
MINUTES
LANDMARK COMMISSION
March 26, 2018

MEMBERS PRESENT:

Michele Derr	■ Members
John Dickinson	■
Stacie Flood	■
Christy Graham, Chairperson	■
Jackie Lebow Jr.	■
Andy Lee	■
Cindy Ramirez	■
Rodney Martin	■

Karen Montgomery-Gagné, Planning Administrator	■ City Staff
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APPLICANTS/VISITORS:

Bill Weske, 616 7 th St, Hook & Ladder	■ Applicant
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ABSENT:

Eric West	■ Council Liaison
Jim Johnson	■ Member
Amy Krikorian	■ Legal Staff

I. Call to Order, Introductions and Swearing-In

Chairperson Christy Graham called the meeting to order at 12:07 p.m. Mr. Rodney Martin was introduced and welcomed by the Chairperson and commission after sworn declaration of the oath of office to become a member of the Landmark Commission.

II. Review & Approval of Design Review Application Part II - 616 7th Street: painted wall sign on west wall and outdoor patio/dining area along 7th Street – Hook & Ladder (Depot Square Historic District)

Ms. Montgomery-Gagné presented and reviewed the submitted application as well as a comparison of before and after photos with previous years (early 2000's; and 2013) with the proposed site plan. She acknowledged business owner, Mr. Bill Weske, who was available to answer any questions from the Commission. The owners, Mr. Weske and Mr. Jon Reese, of 616 7th Street, have requested a painted sign on the west façade in addition to establishing an outdoor patio area along 7th Street for their business Hook & Ladder.

Ms. Montgomery-Gagné showed before and after photographs that were taken when repairs were needed, completed and approved previously by the commission (October 2017). Some of the repairs included structural, front façade, awnings and sign replacement. Also paint was carefully removed from the west wall following National Register standards for this structure, built in the late 1880's. The requested sign design is not an exact replica; the design schematic is superimposed which would be placed in a white block on the west

wall. The word "winery" replaced the word "coffee". Ms. Gagné showed interior photographs of the property which supported the commission's previous approval. Ms. Gagné segued to the latter request of the Design Review application - to have an established (five foot by three foot fenced) outdoor patio seating area along 7th Street. The owners modeled the outdoor patio design after another landmark property, Iron Horse Pub, at 615 8th Street. The dining area, which consists of tables and chairs, would be surrounded by a wrought iron fence. If dining chairs and tables are out in the public right of way, fencing is a requirement and an encroachment agreement is mandatory, per ordinance. From Ms. Gagné's understanding Hook & Ladder owners do not have an encroachment agreement but are working with property administration to formulate the details.

Ms. Gagné ended her presentation and Chairperson Graham stated that Mr. Andy Lee has filed a conflict of interest form and recused himself from voting on the design review case due to involvement with the project. The Chair also stated that each item within the request would be voted on separately.

The applicant, Mr. Bill Weske, presented his drawing; he mentioned that staff's presentation covered their request. Mr. Weske highlighted the outline/location of where the proposed fence would be four feet from the building, the awning's overhang is ten foot (sixteen feet to the street), and there would be two tables with four chairs. A member asked if the proposed four foot patio area extended as far from the building as he wanted to go? Mr. Weske affirmed and staff confirmed that it was within City regulations. Ms. Gagné elaborated the ordinance requires a five foot clear pedestrian area be maintained. Mr. Dickinson strongly suggested that the owner go with five foot instead of four foot, it will be easier for individuals to move around. Mr. Rodney Martin supported a fenced area extending five foot out from the building. The Chair called for a motion. Mr. John Dickinson made a motion; Ms. Stacie Flood seconded. Chairperson Graham asked for discussion, there was none. Before the vote, Chairperson Graham stated the motion: to approve the proposed outdoor patio area in front of the Hook & Ladder (Toodles Building) extending five foot from building and a height of three feet; encroachment agreement to be obtained from the City of Wichita Falls. The vote carried unanimously.

Chairperson Graham asked for discussion on the second portion of the request, the painted sign/mural on the side of the building. Mr. Andy Lee complimented the owners for their meticulousness on the repairs on the west wall as well as the protectiveness of keeping the wall intact with the selection of sealants and paint and adherence to the standards of the National Register. He added the wall is circa 1882. Chairperson Graham brought in beautiful books from Julie Coley which showed various murals throughout the city. Some of the murals even though faded, were painted and intact. Chairperson Graham stated the books supported and would aid the members in consideration of the adherence to the design review guidelines. A member questioned the applicant's request to have a painted sign and was it necessary since the guidelines state not to add non historical murals to these surfaces. She further elaborated that there were not any advertisements either; those referenced were on another building in the Depot District. Mr. Andy Lee countered plus he firmly stated this was a sign and not a mural. He added it is hard to restrict signage on buildings and Landmark approves signs if it meets the guidelines. He directed anyone with questions in this area to look at law cases he provided. The member questioned if

