

PUBLIC NOTICE

**City of Lockhart
Historical Preservation Commission
5:30 p.m. Wednesday, September 21, 2022
Municipal Building – Glosserman Room
308 West San Antonio Street**

AGENDA

1. Call meeting to order.
2. Citizen comments not related to an agenda item.
3. Consider the minutes of the September 7, 2022 meeting.
4. Consider recommending adoption of mural regulation standards and guidelines to the City Council.
5. Consider designs and cost estimates for City-designated Historic Landmark placards for placement on officially designated Historic Landmark structures.
6. Discuss proposed temporary mural design options for the Texas Monthly BBQ Fest for potential future consideration as a Certificate for Alteration.
7. Discuss a potential amendment to the Historic Districts and Landmarks Ordinance to prohibit the removal of original paint from brick or stone surfaces.
8. Discuss the date and agenda of the next meeting, including Commission requests for agenda items.
9. Adjournment.

Posted on the bulletin board in the Municipal Building, 308 West San Antonio Street, Lockhart, Texas at 8:30 a.m. on the 16th day of September, 2022.

City of Lockhart
Historical Preservation Commission
September 7, 2022

MINUTES

Members Present: Christine Ohlendorf, Ronda Reagan, Michel Royal, John Lairsen, Ron Faulstich

Member Absent: Ray Ramsey

Staff Present: Yvette Aguado, Kevin Waller, David Fowler, Dan Gibson

Public Present: None

1. Call meeting to order. Chair Reagan called the meeting to order at 5:34 p.m.
2. Citizen comments not related to an agenda item. None
3. Consider the minutes of the August 17, 2022, Meeting.

Chair Reagan requested the insertion of the following comments:

1. Insert comment on page 2, after paragraph 3, where Commissioner Ohlendorf asks if all agreed that murals should not be allowed within the Historic District. At that point, three of the five said they preferred no murals in the Historic District. Commissioners Royal and Ohlendorf and Chair Reagan were opposed to the murals in Historic District. No motion was made and therefore, no vote.
2. Insert comment on page 3, after paragraph 3, Commissioner Ohlendorf suggested that no mural should be allowed that could be seen from the courthouse.

Commissioner Ohlendorf moved to approve the amended minutes. Commissioner Royal seconded, and the motion passed by a vote of 5-0.

4. Continue discussion regarding potential mural regulation standards and guidelines, including review of draft mural ordinance language.

Planning Staff David Fowler stated that at the July 6, 2022, Historical Preservation Commission meeting an application for a Certificate for Alteration for a mural at 115 North Commerce Street was tabled, due to a perceived need for guidelines for murals in the historical district. In response to feedback received at meeting and from individual Commissioners, Staff drafted mural ordinance provisions for possible referral to the City Council. He explained that if the proposed language is recommended to Council, the next step would be to codify the language for review at a future City Council meeting. The Commission would also have the option of reviewing a revised mural ordinance prior to referring it to City Council. Mr. Fowler added that the intent is to provide guidelines and procedures for the applications for review of proposed murals within the Lockhart Historic District to ensure orderly review of applications, while preserving and protecting the historic character and unique identity of the City's downtown area. Mr. Fowler utilized a PowerPoint presentation and answered Commissioners' questions.

Discussion ensued regarding mural guidelines and standards in the Historic District.

Mr. Fowler shared a suggestion that the Commission could include the definition of a mural in the Historic and Sign Ordinances, and have a clause to not allow murals within the Historic District.

Vice-Chair Lairsen explained that he understands that the City Council has directed the Commission to establish mural guidelines, but wonders if it might be possible to recommend that murals not be allowed within the Historic District.

Mr. Fowler replied that the City Council will likely expect review standards for murals. He stated that there are two issues. One is to define murals and standards for the Historic District, and the other being the same for areas of the city outside the District. In addition, there should perhaps be restrictions on whether murals can be seen from residential structures.

Mr. Gibson stated that the Council asked for guidelines from the Commission with the understanding that they are to apply to the Historic District, but could expand to the rest of the city in some form. The problem is that the Council can come up with their own guidelines that the Commission might not agree with. So, the options are to recommend that murals not be allowed within the Historic District, or allowed where not visible from the courthouse and library.

Vice-Chair Reagan asked for Commissioners' input.

Commissioner Royal stated that she hopes that murals become prohibited within the Historic District.

Commissioner Ohlendorf explained that the Commission is charged with the preservation of the Historic District, and that does not include adding murals in the District. Ohlendorf added that she doesn't disagree with the placement of murals in other locations of the city and doesn't mind helping to craft guidelines, but murals should not be located within the Historic District.

Chair Reagan stated that the Commission was appointed to protect the Historic District, and that she doesn't feel that there is a place for murals in the District.

Vice-Chair Lairsen shared that if there are specific locations and established guidelines for the murals, he would be in favor. He added that the City should be responsible for enforcement of the maintenance of the murals. Lairsen would like to see the art in permitted locations that don't change the appearance of the Historic District.

Commissioner Faulstich stated that he agreed with all Commissioner Ohlendorf stated. He too felt that they were commissioned to preserve the Historic District. Faulstich added that he has walked around the downtown area and spoken with business owners, and they, too, mentioned that murals would not appropriate within the Historic District. He realizes that change is coming to Lockhart, but that the Historic District should be preserved.

5. Continue discussion on the potential development of City-designated Historic Landmark placards for placement on identified Historic Landmark structures.

