0.00	0.00	23.36	0.00	14,976.64	0.16
CONTRACTUAL SERVICES	<u>1,254,287.00</u>	<u>87,710.08</u>	<u>0.00</u>	<u>455,631.52</u>	<u>1,538.83</u>	<u>797,116.65</u>	<u>36.45</u>
TOTAL Sewer System	1,395,192.00	95,623.71	0.00	521,003.65	1,538.83	872,649.52	37.45

FINANCIAL STATEMENT - UNAUDITED

AS OF: MARCH 31ST, 2013

200-Water & Sewer
FINANCIAL SUMMARY

	CURRENT BUDGET	CURRENT PERIOD	PRIOR YEAR PO ADJUST.	Y-T-D ACTUAL	Y-T-D ENCUMBRANCE	BUDGET BALANCE	% OF BUDGET
<hr/>							
Construction							

TOTAL Construction	0.00	0.00	0.00	0.00	0.00	0.00	0.00
Storm Water							

PERSONNEL SERVICES	178,771.00	14,786.23	0.00	89,670.35	0.00	89,100.65	50.16
SUPPLIES	23,500.00	139.98	0.00	2,085.98	0.00	21,414.02	8.88
CONTRACTUAL SERVICES	165,500.00	94.19	0.00	3,822.31	1,538.84	160,138.85	3.24
TOTAL Storm Water	367,771.00	15,020.40	0.00	95,578.64	1,538.84	270,653.52	26.41
<hr/>							
*** TOTAL EXPENDITURES ***	3,550,581.00	233,336.90	0.00	1,442,552.42	4,616.50	2,103,412.08	40.76
	=====	=====	=====	=====	=====	=====	=====
** REVENUE OVER (UNDER) EXPENDITURES *(	237,339.00)	37,725.01	0.00	(35,118.53	(4,616.50	(197,603.97)	83.26
	=====	=====	=====	=====	=====	=====	=====
 OTHER FINANCING SOURCES (USES)							
=====							
TOTAL OTHER SOURCES/USES	0.00	0.00	0.00	0.00	0.00	0.00	0.00
<hr/>							
NET GAIN OR (LOSS)	(237,339.00)	37,725.01	0.00	(35,118.53	(4,616.50	(197,603.97)	
	=====	=====	=====	=====	=====	=====	

*** END OF REPORT ***

CITY OF LEON VALLEY
 FINANCIAL STATEMENT - UNAUDITED
 AS OF: MARCH 31ST, 2013

710-Community Center
 FINANCIAL SUMMARY

	CURRENT BUDGET	CURRENT PERIOD	PRIOR YEAR PO ADJUST.	Y-T-D ACTUAL	Y-T-D ENCUMBRANCE	BUDGET BALANCE	% OF BUDGET
REVENUE SUMMARY							

TAXES	75,746.00	3,710.34	0.00	25,572.72	0.00	50,173.28	33.76
FEES	<u>74,053.00</u>	<u>6,045.00</u>	<u>0.00</u>	<u>39,519.00</u>	<u>0.00</u>	<u>34,534.00</u>	<u>53.37</u>
TOTAL REVENUE	149,799.00	9,755.34	0.00	65,091.72	0.00	84,707.28	43.45
	=====	=====	=====	=====	=====	=====	=====
EXPENDITURE SUMMARY							

Community Center Operations							

PERSONNEL SERVICES	82,164.00	5,603.08	0.00	41,057.33	0.00	41,106.67	49.97
SUPPLIES	5,400.00	24.95	0.00	687.15	0.00	4,712.85	12.73
CONTRACTUAL SERVICES	<u>47,150.00</u>	<u>4,401.72</u>	<u>0.00</u>	<u>18,411.47</u>	<u>0.00</u>	<u>28,738.53</u>	<u>39.05</u>
TOTAL Community Center Operations	134,714.00	10,029.75	0.00	60,155.95	0.00	74,558.05	44.65
Visitor Services							

TOTAL Visitor Services	<u>0.00</u>	<u>0.00</u>	<u>0.00</u>	<u>0.00</u>	<u>0.00</u>	<u>0.00</u>	<u>0.00</u>
*** TOTAL EXPENDITURES ***							
	<u>134,714.00</u>	<u>10,029.75</u>	<u>0.00</u>	<u>60,155.95</u>	<u>0.00</u>	<u>74,558.05</u>	<u>44.65</u>
	=====	=====	=====	=====	=====	=====	=====
** REVENUE OVER (UNDER) EXPENDITURES **							
	<u>15,085.00</u>	<u>(274.41)</u>	<u>0.00</u>	<u>4,935.77</u>	<u>0.00</u>	<u>10,149.23</u>	<u>67.28</u>
	=====	=====	=====	=====	=====	=====	=====
OTHER FINANCING SOURCES (USES)							
=====							
TOTAL OTHER SOURCES/USES	<u>0.00</u>	<u>0.00</u>	<u>0.00</u>	<u>0.00</u>	<u>0.00</u>	<u>0.00</u>	<u>0.00</u>

NET GAIN OR (LOSS)	<u>15,085.00</u>	<u>(274.41)</u>	<u>0.00</u>	<u>4,935.77</u>	<u>0.00</u>	<u>10,149.23</u>	
	=====	=====	=====	=====	=====	=====	

*** END OF REPORT ***

FINANCIAL STATEMENT - UNAUDITED

AS OF: MARCH 31ST, 2013

720-Street Maintenance Tax
FINANCIAL SUMMARY

	CURRENT BUDGET	CURRENT PERIOD	PRIOR YEAR PO ADJUST.	Y-T-D ACTUAL	Y-T-D ENCUMBRANCE	BUDGET BALANCE	% OF BUDGET
REVENUE SUMMARY							
Revenues	439,560.00	33,565.99	0.00	149,762.18	0.00	289,797.82	34.07
TOTAL REVENUE	439,560.00	33,565.99	0.00	149,762.18	0.00	289,797.82	34.07
EXPENDITURE SUMMARY							
Street Maintenance Tax							
CONTRACTUAL SERVICES	830,254.00	408.59	0.00	2,856.11	0.00	827,397.89	0.34
TOTAL Street Maintenance Tax	830,254.00	408.59	0.00	2,856.11	0.00	827,397.89	0.34
*** TOTAL EXPENDITURES ***	830,254.00	408.59	0.00	2,856.11	0.00	827,397.89	0.34
** REVENUE OVER (UNDER) EXPENDITURES *	(390,694.00)	33,157.40	0.00	146,906.07	0.00	(537,600.07)	137.60
OTHER FINANCING SOURCES (USES)							
TOTAL OTHER SOURCES/USES	0.00	0.00	0.00	0.00	0.00	0.00	0.00
NET GAIN OR (LOSS)	(390,694.00)	33,157.40	0.00	146,906.07	0.00	(537,600.07)	

