



AGENDA ITEM SUMMARY

Agenda Date	June 11, 2024
Requested Action	CONSIDER ON SECOND READING ORDINANCE NO. 2024-07; AN ORDINANCE AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF BOERNE UNIFIED DEVELOPMENT CODE, BY AMENDING CHAPTER 3. ZONING, SECTION 3-2, ZONING MAP, GRANTING HISTORIC LANDMARK DESIGNATION TO 717 N. MAIN STREET, BOERNE, TEXAS (KAD NO. 19840) IN A C3, COMMUNITY COMMERCIAL DISTRICT; REPEALING ALL ORDINANCES IN CONFLICT; CONTAINING A SEVERANCE CLAUSE; AND DECLARING AN EFFECTIVE DATE.
Contact Person	Nathan Crane, AICP Planning Director (830) 248-1521; ncrane@boerne-tx.gov
Background Information	<p>PRIOR REVIEW:</p> <p>The City Council held a public hearing on this item at their May 28, 2024, meeting and voted to approve the ordinance on first reading.</p> <p>BACKGROUND:</p> <p>The property is located at 717 N Main St. It is owned by Mr. & Mrs. Franke and is registered to the Foote Hawkins Residence LLC. The property is zoned C3 zoning and is within the Historic District Overlay.</p> <p>The early inhabitants of Boerne chose to settle in the area due to the presence of Cibolo Creek and the surrounding wildlife. Officially platted in 1852, the founding colonists settled near the creek.</p> <p>Boerne's historic district largely follows Main Street in the downtown area. At the heart of the historic district is the Hill Country Mile.</p> <p><i>Property History</i></p> <p>The existing residential structure on this property was built by Mr. Daniel Avery Foote circa 1893. Mr. Foote owned and operated a lumber, furniture, undertaker, and embalmer business on Main St until 1914. A receipt for a coffin, embalming, hearse, and horse team is now housed at the Old Jail Museum in Boerne, along with a business card, and an image of Mr. Foote in front of his store.</p>

	<p>Mr. Foote was a descendent of American Revolutionary War ancestors, and a Civil War Union Veteran. His military unit participated in the Battles of Stone River, Chickamauga, Missionary Ridge, Franklin, and Nashville. He mustered out of the Union Army as a corporal after 2 years, 9 months of military service, on June 9, 1865.</p> <p>Mr. Foote was a member of the Edward Otho Cresap Ord Grand Army of the Republic Post, an organization for Union veterans in San Antonio. He was also a member of the American Legion. He married Abbie Gager in Boerne in 1885, in the Episcopal Church, and they had one son, Daniel Avery, Jr, who passed away from smallpox.</p> <p>Mr. Foote died in 1924, at age 81, and was given a military funeral. He is buried in Boerne Cemetery.</p> <p>Mr. Foote has been featured in the “Echoes...From the Archives” Patrick Heath Library Historical Archives Newsletter, and the property at 717 N Main has been featured in the Boerne Historic Walking Tour.</p> <p>The City Council may designate property or structure as a Historic Landmark if they are determined to have a historical, cultural, archeological, or educational value that reflects the heritage of the city.</p> <ul style="list-style-type: none">• The Historic Landmark Commission reviewed this request on March 5, 2024, and recommended approval.• The Planning and Zoning Commission reviewed the request on April 1, 2024, and recommended approval. <p>REQUEST:</p> <ol style="list-style-type: none">1. The request is for approval of a Historic Landmark Designation for the property located at 717 N Main Street.2. The existing residence on this site was built circa 1893 by M. Daniel Avery Foote. There is also a more recent 1950’s ranch-style accessory structure that is located behind the main structure.3. The home is a two-story structure with approximately 4,000 square feet of living area and features a unique mix of Queen Anne and Shingle style details.4. Unique architectural features include a large, hipped dormer window, intricate wooden lattice and porch posts, and
--	---

	<p>staggered windows along the gabled second story.</p> <p>5. The current owners are currently undertaking extensive renovations to the interior of both buildings. They plan to use the site as a restaurant or assembly use.</p> <p>ANALYSIS:</p> <ul style="list-style-type: none">• Within the City, three properties are listed on the National Registry of Historic Properties: the Joseph Dienger Building, Kendall Inn, and Kendall County Courthouse and Jail. There are also 22 sites in Boerne that have state historical markers. Additionally, the area along Main Street in downtown is designated as a downtown historical district.• A goal of the Comprehensive Master Plan is to: “Protect and/or enhance areas and buildings of historic value in accordance with historic preservation guidelines and appropriate development standards.”• An action item in the Comprehensive Master Plan is: “Consider expansion of efforts to increase protections for historic preservation in Boerne.”• Approval of a historic landmark designation for 717 N Main would add to the list of historic buildings and would convey an additional level of protection and preservation to the residential structure on this site, which is among the oldest buildings in Boerne.• The property appears to have historical, cultural, and educational value, which reflects the heritage of Boerne. <p>FINDINGS:</p> <p>Staff believes the proposed designation meets the following findings:</p> <ul style="list-style-type: none">• The property has historical, cultural, and educational value that reflects the heritage of the city.• The request is consistent with the Boerne 2018 Master Plan. <p>COMMISSION ACTION:</p> <p>Staff recommend that the City Council hold a public hearing and consider the request. The Council may recommend approval or</p>
--	--

	disapproval. MOTIONS FOR CONSIDERATION: <ul style="list-style-type: none"> - I move that the City Council consider on second reading an ordinance APPROVING the Historic Landmark Designation for 717 N Main Street. - I move that the City Council DENY the proposed Historic Landmark Designation, based on the following findings: (The Council will need to state the reasons for the denial). 	
Item Justification	<input checked="" type="checkbox"/> Legal/Regulatory Obligation <input type="checkbox"/> Reduce Costs <input type="checkbox"/> Increase Revenue <input type="checkbox"/> Mitigate Risk <input checked="" type="checkbox"/> Master Plan Recommendation	<input type="checkbox"/> Infrastructure Investment <input checked="" type="checkbox"/> Customer Pull <input type="checkbox"/> Service Enhancement <input type="checkbox"/> Process Efficiency <input type="checkbox"/> Other:
Strategic Alignment	B2 – Advancing Master Plan recommendations. C3 – Collaborating with community partners to enhance quality of life.	
Financial Considerations	N/A	
Citizen Input/Board Review	On March 5, 2024, the Historic Landmark Commission unanimously recommended approval of the designation. On April 1, 2024, the Planning and Zoning Commission unanimously recommended approval of the designation.	
Legal Review	N/A	
Alternative Options	The Council may approve or deny the application.	
Supporting Documents	Location Map – 717 N Main St Street View – 717 N Main St Historic Landmark Application Excerpt of the Minutes from March 5, 2024, Historic Landmark Commission Meeting Excerpt of the Minutes from the April 1, 2024, Planning and Zoning Commission Meeting	