

HISTORIC LANDMARK COMMISSION
Regular Meeting Minutes
February 11, 2020

MEMBERS PRESENT:

Chair Carola Davis
Vice Chair Bonnie Leitch
Yvonne Hoffmann
Robert Warnecke
Katie Totman
Tammy Lunkenheimer
Susan Sonier
Nathan Feingold
Melinda Poss

STAFF PRESENT:

Amy McWhorter, Historic Preservation Officer
Stacy Snell, Assistant Director
Frank Onion, First Assistant City Attorney
Caleb Gasperek, Assistant Planner
Sam Hunter, Planning Technician

MEMBER(S) ABSENT:

None

CALL TO ORDER AND ROLL CALL

Chair Carola Davis called the meeting to order at 8:31am in the New Braunfels City Council Chambers.

Roll was called, and a quorum was declared.

APPROVAL OF MINUTES

Motion by Chair Davis, seconded by Vice Chair Leitch to approve the minutes. Motion Carried (8-0-0).

CITIZENS COMMUNICATION

Gilbert Westbrook, 359 S Academy Ave, addressed the case about his property, HIST20-029.

Mrs. McWhorter informed Mr. Westbrook that his case is on the agenda.

Chair Davis stated Mr. Westbrook would be able to address the commission at this time.

DISCUSSION AND ACTION ITEMS

Chair Davis stated she was changing the order of the agenda to address Item C, PZ20-013, first.

Item C – PZ20-013 Public hearing and recommendation to City Council establishing the MP-1 (Main Plaza – 1) Overlay District, and the proposed rezoning of approximately 1.274 acres consisting of Lots 36, 40, 41, and 42, City Block 1005, situated on the northeast corner of Main Plaza and currently addressed as 236 Main Plaza, from C-2, HO (General Business Downtown Historic) District to C-2, HO, MP-1 (General Business, Downtown Historic, Main Plaza-1 Overlay) District. Applicant/Owner: New Braunfels Utilities.

Ian Taylor, CEO of New Braunfels Utilities, stated the overlay district was proposed due to the sale of the Main Plaza NBU building.

Christopher Looney presented and stated the difference between base zoning and an overlay district as extra requirements or restrictions to ensure a development is adopted within the context of the area.

Mr. Looney stated the overlay would require a zero-foot setback and be built up to the lot line.

Chair Davis asked if this would mean the buildings could end up closer to the street than they currently are.

Mr. Looney stated the buildings have already been built up to the lot line and this would have to be maintained within the zero-setback requirement.

Mr. Looney stated the height maximum in the base zoning of C-2 is 75 feet and this would be maintained however a parking structure would be restricted to 55 feet in order to maintain the prominence of the Comal County Courthouse which measures up to 82 feet 6 inches at the top of the tower.

Chair Davis asked what the Planning Commission had decided in response to the overlay district.

Mr. Looney stated the Planning Commission approved with recommendations a height limit of 57 feet 10 inches to match the base of the columns on the tower of the Courthouse.

Mr. Looney clarified the commission can approve, deny, or approve with modifications.

Mr. Looney stated there are additional sign, landscaping, underground utilities, and frontage requirements; additional requirements will be triggered in the case of a parking garage being built.

Chair Davis asked if the historic buildings will have to remain.

Mr. Looney stated the smaller historic structure (the original utilities building) will have to remain and the other historic-age structure on the property will have requirements to maintain the façade.

Nathan Feingold asked for clarification on the Planning Commission's recommendation affecting the Board's recommendation.

Mr. Taylor explained to the Board that they will be taking the 3 recommendations from the Downtown Board, Historic Landmark Commission, and the Planning Commission, and the plans and design to City Council.

Chris Looney clarified the smaller building and NBU building's façade must be maintained but height can be added to the buildings.

Chair Davis stated the two buildings qualify for Tax Credits and recommended the consultant provide that information to any buyers.

Andrew Douglas, Architect and Consultant hired by NBU, stated that the tax credits are a viable option for any developer that may want to take that opportunity.

Mr. Douglas stated the current zoning is weak and open to many uses so the ordinance wishes to ensure what is built will fit within the context and character of downtown while balancing the viability of the market; the limited uses proposed are offices, hotel, retail, and multi-family.

Chair Davis asked if there was a way to ensure the project goes as intended.

Mr. Douglas stated the process will be very involved with the city and the overlay has appropriate restrictions and standards clearly outlined to ensure a development in line with the current character of downtown is produced.

Vice Chair Leitch asked for clarification on the height of the Eisenburg portion, the taller current NBU structure.

Mr. Douglas stated he estimates it is about 32 feet.

Vice Chair Leitch asked for clarification on the height of the parking garage.