there was another way to paint on another surface – perhaps a sign panel that could be attached to the building? Discussion ensued and members struggled with the definitions of mural “...not to paint on a masonry surface” versus signage. Members brainstormed other ways to paint, erect or use a panel for a sign on the wall. Mr. Weske stated drilling into the wall would be a requirement and it is not what they opted to consider. A question was posed for the legal department liaison, however, they were not present at the meeting to provide a legal interpretation. Some members said this is what happened at the Zales property; permission was given from the abutting property owner and an encroachment agreement was drafted to allow the attached mural/sign to encroach beyond the Zales building wall. Mr. Andy Lee disagreed.

Mr. Andy Lee conversed about the historical background of the paint on the west wall and its exposure. One member viewed this as a precedent setting decision; the design review guidelines would need to be changed. There is no evidence that there was a sign there to be restored; a painted mural which did not previously exist. Other members agreed; and have voted in the past to deny this type of change several times; particularly when the exposed west wall was originally not an exposed wall but a part of a party wall to another building prior to the Mathis, West & Huffines parking lot. Commissioner member stated *‘We’ve had issues with murals popping up on historical structures, if we allow one, then it sets a precedent for everyone else to paint a mural... or a sign.’* Mr. Martin read the signage guidelines which stated *“new signs shall be confined to building facades that front a street or alley.”* After a silent pause, a commissioner asked was the actual layer of brick the outside of the Toodles building part of the former building that was torn down in the parking lot or was it part of 616 7th Street’s building? Mr. Lee answered that the brick is part of the Toodles building, part of the interior wall. Chairperson Graham pointed out that written in the design review guidelines, a painted sign is a mural (notated under Signage).

Chairperson Graham opined on various signage throughout the city. She believed some painted signs are not murals but painted business signs. Mr. Dickinson suggested putting the sign on posts. Ms. Gagné confirmed that any storefronts, murals or/and signage within the boundaries of the historical districts would be reviewed by the commission based on the guidelines set out within design review policies. Ms. Gagné stated the commission could give the recommendation of a free standing sign. The applicant would need permission for use from the owner of the abutting parking lot (Mathis, West & Huffines). Mr. Dickinson digressed and shared that the new brewery on 7th Street had a mural on their building but it’s outside of the historical district. Ms. Gagné stated there are some technicalities (complaints from the owner or graffiti).

Mr. Lee stated these are the two oldest brick buildings in town and everything has been approved by the State – Texas Historical Commission (THC). Mr. Lee offered to resubmit the request regarding the painted wall sign to Caroline Wright, THC’s tax credit specialist to obtain her determination. Mr. Dickinson stated based on the painted sign request – it is not allowed with the current design review guidelines.

The Chairperson asked for a motion. After much debate and discussion, Mr. Dickinson made a motion to deny the applicant’s request for a painted sign to be placed on the west wall of the building, Ms. Ramirez seconded the motion. The landmark commission recommended alternate options to Mr. Weske, owner/applicant, including: 1) sign mounted

to the building's mortar joints leaving an air gap to avoid trapping moisture and damaging the brick; 2) free-standing sign erected beside the wall; or 3) opt for no signage on the west façade. The Chair called for a hand vote. One member (Mr. Lee) abstained from voting due to conflict of interest; the vote was six to one. The commission discussed further details of the design review guidelines and shared their opinions, precedents, what signs are appropriate and what are not, and what the applicant could or could not do in context with the guidelines and preservation ordinance.

Chairperson Graham summarized the various conversations among the commission by stating the design review request was denied for painting the sign on the building and the applicant was given options from the commission. The owner/applicant can return in the future with another design review proposal for the Commission's consideration.

III. Discussion & Direction Regarding 701 Indiana – building outside Depot Square District but 7th Street sidewalk area inside historic district boundary – proposed outdoor patio/dining area.

Chairperson Graham stated this was a discussion item as no formal design review application has been submitted. Staff was seeking clarification whether an application would be required since the proposed outdoor patio area for Wichita Falls Brewing Company (Matt Bitsche) would be on public right-of-way (sidewalk) which is in the Depot District but the building is outside the designated historic district boundary. City staff (planning, building inspection, engineering and property management) met with the owner on site where he was proposing an outdoor patio area along both Indiana and 7th Streets but without fencing and BYO (bring your own) chairs, he would provide wooden or aluminum tables. There are various regulatory items that would require being addressed; the issue for Landmarks is the Depot Historic District boundary includes the 7th Street sidewalk area but the building is outside and not subject to the design review guidelines.

