

MINUTES
HISTORIC LANDMARK COMMISSION MEETING
BOERNE CITY HALL
447 North Main Street
Tuesday, July 7, 2020 – 5:30 p.m.

Minutes of the Regular Historic Landmark Commission of July 7, 2020 at 5:30 p.m.

Present: 6- Chairman Ben Adam, Commissioner Michael Nichols, Commissioner Stephen Kerr, Commissioner Patti Mainz, Commissioner Cesar Hance, Commissioner Cali Redd

Absent: 3- Vice Chairman Justin Boerner, Commissioner Shanna Bergmann, Commissioner Sherri Jo Adams

Staff Present: Shelby Allen, Barbara Quirk, Barrett Squires, Sara Serra-Bennett, Laura Talley, Heather Wood

Guests: Joe Cleary, Pat Cleary, James Birkner, Sheikht Ahsan, Lucas Hiler, Merideth Henkel-Green, Wayne Seawald, Dannie Seawald, Kristine Rhodes, Chester Bidmead, Scott Hillje, Charles Riddle, Dennis Rhodes, Christina Ryrholm

1. CALL TO ORDER – 5:30 PM

Chairman Adam called the meeting to order at 5:30 p.m.

2. CONFLICT OF INTEREST

Commissioner Mainz declared a conflict of interest for item numbers 10 and 11.

3. COMMENTS FROM BEN THATCHER, CITY MANAGER FOR BOERNE.

City Manager Ben Thatcher introduced himself to the Planning and Zoning Commission and expressed his gratitude to the Commission for their public service to the Boerne community.

4. PUBLIC COMMENTS: This is the opportunity for visitors and guests to address the Historic Landmark Commission on any issue. The Historic Landmark Commission may not discuss any presented issue, nor may any action be taken on any issue at this time. (Attorney General opinion – JC-0169)

5. CONSENT AGENDA: All items listed below within the Consent Agenda are considered to be routine by the Historic Landmark Commission and may be enacted with one motion. There will be no separate discussion of items unless a Commission Member or citizen so requests, in which event the item may be moved to the general order of business and considered in its normal sequence.

**5.A. [2020-416](#) CONSIDER THE MINUTES OF THE HISTORIC LANDMARK
COMMISSION MEETING OF JUNE 2, 2020.**

A MOTION WAS MADE BY COMMISSIONER NICHOLS, SECONDED BY COMMISSIONER KERR, TO APPROVE THE MINUTES OF THE HISTORIC LANDMARK COMMISSION MEETING OF JUNE 2, 2020. THE MOTION CARRIED BY THE FOLLOWING VOTE:

YEAH: 5- COMMISSIONER NICHOLS, COMMISSIONER KERR,
COMMISSIONER MAINZ, COMMISSIONER HANCE, COMMISSIONER REDD

ABSENT: 3- VICE CHAIRMAN BOERNER, COMMISSIONER BERGMANN,
COMMISSIONER ADAMS

APPROVED: 5-0

6. PUBLIC HEARING – TO HEAR COMMENTS ON THE FOLLOWING

Chairman Adam opened the public hearing at 5:36 p.m.

**6.A. [2020-417](#) REQUEST FOR APPROVAL OF DEMOLITION OF THE STRUCTURE
LOCATED AT 311 LIVE OAK STREET (EDWIN HENKEL).**

Ms. Sara Serra-Bennett spoke to the Commissioners about the 15 mail outs that were sent regarding the demolition to property owners within 200 feet of the structure located at 311 Live Oak. The Planning Department received 6 responses back, all were in favor of demolition.

Lucas Hiler, resident at 607 North School Street, spoke in opposition to the demolition of the structure located at 311 Live Oak.

Chester Bidmead, contractor working with the property owners, spoke to the structural state of the property and the expected cost to remodel.

Meredith Henkel-Green, father owns the property, spoke in favor of the demolition.

Kristine Rhodes, lives next to the property on Live Oak, stated that she never received a mail out notice for the demolition.

Chairman Adam called the public hearing to a close at 5:50 p.m.