Commissioner Faulstich shared pictures of Historic Landmark placards from other cities, and provided cost estimates for placard manufacture.

Discussion continued regarding type, price, and who would fund the placards.

Mr. Waller stated that the placards should be added to the agenda of the next meeting as an action item.

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

Chair Reagan asked how the violation she reported to staff was going to be handled.

Mr. Waller replied that he would contact the property owner to correct the violation within a specified timeframe, and if compliance isn't achieved by the deadline, Staff would then work with the City Attorney for escalation.

Chair Reagan asked for any agenda items for the next meeting.

Mr. Waller replied that no applications had been submitted for the September 21 meeting, with today being the deadline. He suggested the discussion items for the placards and murals would need to be changed to action items to consider and vote upon at the next meeting.

7. Adjournment.

Commissioner Faulstich moved to adjourn the meeting, and Commissioner Royal seconded. The motion passed by a vote of 5-0, and the meeting adjourned at 6:37 p.m.

Approved: _____
(date)

Yvette Aguado, Recording Secretary

Ronda Reagan, Chair

TO: Historical Preservation Commission

FROM: David Fowler, Senior Planner

SUBJECT: Draft ordinance language regulating murals citywide, including Historical District

DATE: September 15, 2022

At the Historical Preservation Commission (HPC) meeting held July 6, 2022, an application for a Certificate of Alteration for a mural at 115 North Commerce Street was tabled due to a perceived need for guidelines for murals in the historical district.

City Attorney Monte Akers gave a presentation regarding the legal environment facing the regulation of murals at the City Council meeting held July 19. Mr. Akers mostly covered the limits of city mural regulation but did not offer suggestions regarding specific ordinance language. Council directed city staff and LHPC to develop mural guidelines.

In response to the above two events, staff presented overviews of several notable efforts by other cities to regulate murals at the August 17th meeting. The HPC discussed what they would like to see in terms of future regulation of murals. Three of the attending members stated they would prefer to see no further murals in the downtown area. After discussion, the commissioners agreed to provide written feedback to staff as they draft proposed ordinance language to provide suitable regulation of murals within the Historical District.

In response to feedback received at the meeting and from individual Commissioners, staff drafted mural ordinance provisions for possible referral to City Council. After discussion of this draft at the September 7th meeting, the Commission concluded that as a group they were opposed to the possibility of additional murals being located in the Historical District and directed staff to write an ordinance reflecting that opposition.

As staff had been tasked with writing citywide mural language, the majority of language related to the regulation of murals will be created through a new section in Chapter 46, Signs. This section includes language that prohibits murals within the Courthouse Square Historical District. The major change to Chapter 28, historic Districts and Landmarks is that all proposed changes in paint color of a previously painted brick or stone surface will require a Certificate for Alteration. While staff had intended to explicitly prohibit murals within Chapter 28, no part of Chapter 28 contains any prohibitions of specific designs or finishes within the district. As such, the sign ordinance, which does contain language prohibiting several types or locations of signs, was seen as the most appropriate place to restrict murals within the Historical District. The proposed location-based restriction of murals in the sign ordinance, combined with the requirement of a COA for changing paint colors on previously painted surfaces, and the restriction on painting previously unpainted surfaces, will both prohibit murals within the Historical District and ensure review of future painting of surfaces for historical appropriateness.

Chapter 46

SIGNS

Sec. 46-2. Definitions

Mural. An original work of graphic, painting, or painted wall surface art that is visible from public rights-of-way or neighboring properties and projects a graphic display or image that does not direct attention to an organization, a business operated for profit, a product, a commodity, service, or any other similar image or message.

Section 46-10 sign type standards

(j) Murals.

- (1) Murals are not permitted within the Courthouse Square Historical District or on properties designated as historical landmarks.
- (2) Murals are allowed on nonresidential or mixed-use buildings or structures.
- (3) Murals on front walls of buildings are limited to 20 percent of that wall's area.
- (4) Murals are not permitted on walls adjacent to or across a right-of-way from a residential lot.
- (5) Only one mural is allowed per building.
- (6) A mural shall not extend higher than the second story of any building.
- (7) Murals may not cover any architectural features including, but not limited to arches, cornices, window and door trim, feature bands, and any other recessed or projecting features.
- (8) Murals shall be designed to meet the following guidelines
 - a. Murals are expected to be an original expression of the artist. No copyrighted material, brand names, logos, or prior works by other artists may be incorporated into murals submitted for approval.
 - b. Text or messages of any kind as part of a mural design should not be the primary focus of the mural design
 - c. Art or murals may not be designed to represent the products offered or sold in the building on which the mural is located.
 - d. Murals shall not promote any off-premises product or event, or depict nudity, violence, or obscene images.
 - e. Nothing that could be considered a potential distraction or potential source of disruption of safe traffic flow will be allowed as part of a mural design.
- (9) All proposed mural designs within must be submitted as part of a sign permit application. The following materials must be provided with each application for a Mural:
 - a. Signed approval of the building owner.
 - b. Legal Description of property
 - c. Color photograph of existing building façade

- d. Artist biography, reproductions of past works and professional qualifications to undertake art in a public context.
- e. Map showing locations of existing or proposed murals on nearby buildings, if any.
- f. Building elevation drawn to scale that identifies the following:
 - i. Façade on which the mural is proposed.
 - ii. Location of proposed mural on the façade.
 - iii. Mural dimensions.
 - iv. Detailed color rendering of the proposed mural.
 - v. Height of top and bottom of the mural above grade.
 - vi. Technical details of media used, including paint and color types, non-paint materials used, if any, and materials used to affix the mural to the building, if any.
- g. Any approved mural for which installation has not commenced within 60 days of approval will be found to have its permit expired and a new application will be required.