*** END OF REPORT ***

Monthly Report

Finance

March 2013

Sales Tax Revenue

- ❖ Sales tax revenue of \$134,282 was received from the State Comptroller's office in March. After consideration of the March sales tax payment, year-to-date sales tax revenues are 7.52% higher than this time last year.

Street Maintenance Sales Tax Revenue

- ❖ Street Maintenance Sales tax revenue of \$33,566 was received from the State Comptroller's office in March.

Ad Valorem Taxes

- ❖ Ad valorem tax collections of \$27,883.12 were received from the Tax Assessor/Collector's office in March. Collections for March 2012 were \$36,438.

Winter Sewer Averaging

- ❖ March utility bills reflect the new winter sewer averages for residential customers. Winter averages are calculated using water consumption figures for the period of November 15 through February 15. The system wide sewer average for residential customers was calculated to be \$20.18 monthly, which is \$2.29 higher than the average calculated last year. The system average is used to calculate monthly billings for non-metered residential customers (customers with sewer service only) and new metered residential customers. Sewer adjustment requests for water leaks occurring during the winter averaging period will be accepted in the Finance department until May 1.

LEON VALLEY FIRE DEPARTMENT MONTHLY REPORT January 2013

Overall Responses:

The Fire Department responded to 161 incidents this month (2011 – 153 incidents). There was minimal fire loss reported for the month, and no injuries due to fire were reported.

Fires:

A small grass fire was reported at the 7200 block of Huebner Rd. when an 18 wheeler dump truck that was unloading dirt raised its trailer and came in contact with the overhead power lines. This caused sparking, which ignited a small grass fire. The fire was quickly extinguished, and CPS-energy responded to assess and repair damages to the power lines. There were no injuries reported.

Rescue:

The Fire Department responded to two specialized extrications of vehicle entrapments after vehicle accidents; a rollover on the 410 access road in front of the Shell gas station on January 5th, and a head-on collision with a concrete column at 410 and Bandera Rd on January 3rd. Both drivers were transported to local hospital emergency rooms.

Mutual Aid:

Leon Valley Fire Department responded twice on January 9th to Balcones Heights for assistance, and received assistance from both Acadian and Helotes EMS on three occasions due to simultaneous calls.

EMS Responses:

EMS responded to a total of 92 incidents. 60 patients were transported to local hospitals by Leon Valley EMS. Three patients were transported by Helotes and Acadian EMS, and 30 EMS support responses were made.

Other Responses:

Fire crews also responded to 15 false alarms, 6 Hazardous Condition calls, and 3 good intent calls this month.

Fire Prevention/Education:

95 Fire inspections were completed (2011 – 90 inspections), which includes 16 certificate of occupancy inspections. Three construction plans were reviewed this month. One fire permit was issued for \$125 in permit fee. Fiscal year-to-date fire fees received total \$725.

Personnel & Training News:

On January 25th, Fire Chief Stan Irwin announced that he was leaving the Fire Department after 38 years, staff prepared for his departure scheduled for February 8th.

Each shift scheduled an extensive tour on the 8th, 9th, and 10th of January, of the Wells Fargo building located at 6100 Bandera with the building Engineer, to improve planning

and emergency response.

Each shift attended training and tour of *Intertek Automotive Research* Industrial facility with the plant Engineer on the 15th, 16th, and 17th of January.

The Fire Departments water pumps passed their annual inspection and certification by Hallmark fire services on January 25th.

Dr. Gordon presented an EMS Continuing Education classes for paramedics on January 23rd at the fire station.

FIRE PREVENTION ACTIVITIES

INSPECTIONS	JAN 2013	JAN 2012	CYTD 2013	CYTD 2012	Total 2012
COMMERCIAL BUSINESS	55	39	55	39	596
INDUSTRIAL	2	0	2	0	10
PUBLIC BUILDINGS	5	3	5	3	42
APARTMENTS/HOTEL	2	3	2	3	42
INSTITUTIONAL	5	3	5	3	40
SCHOOLS	5	1	5	1	24
RESIDENTIAL CONTACT	6	3	6	3	30
COMPANY IN-SERVICE	17	23	17	23	262
NEW CONSTRUCTION	6	3	6	3	56
CERTIFICATES OF OCCUPANCY	16	9	16	9	123
TOTAL INSPECTIONS	119	87	119	87	1225

OTHER ACTIVITY	JAN 2013	JAN 2012	CYTD 2013	CYTD 2012	TOTAL 2012
SUPERVISED FIRE DRILLS	1	0	1	0	9
LECTURES/DEMOS NUMBER ATTENDED	2 20	1 16	2 20	1 16	27 2120
PLAN REVIEWS	3	2	3	2	19
CITATIONS ISSUED	0	0	0	0	0
WARNINGS ISSUED	0	0	0	0	2
COMPLAINTS INVESTIGATED	2	2	2	2	3
PERMITS ISSUED	1	1	1	0	0
PERMIT FEES RECEIVED	125	600	125	600	2912.50