7. TAKE ANY NECESSARY ACTION RESULTING FROM THE PUBLIC HEARINGS:

**7.A. [2020-418](#) MAKE RECOMMENDATION TO CITY COUNCIL REGARDING THE
DEMOLITION OF A STRUCTURE LOCATED AT 311 LIVE OAK
STREET (EDWIN HENKEL).**

Ms. Sara Serra-Bennett presented the request for demolition of the property located at 311 Live Oak. Ms. Serra-Bennett noted that staff did not find any historical significance. Staff recommends denial of request for demolition.

Ms. Laura Talley spoke to the historical architecture of the structure, but noted that the Texas Historic Commission would not accept the structure due to additions made to the house.

A MOTION WAS MADE BY COMMISSIONER MAINZ, SECONDED BY COMMISSIONER KERR, TO APPROVE THE DEMOLITION OF THE STRUCTURE LOCATED AT 311 LIVE OAK STREET (EDWIN HENKEL). THE MOTION CARRIED BY THE FOLLOWING VOTE:

YEAH: 5- COMMISSIONER NICHOLS, COMMISSIONER KERR,
COMMISSIONER MAINZ, COMMISSIONER HANCE, COMMISSIONER REDD

ABSENT: 3- VICE CHAIRMAN BOERNER, COMMISSIONER BERGMANN,
COMMISSIONER ADAMS

APPROVED: 5-0

8. ACTION ITEMS:

9. [2020-419](#) REQUEST FOR APPROVAL FOR A CERTIFICATE OF
APPROPRIATENESS FOR A WALL SIGN LOCATED AT 106 S. MAIN
STREET., KAD NO. 19894 (LULU BELLS).

Ms. Sara Serra-Bennett presented the request for a wall sign located at 106 S. Main Street. Staff recommends approval.

Mr. Scott Hillje spoke about the new sign presented after changing what was requested from the previous historic landmark commission meeting.

A MOTION WAS MADE BY COMMISSIONER KERR, SECONDED BY COMMISSIONER MAINZ, TO APPROVE THE REQUEST FOR A WALL SIGN LOCATED AT 106 S. MAIN STREET., KAD NO. 19894 (LULU BELLS). THE MOTION CARRIED BY THE FOLLOWING VOTE:

YEAH: 5- COMMISSIONER NICHOLS, COMMISSIONER KERR,
COMMISSIONER MAINZ, COMMISSIONER HANCE, COMMISSIONER REDD

ABSENT: 3- VICE CHAIRMAN BOERNER, COMMISSIONER BERGMANN,
COMMISSIONER ADAMS

APPROVED: 5-0

10. [2020-420](#) REQUEST FOR APPROVAL OF A BUILDING PERMIT TO INSTALL AN
AWNING ABOVE EXISTING WINDOWS LOCATED AT 123 N. MAIN
STREET., KAD NO. 19941 (SALTY & SWEET).

Commissioner Mainz recused at 6:06 p.m.

Due to Quorum requirements Chairman Ben Adam will vote for items 10 and 11.

Ms. Sara Serra-Bennett presented the request for a building permit to install an awning above existing windows located at 123 N. Main Street. Staff recommends approval.

A MOTION WAS MADE BY COMMISSIONER NICHOLS, SECONDED BY COMMISSIONER REDD, TO APPROVE THE REQUEST FOR A BUILDING PERMIT TO INSTALL AN AWNING ABOVE EXISTING WINDOWS LOCATED AT 123 N. MAIN STREET., KAD NO. 19941 (SALTY & SWEET). THE MOTION CARRIED BY THE FOLLOWING VOTE:

YEAH: 5- CHAIRMAN ADAM, COMMISSIONER NICHOLS, COMMISSIONER KERR, COMMISSIONER HANCE, COMMISSIONER REDD

ABSENT: 3- VICE CHAIRMAN BOERNER, COMMISSIONER BERGMANN, COMMISSIONER ADAMS

ABSTAINED: 1- COMMISSIONER MAINZ

APPROVED: 5-0

11. [2020-421](#) REQUEST FOR APPROVAL OF A BUILDING PERMIT TO INSTALL A CANOPY ON THE WEST SIDE OF THE PROPERTY LOCATED AT 123 N. MAIN STREET., KAD NO. 19941 (SALTY & SWEET).

Ms. Sara Serra-Bennett presented the request for building permit to install a canopy on the west side of the property located at 123 N. Main Street. She noted that the applicants met with a subcommittee to address concerns about requested changes to the property. Staff recommends approval.