(10) When painting on brick, silicate dye paints are recommended. The use of latex, acrylic and oil-based paints are discouraged. For non-brick surfaces, paints intended for exterior use shall be used

(11) Removal

- a. Any mural that deviates from the approved design shall be removed at the building owner's expense.
- b. The building owner shall file a permit for removal of the mural 14 days in advance of any proposed removal of an existing mural.
- c. As part of a proposed mural removal, the mural must be removed in its entirety, including any and all materials used to secure the material to the building.
- d. The method of removal must not damage the original exterior material of the underlying wall. Any holes remaining in the wall after removal of a mural must be filled and finished the same as the remainder of the wall.

(12) If an approved or existing mural is found to have become worn or been damaged, the Code Enforcement Officer may take action, including requiring repair or removal. Fines may be imposed for noncompliance.

Chapter 28

HISTORIC DISTRICTS AND LANDMARKS

Sec. 28-10. Ordinary Maintenance

(e) Ordinary maintenance does not include the following and will require a certificate for alteration and a city building permit prior to beginning work, except as exempted in subsection 28-11 (b):

- (1) A physical change in exterior elements, design and finishes visible from grade level which affect the appearance and cohesiveness of a building, structure, site, or area (e.g., a physical change in the design, finishes, size, shape, etc., of facades, windows, doors, light fixtures, awnings, signs, sidewalks, fences, steps, paving, etc.).
- (2) Repainting or otherwise covering or altering a faded historic painted sign (ghost sign), even if the sign does not pertain to the current use of the building or is on a previously painted surface.
- (3) Painting a previously unpainted brick or stone surface (e.g., masonry wall, etc.) or changing the color of any previously painted surface, including trim.

Kevin Waller

From: Kerstin Harding <kharding@roundrocktexas.gov>
Sent: Monday, September 12, 2022 1:53 PM
To: Joelle Jordan; Kevin Waller
Subject: RE: City Historic Landmark Plaques
Attachments: 402 E. Main.jpeg; marker pic.jpg; 20171202_placard117emain.jpg; 803eliberty#200_2022_north-front door.jpg

We have a few different kinds of city markers made with different materials and processes...

The basic marker that we have is the city landmark oval, which we started in 2016. These are all the same, and we had them cast by the Southwell Company [Historic Markers • The Southwell Company](#). Southwell has gone through some restructuring since then and moved from San Antonio to Corpus Christie, but they still make them. We ordered 48 that are 8.5"x11" and they came in about \$90 each (in 2016).

You can order plaques that have kind of a 3D sculpted effect, but they're more expensive and more difficult to refinish when they need maintenance, so for most purposes it's probably best to design it as a black and white image. Originally we had thought about doing individualized markers, but realized most buildings outside of downtown don't have names so they would have ended up as basically address plaques.

We also have individualized markers for buildings that have been relocated (one for the building and one for its previous location, with different text). These properties also get the oval markers. For individualized metal plaques it's more practical to have them machine tooled rather than cast. The fabricator we've used is Gemini Plaques in Minnesota [Gemini | Letters, Logos and Plaques \(geminisignproducts.com\)](#), but they don't do retail and you need to work through local sign companies, which vary considerably in terms of markup and helpfulness. But we've been quite happy with the results.

We wanted to display more information about the buildings in our downtown historic district. The buildings have these placards instead of the oval markers. This was the first marker project we did and we had to pay for them out of our office supply budget. We wanted to be able to show photos so they are printed with some kind of photo process on white-painted aluminum. We had 25 of them made for about \$1000 – in 2009. One of the downtown business owners thought they should be framed so he made some from 1"x2" boards.

I've repaired the frames a few times. The photo process does fade, and in the next 5 years or so we'll have to replace the ones on the sunny side of the street. I'll probably add a graphic of the oval marker when I redesign them for unity. There are other processes like laser etching that can replicate photos, but they're pretty expensive. But being temporary is not necessarily bad – we've found errors in the text of a few that we'll revise before replacing. Also they get abuse from bar patrons so cheap and replaceable may be the way to go.

When I was looking for vendors I remember there were several metal fabricators in Lockhart, though no one seemed to have done plaques before and were more used to mechanical and structural parts (also probably thought we were too low-volume and potentially picky). But it might be different for a local; you could see what their capabilities are.

Notes:

- We were warned that bronze tends to get stolen for its copper content, so we stuck with aluminum.
- There are some newer plastics for outdoor use that are worth considering too, I'm just not familiar with them. Ask a sign company.

- For the city landmark ovals we had Southwell pre-drill holes for mounting, but it turns out that there is such a variety of wall materials that need different hole spacing that it was simpler to just drill holes as needed somewhere in the black part and mount using black screws.
- On masonry walls we required that anchors be drilled into the mortar, not the stone or brick.
- We had ordered a few of the ovals with brackets on the back thinking we'd attach them to the buildings' existing RTHL pole markers, but the THC doesn't want anything that's not theirs on the poles. Work with your county marker rep.
- Some people do not want anything attached to the building, so we're putting a few on posts, using black powder-coated square fence posts/pickets. Can let you know how it goes.

