

**MINUTES**  
**HISTORIC LANDMARK COMMISSION MEETING**  
**BOERNE CITY HALL**  
**447 North Main Street**  
**Boerne, Texas 78006**  
**Tuesday, August 4, 2020 - 5:30 PM**

Minutes of the Regular Historic Landmark Commission meeting of August 4, 2020 at 5:30 p.m.

**Present:** 6- Chairman Ben Adam, Vice Chairman Justin Boerner, Commissioner Michael Nichols, Commissioner Stephen Kerr, Commissioner Patti Mainz, Commissioner Shanna Bergmann

**Absent:** 2- Commissioner Cesar Hance, Commissioner Cali Redd

**Staff Present:** Barbara Quirk, Laura Talley, Barrett Squires, Sara Serra-Bennet, Heather Wood, Paul Bilotta

**Recognized/Registered Guests:** Joe Cleary, Pat Cleary, Bonnie Brantley, Joseph Brantley, Amy Bierstedt, Bill Eichholtz

**1. CALL TO ORDER – 5:30 PM**

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

**2. CONFLICT OF INTEREST DECLARATION**

Commissioner Patti Mainz declared a conflict of interest for item numbers 8 and 9.

Chairman Ben Adam declared a conflict of interest for item numbers 11-13.

**3. 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)

No public comments were received.

4. CONSENT AGENDA: ALL ITEMS LISTED BELOW WITHIN THE CONSENT AGENDA ARE CONSIDERED 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.

**4.A.**     [2020-459](#)     CONSIDER THE MINUTES OF THE HISTORIC LANDMARK COMMISSION MEETING OF JULY 7, 2020

A MOTION WAS MADE BY COMMISSIONER NICHOLS, SECONDED BY COMMISSIONER MAINZ, TO APPROVE THE MINUTES OF THE HISTORIC LANDMARK COMMISSION MEETING OF JULY 7, 2020. THE MOTION CARRIED BY THE FOLLOWING VOTE:

**YEAH:**    5-    VICE CHAIRMAN BOERNER, COMMISSIONER NICHOLS, COMMISSIONER KERR, COMMISSIONER MAINZ, COMMISSIONER BERGMANN

**APPROVED: 5-0**

5. ACTION ITEMS:

6.        [2020-460](#)        REQUEST FOR APPROVAL OF A CERTIFICATE OF APPROPRIATENESS FOR A WALL SIGN LOCATED AT 110 ROSEWOOD AVENUE (KAD 26011, SCHERTZ ADDITION LOT PT 137, 0.166 ACRES), MEASURING 48"X72". (LINDA CHALBERG AND BILL EICHHOLTZ/ CARRIAGE HOUSE GALLERY OF ARTIST).

Ms. Sara Serra-Bennett presented the proposed Certificate of Appropriateness for a wall sign. Staff recommends approval.

Mr. Bill Eichholtz, property owner, spoke in regards to the material for the wall sign.

A MOTION WAS MADE BY COMMISSIONER NICHOLS, SECONDED BY COMMISSIONER KERR, TO APPROVE A CERTIFICATE OF APPROPRIATENESS FOR A WALL SIGN LOCATED AT 110 ROSEWOOD AVENUE (KAD 26011,

SCHERTZ ADDITION LOT PT 137, 0.166 ACRES), MEASURING 48"X72". (LINDA CHALBERG AND BILL EICHHOLTZ/ CARRIAGE HOUSE GALLERY OF ARTIST). THE MOTION CARRIED BY THE FOLLOWING VOTE:

**YEAH: 5-** VICE CHAIRMAN BOERNER, COMMISSIONER NICHOLS, COMMISSIONER KERR, COMMISSIONER MAINZ, COMMISSIONER BERGMANN

**APPROVED: 5-0**

7. [2020-461](#) REQUEST FOR APPROVAL OF A CERTIFICATE OF APPROPRIATENESS FOR A PROJECTING SIGN LOCATED AT 110 ROSEWOOD AVENUE (KAD 26011, SCHERTZ ADDITION LOT PT 137, 0.166 ACRES), MEASURING 42"X38". (LINDA CHALBERG AND BILL EICHHOLTZ/ CARRIAGE HOUSE GALLERY OF ARTIST).

