

PUBLIC NOTICE

**City of Lockhart
Historical Preservation Commission
5:30 p.m. Wednesday, February 19, 2025
Municipal Building – Glosserman Room
308 West San Antonio Street**

SPECIAL MEETING AMENDED AGENDA

1. Call meeting to order.
2. Citizen comments not related to an agenda item.
3. Consider the minutes of the January 15, 2025 meeting.
4. Consider the minutes of the February 5, 2025 meeting.
5. TA-23-01. Consider a request by Martin Spellerberg of Spellerberg Associates, LLC for a final site inspection and determination of substantial completion as required for certification of approved enhancements for Tax Abatement to include various interior improvements, a new HVAC unit on the roof, a new window on the rear building façade, the re-pitching of the roof from the east to west sides, and replacement of the roof with a different material, to a building in the Historic District on part of Lot 4, Block 19, Original Town of Lockhart, zoned CCB (Commercial Central Business) and located at 103 South Main Street.
6. Discussion and possible action regarding Commission meeting frequency and staff reports/presentations.
7. Discuss the date and agenda of the next meeting, including Commission requests for agenda items.
8. Adjournment.

Posted on the bulletin board in the Municipal Building, 308 West San Antonio Street, Lockhart, Texas, at 1:00 p.m. on the 12th day of February, 2025.

City of Lockhart
Historical Preservation Commission
January 15, 2025

MINUTES

Members Present: Christine Ohlendorf, Jerry Haug, Ron Faulstich, Marcia Proctor, Ray Ramsey, Frank Gomillion, Kevin Thuerwaechter

Members Absent: None

Staff Present: David Fowler, Kevin Waller, Romy Brossman

Public Present: Gabriel Morey (applicant, Agenda Item 5), Lindsey Trumper (applicant, Agenda Item 6), Jayden Williams

1. Call meeting to order. Chair Ohlendorf called the meeting to order at 5:30 p.m.
2. Elect Chair and Vice-Chair for 2025.

Commissioner Proctor moved to nominate Chair Ohlendorf and Vice-Chair Thuerwaechter to continue in their current roles. After conferring, the current Chair and Vice-Chair agreed to exchange roles so that Mr. Thuerwaechter would be Chair and Ms. Ohlendorf would be Vice Chair. Commissioner Ramsey seconded, and the motion passed with a vote of 7 - 0.

Newly-appointed Chair Thuerwaechter took the gavel to lead the Commission.

3. Citizen comments not related to an agenda item. None
4. Consider the minutes of the November 20, 2024, meeting.

Commissioner Gomillion moved to approve the minutes as presented. Vice-Chair Ohlendorf seconded; the motion passed by a vote of 7 - 0.

5. CFA-24-14. Consider a request by Gabriel Morey for approval of a Certificate for Alteration for two wall signs on part of Lot 1, Block 23, Original Town of Lockhart, on property zoned CCB (Commercial Central Business), and located at 101 E. San Antonio St.

Planning Staff Kevin Waller provided a brief overview of the proposal via PowerPoint presentation. He reported that the applicant proposes to replace the two "Eldorado" signs on the Brock building with new signs for the future "Charlotte's" restaurant and bar. One of the existing signs is located on the East San Antonio Street wall façade, above the second-story windows, with the other sign on the North Main Street façade, above the side-entry door. The two proposed signs, one being a painted wall sign and the other a projecting wall sign, will be placed in the same locations as those they are replacing. The painted wall sign on the East San Antonio Street façade will read "Charlotte's" with a sunrise graphic above the text. This sign will feature a white, all-caps font against a black background.

The projecting blade-style wall sign on the North Main Street façade will feature the same content as the painted sign with the addition of "Lockhart, Texas" in an all-caps font beneath the business name. This sign will feature a black font against a white background. The sign material will be acrylic, situated within a metal box frame. This sign will utilize the same mounting bracket as the previous sign, with the addition of two overhead cables for additional reinforcement from wind gusts, to be fastened to the building through the mortar joints. Neither proposed sign will be illuminated. Staff recommends approval of both signs.