A MOTION WAS MADE BY COMMISSIONER KERR, SECONDED BY COMMISSIONER NICHOLS, TO APPROVE THE BUILDING PERMIT TO INSTALL A CANOPY ON THE WEST SIDE OF THE PROPERTY LOCATED AT 123 N. MAIN STREET., KAD NO. 19941 (SALTY & SWEET). THE MOTION CARRIED BY THE FOLLOWING VOTE:

YEAH: 5- CHAIRMAN ADAM, COMMISSIONER NICHOLS, COMMISSIONER KERR, COMMISSIONER HANCE, COMMISSIONER REDD

ABSENT: 3- VICE CHAIRMAN BOERNER, COMMISSIONER BERGMANN, COMMISSIONER ADAMS

ABSTAINED: 1- COMMISSIONER MAINZ

APPROVED: 5-0

12. [2020-422](#) REQUEST FOR APPROVAL OF A CERTIFICATE OF
APPROPRIATENESS FOR AN AWNING SIGN FOR AN EXISTING
AWNING IN FRONT OF THE PROPERTY LOCATED AT 126 S. MAIN
STREET., KAD NO. 19896 (IVI RUGS INC.)

Commissioner Mainz returned to the meeting at 6:12 p.m.

Ms. Sara Serra-Bennett presented the request for an awning sign for an existing awning in front of the property located at 126 S. Main Street. Staff recommends approval.

Mr. Sheikht Ahsan, the applicant, spoke to the commissioners about the installation and materials of the proposed sign.

A MOTION WAS MADE BY COMMISSIONER NICHOLS, SECONDED BY COMMISSIONER KERR, TO APPROVE THE REQUEST FOR AN AWNING SIGN FOR AN EXISTING AWNING IN FRONT OF THE PROPERTY LOCATED AT 126 S. MAIN STREET., KAD NO. 19896 (IVI RUGS) WITH THE CAVEAT THAT THE FASTENERS MATCH THE BACKGROUND OF THE SIGN TO REDUCE VISIBILITY. THE MOTION CARRIED AT FOLLOWS:

YEAH: 5- COMMISSIONER NICHOLS, COMMISSIONER KERR,
COMMISSIONER MAINZ, COMMISSIONER HANCE, COMMISSIONER REDD

ABSENT: 3- VICE CHAIRMAN BOERNER, COMMISSIONER BERGMANN,
COMMISSIONER ADAMS

APPROVED: 5-0

13. [2020-423](#) REQUEST FOR APPROVAL OF A CERTIFICATE OF
APPROPRIATENESS FOR REPLACEMENT OF WINDOWS LOCATED
AT 470 SOUTH MAIN STREET., KAD NO. 22828 (CHARLIE RIDDLE
FOR CIBOLO 470 GROUP).

Ms. Sara Serra-Bennett presented the request for replacement of windows located at 470 South Main Street.

Ms. Laura Talley explained that the windows present were meant to be temporary, but due to the structure of the windows the applicant could not reinstall the original windows.

Mr. Charlie Riddle, the applicant, spoke about the need for the new windows.

A MOTION WAS MADE BY COMMISSIONER MAINZ, SECONDED BY COMMISSIONER REDD, TO APPROVE THE REQUEST FOR REPLACEMENT OF WINDOWS LOCATED AT 470 SOUTH MAIN STREET., KAD NO. 22828 (CHARLIE RIDDLE FOR CIBOLO 470 GROUP). THE MOTION CARRIED WITH THE FOLLOWING VOTE:

YEAH: 5- COMMISSIONER NICHOLS, COMMISSIONER KERR, COMMISSIONER MAINZ, COMMISSIONER HANCE, COMMISSIONER REDD

ABSENT: 3- VICE CHAIRMAN BOERNER, COMMISSIONER BERGMANN, COMMISSIONER ADAMS

APPROVED: 5-0

14. [2020-424](#) REQUEST FOR APPROVAL OF A CERTIFICATE OF APPROPRIATENESS FOR A 16" X 72" COMMERCIAL COMPLEX SIGN OF THE PROPERTY LOCATED AT 604 N. MAIN STREET., KAD NO. 25984 (ROOFING & RESTORATION SERVICES OF AMERICA).

Ms. Sara Serra Bennett presented the request for a 16"x72" commercial complex sign of the property located at 604 N. Main Street.