EMERGENCY INCIDENT RESPONSE DATA

INCIDENT TYPE	JAN 2013	JAN 2012	CYTD 2013	Total 2012
STRUCTURE RESIDENTIAL	2	3	2	8
STRUCTURE COMMERCIAL RESIDENTIAL	1	0	1	2
STRUCTURE COMMERCIAL	0	0	0	0
STRUCTURE FIXED MOBILE RESIDENTIAL	0	0	0	0
STRUCTURE FIXED MOBILE COMMERCIAL	0	0	0	0
STRUCTURE FIRE OTHER THAN BUILDING	0	0	0	1
VEHICLE FIRE	0	0	0	6
OUTSIDE RUBBISH FIRE	1	1	1	8
SPECIAL OUTSIDE FIRE	0	0	0	2
NATURAL VEGETATION FIRE	0	0	0	2
CULTIVATED VEGETATION CROP FIRE	0	0	0	0
FIRE, OTHER	0	0	0	0
FALSE ALARM	11	14	11	141
INVESTIGATION OR SPECIAL INCIDENT	1	0	1	1
SERVICE CALL	4	7	4	81
EMS	97	72	97	1058
EMS ASSIST	36	22	36	356
HAZARDOUS CONDITION	4	5	4	61
RESCUE	0	3	0	14
MUTUAL AID	0	0	0	12
OVERPRESSURE RUPTURE OR EXPLOSION	0	0	0	0
GOOD INTENT CALL	4	1	4	66
SEVERE WEATHER OR NATURAL DISASTER	0	0	0	2
TOTAL	161	128	161	1821

Luis Valdez, Interim Fire Chief

LEON VALLEY FIRE DEPARTMENT MONTHLY REPORT February 2013

Overall Responses:

The Fire Department responded to 143 incidents this month (2012 – 127 incidents). There was minimal fire loss reported for the month, and no injuries due to fire were reported.

Fires:

A structure fire was reported on February 2nd at 6313 Evers Rd. at the Forest Oaks apartments. Responding units found an overheated bathroom exhaust fan. The fan was disconnected and the apartment was ventilated. The incident resulted in smoke damage and minor fire damage to the ceiling where the fan was installed.

Rescue/EMS:

EMS responded to a total of 92 calls (73 in Feb. 2012), 56 patients were transported to local hospitals by Leon Valley EMS. One patient was transported by private ambulance. Twenty-four EMS support responses were made.

EMS and Fire units responded to the 6500 block of Bandera Rd. for a man in a wheelchair that was struck by a car. The man was transported in stable condition to the medical center; the fire department crew transported his motorized wheelchair to his residence.

Mutual Aid:

Leon Valley Fire Department responded twice to assist Balcones Heights Fire Department (Burlington Coat Factory, and San Antonio Heart Hospital); and received assistance once from Acadian Ambulance due to simultaneous calls.

Other Responses:

Fire crews also responded to 12 false alarms, 1 Hazardous Condition call, and 9 good intent calls this month.

Fire Prevention/Education:

40 Fire inspections were completed (2011 – 85 inspections), which includes 12 Certificate of Occupancy inspections. Two construction plans were reviewed this month. Three fire permits were issued for \$200 in permit fees. Fiscal year-to-date fire fees received total \$925.

Personnel & Training News:

On February 1st, it was announced that Deputy Fire Marshal Luis Valdez would assume duties as Interim Fire Chief.

On February 4th, Assistant Fire Chief Robert Lee announced that he was leaving the Fire Department after 23 years; his final day was February 8th. Interim Fire Chief Valdez worked with both Chief Stan Irwin and Assistant Fire Chief Robert Lee during their final week to ensure a smooth transition.

Interim Chief Valdez immediately called a staff meeting for all department personnel on February 10th. The meeting was to clearly establish the department's direction; discuss guidelines, answer questions, and set staff goals. The lengthy meeting was productive and set the tone for the days to follow.

On February 11th, Interim Fire Chief Valdez contacted all essential regulatory agencies to update administrative changes. These agencies included; Texas Commission on Fire Protection, Texas Department of Health, Dr. Gordon (Medical Director), Texas Commission on Law Enforcement Officer Standards and Education, Texas Department of Public Safety, Medicare/Medicaid (for EMS billing), Intermedix billing agency, Southwest Texas Regional Advisory Council, and the Alamo Area Fire Chiefs. Also, phone calls were made to area Fire Chiefs to discuss the department's mutual aid response and capabilities.

During the remaining days in February, Fire Department personnel focused on removing all outdated equipment, and cleaning the fire station. Training, and daily activities were modified to clearly define and focus team-building and improve communication and morale throughout the department. Interim Fire Chief Valdez also had one-on-one meetings with each staff member to listen to concerns and answer questions outside of the group environment.

There were no personnel issues or problems as a result of the transition, and the Fire Department met the immediate goals established by Interim Chief Valdez before the end of the month.

On February 13th Medic One had to be taken out of service for a mechanical-overheating problem. On February 12th, Medic Two had to be taken out of service due to fuel injector issues. Medic Three was placed in primary status, and neighboring mutual aid companies were placed on standby. Both ambulances returned to service on February 27th.

Dr. Gordon presented an EMS Continuing Education class for paramedics on January 20th at the fire station.

Interim Fire Chief Valdez appointed Fire Engineer William (Bill) Lawson to Interim Assistant Fire Chief on February 22nd.

The Fire Department moved closer in obtaining recognition as a "*Firewise*" community by the Texas Forest Service. "*Firewise*" is a national wildfire educational campaign that promotes responsible landscaping and land management for communities in cooperation with the *International Fire Code*. The participation in this program assists towards the approval for cooperative assistance from the Texas Forest Service for the construction of the "defensible space" at the Leon Valley Natural Area.

Special report - Tower Climb Summary:

On Saturday, February 2nd, 2013, ten (10) Leon Valley Firefighters and two (2) Leon Valley Police Officers climbed 65 flights of stairs to the top of the Tower of Americas to support the Lonestar chapter of the Cystic Fibrosis Foundation. Approximately 70 first responders from neighboring departments joined in the climb.

The Leon Valley first responders raised a total of \$2,280.00. Every member of the team met their goals by reaching the top wearing full Firefighter or Police tactical gear. The fastest member of the team was Firefighter Andy Patterson, who finished in 4th place overall with a time of 12 minutes and 38 seconds. The team displayed excellent teamwork, physical fitness, communication, and effort.