Ms. Sara Serra-Bennett presented the proposed Certificate of Appropriateness for a projecting sign. Staff recommends approval.

Discussion ensued regarding the two signs inconsistency.

A MOTION WAS MADE BY COMMISSIONER MAINZ, SECONDED BY COMMISSIONER BERGMANN, TO APPROVE A CERTIFICATE OF APPROPRIATENESS FOR A PROJECTING SIGN LOCATED AT 110 ROSEWOOD AVENUE (KAD 26011, SCHERTZ ADDITION LOT PT 137, 0.166 ACRES), MEASURING 42"X38" AS PRESENTED.

**YEAH: 2-** COMMISSIONER MAINZ, COMMISSIONER BERGMANN

**NAY: 3-** VICE CHAIRMAN BOERNER, COMMISSIONER NICHOLS, COMMISSIONER KERR

**MOTION FAILED: 3-2**

A MOTION WAS MADE BY VICE CHAIRMAN BOERNER, SECONDED BY COMMISSIONER KERR, TO APPROVE A CERTIFICATE OF APPROPRIATENESS FOR A PROJECTING SIGN LOCATED AT 110 ROSEWOOD AVENUE (KAD 26011, SCHERTZ ADDITION LOT PT 137, 0.166 ACRES), MEASURING

42"X38" WITH A CONDITION TO MODIFY THE SIGN WITH ALL THE SAME FONT.

**YEAH:** 4- VICE CHAIRMAN BOERNER, COMMISSIONER NICHOLS, COMMISSIONER KERR, COMMISSIONER MAINZ

**NAY:** 1- COMMISSIONER BERGMANN

**APPROVED: 4-1**

8. [2020-464](#) REQUEST FOR A BUILDING PERMIT FOR A PROPERTY LOCATED AT 103 NORTH MAIN STREET (KAD 19943, BOERNE ORIGINAL TOWN LOT PT 130, .0962 ACRES). (PATRICK CLEARY/ JOE CLEARY).

Commissioner Mainz recused herself from the dais at 5:44 p.m. Chairman Adam will vote.

Ms. Sara Serra-Bennett presented the proposed building permit. Staff recommends approval as submitted.

Mr. Joe Cleary approached the lectern to explain the proposed texture of the facade and the glass that will be on the doors.

Ms. Sara Serra-Bennett spoke in regards to metes and bounds of the property.

Discussion ensued clarifying that this building permit is just for the building structure (form, awnings, concept, garage doors).

Ms. Laura Talley spoke in regards to window signs not currently regulated by the City of Boerne.

A MOTION WAS MADE BY COMMISSIONER KERR, SECONDED BY COMMISSIONER KERR, TO APPROVE A BUILDING PERMIT FOR A PROPERTY LOCATED AT 103 NORTH MAIN STREET (KAD 19943, BOERNE ORIGINAL TOWN LOT PT 130, .0962 ACRES). THE MOTION CARRIED BY THE FOLLOWING VOTE:

**YEAH:** 5- CHAIRMAN ADAM, VICE CHAIRMAN BOERNER, COMMISSIONER NICHOLS, COMMISSIONER KERR, COMMISSIONER BERGMANN

**RECUSED:** COMMISSIONER MAINZ

**APPROVED: 5-0**

9. [2020-462](#) REQUEST FOR APPROVAL OF A CERTIFICATE OF APPROPRIATENESS OF THE COLORS FOR A PROPERTY LOCATED AT 103 NORTH MAIN STREET (KAD 19943, BOERNE ORIGINAL TOWN LOT PT 130, .0962 ACRES). (PATRICK CLEARY/ JOE CLEARY).

