

AGENDA
HISTORIC LANDMARK COMMISSION MEETING
BOERNE CITY HALL
447 N MAIN ST
Tuesday, December 1, 2020 - 5:30 PM

1. CALL TO ORDER – 5:30 PM

2. CONFLICT OF INTEREST DECLARATION

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)

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.

[2020-693](#) Consider the Minutes of the Historic Landmark Commission meeting of November 03, 2020.

Attachments: [HLC Official Meeting Minutes 20-1103](#)

5. ACTION ITEMS:

6. PUBLIC HEARING – to hear comments on the following:

- 6.A. [2020-685](#) Consider the demolition of structures located at 313 East Theissen Street, KAD No. 23109 (Lisa Espelage).

I. Staff Presentation

II. Public Hearing

III. Make Recommendation

Attachments: [Summary - 313 Theissen Street](#)
[Att 1 - Aerial Map](#)
[Att 2 - Street View](#)
[Att 3 - Survey 2](#)
[Att 4 - Picture Survey](#)

7. [2020-691](#) Request for a Certificate of Appropriateness for a projecting sign located at 152 S. Main Street (KAD 19894, Boerne Original Town Pt Lot 27 and Pt Lot 67, .3618 acres). (Michelle Edge/ Dang Sassy Boutique).

Attachments: [Summary - 152 S Main Street - Projecting Sign](#)
[Att 1 - Location Map](#)
[Att 2 - Street View](#)
[Att 3 - Facade with the Sign](#)
[Att 4 - Sign Design](#)
[Att 5 - Color Sample](#)

8. COMMENTS FROM COMMISSION/LEGAL COUNSEL/STAFF – No discussion or action may take place.

9. 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 AS AUTHORIZED BY CHAPTER 551 CODE §551.071 (CONSULTATION WITH ATTORNEY)

10. ADJOURNMENT

s/s Laura Talley

Administrative Officer

CERTIFICATION

**I hereby certify that the above notice of meeting was posted on the 24th day of
November, 2020 at 5:00 p.m.**

s/s Krystal Brown

Secretary

NOTICE OF ASSISTANCE AT THE PUBLIC MEETING

The City Hall Complex 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 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.

MINUTES
HISTORIC LANDMARK COMMISSION MEETING
BOERNE CITY HALL
447 North Main Street
Tuesday, November 3, 2020 - 5:30 PM

Minutes of the Regular Historic Landmark Commission meeting of November 3, 2020 at 5:30 p.m.

Present: 7- Chairman Ben Adam, Vice Chairman Justin Boerner, Commissioner Cesar Hance, Commissioner Stephen Kerr, Commissioner Cali Redd, Commissioner Shanna Bergmann, Commissioner Patti Mainz

Absent: 1- Commissioner Michael Nichols

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

Recognized/Registered Guests: Christina Ryrholm, Burrion Kemp, Dakota Durden, Jorja Durden

1. CALL TO ORDER – 5:30 PM

Chairman Adam called the Historic Landmark Commission to order at 5:32p.m.

2. CONFLICT OF INTEREST DECLARATION

No conflicts were declared.

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 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. [2020-624](#) Consider the Minutes of the Historic Landmark Commission meeting of October 06, 2020.

THE MINUTES WERE APPROVED.

A MOTION WAS MADE BY COMMISSIONER KERR, SECONDED BY COMMISSIONER BOERNER, TO APPROVE THE CONSENT AGENDA AS PRESENTED. THE MOTION CARRIED BY THE FOLLOWING VOTE:

YEAH: 5- VICE CHAIRMAN JUSTIN BOERNER, COMMISSIONER CESAR HANCE, COMMISSIONER STEPHEN KERR, COMMISSIONER SHANNA BERGMANN, COMMISSINOER CALI REDD

Approved: 5-0

5. ACTION ITEMS:

6. PUBLIC HEARING – to hear comments on the following:

- 6.A. [2020-639](#) To consider the demolition of a structure located at 614 Frey Street (KAD 18975) (Dakota Durden/ GRIT Co)

I. STAFF PRESENTATION

II. PUBLIC HEARING

III. MAKE RECOMMENDATION

Commissioner Mainz arrived at 6:36 p.m.

Ms. Sara Serra-Bennett presented the proposed demolition of a structure.

Chairman Adam opened the Public Hearing at 5:42 p.m.