The City of Leon Valley was represented well by the following First Responders:
Fire Dept.: Andy Patterson, Luis Valdez, Joseph Valadez, Heather Rodriguez, Joy Auger, Justin Latifi, Jaaron Thomas, Jimmy Garcia, Kory Paulini. Alex Rodriguez
Police Dept. Chad Mandry and Ruben Saucedo

The team was also happy to include Leon Valley resident Cody Dean, and business Owner, Brenda Tellez (Tellez Tamales).



Part of the team pictured above after completing the climb, from Left to right: Joy Auger, Alex Rodriguez, Jimmy Garcia (center rear), Jaaron Thomas (center front), Heather Garcia, Officer Chad Mandry, and Justin Latifi.



A group of Firefighters and Police Officers from surrounding departments geared up and waiting at the entrance door to the Tower of Americas.

FIRE PREVENTION ACTIVITIES

INSPECTIONS	FEB 2013	FEB 2012	CYTD 2013	CYTD 2012	TOTAL 2012
COMMERCIAL BUSINESS	40	41	95	80	596
INDUSTRIAL	0	0	2	0	10
PUBLIC BUILDINGS	3	3	8	6	42
APARTMENTS/HOTEL	3	2	5	5	42
INSTITUTIONAL	1	1	6	4	40
SCHOOLS	0	0	5	1	24
RESIDENTIAL CONTACT	1	1	7	4	30
COMPANY IN-SERVICE	20	25	37	48	262
NEW CONSTRUCTION	2	4	8	7	56
CERTIFICATES OF OCCUPANCY	12	8	28	17	123
TOTAL INSPECTIONS	85	85	201	172	1225

Other Activities	FEB 2013	FEB 2012	CYTD 2013	CYTD 2012	TOTAL 2012
SUPERVISED FIRE DRILLS	0	0	1	0	8
LECTURES/DEMOS NUMBER ATTENDED	1 100	1 2	3 120	1 2	37 3195
PLAN REVIEWS	2	2	5	4	49
CITATIONS ISSUED	0	0	0	0	3
WARNINGS ISSUED	0	2	0	2	12
COMPLAINTS INVESTIGATED	1	2	3	8	18
PERMITS ISSUED	3	2	4	6	24
PERMIT FEES RECEIVED	200.00	262.50	325	862.50	3177.50

EMERGENCY INCIDENT RESPONSE DATA

INCIDENT TYPE	FEB 2013	FEB 2012	CYTD 2013	CYTD 2012	Total 2012
STRUCTURE RESIDENTIAL	0	0	2	1	8
STRUCTURE COMMERCIAL RESIDENTIAL	0	0	1	1	2
STRUCTURE COMMERCIAL	0	0	0	1	0
STRUCTURE FIXED MOBILE RESIDENTIAL	0	0	0	0	0
STRUCTURE FIXED MOBILE COMMERCIAL	0	0	0	0	0
STRUCTURE FIRE OTHER THAN BUILDING	0	0	0	1	1
VEHICLE FIRE	0	0	0	0	6
OUTSIDE RUBBISH FIRE	0	0	1	1	8
SPECIAL OUTSIDE FIRE	0	1	0	0	2
NATURAL VEGETATION FIRE	0	0	0	3	2
CULTIVATED VEGETATION CROP FIRE	0	0	0	0	0
FIRE, OTHER	0	0	0	0	0
FALSE ALARM	12	8	23	26	141
INVESTIGATION OR SPECIAL INCIDENT	0	0	1	0	1
SERVICE CALL	9	9	13	11	81
EMS	92	73	189	177	1058
EMS ASSIST	24	20	60	61	356
HAZARDOUS CONDITION	1	8	5	9	61
RESCUE	1	0	1	3	14
MUTUAL AID	4	1	4	4	12
OVERPRESSURE RUPTURE OR EXPLOSION	0	0	0	0	0
GOOD INTENT CALL	9	6	13	16	66
SEVERE WEATHER OR NATURAL DISASTER	0	1	0	1	2
TOTAL	143	127	313	316	1821

Special thanks –

On February 25th, my wife Yolanda, and I were gifted our 2nd son, Diego Max Valdez. My wife, Diego, and 3 year-old big brother Joaquin are all doing great at home.



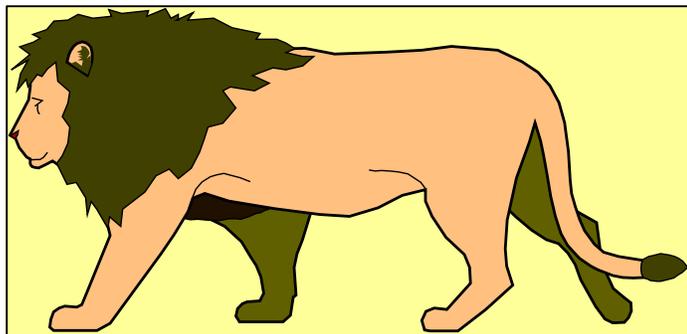
Thank you for your well-wishes, good thoughts, and prayers.

Luis Valdez, Interim Fire Chief

LEON VALLEY PUBLIC LIBRARY STATISTICS

MARCH 2013

	MARCH 2013	Compared to	FEBRUARY 2013
Items Loaned	2604		2797
OneClickAudio Sessions	0		0
Days Open/Average Per Day	22/118		19/147
Door Count	10,096		8095
Volunteer Hours	229		187
Items Added New/Redo	209/157		167/125
Value of Gift Items	\$1664		\$1452
Reference Questions	457		465
Items Withdrawn	40		60
Library Cards Issued	35		30
Internal Internet Sessions	462		450
External Wi-Fi LVP Accesses	975		1059
Faxes Sent	63		88
Facebook Reaches	311		685
Lit. Students/Items Used	3stu/6bks		3stu/6bks
ILL Received TexPress	11pkg/11bks		8pkg/8bks
ILL Returned TexPress	7pkg/7bks		11pkg/12bks
ILL Mailed	0 in/ 0 out		1pkg:2b in/ 1pkg:2b out
Library Fines	\$89.00		\$39.85
Library Copy	\$140.50		\$116.50
Tax Equivalent	\$106.25		\$192.50
Gifts and Memorials	\$0.00		\$25.00
Member Amount Saved	\$40,890.94		\$39,933.95





Leon Valley Police Department Monthly Report March 2013

Calls for Service

	Mar 2012	YTD 2012	Mar 2013	YTD 2013
Calls for Service	797	2,164	888	2,290
Index Crimes	70	192	77	239
Non-Index Crimes	727	1,972	811	2,142

Non-index calls are contacts with citizens and/or visitors that are either non-criminal in nature, or are criminal in nature but are not categorized as an index crime.