Applicant Gabriel Morey of 512 Bois D'Arc St. and Jayden Williams of 821 S. Main St. discussed the proposal. Mrs. Williams clarified that the sunrise graphic will, in fact, not appear on the painted sign on the E. San Antonio St. façade. She also noted that the projecting sign on N. Main St. will have the sunrise graphic, and clarified that the font will be white on a black background, similar to the painted sign.

Commissioner Proctor inquired as to whether the painted sign would overlap beyond the existing painted sign on the E. San Antonio Street façade.

Mr. Morey and Mrs. Williams confirmed that only the area of the existing sign will be painted over. No additional brick will be painted.

Commissioner Faulstich asked about the size of the existing mounted sign.

Mr. Morey replied that the sign projects 80 inches from the building. The new sign will be the same size as that existing, will be mounted to the existing base, and will not be illuminated. Also, the new sign will be supported by existing cable supports, so there will be no drilling into the brick.

Commissioner Gomillion moved to approve CFA-24-14. Commissioner Faulstich seconded; the motion passed by a vote of 7 - 0.

6. CFA-25-01. Consider a request by Lindsey Trumper for approval of a Certificate for Alteration for the repainting of the front wall façade to a different color on part of Lot 2, Block 17, Original Town of Lockhart, on property zoned CCB (Commercial Central Business), and located at 110 S. Commerce St.

Mr. Waller reported that the proposal is for the repainting of the front wall façade of the subject property to a different color. A new commercial business will replace the former Good Things grocery store, and will offer coffee, small food items, plants, and gifts. The new color will be applied to the front façade both above and beneath the awning, and is proposed to be a tan shade. Mr. Waller explained that the applicant also proposes a sign for the business, which wasn't submitted in time for this meeting and will be presented at the next. Staff recommends approval of the repainting.

Applicant Lindsey Trumper, 7704 Manassas St., Austin, TX, introduced herself to the Commission. Mrs. Trumper explained that the paint color will be more of a tan-olive blend, and provided the Commission with paint chip samples.

Commissioner Faulstich moved to approve CFA-25-01. Commissioner Ramsey seconded; the motion passed by a vote of 7 - 0.

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

Mr. Waller reported that two applications for signage have been received for the next regularly scheduled meeting of February 5, 2025, the deadline of which to submit is January 22.

Commissioner Proctor asked for a status update on the plans for the former Carver School and downtown fire station enhancement projects.

Mr. Waller replied that he recently reached out to the owners of the former Carver School property for an update on the future building improvements, and that Planning Director David Fowler has contacted the Fire Department for an update on planned improvements to the downtown fire station. Following Mr. Waller's inquiry, he received an email from a representative of the Carver property, stating that there have been new developments in the pre-restoration phase which includes assessments of the building and property. Following the outcome of the assessments, the ownership group will be better prepared to answer questions of the Commission in a meeting.

Commissioner Faulstich asked for an update on the work being done on the roof of the Masur Building.

Mr. Fowler replied that we expect to receive a submission soon regarding the work on the roof, which would be a third item on the next agenda.

8. Adjournment.

Commissioner Faulstich moved to adjourn the meeting, and Commissioner Proctor seconded. The motion passed by a vote of 7-0, and the meeting adjourned at 5:52 p.m.

Approved: _____
(date)

Romy Brossman, Recording Secretary

Kevin Thuerwaechter, Chairman

City of Lockhart
Historical Preservation Commission
February 5, 2025

MINUTES

Members Present: Kevin Thuerwaechter, Christine Ohlendorf, Jerry Haug, Ron Faulstich, Marcia Proctor, Ray Ramsey, Frank Gomillion

Members Absent: None

Staff Present: David Fowler, Kevin Waller, Evan Olszewski, Romy Brossman

Public Present: Leigha and Ryan Struthers (applicants, Agenda Item 5), Lindsey Trumper (applicant, Agenda Item 6), Charlie Tames (applicant, Agenda Item 7)

1. Call meeting to order. Chair Thuerwaechter called the meeting to order at 5:30 p.m.
2. Citizen comments not related to an agenda item. None
3. Consider the minutes of the January 15, 2025, meeting.