Dakota Durden, with GRIT Co located at 518 N. Main , spoke regarding the age and condition of the structure and made himself available for questions.

Chairman Adam closed the Public Hearing at 5:45 p.m.

Discussion ensued regarding current process of granting demolitions, conflicting opinions regarding age of this structure and possible reuse of materials from the structure.

Ms. Laura Talley, Director of Planning and Community Development, spoke regarding ordinances as they relate to demolitions.

A MOTION WAS MADE BY COMMISSIONER KERR, SECONDED BY COMMISSIONER BOERNER, TO APPROVE THE DEMOLITION OF A STRUCTURE LOCATED AT 614 FREY STREET (KAD 18975) (DAKOTA DURDEN/ GRIT CO). THE MOTION CARRIED BY THE FOLLOWING VOTE:

YEAH: 5- VICE CHAIRMAN JUSTIN BOERNER, COMMISSIONER CESAR HANCE, COMMISSIONER STEPHEN KERR, COMMISSIONER SHANNA BERGMANN, COMMISSIONER PATTI MAINZ

NAY: 1- COMMISSINOER CALI REDD

Approved: 5-1

7. [2020-623](#) Request for a Certificate of Appropriateness for a wall sign located at 102 S. Main Street (KAD 19894, Boerne Original Town Lot 62 and Lot 63, .2213 acres). (Burrion Hemp)

Ms. Sara Serra-Bennett presented the Certificate of Appropriateness for a wall sign.

Mr. Burrion Hemp, owner of ArtHouse Builders, spoke regarding the color samples presented. After some discussion, he decided to change his original request for a dark blue color to black and white to remain

consistent with other downtown signage.

A MOTION WAS MADE BY COMMISSIONER BOERNER, SECONDED BY COMMISSIONER REDD, TO APPROVE A CERTIFICATE OF APPROPRIATENESS FOR A WALL SIGN LOCATED AT 102 S. MAIN STREET (KAD 19894, BOERNE ORIGINAL TOWN LOT 62 AND LOT 63, .2213 ACRES). (BURRION HEMP) WITH A CAVEAT TO HAVE A BLACK BACKGROUND. THE MOTION CARRIED BY THE FOLLOWING VOTE:

YEAH: 6- VICE CHAIRMAN JUSTIN BOERNER, COMMISSIONER CESAR HANCE, COMMISSIONER STEPHEN KERR, COMMISSIONER SHANNA BERGMANN, COMMISSIONER PATTI MAINZ, COMMISSIONER CALI REDD

Approved: 6-0

8. [2020-625](#) Request for a Certificate of Appropriateness for a projecting sign located at 102 S. Main Street (KAD 19894, Boerne Original Town Lot 62 and Lot 63, .2213 acres). (Burrian Hemp)

Burrian Hemp, owner of ArtHouse Builders, spoke regarding placement of the sign and changing the colors of the sign to a black background with white text.

A MOTION WAS MADE BY COMMISSIONER MAINZ, SECONDED BY COMMISSIONER BERGMANN, TO APPROVE A CERTIFICATE OF APPROPRIATENESS FOR A PROJECTING SIGN LOCATED AT 102 S. MAIN STREET (KAD 19894, BOERNE ORIGINAL TOWN LOT 62 AND LOT 63, .2213 ACRES). (BURRION HEMP) WITH A CAVEAT TO MAKE THE FONT COLOR WHITE WITH A BLACK BACKGROUND. THE MOTION CARRIED BY THE FOLLOWING VOTE:

YEAH: 6- VICE CHAIRMAN JUSTIN BOERNER, COMMISSIONER CESAR HANCE, COMMISSIONER STEPHEN KERR, COMMISSIONER SHANNA BERGMANN, COMMISSIONER PATTI MAINZ, COMMISSIONER CALI REDD

Approved: 6-0

9. [2020-627](#) Request for a Certificate of Appropriateness for an awning sign located at 102 S. Main Street (KAD 19894, Boerne Original Town Lot 62 and Lot 63, .2213 acres). (Burrior Hemp)

Ms. Sara Serra-Bennett presented the Certificate of Appropriateness for an awning sign.

Discussion ensued regarding dimensions of the sign, ordinances allowing 32 sq ft on two story bldg, downsizing.