Kerstin Harding

Planning & Development Services

City of Round Rock, Texas

www.roundrocktexas.gov/planning

ph. [512-218-5421](tel:512-218-5421)

fax [512-218-3286](tel:512-218-3286)

Please check our website regularly to stay up to date with changes to procedures as we do our part to prevent the spread of Coronavirus: <https://www.roundrocktexas.gov/departments/planning-and-development-services/>

Please take 5 minutes to complete our survey and give us your positive and critical assessments. Responses are made public on our website. However, individual names, project names, and contact info will not be posted. [How are we doing?](#)

From: Joelle Jordan <jjordan@roundrocktexas.gov>
Sent: Monday, September 12, 2022 11:24 AM
To: Kevin Waller <kwaller@lockhart-tx.org>
Cc: Kerstin Harding <kharding@roundrocktexas.gov>
Subject: RE: City Historic Landmark Plaques

Hi Kevin. I am cc'ing Kerstin on this email so she can send you info.

Joelle Jordan, AICP
Principal Planner
Long Range Planning
Planning and Development Services
City of Round Rock

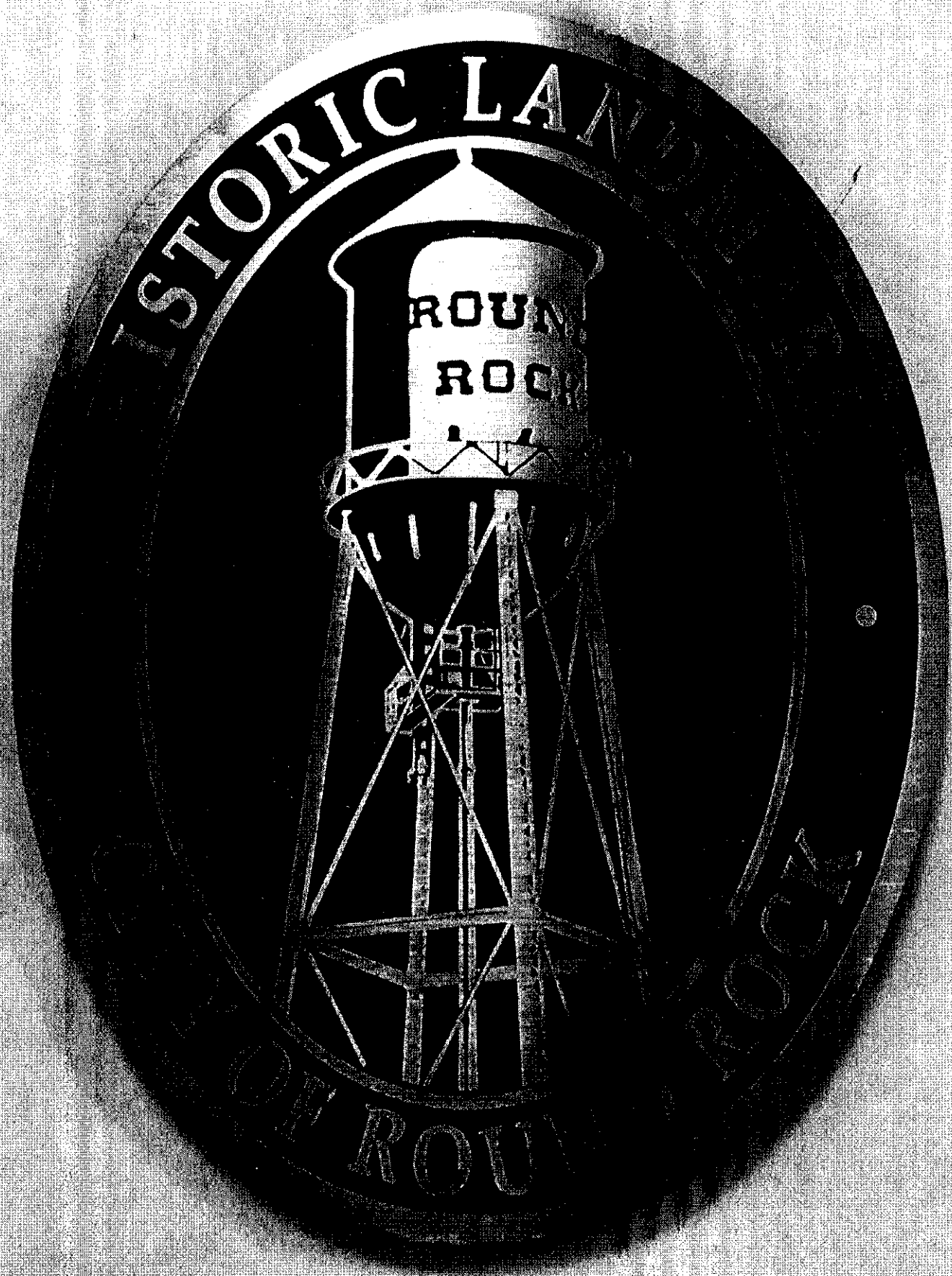
Phone: (512) 218-5422

Fax: (512) 218-3286

www.roundrocktexas.gov

Please take 5 minutes to complete our survey and give us your positive and critical assessments. Responses are made public on our website. However, individual names, project names, and contact info will not be posted. [How are we doing?](#)