The Commission suggested that the minutes be revised to delete the arrival time of Commissioner Ramsey at 5:35 p.m., as he did arrive at the normal start time of 5:30 p.m.

A motion was not received regarding the January 15, 2025 minutes, therefore, the item will be presented at the next Commission meeting.

4. Site visit associated with CFA-25-04 (see Agenda Item 7 below for a summary of the proposal.)

The Commission departed at 5:32 p.m. for a site visit to the subject property at 103 South Main St., and returned at approximately 6:15 p.m.

5. CFA-25-02. Consider a request by Leigha Struthers for approval of a Certificate for Alteration for a window sign on part of Lot 1, Block 23, Original Town of Lockhart, on property zoned CCB (Commercial Central Business), and located at 107 E. San Antonio St.

Planning Staff Evan Olszewski presented the application with images and maps. The proposed project is the installation of a new, white, vinyl window decal approximately nine square feet in size on the west storefront window. The decal will portray the store's logo and name. Also included in the proposal is a one-square-foot vinyl decal depicting the store's hours, which is exempt from the Certificate for Alteration and Sign Permit requirements. The proposed sign will replace an existing decal of similar size associated with the outgoing business in the same location. Staff recommends approval of the proposal.

Applicant Leigha Struthers, 1600 State Park Rd., Lockhart, TX, stated that she and her husband, Ryan Struthers, hope to get the sign approved so that the public is aware of their products and services.

Commissioner Gomillion moved to approve CFA-25-02. Commissioner Faulstich seconded; the motion passed by a vote of 7 - 0.

6. CFA-25-03. Consider a request by Lindsey Trumper for approval of a Certificate for Alteration for a sign on the front door glass on part of Lot 2, Block 17, Original Town of Lockhart, on property zoned CCB (Commercial Central Business), and located at 110 S. Commerce St.

Planning Staff Kevin Waller presented the proposal. A new sign is to be affixed to the left, front door glass of the new "Thorn & Bred" retail establishment. This sign will feature the business logo including the name "Thorn & Bred" with gold and red lettering, and a red coffee cup with a cactus graphic below the text. Staff recommends approval.

Applicant Lindsey Trumper, 7704 Manassas Dr., Austin, TX, reported that she is looking forward to having the sign up in time for this coming First Friday.

Vice-Chair Ohlendorf moved to approve CFA-25-03. Commissioner Gomillion seconded; the motion passed by a vote of 7 - 0.

7. CFA-25-04. Consider a request by Charlie Tames of Gloria Group Partners, LP for approval of a revised Certificate for Alteration for the enlargement of a rooftop structure on part of Lot 1, Block 22, Original Town of Lockhart, on property zoned CCB (Commercial Central Business), and located at 119 W. San Antonio St.

Mr. Waller presented maps, photos, drawings, and renderings of the work done. On July 5, 2023 and September 4, 2024, the Commission approved various exterior and structural interior improvements to the "Joe Masur Building," one of which included a remodel and expansions of the rooftop elevator housing structure. In early November 2024, Staff discovered that the rooftop structure was being constructed at dimensions larger than what was approved by the Commission and represented on the approved building plans. According to the review of a conceptual elevation drawing for the rooftop structure as constructed, the length of the roof overhang extends 11 feet further southward from the structure than was approved and the height of the overhang is 7 inches higher than approved. According to an email discussion with the applicant on January 29, 2025, the project engineer determined that the larger dimensions of the roof overhang are necessary, due to potential issues with high winds. Staff recommends approval, based on the information provided by the applicant.

Vice-Chair Ohlendorf inquired about the communication timeline between discovery of the enlarged canopy and a discussion that occurred at the end of January 2025.

Mr. Waller confirmed that ongoing communications occurred between discovery and the January 2025 discussion.

Commissioner Proctor asked about the Building Official's role in issuing a Stop Work Order.

Planning Staff David Fowler explained that the Building Official issued a Stop Work Order upon discovery. The Building Official informed the applicant that any work done prior to tonight's meeting faces the risk of adjusting completed work if the new design is not approved by LHPC.

Commissioner Faulstich asked how the change was discovered.