Mr. Burrior Hemp, owner of Arthouse Builders, to stay with black background to maintain consistency.

A MOTION WAS MADE BY COMMISSIONER MAINZ, SECONDED BY COMMISSIONER HANCE, TO APPROVE A CERTIFICATE OF APPROPRIATENESS FOR AN AWNING SIGN LOCATED AT 102 S. MAIN STREET (KAD 19894, BOERNE ORIGINAL TOWN LOT 62 AND LOT 63, .2213 ACRES). (BURRIOR HEMP) WITH A CAVEAT TO MAKE THE BACKGROUND COLOR BLACK. THE MOTION CARRIED BY THE FOLLOWING VOTE:

YEAH: 6- VICE CHAIRMAN JUSTIN BOERNER, COMMISSIONER CESAR HANCE, COMMISSIONER STEPHEN KERR, COMMISSIONER SHANNA BERGMANN, COMMISSIONER PATTI MAINZ, COMMISSIONER CALI REDD

Approved: 6-0

10. [2020-631](#) Request for a Certificate of Appropriateness of colors to be used on a property located at 112 E. San Antonio Avenue (KAD 19946, Boerne Original Town Lot pt 132, .0881 acres). (Kevin Calzano)

Commissioner Patti Mainz recused herself from the dais at 6:19p.m.

Ms. Sara Serra-Bennett presented the Certificate of Appropriateness of colors to be used on property located at 112 E. San Antonio Avenue.

A MOTION WAS MADE BY COMMISSIONER BOERNER, SECONDED BY COMMISSIONER BERGMANN, TO APPROVE A CERTIFICATE OF

APPROPRIATENESS OF COLORS TO BE USED ON PROPERTY LOCATED AT 112 E. SAN ANTONIO AVE (KAD 19946, BOERNE ORIGINAL TOWN LOT PT 132, .0881 ACRES). (KEVIN CALZANO) THE MOTION CARRIED BY THE FOLLOWING VOTE:

YEAH: 5- VICE CHAIRMAN JUSTIN BOERNER, COMMISSIONER CESAR HANCE, COMMISSIONER STEPHEN KERR, COMMISSIONER SHANNA BERGMANN, COMMISSIONER CALI REDD

Approved: 5-0

Commissioner Patti Mainz returned to the dais at 6:22p.m.

11. ADJOURNMENT

Chairman Ben Adam adjourned the Historic Landmark Commission meeting at 6:23PM.

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).

s/s Laura Talley

Administrative Officer

CERTIFICATION

I hereby certify that the above notice of meeting was posted on the 30th day of October, 2020 at 12:45 p.m.

s/s Heather Wood


Secretary

NOTICE OF ASSISTANCE AT THE PUBLIC MEETING

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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.

	<div style="text-align: center;">AGENDA ITEM SUMMARY</div> <div style="border: 1px dashed purple; padding: 5px; float: right; margin-top: 10px;"> District Impacted <input type="checkbox"/> 1 = Wolosin <input type="checkbox"/> 2 = Woolard <input type="checkbox"/> 3 = Scott <input checked="" type="checkbox"/> 4 = Boddie <input type="checkbox"/> 5 = Macaluso <input type="checkbox"/> All </div>
Agenda Date	<i>December 01, 2020</i>
Requested Action	Request for a Building Permit to demolish a structure located at 313 East Theissen Street (KAD 23109, Heffner Addition Lot 33, 35, Pt 37, Pt 39, 0.654acres). (Lisa Espelage) I. STAFF PRESENTATION II. PUBLIC HEARING III. MAKE RECOMMENDATION
Contact Person	Sara Serra-Bennett, Planner II
HLC Case no.	2020-12-006
Zoning	R-3 High-Density Residential District
Contribution/ Integrity	N/A
Background Information	<p>The property is not part of the Historic District, but structures inside the City limits that are older than 50 years and request a demolition permit need to receive approval from the Historic Landmark Commission.</p> <p>The applicant is requesting to demolish the accessory structures located on the property: a wood garage building with a carport that encroaches into the neighbor's property, a wood building located in the middle of the yard, and metal building located in the east side of the property. The structures are in considerable state of disrepair, and the owner wishes to remove them to be able to have a better use of the property.</p> <p>According to the information provided by the Kendall County Appraisal District the structures in the property were built in 1954, but the Sanborn map from 1937 has the main structure, the garage building, and the structure in the middle of the lot present. No historical information about the property was found.</p> <p>On November 19, Commissioners Cali Redd, Justin Boerner, and Michael Nichols had the opportunity to do a site visit and evaluate the condition of the structures.</p>
Financial Considerations	
Citizen Input/Board Review	As required by State regulation, notifications were sent to the property owners within 200 ft from the subject property.
Legal Review	