From: Kevin Waller <kwaller@lockhart-tx.org>
Sent: Monday, September 12, 2022 11:16 AM



HISTORIC LA

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Historic Round Rock

17 Jan 1964 "B-America Building The Fair" South 1964

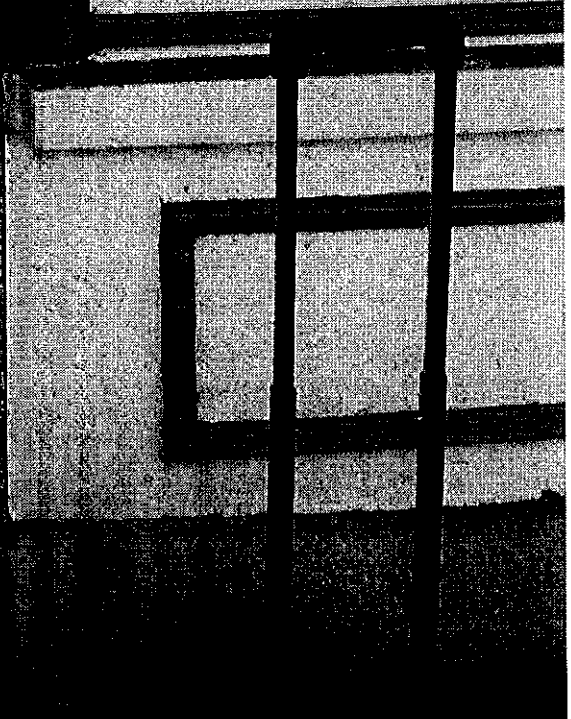
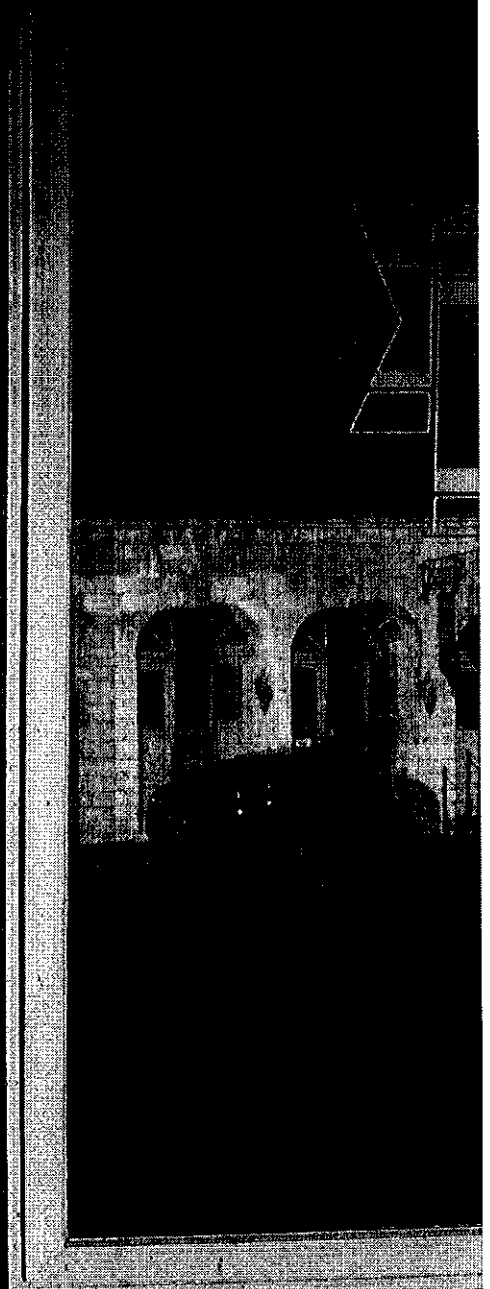
Historic Round Rock, Texas, is a small town with a rich history. It was founded in 1846 and has since become a popular destination for tourists and history buffs. The town is known for its well-preserved historic buildings and its scenic views of the surrounding countryside. The Round Rock Historic District is a must-see for anyone interested in the town's past.

