

MINUTES



HISTORIC PRESERVATION ADVISORY BOARD MEETING
CITY HALL, 385 SOUTH GOLIAD, ROCKWALL, TEXAS
SEPTEMBER 21, 2023 IN THE CITY COUNCIL CHAMBERS AT 6:00 PM

2
3 I. CALL TO ORDER

4
5 **Board member Tiffany Miller brought the meeting to order at 6:00 PM. Board members present were Haydon Frasier, Steve Gaskin, and Allison**
6 **McNeely. Board member absent was Sarah Freed. Staff members present were Director of Planning and Zoning Ryan Miller, Senior Planner Henry**
7 **Lee, Planning Technician Angelica Guevara, and Planning Coordinator Melanie Zavala. Absent from the meeting was Planner Bethany Ross.**

8
9 II. OPEN FORUM

10
11 *This is a time for anyone to address the Historic Preservation Advisory Board (HPAB) on any topic that is not already listed on the agenda for a public hearing.*
12 *Per the policies of the City of Rockwall, public comments are limited to three (3) minutes out of respect for the time of other citizens. On topics raised during*
13 *the OPEN FORUM, please know that the Historic Preservation Advisory Board (HPAB) is not permitted to respond to your comments during the meeting per*
14 *the Texas Open Meetings Act.*

15
16 **Board member Miller explained how the open forum is conducted and asked if anyone who wished to speak to come forward at this time; there**
17 **being no one indicating such Board member Miller closed the open forum.**

18
19 III. CONSENT AGENDA

20 *These agenda items are administrative in nature or include cases that meet all of the technical requirements stipulated by the Unified Development Code*
21 *(UDC) and Chapter 38, Subdivisions, of the Municipal Code of Ordinances, and do not involve discretionary approvals.*

22
23 (1) Approval of Minutes for the July 20, 2023 Historic Preservation Advisory (HPAB) meeting.

24
25 **Board member Frasier made a motion to approve Consent Agenda. Board member Gaskin seconded the motion which passed by a vote of 4-0.**

26
27 IV. ACTION ITEMS

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29 (2) Election of a Chairman and Vice-Chairman. Discuss and consider the election of a Chairman and Vice Chairman in accordance with Section 2-82, *Officers,*
30 *of Division 3, Historic Preservation Advisory Board, of Article III, Boards, Commissions, Committees, of Chapter 2, Administration, of the Municipal Code of*
31 *Ordinances, and take any action necessary.*

32
33 **Board Member Frasier nominated Board member Tiffany Miller as Chairman. Board member Gaskin seconded the motion which passed by a vote**
34 **of 4-0.**

35
36 **Board member Gaskin nominated Board member Haydon Frasier as Vice-Chairman. Board member McNeely seconded the motion which passed**
37 **by a vote of 4-0.**

38
39 V. PUBLIC HEARING ITEMS

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41 *This is a time for anyone to speak concerning their issues with a public hearing case. If you would like to speak regarding an item listed in this section, please*
42 *submit a Request to Address the Historic Preservation Advisory Board (HPAB) (i.e. the yellow forms available at the podium or from staff). The Historic*
43 *Preservation Advisory Board Chairman will call upon you to come forward at the proper time or will ask if anyone in the audience would like to speak. Please*
44 *limit all comments to three (3) minutes out of respect for the time of other citizens.*

45
46 (3) **H2023-011 (HENRY LEE)**

47 Hold a public hearing to discuss and consider a request by Annette Lall on behalf of HIS Covenant Children, Inc. for the approval of a Certificate of
48 Appropriateness (COA) for a Landmark Property being a 0.689-acre tract of land identified as a portion of Lots A & B, Block 2, Griffith Addition, City of
49 Rockwall, Rockwall County, Texas, zoned Downtown (DT) District, addressed as 303 E. Rusk Street, and take any action necessary.