Mr. Fowler reported that both the Planning Department and a tip from the community brought the canopy change to light.

Commissioner Gomillion asked for the reasoning of Staff's recommendation of approval.

Mr. Waller replied that the recommendation is based on the engineer's statement.

Applicant Charlie Tames, 2902 Windhill Cir., Austin, TX, stated that he has been in ongoing communication with City Staff regarding this issue.

Commissioner Faulstich asked why the design changes were not brought to the Commission prior to completing the work.

Mr. Tames replied that this was due to the fact that he was aware of a final inspection and that they knew there was going to be a final check.

Chair Thuerwaechter asked the applicant to reach out to the City if another significant change to the project is planned.

Mr. Tames agreed, and stated that he will also come back to the City regarding future signage.

Vice-Chair Ohlendorf asked if the rooftop space will affect the Certificate of Occupancy.

Mr. Tames replied that he wasn't sure. What's keeping them from opening are life safety items like sprinklers.

Commissioner Proctor commented that the ask-forgiveness-not-permission approach frustrates the Commission. We are open to input on how to improve communication.

The Commission went into discussion including procedural steps if not approved, the impact on the City skyline, the appropriateness of the structure on a historic building, and setting a precedent.

Commissioner Proctor moved to approve CFA-25-04. Commissioner Ramsey seconded; the motion passed by a vote of 4 – 3.

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

Mr. Waller reported that February 19th is the date for the next meeting. There will be one item on the agenda, which is the Marty Spellerberg property tax abatement for historic preservation, which includes a site visit.

Commissioner Proctor recommended a workshop to discuss issues including changes to the current historic ordinance and violation fees.

Mr. Fowler explained that for any violation, the standard remedy is to enforce double fees on the new building permit. There are civil penalties as well, which would need to be pursued with the City Attorney.

9. Adjournment.

Commissioner Faulstich moved to adjourn the meeting, and Vice-Chair Ohlendorf seconded. The motion passed by a vote of 7-0, and the meeting adjourned at 7:28 p.m.

Approved: _____
(date)

Romy Brossman, Recording Secretary

Kevin Thuerwaechter, Chairman

TO: Lockhart Historical Preservation Commission
FROM: Kevin Waller, Historical Preservation Officer
SUBJECT: Agenda Item 4
DATE: February 12, 2025

City of Lockhart
MEMO

Agenda Item 4 of the upcoming February 19, 2025 special Commission meeting pertains to the verification of substantial completion of enhancements recently made to a commercial building on property within the Historic District, located at 103 South Main St. The purpose of the meeting is to visit the property to physically inspect the enhancements, followed by a vote and approval, which will be the Commission's certification that the enhancements were made in accordance with the approved tax abatement application (Case File #TA-23-01) for this property. Staff will prepare a form letter for the Chairman to sign at the end of the meeting, which will then be provided to the City Finance Department and Caldwell County Appraisal District to initiate the process of applying the tax abatement to the municipal taxes imposed on the property for the next tax year. This will then complete the tax abatement process.

It should be noted that the estimated amount spent on the enhancements, as identified in the attached Tax Abatement Agreement, is \$145,400.00. However, in a recent discussion with the applicant, Staff was informed that the actual amount spent was \$159,420.00. A motion to approve the completed enhancements could stipulate that the actual expenditure amount noted above is approved. A similar stipulation was made for the tax abatement approval for Ronda Reagan's property at 112 N. Main St. in August 2024, in which the Commission's approval included both the estimated amount, as well as any higher amount that exceeded the estimate.