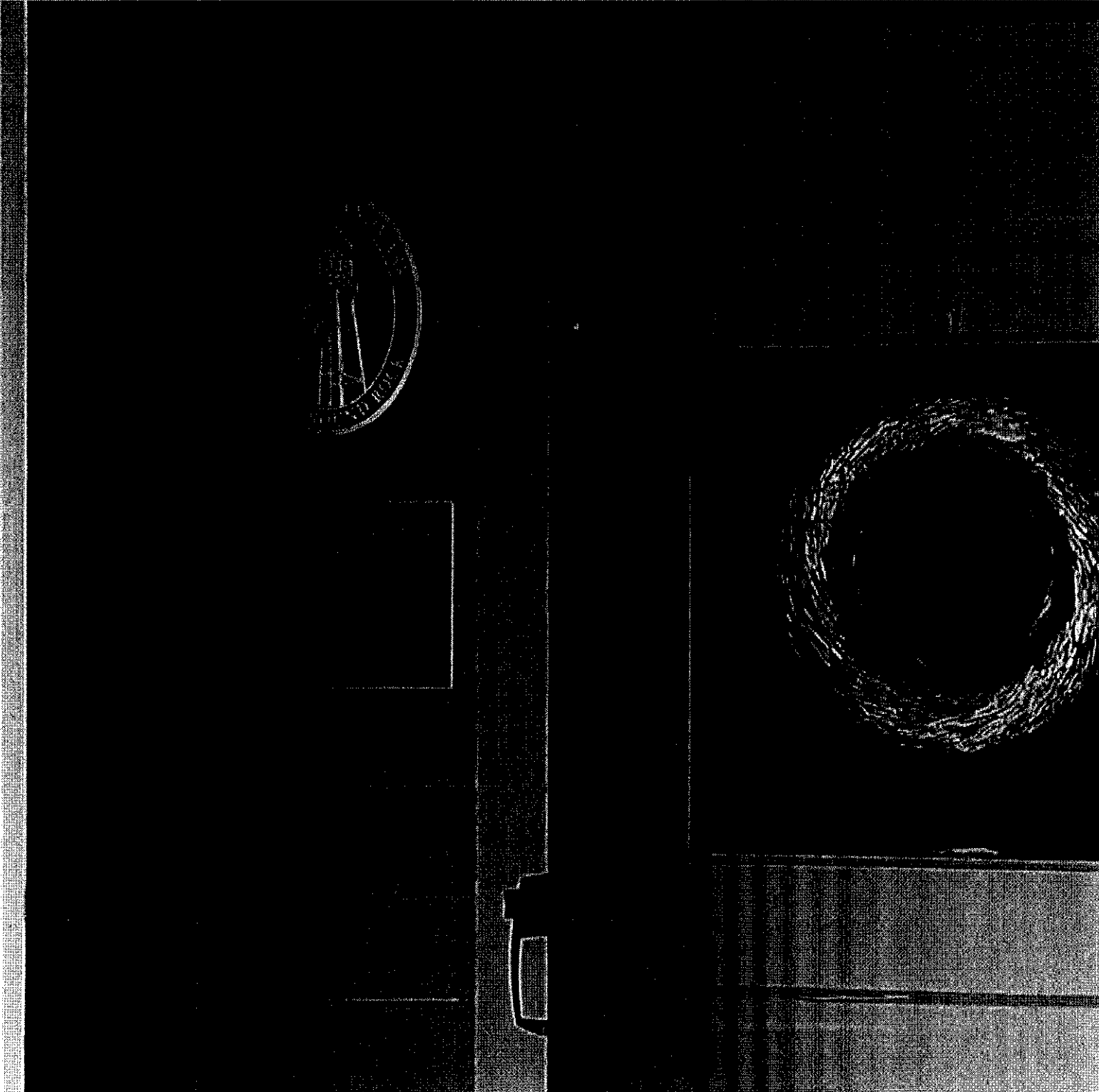


THE MAIN
STREET
VIEW



ROUND ROCK, TEXAS





Kevin Waller

From: Melissa Reese <mreese@texasmonthly.com>
Sent: Wednesday, September 14, 2022 11:52 AM
To: Kevin Waller
Subject: BBQ Fest Mural
Attachments: Screen Shot 2022-08-25 at 3.04.44 PM[96].png; Screen Shot 2022-08-25 at 3.04.54 PM[3].png; Screen Shot 2022-08-29 at 1.09.53 PM[24].png; Unknown-4.jpeg; Unknown-3.jpeg; Unknown-1.jpeg; Unknown-2.jpeg

Importance: High

Hi Kevin,

Thanks for your time yesterday!

Here's a brief synopsis of what we're hoping to accomplish with this mural:

- **Artist:** We're interested in working with [Matt Tumilson](#); he's an artist from San Antonio, and he's kind of known as being the [Small Town Texas Mural Guy](#). His style has a slightly traditional and western look, which I think would be very appropriate for a historical building in a historic downtown. Attached are a couple examples of his work that we are using as inspiration.
- **Location:** Richard Mendez (building owner) has agreed to let us use his building, should the project be approved. Attached is a screenshot of the wall.
- **Concept/Sketch:** The overall concept will celebrate "Barbecue in Lockhart" ... Attached are 4 sketch concepts. We plan to work with the artist to refine the idea to once concept, but if the city or Rhonda have a preference, we're all ears.
- **Sponsor:** We do have a sponsor included in this project—Coca-Cola Southwest Beverages. Attached are screenshots of two murals that Matt did for Lone Star Beer. In one of the images (Armadillo), you can see that a logo in the lower corner. That is the approach we would like to take with this project.
- **Timeline:** Temporary. Richard Mendez said that he is planning to repaint the outside of his building with a fresh coat of paint. He was prepared to let the mural be up until he gets his renovation projects in order. (~3 months)

Please let me know if there's any more information I can provide!