Alternative Options	
Additional Information	N/A
Supporting Documents	Supporting documentation is attached

LOCATION MAP

313 East Theissen Street



Street View
313 E. Theissen Street



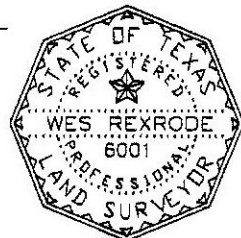
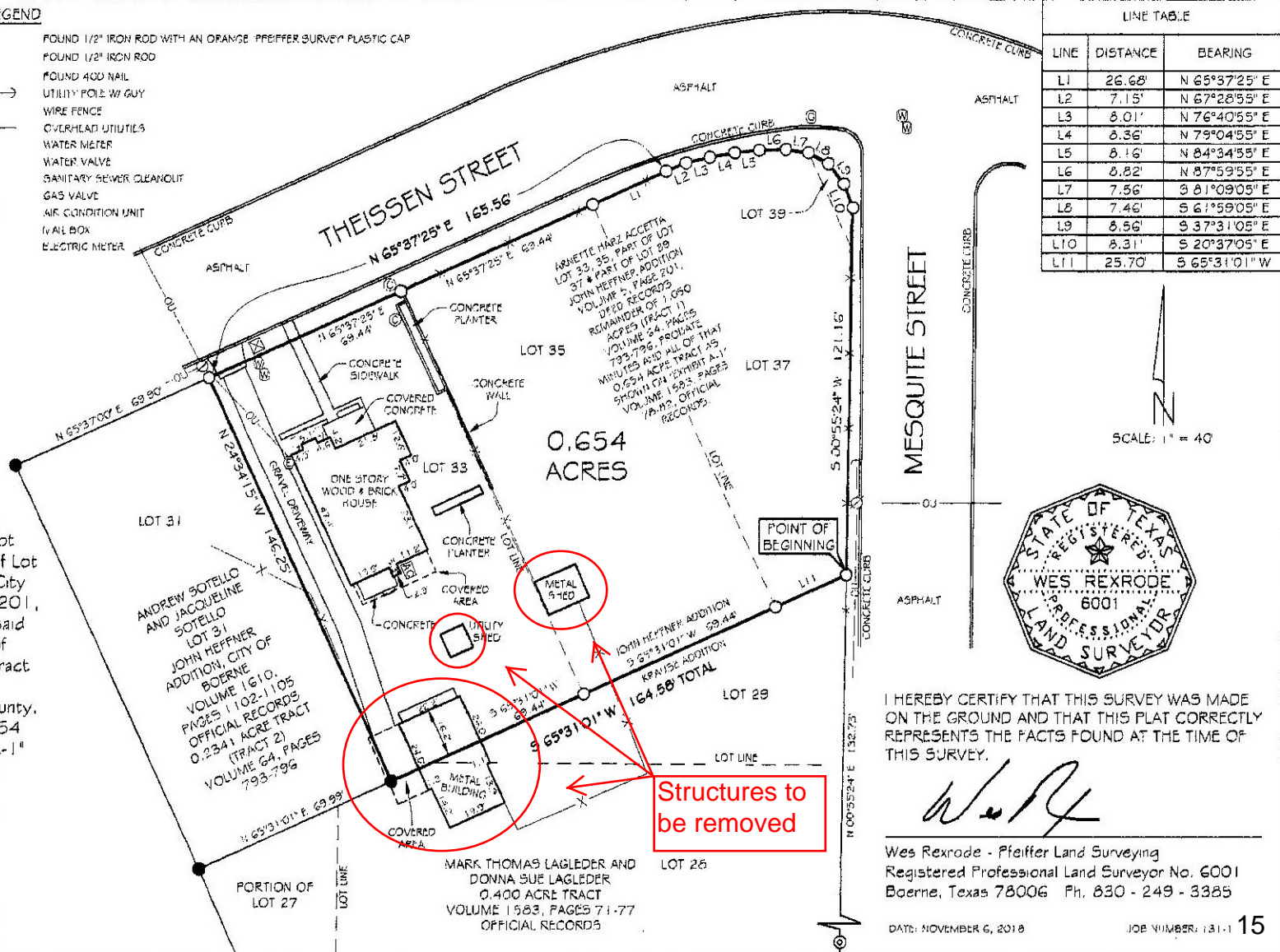
NOTES:

- 1) PROPOSED BORROWER: USA EMBELAGE
 - 2) ADDRESS: THIESSEN STREET
 - 3) BASIS OF BEARING: TEXAS STATE PLANE COORDINATE SYSTEM, SOUTH CENTRAL ZONE, 4204, NAD 83.
 - 4) THIS SURVEY IS BASED ON A TITLE COMMITMENT ISSUED BY FIRST AMERICAN TITLE INSURANCE COMPANY, C.F. NUMBER 20180244, ISSUED DATE OF OCTOBER 15, 2018, EFFECTIVE DATE OF OCTOBER 5, 2018 AND IS SUBJECT TO ALL TERMS, CONDITIONS, LEASES AND ENCUMBRANCES STIPULATED THEREIN. THE SURVEYOR DID NOT COMPLETE AN ABSTRACT OF TITLE.
 - 5) ONLY APPARENT UTILITIES WERE LOCATED. NO ATTEMPT HAS BEEN MADE AS PART OF THIS SURVEY TO SHOW THE EXISTENCE, SIZE, DEPTH, CONDITION, OR LOCATION OF ANY UNDERGROUND UTILITY. FOR INFORMATION REGARDING UNDERGROUND UTILITIES PLEASE CONTACT THE APPROPRIATE AGENCY.
 - 6) FENCES NEAR THE BOUNDARY LINE MEANDER AND ARE NOT NECESSARILY ON THE BOUNDARY LINE.
 - 7) ADJOINING PROPERTY INFORMATION SHOWN HEREON IS FOR INFORMATIONAL PURPOSES ONLY.
 - 8) RECORD BEARINGS AND DISTANCES WERE FOUND TO MATCH THOSE RECORDED IN VOLUME 1583, PAGES 78-82, OFFICIAL RECORDS, KENDALL COUNTY, TEXAS.
- SCHEDULE B DOCUMENT:
VOLUME 5, PAGE 201, KENDALL COUNTY DEED RECORDS.

Boundary survey showing a 0.654 acre tract of land being all of Lot 33, all of Lot 35, a portion of Lot 37 and a portion of Lot 39 in the John Heffner Addition to the City of Boerne recorded in Volume 5, Page 201, Deed Records, Kendall County, Texas, said 0.654 acre tract also being a portion of that certain 1.050 acre tract of land (Tract 1) recorded in Volume 64, Pages 793-796, Probate Minutes, Kendall County, Texas and all of that field measured 0.654 acre tract of land as shown on "Exhibit A-1" in Volume 1583, Pages 78-82, Official Records, Kendall County, Texas.

LEGEND

- FOUND 1/2" IRON ROD WITH AN ORANGE PFEIFFER SURVEY PLASTIC CAP
- FOUND 1/2" IRON ROD
- FOUND 400 NAIL
- UTILITY POLE W/ GUY
- × WIRE FENCE
- OVERHEAD UTILITIES
- WATER METER
- WATER VALVE
- SANITARY SEWER CLEANOUT
- GAS VALVE
- AIR CONDITION UNIT
- WALL BOX
- ELECTRIC METER



I HEREBY CERTIFY THAT THIS SURVEY WAS MADE ON THE GROUND AND THAT THIS PLAT CORRECTLY REPRESENTS THE FACTS FOUND AT THE TIME OF THIS SURVEY.