A MOTION WAS MADE BY COMMISSIONER MAINZ, SECONDED BY COMMISSIONER NICHOLS, TO APPROVE THE REQUEST FOR A 16"X72" COMMERCIAL COMPLEX SIGN OF THE PROPERTY LOCATED AT 604 N. MAIN STREET., KAD NO. 25984 (ROOFING AND RESTORATION SERVICES OF AMERICA) WITH THE CAVEAT THAT IT IS THE SAME COLORS, THE GREEN AND GOLD, AS THE EXISTING SIGN. THE MOTION CARRIED BY THE

FOLLOWING VOTE:

YEAH: 5- COMMISSIONER NICHOLS, COMMISSIONER KERR,
COMMISSIONER MAINZ, COMMISSIONER HANCE, COMMISSIONER REDD

ABSENT: 3- VICE CHAIRMAN BOERNER, COMMISSIONER BERGMANN,
COMMISSIONER ADAMS

APPROVED: 5-0

15. DISCUSSION ITEMS:

15.A. UNIFIED DEVELOPMENT CODE TIMELINE UPDATE

Ms. Laura Talley spoke to the commissioners about the updated UDC timeline and recent overlay district surveys that went out to the public via social media.

16. COMMENTS FROM COMMISSION/LEGAL COUNSEL/STAFF – NO DISCUSSION OR ACTION MAY TAKE PLACE.

No comments from legal staff.

Ms. Laura Talley reminded the commissioners that starting at the next Historic Landmark Commission meeting all voting will be moved to the new electronic system.

17. EXECUTIVE SESSION IN ACCORDANCE WITH THE TEXAS GOVERNMENT CODE: THE HISTORIC LANDMARK COMMISSION MAY, AS PERMITTED BY LAW, ADJOURN INTO EXECUTIVE SESSION AT ANY TIME TO DISCUSS ANY MATTER LISTED ABOVE INCLUDING IF THEY MEET THE QUALIFICATIONS IN SECTIONS 551.071 (CONSULTATION WITH ATTORNEY), 551.072 (DELIBERATION REGARDING REAL PROPERTY), 551.073 (DELIBERATION REGARDING GIFTS), 551.074 (PERSONNEL/OFFICERS), 551.076 (DELIBERATION REGARDING SECURITY DEVICES), AND SECTION 551.087 (DELIBERATION REGARDING ECONOMIC DEVELOPMENT NEGOTIATIONS) OF CHAPTER 551 OF THE TEXAS GOVERNMENT CODE. (If needed)

The Historic Landmark Commission did not convene into Executive Session.

18. ADJOURNMENT

A MOTION WAS MADE BY COMMISSIONER KERR, SECONDED BY

COMMISSIONER NICHOLS, TO ADJOURN THE HISTORIC LANDMARK COMMISSION MEETING. THE MOTION CARRIED WITH THE FOLLOWING VOTE:

YEAH: 5- COMMISSIONER NICHOLS, COMMISSIONER KERR, COMMISSIONER MAINZ, COMMISSIONER HANCE, COMMISSIONER REDD

ABSENT: 3- VICE CHAIRMAN BOERNER, COMMISSIONER BERGMANN, COMMISSIONER ADAMS

APPROVED: 5-0

Chairman Adam adjourned the Historic Landmark Meeting at 6:37 p.m.

s/s Laura Talley

Administrative Officer

CERTIFICATION

I hereby certify that the above notice of meeting was posted on the 2nd day of July,
2020 at 5:00 p.m.

s/s Heather Wood

Secretary

NOTICE OF ASSISTANCE AT THE PUBLIC MEETING

Boerne City Hall is wheelchair accessible. Access to the building and special parking is available at the front entrance of the building. Requests for special services must be received forty-eight (48) hours prior to the meeting time by calling the Planning and Community Development Office at 830-249-9511.

Pursuant to Section 30.06 Penal Code (trespass by license holder with a concealed handgun), a person licensed under Subchapter H, Chapter 411, Government Code (handgun licensing law), may not enter this property with a concealed handgun.

Pursuant to section 30.07 Penal Code (trespass by license holder with an openly carried handgun), a person licensed under Subchapter H, Chapter 411, Government Code (handgun licensing law), may not enter this property with a handgun that is carried openly.