An index crime is defined as murder, rape, robbery, theft, theft of a motor vehicle, assault, burglary, or burglary of a motor vehicle. These are the crimes that are reported to the Federal Bureau of Investigations on a monthly basis.

Non-Index Crimes

	Mar 2012	YTD 2012	Mar 2013	YTD 2013
Suspicious Vehicle	71	174	92	229
Assist the Public/Other Agency	75	215	66	160
Disturbance	89	186	81	21
Violation of City Ordinance	13	38	27	52
Traffic Offenses	23	86	24	74
Burglar Alarm	106	287	106	293
Accidents	46	123	48	159
Criminal Mischief	14	55	19	69
Other	187	512	193	502
N-Code 10*	5	18	1	22
N-Code 14**	14	63	33	93
N-Codes	84	215	121	276

* N-Code 10 – Private property accident where blue forms issued

** N-Code 14 – Accident which occurred on the roadway where a blue form was issued



Leon Valley Police Department Monthly Report

Index Crimes

	Mar 2012	YTD 2012	Mar 2013	YTD 2013
Burglary	18	31	8	18
Burglary – Motor Vehicle	11	46	10	35
Assault	13	23	6	14
Homicide	0	0	0	0
Rape	0	0	0	0
Theft	24	82	48	161
Theft of Service	0	4	2	5
Vehicle Theft	3	5	2	4
Robbery	1	1	1	2

Citations

	Mar 2012	YTD 2012	Mar 2013	YTD 2013
Citations Issued	691	2,474	335	1,009

Citations by Selected Categories	Mar 2012	YTD 2012	Mar 2013	YTD 2013
Expired License Plates	86	284	28	87
Expired Inspection Certificate	122	475	46	151
No/Expired/Invalid DL	57	198	33	79
No Insurance	131	473	59	183
Ran Red Light	10	35	4	15
Ran Stop Sign	70	199	11	37
Speeding	41	171	22	64

Hazardous vs. Non-Hazardous	Mar 2012	YTD 2012	Mar 2013	YTD 2013
Hazardous	121	405	37	
Non-Hazardous	570	2,069	298	

Hazardous citations are for actions that could cause accidents. Examples include speeding, ran red light, and ran stop sign. Non-hazardous citations are for violations of either the Traffic Code or City Ordinance, which would not result in the potential for an accident. These include expired license plates, no liability insurance, expired motor vehicle inspection certificate, no drivers license, expired drivers license, etc.



Leon Valley Police Department Monthly Report

Arrest

Arrests	Mar 2012	YTD 2012	Mar 2013	YTD 2013
Felony Offense	6	9	4	11
Misdemeanor Offense	55	170	59	139
Warrants	13	44	6	30

Investigations

	Mar 2012	YTD 2012	Mar 2013	YTD 2013
Assigned	94	307	143	389
Arrest/Charges Filed at Large	28	84	28	109
Suspended	84	271	45	93
Closed by Exception	14	43	31	237

A suspended case is one where no leads are available or what leads were available did not lead to an arrest

A case closed by exception is one where either the Complainant did not wish to pursue charges, the Defendant died, or for some other reason a known Defendant was not prosecuted.

Community Resource Officer

	Mar 2012	YTD 2012	Mar 2013	YTD 2013
Violations of City Ordinance	40	83	47	81

Reserve Officers

Our Reserve Officers continue to supplement our Patrol as well as perform functions of security at City events. We have three of the Reserve Officers provide for security as well as clerical support for our Thursday Municipal Court sessions.

	Mar 2012	YTD 2012	Mar 2013	YTD 2013
Hours	398	1,077	141	550
Calls for Service Handled	89	210	50	153
Citations	39	123	10	37

Code Enforcement

The Code Enforcement and Animal Control Officers completed a total of 276 inspections.

Public Works Monthly Report

March 2013



Director's Report

- Attended all normal Staff meetings, Park Commission and CAG
- Met with Joyce Trent, for Library Project
- Met with SIA, Engineer on several projects
- Coordinated Bid opening for Water/Sewer Project
- Brush Pick up
- Huebner Well site fencing

Construction Crew Activities



03-01 7702 Forest Crest: Continued and completed de-silting drainage ditch.(Hauled away approx. 30 cu.yd. of material) Also began to saw cut and remove sidewalk that is to be replaced at 6618 Cloverbend.

03- 04 & 05 Filled pot holes throughout the City with Cold Mix asphalt.

03-06 & 07 6618 Clover Bend: Removed uneven side walk, formed and installed re-bar and base material.

03-08 6618 Clover Bend: Poured and finished 5 cu.yd. of concrete for side walk and curbs.(80')

03-11 & 12 6618 Clover Bend: Removed forms and restored area with top soil.

03-13 6618 Clover Bend: Saw cut and patched areas around curbs with cold mix asphalt.

03-14 Watered in grass seed planted behind PSC.

03-15 Loaded spoils to be hauled away by Salas Trucking.

03-18 Salazar Dr.: Swept up washed out base material from street.

03-19&20 Salazar Dr.: Back filled sides of street with stabilized base material.

03-21 Salazar Dr.: Watered and rolled material.

03-22 Grass Hill Dr.: Cleaned drainage pipes of branches and debris.

03-25 & 26 Crew attended Work Zone Traffic Safety class.

03-27 Filled pot holes throughout the City with Cold Mix asphalt.

03-28 6515 Red Bird Ln.: Filled and tamped street cut with hot mix asphalt.

03-29 Began to prep streets in Linkwood sub div. for Crack Seal Program.