Ms. Sara Serra-Bennett presented the proposed Certificate of Appropriateness for building colors. Staff recommends approval as submitted.

A MOTION WAS MADE BY COMMISSIONER NICHOLS, SECONDED BY VICE CHAIRMAN BOERNER, TO APPROVE A CERTIFICATE OF APPROPRIATENESS OF THE COLORS FOR A PROPERTY LOCATED AT 103 NORTH MAIN STREET (KAD 19943, BOERNE ORIGINAL TOWN LOT PT 130, .0962 ACRES). THE MOTION CARRIED BY THE FOLLOWING VOTE:

**YEAH:** 5- CHAIRMAN ADAM, VICE CHAIRMAN BOERNER, COMMISSIONER NICHOLS, COMMISSIONER KERR, COMMISSIONER BERGMANN

**RECUSED:** COMMISSIONER MAINZ

**APPROVED: 5-0**

10. [2020-463](#) REQUEST FOR APPROVAL OF A CERTIFICATE OF APPROPRIATENESS FOR A WALL SIGN LOCATED AT 347 NORTH MAIN STREET (KAD 23927, KUHLMAN & RYAN LOT PT 507, 0.1051 ACRES), MEASURING 27.75"X90" (AMY BIERSTEDT).

Commissioner Mainz returned to dais at 6:00p.m.

Ms. Sara Serra-Bennett presented the proposed Certificate of

Appropriateness for a wall sign. Staff recommends approval as submitted.

Ms. Amy Bierstedt, applicant, spoke regarding previous approval for the building sign with conditions on the sign placement not exceeding the height of the building.

A MOTION WAS MADE BY COMMISSIONER NICHOLS, SECONDED BY VICE CHAIRMAN BOERNER, TO APPROVE A CERTIFICATE OF APPROPRIATENESS FOR A WALL SIGN LOCATED AT 347 NORTH MAIN STREET (KAD 23927, KUHLMAN & RYAN LOT PT 507, 0.1051 ACRES), MEASURING 27.75"X90. THE MOTION CARRIED BY THE FOLLOWING VOTE:

**YEAH: 5-** VICE CHAIRMAN BOERNER, COMMISSIONER NICHOLS, COMMISSIONER KERR, COMMISSIONER MAINZ, COMMISSIONER BERGMANN

**APPROVED: 5-0**

11. [2020-465](#) REQUEST FOR APPROVAL OF A BUILDING PERMIT TO DEMOLISH A STRUCTURE LOCATED AT 259 SOUTH MAIN STREET (KAD 26005, SCHERTZ ADDITION, LOT 134 PT 133, .499 ACRES) (BONNIE BRANTLEY).

Chairman Adam recused himself from the dais at 6:02p.m.

Ms. Sara Serra-Bennett presented the proposed building permit to demolish a structure. Staff recommends approval as submitted.

A MOTION WAS MADE BY COMMISSIONER NICHOLS, SECONDED BY COMMISSIONER MAINZ, TO APPROVE A BUILDING PERMIT TO DEMOLISH A STRUCTURE LOCATED AT 259 SOUTH MAIN STREET (KAD 26005, SCHERTZ ADDITION, LOT 134 PT 133, .499 ACRES) (BONNIE BRANTLEY). THE MOTION CARRIED BY THE FOLLOWING VOTE:

**YEAH: 5-** VICE CHAIRMAN BOERNER, COMMISSIONER NICHOLS, COMMISSIONER KERR, COMMISSIONER MAINZ, COMMISSIONER

BERGMANN

**APPROVED: 5-0**

12.     [2020-466](#)     REQUEST FOR APPROVAL OF A BUILDING PERMIT FOR A STRUCTURE LOCATED AT 259 SOUTH MAIN STREET (KAD 26005, SCHERTZ ADDITION, LOT 134 PT 133, .499 ACRES) (BONNIE BRANTLEY).