September 20, 2023

Martin Spellerberg
Spellerberg Associates, LLC
6312 Woodhue Dr.
Austin, TX 78745
marty@spellerberg.org

Dear Mr. Spellerberg:

On September 19, 2023, the Lockhart City Council made a **determination of eligibility** by unanimous vote (6-0) for your request for a Tax Abatement (TA-23-01) pursuant to Chapter 28 "Historic Districts and Landmarks", Division 2 "Tax Abatement", of the Lockhart Code of Ordinances, for exterior and interior improvements to a commercial building in the Historic District, located at 103 South Main Street. The improvements include a new window on the rear façade of the building, the re-pitching of the roof, replacement of the roof with a different material, repairs to the roof deck as needed, a new roof hatch to replace that existing, a new HVAC installation on the roof, repair of the existing HVAC systems, replacement of the awning canvas with that of identical material and design, the reconfiguring of certain non-load bearing office partitions, electrical upgrades, the replacement of a sink on the first floor, and the removal of carpeting and certain areas of drop-ceiling. Please consult with the Building Department regarding the necessary permits. Some of the enhancements are considered Ordinary Maintenance and do not require permits; the Building Department can explain further.

Pursuant to Sections 28-23 and 28-24, please note the following next steps:

- The certification for tax abatement shall be valid for one year.
- The City shall require the property owner and City enter into a tax abatement agreement which may set further conditions on the tax abatement authorized.
- The verification and subsequent tax abatement may carry with the property, provided the conditions of the abatement are met and the City is in agreement.
- Upon completion of all work determined eligible by the City Council for tax abatement, the owner shall submit a sworn statement of completion.
- The Commission shall physically verify completion within 30 days of the sworn statement submission.
- Following verification and approval, the Commission shall notify the City in writing of compliance.
- The City shall notify the tax authorities to apply the tax abatement.

We will be in contact with you soon regarding the above. If you have any questions, please contact me by phone at (512) 398-3461, Ext. 2400, or by email at kwaller@lockhart-tx.org.

Sincerely,



Kevin Waller
Historical Preservation Officer
Senior Planner

Cc: David Fowler, Planning Director; Kelly Stilwell, Building Official; Steve Lewis, City Manager; John Lairsen, Historical Preservation Commission Chairman

Spellerberg Associates

February 5, 2025

Kevin Waller
City of Lockhart
Historical Preservation Commission
308 W. San Antonio St.
Lockhart, TX 78644

Dear Mr. Waller:

This letter is to acknowledge that the remodel and preservation work at 103 S Main Street, Lockhart, TX., as previously certified by the Historical Preservation Commission for a tax abatement is now complete (Sec. 28-24).

I am ready for the Commission to come revisit the property to verify that the work is complete.

Sworn by and respectfully,



Martin Spellerberg

Owner, Spellerberg Associates LLC

TAX ABATEMENT AGREEMENT

THIS TAX ABATEMENT AGREEMENT is made and entered into as of the 19th day of September, 2023 (the "*Effective Date*"), by and between **Martin Spellerberg of Spellerberg Associates, LLC** (property owner), and the City of Lockhart, a Texas home rule city in Caldwell County, Texas, upon the terms and conditions set forth herein:

- A. The City Council of the City of Lockhart recognizes the importance of the preservation of historically significant structures within the city, and that historic preservation contributes to the economic development, growth, and expansion of a community.
- B. The expenses involved with the restoration and upkeep of said structures often exceeds that of newer structures.
- C. The City Council desires to encourage preservation of historically significant structures by providing the owners of said structures with property tax relief.
- D. The Historic Districts and Landmarks Ordinance, Lockhart Code of Ordinances, Sections 28-21, 28-22, 28-23, and 28-24 provide that upon application and approval by the City Council, the owner of property designated as a historic landmark or located within a historic district may receive an abatement on the municipal taxes assessed on the property.
- E. The said abatement being that the qualified property may have no assessed value for City of Lockhart ad valorem taxation for a period of five tax years after completion of the certified enhancement(s). Thereafter, the property shall be reappraised and assessed at a 50 percent rate for an additional consecutive five-year period.
- F. The property may receive an abatement of the City ad valorem taxation of the added value in the eligible property as determined by the increase in the assessed value in the property as a result of the improvements and preservation.
- G. The minimum tax abatement allowed shall be an amount equal to the previous two years of City taxes actually paid on the property. The City Council may set a different minimum abatement.
- H. The total tax abatement shall not exceed the owner's total out-of-pocket cost of the enhancement.
- I. The work which is certified for tax abatement must be completed within one year of the certification and agreement.