-Melissa Reese

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Melissa Reese

Director of Video & Events, *Texas Monthly*

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LONE STAR BEER

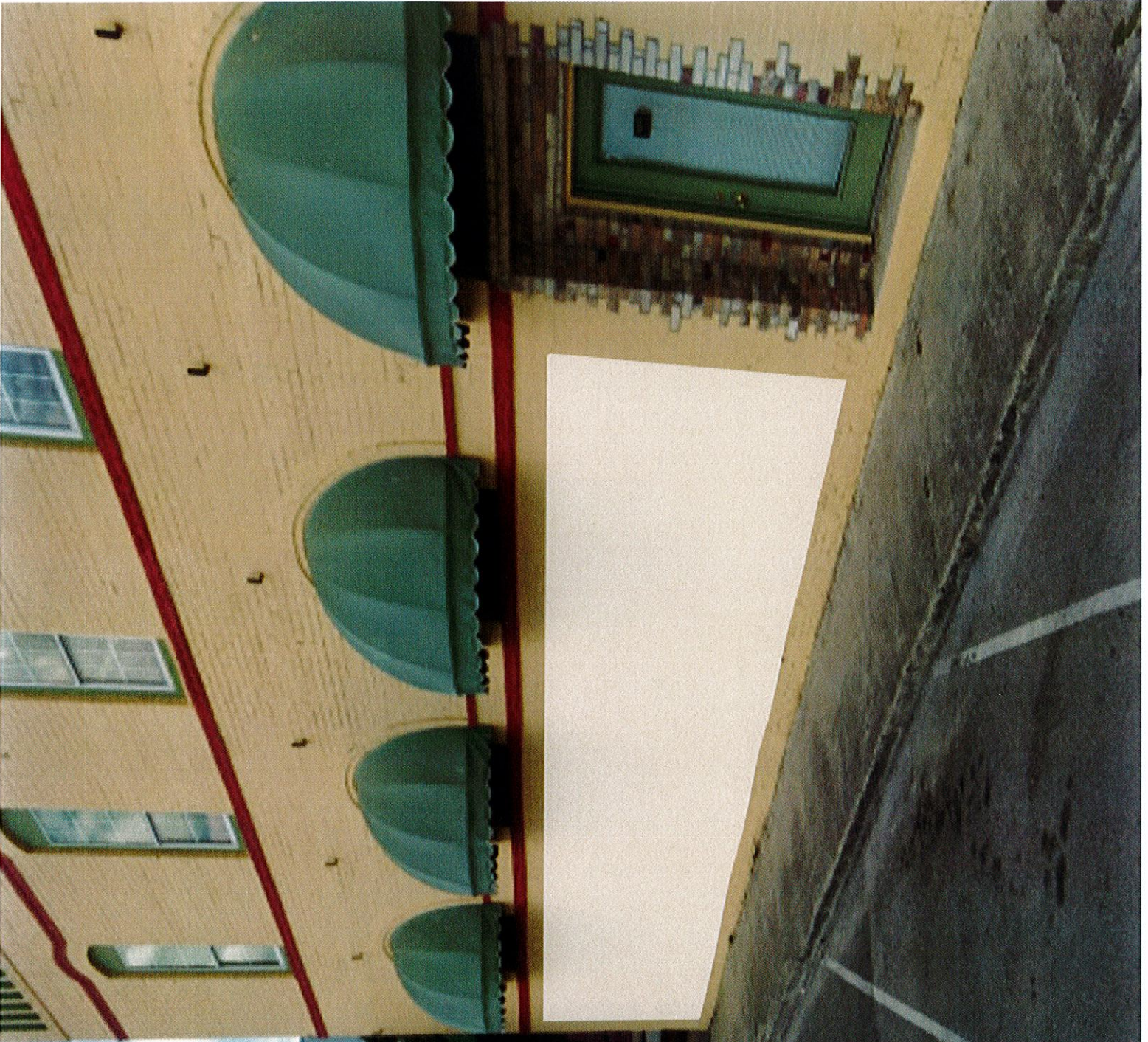
AND

BOB WILLS
MUSIC

"Keeps your heart alive!"







Who EATS BBQ?