Ms. Sara Serra-Bennett presented the proposed request for a building permit.

Ms. Laura Talley spoke in regards to prior noise complaints in this area. Staff recommendation is to approve with a condition to add a backdrop to the band stand to subdue some sound.

Discussion ensued regarding the backdrop for the structure and the concerns of noise.

Ms. Bonnie Brantley spoke regarding the new structure that will replace the existing stage. She addressed concerns of noise levels coming from the business in the past with previous owners; she stated noise levels should be minimal as the plan for the outdoor area is to serve food, drinks and allow for socializing with limited hours. She stated she does want the backdrop to be added to the structure and she discussed her future plans for signs on the backdrop.

Joseph Brantley spoke regarding the wood exterior continuing up to fully enclose the back of the structure.

A MOTION WAS MADE BY COMMISSIONER NICHOLS, SECONDED BY COMMISSIONER KERR, TO APPROVE A BUILDING PERMIT FOR A STRUCTURE LOCATED AT 259 SOUTH MAIN STREET (KAD 26005, SCHERTZ ADDITION, LOT 134 PT 133, .499 ACRES) (BONNIE BRANTLEY) WITH THE FOLLOWING CONDITIONS:

1. Make back wall of the band stand full height and solid.
2. Make right side wall, facing the band stand, a half wall.
3. Make a step, on left side facing the structure, that continues around the band stand.

THE MOTION CARRIED BY THE FOLLOWING VOTE:

**YEAH: 5-** VICE CHAIRMAN BOERNER, COMMISSIONER NICHOLS, COMMISSIONER KERR, COMMISSIONER MAINZ, COMMISSIONER BERGMANN

**APPROVED: 5-0**

13. [2020-467](#) REQUEST FOR APPROVAL OF A CERTIFICATE OF APPROPRIATENESS FOR COLOR OF MULTIPLE STRUCTURES LOCATED AT 259 SOUTH MAIN STREET (KAD 26005, SCHERTZ ADDITION, LOT 134 PT 133, .499 ACRES) (BONNIE BRANTLEY).

Ms. Sara Serra-Bennett presented the proposed Certificate of Appropriateness for paint colors for multiple structures. Staff recommends approval as submitted.

Mr. Bierstedt spoke regarding proposed custom paint colors.

A MOTION WAS MADE BY COMMISSIONER KERR, SECONDED BY COMMISSIONER NICHOLS, TO APPROVE A CERTIFICATE OF APPROPRIATENESS FOR COLOR OF MULTIPLE STRUCTURES LOCATED AT 259 SOUTH MAIN STREET (KAD 26005, SCHERTZ ADDITION, LOT 134 PT 133, .499 ACRES) (BONNIE BRANTLEY). THE MOTION CARRIED BY THE FOLLOWING VOTE:

**YEAH: 5-** VICE CHAIRMAN BOERNER, COMMISSIONER NICHOLS, COMMISSIONER KERR, COMMISSIONER MAINZ, COMMISSIONER BERGMANN

**APPROVED: 5-0**



Chairman Adam returned to the dais at 6:20 p.m.

14. DISCUSSION ITEMS:

Ms. Laura Talley gave an update on the Timeline and progress of the Unified Development Code.

**14.A. UDC UPDATE OF TIMELINE AND PROGRESS.**

Ms. Laura Talley gave a brief update regarding the status of the Unified Development Code.

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

No comments were received from legal counsel.

16. ADJOURNMENT

Chairman Adam adjourned the Historic Landmark Commission at 6:44p.m.

THE CITY OF BOERNE HISTORIC LANDMARK COMMISSION RESERVES THE RIGHT TO ADJOURN INTO EXECUTIVE SESSION AT ANY TIME TO DISCUSS ANY OF THE MATTERS LISTED ABOVE, AS AUTHORIZED BY TEXAS GOVERNMENT CODE §551.071 (CONSULTATION WITH ATTORNEY).

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Chair

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Secretary