50
51 **Senior Planner Henry Lee provided a brief summary in regards to the request. In 2005 the property owner at that time requested a Certificate of**
52 **Appropriateness (COA) to renovate and restore the exterior of the building by removing the stained-glass windows and replacing them with clear**
53 **glass windows. Ultimately, the HPAB denied the request following this denial, the applicant appealed the HPAB decision to the City Council which**
54 **was denied. The applicant then returned on December 15, 2005. They submitted a subsequent request for a scaled back restoration/ rehabilitation**
55 **to the building. This was eventually approved by the HPAB but there were conditions of approval. The first one being the stained glass had to be**
56 **replaced by the calendar year of 2008. The proposed glazing for the windows had to be opaque. Third being, the applicant had to return in January**
57 **2006 for the approval of the opaque glass coating. Despite this approval, the case was not brought back to the board in January 2006 and the**
58 **requested improvements were not made. No additional COA was done to the property until November of 2021. This was a request to allow the**
59 **replacement of the doors, repair to the existing steps and the replacement of the stained-glass windows with clear glass windows to allow the**
60 **gradual repair of the stained-glass windows, no date of completion was provided. The HPAB reviewed this request at their November 18, 2021**
61 **meeting and approved a motion to table the case until the February 17, 2022. The purpose of this motion was to allow the applicant time to collect**
62 **additional bids for the replacement of the stained-glass windows. Prior to the February 17, 2022 meeting the applicant submitted two (2) bids.**
63 **Indicating one (1) bid was \$253,000.00 that would take place over two (2) years, and the second bid \$844,000.00 for over 6 ½ year time period.**
64 **Based on these bids the applicant amended the request to not repair the stained-glass windows and replace them with clear glass windows. This**

65 request was presented to the board in February 17, 2022 and the board approved a motion to allow the replacement of the doors and repair to the
66 existing steps, but denial of the request to replace the windows. The applicant did return on April 21, 2022 to allow single pane windows to be
67 installed in front of the stain-glass windows and to allow the stain -glass windows to be removed in phases for repair. The applicant indicated that
68 the stain-glass window would be replaced once repaired; however, the HPAB had concerns about how to enforce the replacement of the stained-
69 glass windows. Ultimately, the HPAB approved a motion to approve the COA, with the condition of approval that the "(t)he applicant shall be
70 required to provide annual updates to the HPAB until the completion of the project. Should the applicant fail to meet the timelines established in
71 this request the board shall have the authority to direct the Building Inspections Department to issue a Stop Work Order in accordance with UDC."
72 Based on the condition of approval, the applicant was to return to the HPAB within one (1) year of approval to provide the board with an update.
73 Following the approval on April 21, 2022, staff had received correspondence from the applicant on June 1, 2022 and July 14, 2022 that provide
74 updates on the status of the single pane window installments; however, no further correspondence was received until after the one (1) year
75 deadline passed. Based on this, the applicant failed to return to the board was required by the Certificate of Appropriateness (COA). This prompted
76 staff in accordance with the condition of approval and the UDC, to provide the applicant a notice of violation for property maintenance violations
77 on April 24, 2023. Since the initial notice of violation, staff has written seven (7) citations related to property maintenance violations on the subject
78 property. This prompted the applicant to submit for a new COA case on July 28, 2023 in order to establish a new timeline. Staff should note that no
79 improvements have been made to the building to clear up the property maintenance violations since they were issued. The applicant has provided
80 four (4) separate quotes for different scopes of work that include exterior and interior work. For the purpose of HPAB only the exterior work may be
81 considered. In this case, the HPAB is considering the repair/replacement of the exterior rotted wood trim, caulk, and painting of the trim for 83
82 windows, and the instillation of new single glass panels on the exterior of 53 existing windows. The bid provided by the applicant indicates the
83 proposed work will take one (1) to two (2) weeks to complete and will cost \$29,000.00. The second part of the applicants request to move forward
84 with the stain-glass window bid from Artco, which was previously approved at the April 21, 2022 HPAB meeting. Artco would be removing the
85 stain-glass, and repair these windows over an estimated 24-month period. The estimated cost by Artco for the repair or reapplication of the 64
86 stained glass windows is \$253,00.00 It should be noted that Arctos bid indicates that the work shall be conducted in four (4) phases, where one (1)
87 side of the building will be completed before the next side is started. Include with the applicant's submittal was a new timeline that establishes the
88 phasing of the proposed Certificate of Appropriateness (COA). Based on the provided timeline, the work will take place in any following order.
89 Financing will be secured between September 1, 2023 and December 1, 2023. Immediately after financing has been secured the towers, doors and
90 steps will be repaired, along with the single pane window instillation and stain-glass window repair project. All interior work will be completed, and
91 the stain-glass windows will be re-installed upon completion. Staff should note that the bids provided by the applicant indicate the project is being
92 completed to accommodate a wedding venue. With respect to this case, the HPAB is not considering this as a part of this request. In Summary the
93 HPAB is reviewing the proposed COA for the replacement and repair of 53 windows, and repairing or replicating 72 stained-glass windows. Staff
94 should note that the following conditions of approval have been added to this case. The applicant shall be required to provide bi-annual updates to
95 the HPAB until the completion of this project. Should the applicant fail to meet the timelines established in this request the Historic Preservation
96 Officer (HPO) shall have the authority to direct the Building Inspections Department to issue a stop work order...or expire the Certificate of
97 Appropriateness if no work has commenced. A stop work order may be lifted by the Historic Preservation Officer after the applicant has provided a
98 revised timeline for this project and sufficient assurance that compliance will henceforth be adhered to. If the Historic Preservation Officer chooses
99 to expire the Certificate of Appropriateness due to failure to meet the timelines and commence work on the project, the applicant shall be notified
100 via certified mail of the expiration. A separate COA shall be required to be submitted to the HPAB for the proposed Event Hall/ Banquet Facility,
101 prior to submitting for a Specific Use Permit (SUP). Staff did mail out 53 notices to property owners and occupants within 200-feet of the subject
102 property. At that time, staff had received three (3) notices. One (1) in opposition and two (2) in favor.

