

**City of Lockhart
Historical Preservation Commission
February 17, 2016**

MINUTES

Members Present: Kathy McCormick, John Lairsen, Victor Corpus, Richard Mendez, Ronda Reagan
(arrived at 5:39pm)

Members Absent: Terence Gahan, Juan Alvarez, Jr.

Staff Present: Dan Gibson, Shane Mondin, Yvette Aguado

1. Call to Order. Chair Mendez called the meeting to order at 5:34 p.m.
2. Consider the minutes of the February 3, 2016 meeting.

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

3. CFA-16-03. Consider a request by Martin Spellerberg for approval of a Certificate for Alteration for painting a business name on an existing awning, and lettering and graphics on a plate glass window on the front of a building zoned CCB Commercial Central Business District and located at 103 South Main Street.

Mr. Gibson noted that Mr. Spellerberg, the applicant, was mailed a notice of the meeting but isn't present. He explained that the applicant replaced the canvas on an existing awning, and added lettering on the new canvass. The applicant also previously put signage in one of the first floor windows. All of this was done without sign permits or approval of a Certificate for Alteration. Therefore, the application is essentially for approval of signage that already exists. He further explained that the applicant desires to occasionally change the wording on one or both first floor windows, but would always maintain compliance with the sign ordinance.

Chairman Mendez announced the arrival of Ms. Reagan at 5:39pm.

Mr. Gibson stated that staff recommends approval of CFA-16-03.

Mr. Mondin explained that the original awning was removed for the filming of an HBO show downtown. He stated that the contractor did contact him to let him know that removal of the canvas was necessary to replace the damaged frame, and that the new canvass was similar to the old canvass but was a different color. Mr. Mondin noted that if that was all that had been done to the awning then there was no need for a Certificate for Alteration. However, the signage was not mentioned at that time. If staff had been aware of the owner's intent to add signs, he would have been required to apply for the Certificate for Alteration and receive approval before the signs were added.

Commissioner McCormick moved to approve CFA-16-03 as presented. Commissioner Lairsen seconded, and the motion passed by a vote of 4-1, with Victor Corpus dissenting.

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

Chair Mendez stated the item had been previously tabled at the Commission's meetings on January 20th and February 3rd.

Mr. Gibson reminded the Commission that the item had been tabled because they wanted to wait until Commissioner Reagan was present, since she is the one who originally requested the item be put on the agenda. He referred the Commission to the memo in their packet, which had applicable sections from the City code attached. Mr. Gibson stated that it was staff's conclusion that the ordinance currently appears to be intended to regulate improvements on private property, only, and not in public street rights-of-way or on public property. Staff was unable to find any provision that explicitly gave the Commission the authority to regulate public improvements in the historic district.

Commissioner Reagan stated that a precedent was set when Coyle Buhler was on the Commission and they approved the street lights, lamp posts, and the current trash cans when given the opportunity to do so.

Mr. Gibson responded that the City Manager had told him that, at the City Manager's discretion, he could ask for input from the Commission, but it was not mandatory.

Commissioner Reagan stated her concern was the inconsistency and inappropriateness of things placed in the historic district, and asked if there was anything in the City charter to prevent that.

Commissioner Lairsen asked if the proposed donation of color-coordinated benches and trash cans by Tanger Outlets had to be approved by the City Council.

Mr. Gibson responded that if the City accepted a donation, or even paid for it, they would have to vote and approve the item for the record.

Commissioner Reagan continued stating her concerns and issues.

Mr. Gibson stated that the Public Works Department is responsible for the street rights-of-way and, where it's a State road such as San Antonio Street, TxDOT may be involved as well. But if there is something that creates an obstruction on the sidewalk without City permission, City staff can address the problem.

Chair Mendez asked if the Downtown Beautification Committee should be involved in the discussion about the possible donation of benches and trash cans.

Commissioner Reagan and Mr. Gibson both confirmed that that committee had already been notified.

Commissioner Reagan said that businesses now put items out on the sidewalks at their convenience, which results in an uncoordinated appearance to the downtown area. She felt that there should be a more formal process for approving objects placed in the right-of-way or on public property.

Commissioner Lairsen stated that Commission is appointed by City Council, and answers to and make recommendations to the Council. He suggested that the Downtown Beautification Committee and any other groups proposing improvements should seek input and approval from the Historic Commission. If the Commission did not agree with the proposed improvements, then it could be referred to the City Council for a final decision.

Commissioner Corpus referred to Mr. Gibson's statement made earlier that the Commission currently doesn't have that authority.