- Whipster's
- Cowboys
- High Schoolers
- GRANDMA'S
- PIT MASTERS
- KIDS

BARBECUE

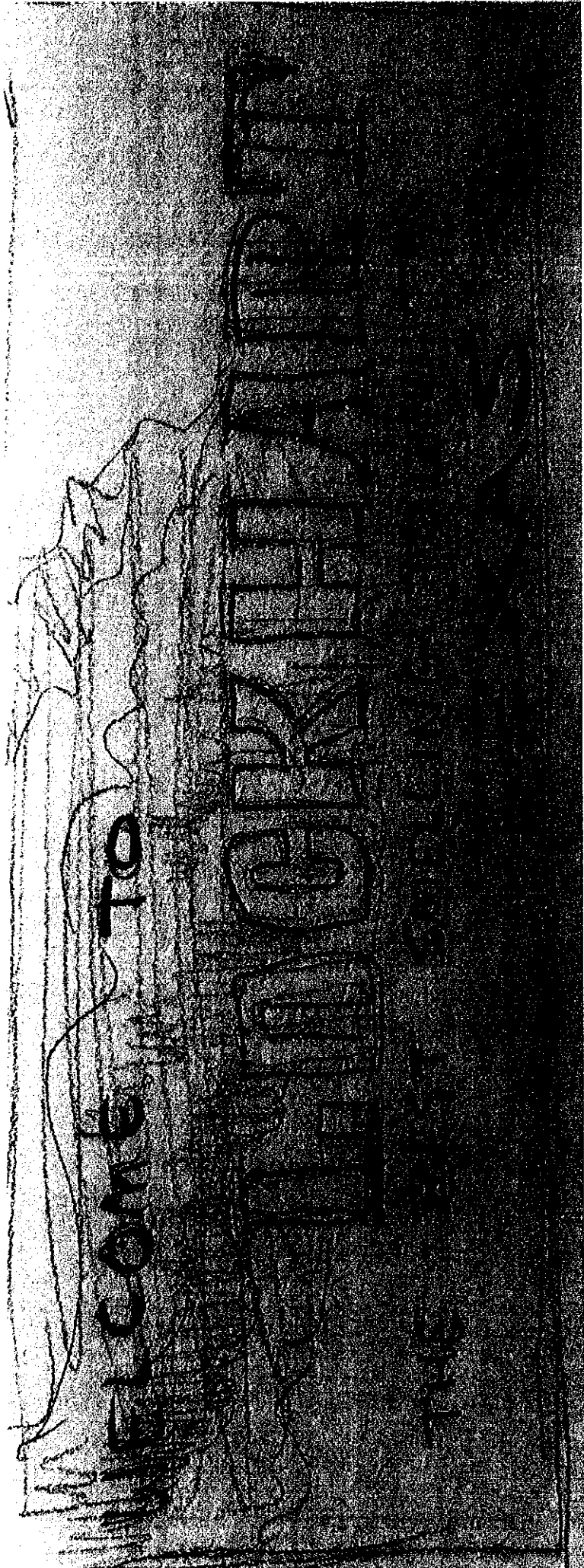


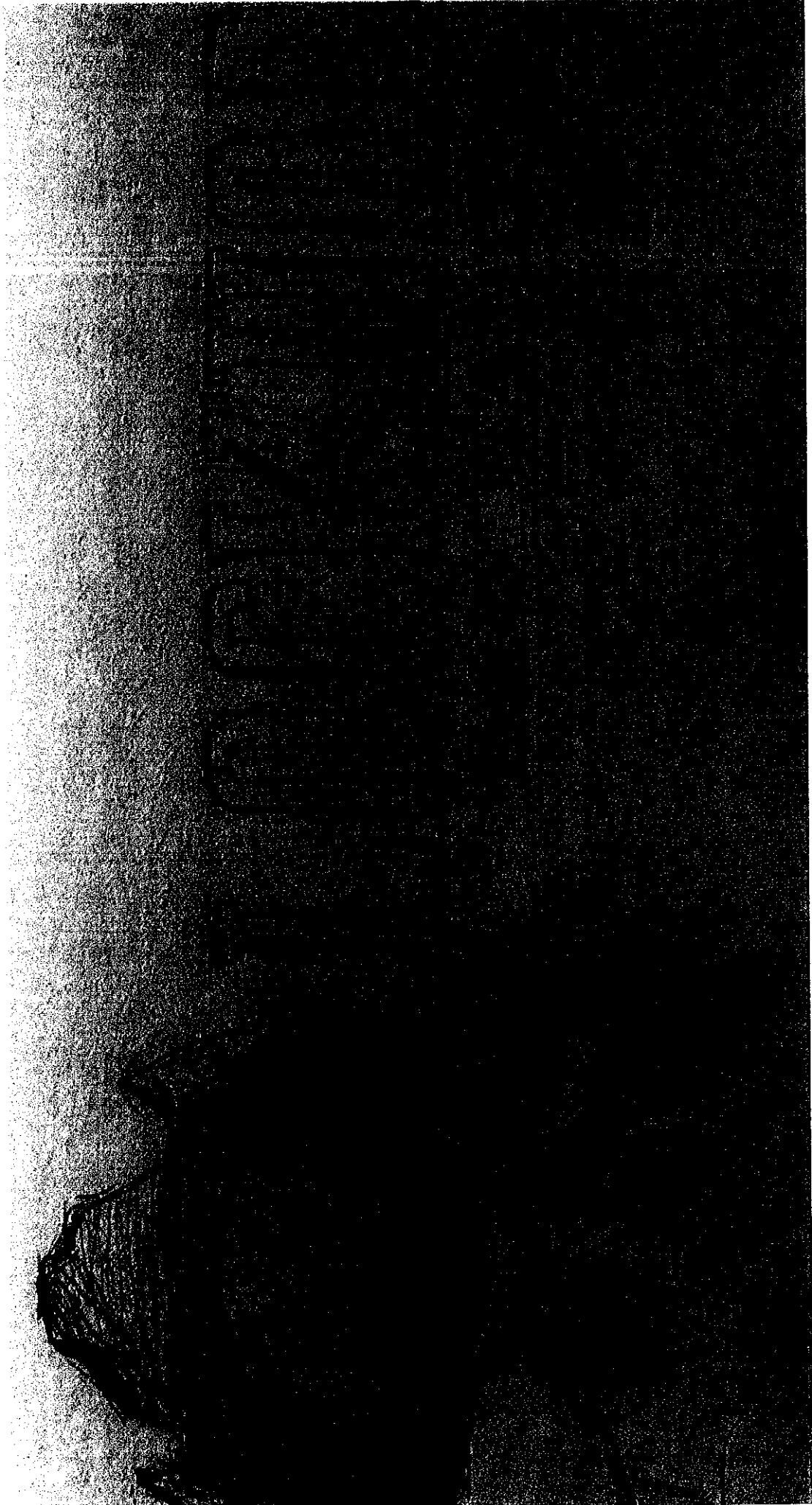
CROWD EATING AT TABLE.

OLD AND NEW LOCKHART REPRESENTED.

TRADITIONAL TOWN SIGN BEHIND

LOUIS MUELLER
 OLD LADY →







LOGKWA

WALKING CAPITAL
OF
TEXAS

SEE SPACE
FINGER PRINT

- MESSY
- EATING F.R.B.
- POSSIBLY MODERN DRESSED
- GIRL IN 50'S ADMIN STYLE
 - NOSE RING
 - HAT?
 - TINTED GLASSES
 - FUN SHIRT