Mr. Douglas stated 55 feet.

Discussion followed.

Vice Chair Leitch asked if it would be possible to see the parking garage from the Main Plaza.

Mr. Douglas stated the intent is that the main structure will be tall enough to conceal the parking garage within the 75-foot maximum height and is an important issue to consider.

Chair Davis asked if the parking garage parking will affect the residential area with extra traffic.

Mr. Douglas stated a Traffic Impact Analysis will be included and considered in the plans.

Commissioner Poss asked what the height of the façade is and what the total height recommendation is specified for the overlay district.

Mr. Douglas stated the height restriction is standard in the base zoning C-2 ordinance, 75 feet, and that the Planning Commission recommended a height of 57 feet and 10 inches.

Commissioner Poss asked what the height restriction might affect.

Mr. Douglas stated the height and density allowed will affect the number of rooms a potential buyer could implement and the restriction on density could affect the economic viability of the project.

Commissioner Poss asked for clarification that the height would affect the number of floors, and therefore the number of rooms available.

Mr. Douglas stated this was correct.

Discussion followed.

Mr. Douglas stated the project would need at least 98 plus rooms to maintain the balance between economic viability and restriction.

Commissioner Poss stated the full building height may be intimidating if the structure is built right up to the lot line.

Mr. Douglas stated a slight setback may be an appropriate compromise in order to reduce the impact of the height.

Discussion followed.

Commissioner Warnecke asked for clarification if the overlay is only for this single property and not for the surrounding properties.

Mr. Douglas stated this was correct.

Commissioner Warnecke stated the 55-foot maximum height and zero-foot setback would be imposing for the parking garage structure.

Mr. Douglas stated the garage would be located on Comal Ave and not within the Main Plaza and consideration of the nearby neighborhoods and design along the street is a major consideration in the plans.

Commissioner Warnecke stated his concern was more on the plaza itself and stated the Courthouse is 57 feet 10 inches but set back in a way that makes the structure less imposing in comparison to a 55-foot parking structure.

Mr. Taylor stated that within the C-2 base zoning any building on the Plaza could build up to the maximum height of 75 feet and the overlay is further restriction only within the NBU's property line.

Vice Chair Leitch asked for clarification on the number of floors.

Mr. Douglas stated 4-5 floors could be possible.

Discussion followed.

Mr. Douglas stated with the Planning Commission's recommended height of 57 feet and 10 inches the structure would be one floor shorter.

Discussion followed.

Chair Davis asked if a potential buyer would still have to come back through the Board in order to implement the remodel.

Mr. Douglas stated this was correct.

Mr. Looney clarified there will be explicit language from the MP-1 Overlay District for the standards any future developer would be required to follow; if the developer decides to deviate from this, the case will be sent through the Historical Landmark Commission, however if the developer follows these explicit codes exactly they will not need to go through the Historic Landmark Commission for additional approval.

Chair Davis asked if they were to alter the current historic structures, would this be required to go through the Board.

Mr. Looney clarified that if the developers were to demolish the smaller structure or get rid of the façade on the NBU building, this would be against the specified standards within the MP-1 Overlay District and would trigger the requirement to go through the Historic Landmark Commission.

Commissioner Lunkenheimer asked how this overlay district's standards compare to the Faust Hotel downtown.

Mr. Looney stated the Faust Hotel is 55 feet.

Commissioner Poss asked how tall the Moody and Chase Bank downtown were.

Mr. Looney stated the Moody Bank is 48 feet but does not have the height for the Chase Bank.

Chair Davis asked if anyone wanted to speak.

Chair Davis addressed Jeff Jewel, Director of Economic and Community Development, if he would like to speak.

Mr. Jewel made a statement on the potential subsidies involved in the development and stated the importance of the economic viability of the future development on this property; as building square footage is reduced, the potential capital to be made is reduced.

Chair Davis asked what kind of hotel might potentially be developed in this lot.

Mr. Jewel clarified it is likely to be a boutique hotel since it will have less than 100 rooms, and with less rooms there is generally higher prices per room.

Mr. Jewel stated even with federal historic tax credits the developments still may need subsidy from the City.

Commissioner Poss expressed concern with a developer potentially removing the trees behind the structures.

Discussion followed.

Mr. Taylor stated NBU could maximize their profit selling the land without placing any overlay standards on the property but felt it necessary to protect the character of downtown by initiating the MP-1 Overlay District.

Chair Davis proposed the height requirement be consistent with Planning Commission's recommendation, 57 feet and 10 inches.

Discussion followed.

Commissioner Hoffmann asked for clarification on the number of stories and the height of each story.

