

City of Lockhart
Historical Preservation Commission
January 20, 2016

MINUTES

Members Present: Kathy McCormick, Juan Alvarez, Richard Mendez, John Lairsen

Members Absent: Ronda Reagan, Victor Corpus, Terrence Gahan

Staff Present: Dan Gibson, Shane Mondin, Yvette Aguado

1. Call to Order. Chair Mendez called the meeting to order at 5:35 p.m.
2. Elect Chair and Vice-Chair for 2016.

Commissioner Alvarez moved to nominate Richard Mendez as Chair and Kathy McCormick as Vice-Chair. Commissioner Lairsen seconded, and the motion passed by a vote of 4-0.

3. Consider the minutes of the December 16, 2015 meeting.

Commissioner McCormick asked for a correction to her statement that she made at last meeting referring to the lamp post or street lights, and not Christmas lights.

Commissioner McCormick moved to approve the minutes as corrected. Commissioner Alvarez seconded, and the motion passed by a vote of 4-0.

4. CFA-16-01. Consider a request by Ronda Reagan for approval of a Certificate for Alteration to add a signage in a window, and a temporary light fixture, on the front of a bar zoned CCB Commercial Central Business District and located at 110 North Main Street.

Mr. Gibson referred to the accompanying illustrations and explained what was being requested in the application.

Commissioner McCormick stated that, based on what she was reading, the light fixture is intended to be temporary and Ms. Reagan would replace it with different lighting at a later date when a canopy is added to the front of the building.

Commissioner Lairsen asked if Ms. Reagan would be installing lighting under the awning.

Commissioner McCormick and Mr. Gibson both replied that that was what she planned to do.

Commissioner Lairsen stated he could accept that, but asked if the Commission had assigned time limits to Certificates of Alteration in the past when an item was temporary.

Chair Mendez replied that the Commission would know when the light is replaced because the applicant would still have to apply for a Certificate for Alteration to add the canopy and new lighting.

Mr. Mondin stated that, to his knowledge, no time frame or limit had been assigned by the Commission in the past, but the Commission could do so if desired.

Commissioner Lairsen continued by explaining that if it is approved open-ended without defining what constitutes temporary, it could be 20 years. He said there should be some reference to the time frame.

Commissioner McCormick asked how long CFA's are valid.

Mr. Mondin answered that he couldn't say off the top of his head, and Mr. Gibson stated he did not remember seeing a time limit in the ordinance. Mr. Mondin added that if the item requires a building permit, the permit is valid for six months.

Commissioner McCormick asked Commissioner Lairsen if he wanted to add a time frame to this application.

Commissioner Lairsen responded by saying he wished the applicant was present so the Commission would have a better idea of when she planned to replace the light. He stated he had no objection to the appearance of the proposed temporary fixture.

Mr. Gibson reiterated that the applicant would still need to reapply for a new CFA for the canopy and a different type of lighting.

Commissioner Lairsen was still concerned that it could be an issue since nobody knows when that will be.

Mr. Gibson said that such a concern might be appropriate if the Commission feels that the proposed temporary fixture is not appropriate, but if it is acceptable then it shouldn't matter how long it is before it's replaced.

Commissioner McCormick agreed that if the Commission would approve the CFA if it were presented as permanent, then there's no need for a time limit.

Commissioner Lairsen stated that approving something that is supposed to be temporary, without a time-limit, would set a precedent and not be good business.

Mr. Mondin pointed out that the application form states that when the CFA is associated with a building permit, the building permit must be issued and the work in question done within 18 months.

Mr. Gibson stated there is no question in this case that the fixture would be installed soon, and Mr. Mondin added that a completed sign permit had already been submitted for the proposed sign.

Chair Mendez pointed out that Section 2, Question 3, on the CFA application form specifically mentions that a permanent construction or alteration is one that is in place longer than 90-days.

Commissioner Alvarez moved to approve the CFA-16-01 as presented. Commissioner Lairsen seconded, and the motion passed by a vote of 4-0.

5. Discuss the Commission's role in approving street furniture and other public improvements in the courthouse square area.

Commissioner Alvarez suggested tabling this item due to absence of Commissioner Reagan, who originally asked that it be on the agenda.

When Commissioner McCormick asked if there could still be some discussion at this time, Commissioner Alvarez suggested that it would be best to table it and continue the discussion at the next meeting since so many Commission members were absent at this one. Commissioner McCormick stated she had problems with the Commission's involvement in this, and that it was clear in reading the applicable sections of the ordinance that the city attorney might have to be involved for things in the City right-of-way.