W. Rexrode

Wes Rexrode - Pfeiffer Land Surveying
Registered Professional Land Surveyor No. 6001
Boerne, Texas 78006 Ph. 830 - 249 - 3385

DATE: NOVEMBER 6, 2018

JOB NUMBER: 131-1

15

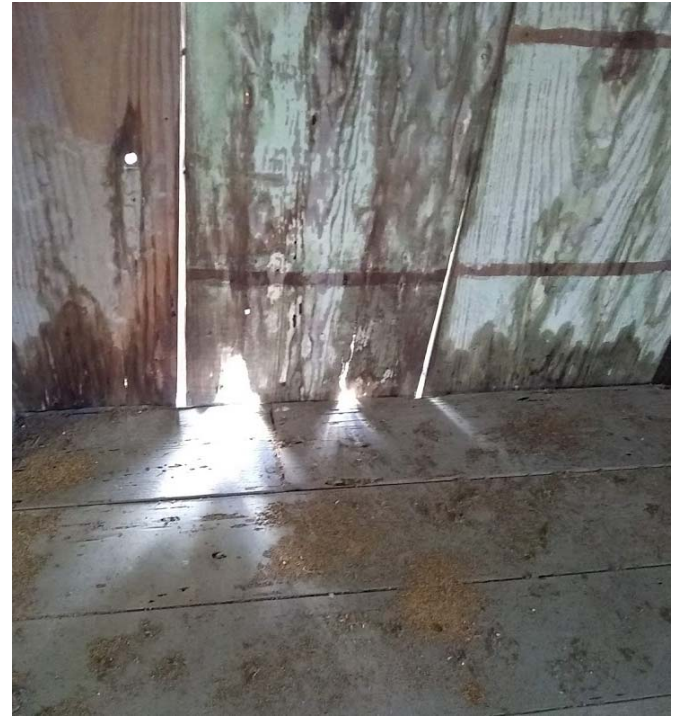
PFEIFFER LAND SURVEYING

918 ADLER STREET
BOERNE, TX 78006

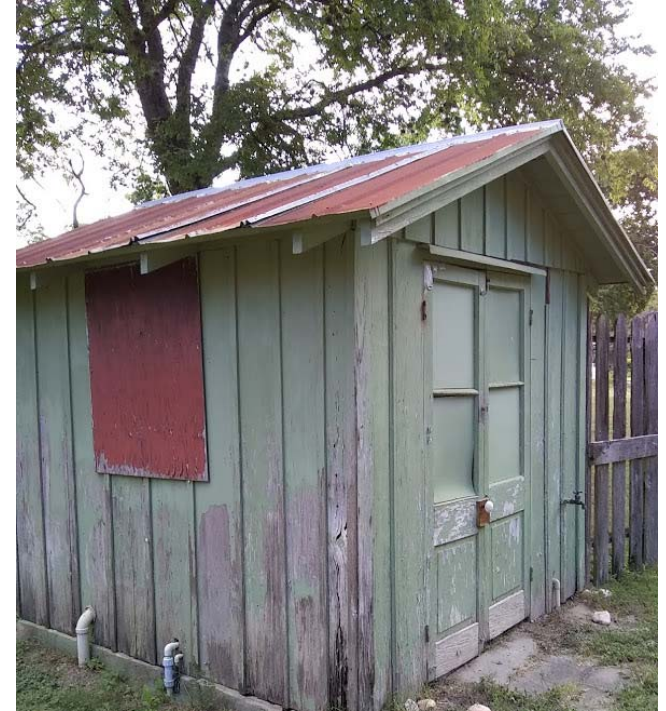
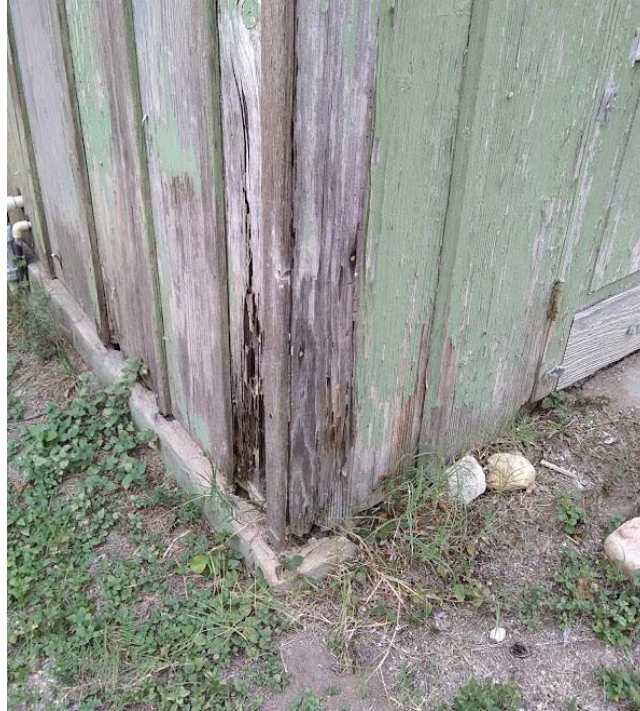
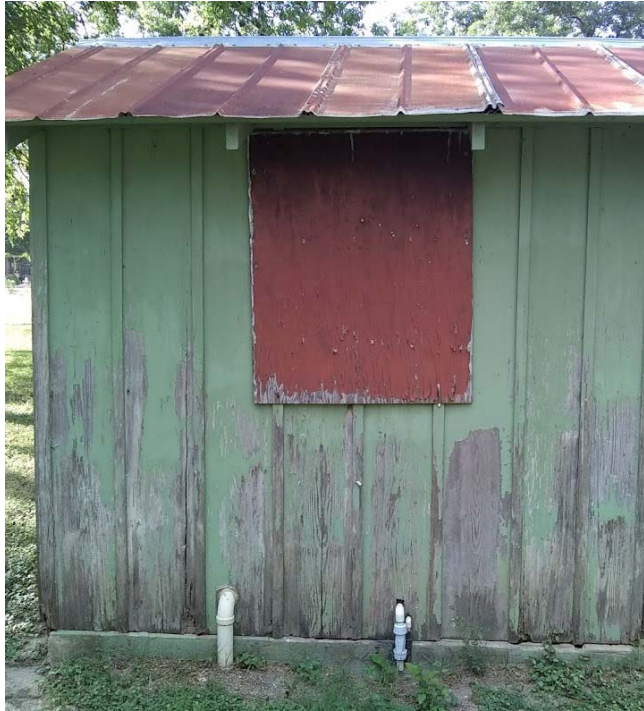
830-249-3385