Water/Sewer Department

Water Samples for S.A. Health District	12 Water Samples for Analysis
Disconnect Notices	137
Disconnect Water Service	28
Flush Dead-End Water Mains	27 Flushed

Meter Reading	3 Days
Meter Re-reads	7 Re-reads
Meter Change Out Program	7 Meters changed out
Temporary Meters Installed	1 Installed

Move Outs	4 Closed
Move Ins	14 Activated
Locates	3 Completed

Wells\Tower Sites	Cut Grass and Trim
City Wide	Fire Hydrant List

Location

Behind Ancira

Shop

Well sites

Shop

7725 Link Side

Community Center

6419 Red Bird

6419 Red Bird

Library

Work done

replaced dead end

repaired P Trap

spread weed and feed

defensive driving

tap a new service line

2 day traffic control class

tap a new service line

back filled trench

capped sprinkler lines

7046 Evening Sun
Huebner Well
Shop

replaced curb stop
clean up the pump room
clean up sewer truck



Maintenance Crew

Park: Cut grass and trim
Park: Delivered BBQ pit key and instructions on use for large pavilion
Park: Cleaned Park and opened restrooms Monday thru Sunday @7:00am
Park: Repaired toilets leaking faucets
Park: Removed fallen trees and branches
Park: Picked up trash
Park: Cut and trimmed at playground, added fluff fall zone material
Park: Maintain restrooms
Park: Remove graffiti
Park: Maintain picnic tables and pavilions

Public Works: Cleaned Trucks, checked equipment
Public Works: Cleaned and removed brush from Walking Trail behind PW
Public Works: Cleaned shop, water cage, welding area, repairs as needed

Conference Center: Set ups and clean ups for events held there
Conference Center: Mowed complex, repairs as needed

Community Center: Grounds cut and trimmed, repairs as needed
Community Center: Wednesday set up for bingo & Thursday cleaned up for seniors
Community Center: Set up for events

Library: Grounds cut and trimmed, pick up recyclables
Library: Repairs as needed

Library Annex: Clean, mow and trim, repairs as needed

City Hall: Grounds cut and trimmed, Mondays only, repairs as needed
City Hall: Pick up recyclables
City Hall: Completed remodel of restroom
LVPD: Repairs as needed
LVFD: Repairs as needed

Citywide: Removed graffiti throughout the city
Citywide: Reinstall fallen stop/street signs
Citywide: Check surveillance camera and maintain
Citywide: Removed fallen trees
Marquee: Marquee update as they come in
Service requests: Various requests completed as they come in

City of Leon Valley 2012 Bond Program Oversight Committee Meeting, January 24, 2013

Vice Chairperson Olen Yarnell called the 2012 Bond Program Oversight Committee Meeting to order at 4:30 pm. Vice Chairperson Yarnell and Committee members Al Uvietta, Mike Davis Jr., Pedro Esquivel, Bob Thome and Christopher Gover were present.

Mayor Pro-Tem Kathy Hill, Councilman Jack Dean, City Manager Manuel Longoria Jr., Police Chief Wallace, and Fire Chief Irwin were also present along with Leon Valley City Staff members Rhonda Hewitt and Assistant Fire Chief Robert Lee.

A quorum was present.

Approval of Minutes

Vice Chairmen Yarnell asked for approval of the minutes from the October 11, 2012 and November 29, 2012 meetings. Committee Member Uvietta made a motion to approve the minutes and this was seconded by Pedro Esquivel.

Presentation of Status Report to Include Updates on the Selection of an Architectural Firm

Vice Chairperson Yarnell introduced the City Manager, Manuel Longoria Jr. who gave a detailed presentation on the process the City of Leon Valley is utilizing. This includes having the architects, OCO, hired and already working on facility programming.

Mr. Longoria Jr. gave the Committee an update on the Construction Manager at Risk process which included a timeline on the Request for Qualifications along with a work plan and tentative schedule to the project. Mr. Longoria Jr. briefed the Committee on the hiring of Jeff Chapman, an Attorney, to assist with both the Architects contract and the Request for Qualifications for the Construction Manager at Risk.

Mr. Longoria Jr. advised the Committee of the hiring of Melinda Smith, who will assist him with the management of this project along with other capital projects.

Update on the Construction Manager at Risk Request for Qualifications Solicitation Process

City Manager Manuel Longoria Jr. briefed the Committee on the two step process his is going to implement to hire the Construction Manager at Risk.

After the solicitations of the proposals, the first step involves narrowing the field to approximately five firms. The firms will be narrowed based purely on qualifications.

The second step will be for these firms to submit a cost/price proposal which will be evaluated and the interview process will take place.

Discussion on the Appointment of Subcommittee to Review and Evaluate the Construction Manager at Risk Proposals

The City Manager advised that the Committee will be staffed by the City Manager, Special Project Manager, Police Chief, Purchasing Agent, Fire Chief, and two members from the Bond Oversight Committee. After a discussion, Mike Davis Jr. made a motion nominating Olen Yarnell and Al Uvietta to serve on the subcommittee. This was seconded by Pedro Esquivel and was passed unanimously.

City of Leon Valley 2012 Bond Program Oversight Committee Meeting, January 24, 2013

City Manager Manuel Longoria Jr. also advised that OCO will be an advisor to the subcommittee, but would not be part of the voting for the selection.

The City Manager advised that the Subcommittee will make a recommendation which will then be reviewed by the Bond Oversight Committee who will then forward the recommendation to the City Council.

Presentation and Discussion Concerning the Conveyance of Property by Bexar County for the Fire Station

The City Manager led the discussion about the transfer of the parcels from Bexar County to Leon Valley. There are several concerns which the City Manager has been attempting to settle. This includes the definition of "substantial completion", if the former residents have any recourse to repurchase the properties, and when the properties will be turned over to Leon Valley.

The City Manager gave three options to the Committee. These were building within the footprint of the properties the City owns, buy land at another location for a Fire Department or delay the project.

Adjourn

Hearing no further business a motion was made by Mike Davis Jr. and seconded by Al Uvietta to adjourn the meeting. The meeting was adjourned at 5:50 p.m.



Abraham Diaz, Committee Chairman

City of Leon Valley 2012 Bond Program Oversight Committee Meeting, February 28, 2013

Chairperson Abraham Diaz called the 2012 Bond Program Oversight Committee Meeting to order at 6:30 pm. Chairperson Diaz and Committee members Al Uvietta, Mike Davis Jr., Pedro Esquivel, and Olen Yarnell were present. Bob Tome and Christopher Gover were absent.