Mr. Gibson stated he believed Ms. Reagan's intent was to discuss the permanent placement of items in the public street rights-of-way in the downtown area.

Commissioner Lairsen asked if such items were paid for out of City budget, and Commissioner McCormick responded that she believed that the existing features were done with a grant. Commissioner Lairsen then explained that he asked because his employer, Tanger Outlets in San Marcos, was in the process of ordering new benches and garbage cans, and it's possible that the old ones could be donated to Lockhart. He said the old items were still in good condition and would look good downtown.

Mr. Gibson suggested that Mr. Lairsen meet with Sandra Mauldin, Economic Director, since she works with the downtown committees, but the final decision would rest with the city manager or city council.

Commissioner McCormick noted that having a coordinated style and color for street/sidewalk furniture would make it clear that they're for public use.

Mr. Gibson asked how many benches and trash cans were being replaced at Tanger Outlets.

Mr. Lairsen replied that he thought it was a total of about 120, which is more than enough for the downtown area. He said he would take pictures and provide them to the Commission.

Commissioner McCormick mentioned that there are bird droppings all over large sections of the sidewalks around the square which are not being cleaned often enough.

Mr. Gibson stated that maintenance items like that would more likely be addressed by the Downtown Beautification Committee.

Commissioner McCormick agreed, and suggested that it's something that should be recommended to that committee, and that members of this commission could help.

Commissioner McCormick moved to table item #5 to the next agenda. Commissioner Alvarez seconded, and the motion passed by a vote of 4-0.

6. Discuss the date and agenda of the next meeting, including Commission requests for agenda items.

Mr. Gibson stated that, so far, the only item is the one that was just tabled.

Mr. Mondin added that there is one CFA application pending, but it is incomplete and may not be ready in time for the next meeting date. He also reported that he had just discovered that a new awning was installed at 103 South Main Street containing signage that had not been approved by the Commission.

Mr. Gibson stated that an application for a retroactive CFA to allow the signage would need to be submitted for Commission approval.

Commissioner McCormick mentioned that there had been a previous effort to provide all property and business owners in the historic district with either copies of the regulations in Chapter 28 or a summary of the key provisions, and suggested that it might be good to do that again.

Mr. Gibson said that would be a good project for the new Historic Preservation Officer. He said it sounded similar to a pamphlet he had created when he first started working for the City that called attention to the key ordinance procedures and requirements for development, and which was mailed to real estate and title companies, attorneys, building contractors, etc. He also explained that when there is a change in tenants in any commercial building, the City inspects the building before the utilities are switched to the new tenants name and informs the building owner or new tenant of any applicable ordinance requirements that must be met before the new business can open. For buildings in the historic district, that includes the need for a CFA for any proposed changes that would be visible on the exterior of the building. Also, the City quarterly newsletter is used as a forum for getting the word out about various regulations the public should be aware of, or to address common enforcement issues.

Commissioner Lairsen asked if sign information is something the Commission oversees.

Mr. Gibson responded that a Certificate for Appropriateness is required for all but pre-approved signage in the historic district, but the actual standards for the allowable sizes and types of signs are in a different chapter of the Code of Ordinances and require a separate sign permit.

There was additional discussion regarding the building containing the clock museum, and another building becoming a hotel. Because the hotel might want to have a bar or a restaurant that serves alcoholic beverages, the conversation touched on the requirement that a business selling alcoholic beverages for on-premise consumption cannot be closer than 300 feet from a church or school. The building that might become a hotel is within 300 feet of two churches. However, Mr. Gibson informed the Commission that the City Council had just approved an ordinance providing a variance process that would involve notification to any churches or schools within 300 feet, and a public hearing by the Council.

Chair Mendez asked if the Lockhart Bistro was within 300 feet of a church.

Mr. Gibson replied that the closest church is the Presbyterian church, but it is more than 300 feet as measured using the method required by TABC and Lockhart's ordinance.

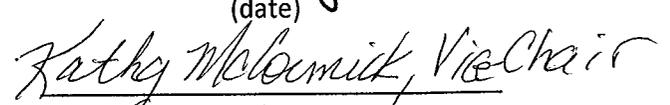
Commissioner Lairsen asked if the measurement was a direct line.

Mr. Gibson explained it was measured from front door to front door, following property lines and crossing streets following extended right-of-way lines from one side to the other.

7. Adjourn.

Commissioner Alvarez moved to adjourn the meeting and commissioner Lairsen seconded. The motion passed by a vote of 4-0, and the meeting adjourned at 6:06 p.m.


Yvette Aguado, Recording Secretary

Approved: January 3, 2016
(date)

Richard Mendez, Chair