103
104 Annette Lall
105 1307 Ridge Road
106 Rockwall, TX 75087
107

108 Mrs. Lall came forward and provided additional details in regards to the request.

109
110 Board member Gaskin asked if Mrs. Lall had the windows that were missing.

111
112 Reese Baez
113 3023 N Stodghill Rd
114 Rockwall TX, 75087
115

116 Mr. Baez came forward and provided additional details in regards to the request.

117
118 Chairman Miller asked why updates were not made since 2021 till this point.

119
120 Chairman Miller asked if she had received grants for this project.

121
122 Chairman Miller opened the public hearing and asked anyone who wished to speak to come forward at this time; there being no one indicating
123 such, Chairman Miller closed the public hearing and brought the item back to the Board for discussion or action.

124
125 Chairman Miller made a motion to approve H2023-011 for the Certificate of Appropriateness to allow the applicant time to get funding, but not
126 allowing any improvements to the building until she returns in six (6) months to the March, 2024 HPAB meeting. Vice-Chairman Frasier seconded
127 the motion which passed by a vote of 4-0.

128
129 (4) H2023-012 (RYAN MILLER)

130 Hold a public hearing to discuss and consider a request by Johnathan Brown for the approval of a *Certificate of Appropriateness (COA)* for a fence on a *Non-*
131 *Contributing Property* being a 0.43-acre tract of land identified as a portion of Lot B, Block 3, F&M Addition, City of Rockwall, Rockwall County, Texas, zoned

132 Single-Family 7 (SF-7) District, situated within the Old Town Rockwall (OTR) Historic District, addressed as 601 Kernodle Street, and take any action
133 necessary.
134