Mayor Pro-Tem Kathy Hill, Councilman Jack Dean, City Manager Manuel Longoria Jr., Police Chief Wallace, Special Projects Manager Smith and Interim Fire Chief Valdez were also present along with Leon Valley City Staff member Rhonda Hewitt.

A quorum was present.

Approval of Minutes

Chairman Diaz asked for approval of the minutes from the January 24, 2013 meeting. Committee Member Esquivel made a motion to approve the minutes and this was seconded by Member Uvietta. This motion passed unanimously.

Presentation of Status Report

Chairman Diaz introduced the City Manager, Manuel Longoria Jr. who gave a detailed presentation on the process the City of Leon Valley is utilizing.

Mr. Longoria Jr. briefed the committee on the work being completed by OCO Architects. This included the facility programming and the fact that a preliminary draft was given by the firm to City staff. Mr. Longoria Jr. further advised that staff met with OCO personnel and that the preliminary draft of the facility programming document was addressed and the project was brought in under the amount of the bond. Mr. Longoria Jr. stressed that this was preliminary and no design schematics have been done.

Mr. Longoria Jr. gave the Committee an update on the Construction Manager at Risk process which included a timeline on the Request for Qualifications (RFQ) along with a work plan and tentative schedule to the project. A copy of the RFQ was placed into the committee members packets.

Mr. Longoria Jr. briefed the committee on the work being completed by the City Attorney, Charlie Zech, in order to facilitate the conveyance of the property on El Verde Road. The committee members were advised that the County is planning on transferring the property, maybe as early as summer, but this all needed to be worked out in an inter-local agreement.

Pedro Esquivel questioned the City Manager about the need for an ethics disclosure form to be used if any of the committee members had any type of relationships with the Construction Manager at Risk candidates. After a discussion, the City Manager advised he would contact the City Attorney and have the address the committee, in the future, about this issue.

Update on the Construction Manager at Risk Request for Qualifications Solicitation Process

City Manager Manuel Longoria Jr. briefed the Committee on the two step process being used to evaluate and select the Construction Manager at Risk contractor.

After the solicitations of the proposals, the first step involves narrowing the field to no more than five firms. The firms will be narrowed based purely on qualifications.

City of Leon Valley 2012 Bond Program Oversight Committee Meeting, February 28, 2013

The second step will be for these firms to submit a cost/price proposal which will be evaluated and the interview process will take place.

The City Manager stated that the deadline for the initial RFQ was March 1st and that 42 inquiries were made by firms.

The deadline for the firms who make the shortlist to submit cost/price proposals will be March 26th.

Mr. Longoria Jr. stated that instead of having two presentations, one to the CMR Selection Review Committee and one to the entire Bond Oversight Committee, the firms will give one presentation to both committees. The members of the Bond Oversight Committee shall then make comments to the Selection Review Committee who will make the recommendation to the City Council.

Adjourn

Hearing no further business a motion was made by Pedro Esquivel and seconded by Al Uvietta to adjourn the meeting. The meeting was adjourned at 7:31 p.m.



Abraham Diaz, Committee Chairman

Minutes of the January 14, 2013

CITY OF LEON VALLEY PARK COMMISSION

1. Call to Order and Determination via Roll Call if Quorum is Present: The January 14, 2013 meeting was called to order at approximately 7:00 by Chairman Bert Thomas in the City Chambers at the Leon Valley City Hall

Present: Bert Thomas, Bill Cooper, Benay Cacciatore, John Stanley, Rachel Felkner, Linda Tarin.

Absent/Excused: Susan Fraser, Tom Fraser, Scott Baird, Carol-Anne Randolph-Oviedo.

City Staff Present: Byron Vick

City Council Liaison: None

2. Review and consideration for Approval of the November 12, 2012 Meeting Minutes: Motion for approval was made by Bill Cooper, seconded by Benay Cacciatore and unanimously approved by the commissioners.

3. Citizens to be heard: None.

4. Reports: Activities that impact the Park or Access to the Park.

A. Park Rental Applications: No park rental applications

5. Discuss:

A. Pedestrian Crossing Zone on Evers Rd. (between the Library and the Park) is a serious safety hazard to mothers, pushing strollers, and children trying to cross the street (also a bus stop). Drivers do not yield the right of way to people crossing the street. I personally stopped my vehicle in the right lane to let people cross the street, and had drivers pass me going both directions, almost striking the pedestrian. This happens all the time. Something has to be done to warn passing drivers before someone is killed at this crossing. Possibly installing flashing lights or stop sign) may help. If nothing else, make all people cross at the Poss. Road stop sign.

B. The grotto we discussed at our last meeting is now believed to not have any historical or religious significance.

C. Parking area on Poss. Rd., near the large pavilion: We do not need the compact car parking area that was recently installed. There is a necessity in that area for a loading zone for people using the picnic area, for off-loading picnic supplies and passengers, and for school buses dropping off children for the playground.

6. Commissioner's and Staff's Comments:

A. Linda Tarin said it would be nice to have more benches to sit on by the entrance to the natural trail area. The Master plan lists a reviewing stand in that area; however; an additional park bench would be nice.

B. Bill Cooper suggested that we start a program to have community members donate trees to the park. He offered to write up a little article in the Recorder to make people aware. Also, commended Byron and his colleagues on the nice job they did on the trail behind the Public Works building.

C. Rachel Felkner: Mentioned there is graffiti on the bathroom wall next to the playground. Wants to know what we, as Park Commissioners, can do to help with park clean up and daily improvement. She suggested possibly starting friends of the park group to help with special projects. She additionally suggested we start some type of fundraising so the Parks Commission has funds to support our efforts in beautifying the park.

D. John Stanley wanted to know why it was so muddy along the side of the soccer field.

7. Announcements: The next City of Leon Valley Park Commission Meeting will be at the City Council Chambers, Leon Valley, TX at 7:00 PM on February 11, 2013.