Mr. Martin asked about property lines and placement. Ms. Gagné showed the chalked out area where the tables could be located which is beyond the sight-visibility triangle near the intersection and maintains a 5-foot pedestrian clearance area. Mr. Martin stated P&Z commission said he could bring tables out daily but they must be put away nightly. Ms. Gagné stated the owner was not keen on having to move the tables each day. Ms. Gagné told him that she would bring his concerns before the Landmark Commission as a courtesy discussion item. The owner stated that he does not want to be in the historic district it may affect his business but will comply with the requirements which govern the sidewalk area along the 7th Street façade. Mr. Martin inquired about the lines of the historic district boundaries. Ms. Gagné stated it was prior to her coming on board but Mr. Lee was involved with the process in the early 1980s.

Mr. Dickinson stated that he would find out what the TABC guidelines are regarding open containers, noting fences are important and that's why there are signs on liquor store properties stating you cannot drink on the premises. Chairperson Graham shared information regarding the Gaslight district in San Diego. Chairperson Graham stated that no matter what occurs, if it is just tables and chairs sitting outside – then it is a code enforcement/property management issue. If it becomes a permanent structure with fencing, this commission will be involved and a design review application will be necessary.

Mr. Dickinson mentioned a fence also keeps the five foot pedestrian passage and complies with the outdoor dining ordinance.

IV. Discussion & Direction Regarding - 109 Pembroke- Morningside Addition: Fire Damage Repair- request determination regarding Commission or staff administrative review for roof change/exterior.

Chairperson Graham stated this was a discussion item as no formal design review application has been submitted. We were contacted by Mr. Stephen Lowder son of the owner, Linda Lowder, at 109 Pembroke. The structure sustained significant fire damage and Mr. Lowder is helping coordinate the restoration and renovation process; he wanted to consider the option for a TPO membrane roof rather than replace the existing flat/gravel roof depending on the insurance assessment. Mr. Lowder is currently working with Kerry Maroney and James Foster for the renovation project. Staff explained TPO is Thermoplastic Polyolefin; a roofing material introduced in the 1990s and is a single-ply roofing system that consists of a membrane which has a polymer base, polyester-reinforced fabric center and a thermoplastic polyolefin compounded top ply. Mr. Rodney Martin and Mr. Jackie Lebow provided some comments based on their experience in the building field with this material. The TPO can generally last between 15-30 years and is a good alternate for traditional flat roofs.

Ms. Gagné outlined some background from the national register nomination application which included an assessment of 109 Pembroke. The property is known as the Reagan House (No. 39) which was considered a later but significant addition to the Morningside District. Staff surmised the only reason the application materials listed the property as non-contributing due to it not being over 50-years in the mid-1980's when it obtained the national designation. The report goes on to state "...designed by Roy Kee and built between 1954-55 this residence is a one-story, curvilinear structure with flat roof. From an aerial view, the plan forms the outline of an orchid. Pecky cypress and slate are materials used for the walls and floors, both on the exterior and interior.

#39. Reagan House--109 Pembroke (1954-1955). Noncontributing. One-story curvilinear plan dwelling with flat, composition-rock roof. Multipaned casement windows. Site used throughout on floors and walls. Pecky cypress wood and limestone on exterior. House is shaped like an orchid as seen from an aerial view. Noncontributing outbuilding. (Contemporary "California/Malibu Style")."

There was general consensus of support from the Commission for a TPO roof but determined that a design review application will be necessary for the alternative roof since it is a change in materials if the owner opts to move forward with a different roofing system. Staff indicated they would provide an update to the owner/son regarding their determination.

V. Monthly Reports:

- a) Depot Square Historic District – Mrs. Michele Derr shared that Wichita Falls Brewery grand opening is March 30th, Gypsy Kit or Gypsy 801 is now open (formerly 2011 Bistro), St. Patrick Street Festival was a success after the rain cleared out, Gidget's Sandwich Shop is taking over The Yard, grand opening slated for May 12th, Farmer's Market will open fully in May.

- b) West Floral Heights – Mr. Andy Lee had nothing to report.
- c) Morningside – Report was not forthcoming; the representative was absent.

Design Review—Staff Authorized—Minor Alterations/Repairs:

Ms. Gagné reported on the two staff authorized minor alterations/repairs:

- 1414 Tilden – water heater replacement
- 1512 Tilden – electric service repair

- c) **Articles & Periodicals** – Texas Historical Commission: Window Repair & Replacement

VI. New Business:

- a) **Next Mtg.** – April 24, 2018

VIII. Adjourn:

Meeting adjourned at 1:28 p.m.

Christy Graham
Christy Graham, Chairperson

8/28/18
Date