- J. The certified and/or verified tax abatement may carry with the property, provided the conditions of the abatement are met and the City is in agreement.
- K. Martin Spellerberg of Spellerberg Associates, LLC, owner of the property located at 103 South Main Street, Lockhart, Caldwell County, Texas, more fully described as Part of Lot 4, Block 19, Original Town of Lockhart, has applied for a tax abatement for both exterior and interior improvements to an existing commercial building in the Courthouse Square Historic District to include a new window on the rear façade of the building, the re-pitching of the roof, replacement of the roof with a different material, repairs to the roof deck as needed, a new roof hatch to replace that existing, a new HVAC installation on the roof, repair of the existing HVAC systems, replacement of the awning canvas with that of identical material and design, the reconfiguring of certain non-load bearing office partitions, electrical upgrades, the replacement of a sink on the first floor, and the removal of carpeting and certain areas of drop-ceiling. Mr. Spellerberg has met the requirements set forth in Sections 28-21, 28-22, and 28-23 of the Lockhart Code of Ordinances, including a determination of eligibility by the City Council at its September 19, 2023 Public Hearing. Section 28-24 addresses later steps in the process, including the property owner's submission of a sworn statement of completion, final investigation of the property by the Historical Preservation Commission, and the City's notification to the Caldwell County Appraisal District to apply the tax abatement accordingly.
- L. For the tax year beginning after the completion of the certified enhancement, and continuing for a total of five tax years, Martin Spellerberg is granted a 100% abatement of the municipal taxes assessed against the property located at 103 South Main Street. Thereafter, the property shall be reappraised and assessed at a 50 percent rate for an additional consecutive five-year period. In no event shall the total tax abatement exceed the total out-of-pocket cost of the enhancements certified by the Commission, the most recent estimate of which, documented by the owner, is \$145,400.00.

DATED AND EFFECTIVE as of the Effective Date first written above.

PROPERTY OWNER:

Spellerberg Associates, LLC

By: M. Spellerberg

Name: MARTIN SPELLERBERG

Title: OWNER

CITY:

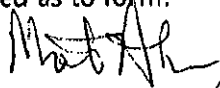
City of Lockhart, Texas

By: Jewell White

Name: JEWELL WHITE

Title: MANOR

Approved as to form:



Name: Monte Akers

Title: City Attorney

TO: Lockhart Historical Preservation Commission
FROM: David Fowler, AICP, Planning Director
SUBJECT: Historic Preservation Commission meeting frequency and practices
DATE: February 12, 2025

Dear Commissioners:

This item is included on the agenda to offer the members of the Commission a chance to offer feedback on the scheduling of Commission meetings and the production of staff reports and meeting presentations. One of the motivating factors for scheduling this item is the high frequency of meetings, with the Commission often having to meet twice monthly, only to review 1-2 sign or exterior painting proposals at each meeting. The other factor is the desire to gain feedback on the preparation and presentation of more complex certificates for alteration cases related to new construction and renovation of existing structures.

Currently the Historic preservation commission meets twice monthly. As several new businesses have opened in existing spaces within the district, City staff has received numerous applications for exterior repainting or new signs. Applying for the historic review of these items is often treated as an inconvenience by the applicants, resulting in submission of materials for review the same week as packet publication, often with poor standards of illustration. One possible practice change to increase the quality of submissions would be to require the submission 2-3 weeks prior to the meeting date, allowing for review and correction of applications. Another possible improvement would be to require full color renderings of all proposed changes. Another possibility is the reduction of the number of times the Commission meets per month from twice to once. From my perspective, the frequency of meeting dates leads to many rushed applications turned in at the last moment to get a CFA review on a meeting agenda.

To ensure higher quality construction-related submissions, several possible practice changes could be implemented. Among these are a submission deadline 2-3 weeks before the Commission meeting date, staff description of compatibility with the Secretary of the Interior standards in staff reports, and the distribution of full color 11 x 17 prints of the application materials in the meeting packets. The greater potential impact of construction-related applications creates another potential argument for once monthly meetings, as applicants often seem to be motivated by speed of approval rather than quality of submission in submitting applications for sensitive projects such as these, which have the potential to greatly affect the future of our historic district and landmarks.