8. Adjournment: A motion to adjourn was made by John Stanley, seconded by Linda Tarin, and unanimously approved by the commissioners. The meeting adjourned at approximately 8:30 PM.



Bert H. Thomas, Chairman

Leon Valley Park Commission

CITY OF LEON VALLEY PARK COMMISSION

1. Call to Order and Determination via Roll Call if Quorum is Present: The February 11, 2013 meeting was called to order at approximately 7:00 by Chairman Bert Thomas in the City Council Chambers at the Leon Valley City Hall

Present: Bert Thomas, Bill Cooper, Susan Fraser, Tom Fraser, John Stanley, Scott Baird and Linda Tarin.

Absent/Excused: Rachel Felkner, Benay Cacciatore.

City Staff Present: Byron Vick

City Council Liaison: None

2. Review and consideration for Approval of the January 14, 2013 Meeting Minutes: Motion for approval was made by Tom Frazer, seconded by Bill Cooper, and unanimously approved by the commissioners.

3. Citizens to be heard: None.

4. Reports: Activities that impact the Park or Access to the Park.

A. Park Rental Applications: Reviewed. Byron Vick stated that recently, one large party at the main pavilion did not have their deposit returned at this time because they did not clean up their mess.

B. Guest Speaker: Bert Pickell, Director San Antonio Walks. He is the director of the only walking program in this area, initiated and sustained through the San Antonio Mayor's Fitness Council. It is San Antonio's premier walking program designed to get everyone out to walk, regardless of age, gender or ability. This is a free Program. All tracking materials, training tools, and incentive prizes for reaching specific milestones are provided to everyone through funding from the City of San Antonio's Communities Putting Prevention to Work grant. Mr. Pickell noted that Leon Valley has a lot of walkers and we can get involved in making walking a habit and sticking to it. He wants the residents of Leon Valley to join them and participate in this program. He wants to connect people together, and hopefully we want to participate. All we need is for our citizens to register and participate. If needed, he volunteers his services to help organize our residents for joining the program. There will be a big walking event in San

Antonio on April 17, 2013. More San Antonio Walks Program details are found on the website: www.FitCitySA.com.

5. Discuss:

A. Bill Cooper said Rachel Felker suggested, at the last meeting, that we might form a volunteer service organization (Friends of the Park) to work on small projects. He asked Byron Vick to contact Human Resources about the extent of liability the City of Leon Valley would assume.

B. Bert Thomas mentioned we need to have our workday in the park in late March or early April. Be prepared to set a date and establish what we want to accomplish. He also mentioned the City is having the Earth Wise Living Day in a couple weeks and encouraged members to attend.

6. Commissioner's and Staff's Comments:

A. Byron stated they recently replaced the barbecue pit at the large pavilion. The electrical breaker with exterior panel will be installed shortly.

B. Bert complimented Public Works on their excellent job working at the Park.

C. Bill Cooper said we have about 30 blue bonnets popping up in the wildflower garden.

D. Linda and Scott mentioned the danger at the crossing between the park and the library. Someone is going to get hurt there. It also serves as a bus stop. Scott said it seems there is not a good solution to this problem. Maybe it is best if everyone goes to the Poss and Evers Rd. to cross over.

7. Announcements: The next City of Leon Valley Park Commission Meeting will be at the City Council Chambers, Leon Valley, TX at 7:00 PM on: March 11, 2013.

8. Adjournment: A motion to adjourn was made by Bill Cooper, seconded by: Tom Fraser, and unanimously approved by the commissioners. The meeting adjourned at approximately 8:30 PM.

Approved:


Bert H. Thomas, Chairman,

Leon Valley Park Commission

Minutes of the March 11, 2013

CITY OF LEON VALLEY PARK COMMISSION

1. Call to Order and Determination via Roll Call if Quorum is Present: The March 11, 2013 meeting was called to order at approximately 7:00 by Chairman Bert Thomas in the City Chambers at the Leon Valley City Hall

Present: Bert Thomas, Bill Cooper, Benay Cacciatore, Rachel Felkner, Susan Fraser, Tom Fraser, Scott Baird

Absent/Excused: Linda Tarin, John Stanley.

City Staff Present: Byron Vick

City Council Liaison: None

2. Review and consideration for Approval of the February, 2013 Meeting Minutes: Motion for approval was made by Bill Cooper, seconded by Scott Baird and unanimously approved by the commissioners.

3. Citizens to be heard: None.

4. Reports: Activities that impact the Park or Access to the Park.

A. Park Rental Applications: Reviewed.

5. Discuss:

A. Crosswalk safety improvement. Scott Baird made a motion to first remove any signal that encourages walking across Evers from the library, second increase ability for pedestrians to cross at the 4-way stop and third put up fences to discourage jay walking from library to park. This motion was seconded by Tom Fraser, none were opposed. Bill Cooper suggested having an engineer to study road and traffic on Evers. Susan Fraser suggested bright yellow paint and speed bumps. Benay Cacciatore suggested that the library could do a public awareness day on the danger of crossing busy roads.

6. Commissioner's and Staff's Comments:

A. Bill Cooper suggested we make a goal as a committee to try and get one large tree planted a year. Bill also wanted to commend the Public Works in what a great job they do with picking up the trash in the park. Bill also mentioned that the blue bonnets were coming up.

B. Tom Fraser suggested that we as a committee to make more motions, such as Scott's regarding the crosswalk, in order to get the ball rolling on items of business we would like to see be taken care of.

C. Scott Baird discussed Friends of the Park with Ms. Mardale Wilson, president of the Friends of McAllister Park (an active group of about 50 people) told me that their group uses no liability waivers on their 2-3 times per year work day.

D. Byron is looking for an individual to run the pool this summer. Byron believes that the pool area would be better used as a basketball court or tennis court.

7. Announcements: The next City of Leon Valley Park Commission Meeting will be at the City Council Chambers, Leon Valley, TX at 7:00 PM on April 8, 2013.

8. Adjournment: A motion to adjourn was made by Scott Baird, seconded by Benay Cacciatore, and unanimously approved by the commissioners. The meeting adjourned at approximately 8:10 PM.



Bert H. Thomas, Chairman,

Leon Valley Park Commission