FIRM NO. 10193761






Garage and Carport



Wood building in the middle of the lot



Metal building in the
east side of the lot

	<div data-bbox="1258 216 1502 457" style="border: 1px dashed purple; padding: 5px;"> <p>District Impacted</p> <p><input type="checkbox"/> 1 = Wolosin</p> <p><input type="checkbox"/> 2 = Woolard</p> <p><input type="checkbox"/> 3 = Scott</p> <p><input checked="" type="checkbox"/> 4 = Boddie</p> <p><input type="checkbox"/> 5 = Macaluso</p> <p><input type="checkbox"/> All</p> </div> <p style="text-align: center;">AGENDA ITEM SUMMARY</p>
Agenda Date	<i>December 01, 2020</i>
Requested Action	Request for a Certificate of Appropriateness for a projecting sign located at 152 S. Main Street (KAD 19894, Boerne Original Town Pt Lot 27 and Pt Lot 67, .3618 acres). (Michelle Edge/ Dang Sassy Boutique).
Contact Person	Sara Serra-Bennett, Planner II
HLC Case no.	2020-12-007
Zoning	B-3, Central Business District, Historic
Contribution/ Integrity	Contributing
Background Information	<p>The request is for a projecting sign measuring 30" x 48" maxmetal. The sign will have 1 font, and 2 colors, as presented in the attached documents. The new sign will replace the existing one.</p> <p>Application meets sign ordinance requirements.</p>
Financial Considerations	
Citizen Input/Board Review	
Legal Review	
Alternative Options	
Additional Information	RELATED CASE NO'S: 2013-04-003 – exterior paint
Supporting Documents	Supporting documentation is attached

LOCATION MAP

152 South Main Street



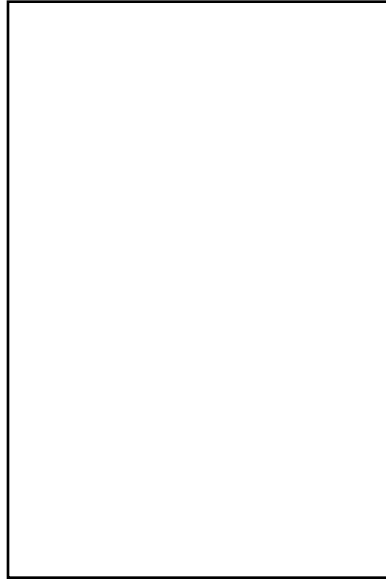
Street View
152 South Main Street







Color Sample



#080808 (Black)



#F4F9FF (Bright White)