Mr. Gibson mentioned that the Commission could recommend to the City Council that they amend the Code of Ordinances to include new provisions allowing the Commission to review items proposed to be placed in the street right-of-way or other property in the historic district. The provision could also clarify any overlapping roles of the Commission and the Downtown Beautification Committee or other groups in the review and approval process.

Commissioner McCormick agreed with Mr. Gibson that the current ordinance does not provide for Commission authority over improvements other than to buildings on private property. She was hesitant about the Commission controlling everything that someone might want to place in the street right-of-way.

Commissioner Reagan agreed that the Commission should not be involved with small advertising items or temporary items placed on the sidewalks, but that the Commission should have some authority with regard to larger or more permanent items in order to maintain uniformity.

Commissioner McCormick said her greatest concern was the safety and liability issues that could arise from placement of things on the sidewalks. The City staff would need to establish what would be safe, and whether or not something should be allowed.

Mr. Gibson stated that there is an existing chapter of the City Code for regulations pertaining to streets that might already address that concern. If not, then perhaps it could be amended to clarify who is responsible for enforcement of improvements in the public right-of-way. The Zoning Ordinance regulates private property, but not public streets.

Commissioner Lairsen said he was hearing two different issues. The first being the cohesiveness among various groups to provide an overall appearance desired for the downtown historic area. The second is who can put what on the sidewalks.

Chair Mendez asked if the sidewalks are planned to be widened.

Mr. Gibson said that the Sustainable Places Project plan included widening only the sidewalk on the north side of the square, along San Antonio Street.

Commissioner Reagan asked if a letter could be drafted to be submitted to the City Council regarding the desire of the Commission that there be some cohesiveness in the downtown area, and that the Commission be able to participate in the discussion of plans or improvements in the historic district, even if it's just as a courtesy.

Commissioner Lairsen noted that there needs to be a process for making decisions when there is a disagreement between the Commission and the other participants proposing improvements.

Mr. Gibson mentioned that the Downtown Beautification Committee is not recognized by ordinance, whereas the Historical Preservation Commission is. Therefore, it may be difficult to refer to the Committee in an ordinance, but perhaps the goal of the Commission could be achieved in policy form instead.

Commissioner Reagan expressed her concern with bike racks that had been placed on sidewalks by businesses in the downtown area, and the issue of pedestrian safety. The racks can obstruct the sidewalks.

Commissioner Lairsen stated there are several strategic places in the downtown area where public bicycle racks could be placed, in lieu of individual businesses placing their own racks in unapproved locations.

Vice-Chair McCormick suggested that a parking space could be converted to a bicycle rack location.

The Commission continued to discuss ideas and suggestions regarding bicycle racks.

Commissioner Lairsen recommended a letter be drafted from the Commission to the City Council requesting some sort of cohesion between all of the committees that have anything to do with fixtures and other improvements in the downtown historic district, and he volunteered to draft the letter.

The other commissioners agreed.

Commissioner Lairsen expressed his concern about accessibility in the downtown area for the elderly or people in a wheel chair, and recommended that this issue be addressed in future plans or grants.

5. Discuss presentation of photographs and color graphics with Certificate for Alteration case materials.

Mr. Gibson explained that he put this item on the agenda because of the cost of the printing color photographs for each Commission packet. He said that, unlike other applications that staff processes to other boards and commissions, there is no application fee for Certificates for Alteration. Therefore, the City doesn't recover the costs associated with processing agenda items and copying the Commission packet. He shared his ideas and suggestions to help reduce the cost, including requiring the applicant to provide enough copies for each packet of any color materials submitted with the application form. However, staff also takes photos for the packets if the material submitted by the applicant doesn't show everything the Commission may need to see, and those are printed in color, as well. Mr. Gibson suggested that there should be a standard policy for how color photos and illustrations are made available to the Commission for their review. It was the consensus of the Commission that any color material could be copied in black and white for the packet as long as at least one color original or copy is available to be shown or passed around at the meeting.

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

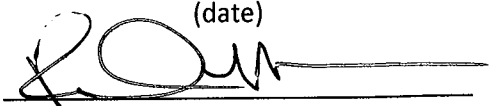
Mr. Gibson confirmed with Mr. Mondin that there were no pending applications.

Member Reagan suggested that no meeting to be held until another application is received.

5. Adjourn.

Commissioner Reagan moved to adjourn the meeting and Commissioner Lairsen seconded. The motion passed by a vote of 5-0, and the meeting adjourned at 6:25 p.m.


Yvette Aguado, Recording Secretary

Approved: March 30, 2016
(date)

Richard Mendez, Chair