Christopher Looney stated there will be potentially 4-5 floors the first floor would be between 16-22 feet. and the additional floors will be 12-15 feet each.

Commissioner Hoffmann asked approximately how many rooms would be on each floor.

Mr. Douglas stated there would be about 25 rooms per floor and with a shorter height less rooms would be able to be built.

Discussion followed.

Commissioner Hoffmann asked how tall the Courthouse is from the ground to the top of the structure.

Mr. Looney clarified 82-86 feet.

Discussion followed.

Commissioner Hoffmann asked Mr. Douglas if the 72-foot height maximum, as allowed by the C-2 base zoning, is what they would recommend in order to maintain economic viability.

Mr. Douglas stated this was correct.

Discussion followed.

Mr. Taylor stated potential buyers may not buy the property with the extra height restriction as they may no longer be able to maintain economic viability with this restriction in place.

Discussion followed.

Commissioner Hoffman stated her concern with the height restriction is potential buyers may be turned away.

Chair Davis stated the height restriction will likely push buyers to go through Historic Landmark Commission in order to amend the height restriction.

Commissioner Hoffman stated the buyers then wouldn't buy the property in the first place since it would no longer be economically viable with the reduced height requirement.

Commissioner Leitch suggested a setback requirement if a certain height threshold were passed.

Commissioner Hoffman stated the design should not be dictated within an overlay district and the overlay should be approved in a way that gives NBU the highest buyer and best project.

Commissioner Hoffman stated she is in favor of the overlay district but not the restriction on height.

Motion by Chair Davis, to approve the MP-1 (Main Plaza – 1) Overlay District with a height restriction of 57 feet and 10 inches. Motion failed due to lack of second (0-0-0).

Motion by Commissioner Hoffman, seconded by Vice Chair Leitch, to approve the MP-1 (Main Plaza – 1) Overlay District. Motion passed (9-0-0).

Item A – Discuss and consider case HIST20-029, an application for a Certificate of Alteration to construct a new driveway, patio slab, roof and enclosure, and wooden deck at the property currently addressed at 359 S Academy Avenue, located in the Sophienburg Hill Historic District. Amy McWhorter, Historic Preservation Officer.

Mrs. McWhorter asked if there were any questions for staff.

Commissioner Lunkenheimer asked the applicant if the driveway will be covered.

Gilbert Westbrook, 359 S Academy Ave, stated the driveway will not be covered and was included to provide parking for his RV.

Discussion followed.

Motion by Vice Chair Leitch, seconded by Commissioner Poss, to approve the application for a Certificate of Alteration. Motion passed (9-0-0).

Item B – Discuss and consider case DM2020-0001, potential historic landmark designation for the property currently addressed at 325 Lakeview Boulevard in response to an application for demolition. Amy McWhorter, Historic Preservation Officer.

Mrs. McWhorter asked if there were any questions for staff.

Commissioner Poss asked if the applicant could step forward for questions.

Joe Hassmann, 570 S Guenther Ave, stated he is the real estate agent selling the property.

Commissioner Poss asked if the buyers were requesting the demolition to build a new house.

Mr. Hassmann stated this was correct.

Commissioner Poss asked if it was just one house and the owners were not thinking about subdividing.

Mr. Hassmann stated the buyers were not to his knowledge, the home is to be built for the clients and is not a development.

Commissioner Poss asked if there was a possibility for the house to be moved.

Mr. Hassmann stated there is moisture within the structure that makes it unable to be moved.

Discussion followed.

Commissioner Hoffmann asked if the historical owners held any significant influence on the community.

Mrs. McWhorter stated they did not but [Mary?]'s brother served as Sheriff for some years.

Commissioner Hoffman asked if we knew the builder for the home.

Mrs. McWhorter stated the house was built when the area was out of city limits so we do not have the permit information.

Vice Chair Leitch asked if they were planning to do anything with the large rear yard.

Mr. Hoffmann stated the clients were interested in the large rear yard itself and did not plan to build any extra structures.

Discussion followed.

Commissioner Hoffman asked about the last occupant.

Vice Chair Leitch stated the last occupant was living there until they passed.

Mr. Hassmann stated the property was sold as an estate.

Discussion followed.

Vice Chair Leitch asked if there were other homes in this style within the neighborhood.

Mr. Hassmann stated the neighborhood character does not match this design as it did historically.

Discussion followed.

Motion by Vice Chair Leitch, seconded by Commissioner Sonier, to approve the application for demolition. Motion passed (9-0-0).

Staff Report

Mrs. McWhorter stated Mr. Gasparek will be the new liaison for future Historic Landmark Commission meetings.

ADJOURNMENT

Chair Davis adjourned the meeting at 9:54 a.m.

Chair

Date