135 Director of Planning and Zoning Ryan Miller provided a brief summary in regards to the request. The applicant is requesting a Certificate of
136 Appropriateness (COA) for a fence on a Non-Contributing property. The applicant approached staff back in 2014 and wanted to construct a Single-
137 family home on the subject property. At that time, he was wanting to maintain the Historic setbacks of the area and requested a 15- foot setback
138 opposed to a 20-foot front yard setback. Ultimately, he did go to the Board of Adjustments in January of 2015 and they approved his request. After
139 this, the applicant applied to the Historic Preservation Advisory Board (HPAB) for a Certificate of Appropriateness for a single-family home and it
140 was approved back in February of 2015. The applicant then waited a bit and then returned in 2021 after we had changed the rules requiring
141 Residential Infill properties to get a Specific Use Permit (SUP). He did apply for that SUP and in December of 2021, it was approved by City Council
142 for Residential Infill in an established subdivision. Fast forward, they went into the construction process and earlier this year the applicant had
143 approached staff about constructing a 4-foot wood fence instead of the required 6-8-foot wood fence required by the code. We ultimately told the
144 applicant to go forward to the Planning and Zoning commission for a fence exception thinking that the code and ordinances stipulated that they
145 did not need to go to the HPAB for approval. Staff did take this forward in January of this year and the applicant was approved by the Planning and
146 Zoning commission for the 4-foot wood fence. More recently staff did receive a request from an adjacent property owner asking why this particular
147 case did not have to go through HPAB for a COA. Staff explained the information that was presented to the Planning and Zoning commission and
148 the concerned Homeowner did site something staff had missed which was a section in Article 11 that stipulates that "No building permit or fence
149 permit shall be issued for side improvement or other construction until a COA by the HPAB has been granted". When staff realized this, we
150 wanted to make an effort on clearing it up. Staff did consult with the City Attorney and he recommend that we bring it back to the Board. Staff
151 contacted the applicant and they submitted an application in regards top the request. What's being presented to the board is a request for a 4-foot
152 in height wood cedar fence with post. According to the HPAB guidelines a fence in the front, side or rear yard should meet all the applicable City
153 codes. Most fences require only a fence permit, however a fence requiring a building permit will also be reviewed and approved by the board. The
154 applicant stated that the reason they wanted a 4-foot wood fence is that it was more indicative of the Old Town Rockwall Historic District than the
155 typical 6-foot cedar board on board fence that the code requires. In reviewing this we don't think this has a negative impact on any of the adjacent
156 properties and furthermore we don't see how they would change the essential character of the neighborhood. Staff would also like to re-iterate that
157 the Planning and Zoning commission that deals with the height requirement did grant that. This being a COA case staff did mail out notices to
158 property owners and occupants within 200 feet of subject property. Staff did receive two notices. One was a property owner notification in favor of
159 the applicants request. Another was an email of an adjacent property owner opposed to the request.
160

161 Kristy Brown
162 601 Kermode St
163 Rockwall, TX 75087
164

165 Chairman Miller opened the public hearing and asked anyone who wished to speak to come forward at this time; there being no one indicating
166 such, Chairman Miller closed the public hearing and brought the item back to the Board for discussion or action.
167

168 Board member Frasier made a motion to approve H2023-012. Board member McNeely seconded the motion which passed by a vote of 4-0.
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170 VI.DISCUSSION ITEMS
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172 *These items are for discussion between staff and the Historic Preservation Advisory Board (HPAB) and relate to administrative information and/or cases that*
173 *will come forward for action or public hearing at a future Historic Preservation Advisory Board meeting. Public comment on these cases can take place when*
174 *these items are considered for action by the Historic Preservation Advisory Board.*
175

176 (3) Update from Historic Preservation Officer (HPO) regarding historic projects. (RYAN MILLER)
177

178 Planning and Zoning Director Ryan Miller indicated that there are currently no ongoing historic projects.
179

180 VII.ADJOURNMENT
181

182 Chairman Miller adjourned the meeting at 6:51 PM.
183

184 PASSED AND APPROVED BY THE HISTORICAL PRESERVATION ADVISORY BOARD OF THE CITY OF ROCKWALL, TEXAS, THIS THE 19 DAY
185 OF October 2023.
186

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188
189 TIFFANY MILLER, CHAIRMAN
190
191
192
193 ATTEST: MELANIE ZAVALA, PLANNING COORDINATOR
194
195