
MINUTES
LANDMARK COMMISSION
April 26, 2016

MEMBERS PRESENT:

Andy Lee, Vice-Chairperson
Kevin Bazner
Barney Brock
Christy Graham
Jackie Lebow
Andy Lee
Cindy Ramirez
Michele Derr

■ Members
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■ P&Z Liaison
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Michael Smith

■ Council Liaison

Karen Montgomery-Gagné, Planning Administrator
Matthew S. Prouty, Planner II
Amy Krikorian, Municipal Court Prosecutor

■ City Staff
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■ Legal Dept.

ABSENT:

Stacie Flood, Chairperson
Cindy Cotton

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I. Call to Order, and Introductions

Vice-Chairperson Andy Lee called the meeting to order at 12:03 p.m. The vice-chairperson recognized guest in attendance. Ms. Gross, 3008 10th Street and Mrs. Arnold-Ogden, Downtown Wichita Falls Development Inc. representative and Ms. Carraro Wichita Falls Museum of Art.

II. Review & Approval of Minutes from March 22, 2016

Vice-Chairperson Lee called for review and approval of minutes from the March 22, 2016 Landmark Commission meeting. Councilor Michael Smith recommended the correction of Head Start at the bottom of page one, to Early Head Start. Councilor Smith also stated he was impressed with the discussions at the previous meeting, particularly suggestions made regarding the possible uses for the vacant WFISD buildings. He expressed a hope to see continued talks with the WFISD and any group interested in alternative uses for the vacant buildings prior to resorting to demolition.

Mr. Jackie Lebow requested a correction to a comment on page 4 regarding the closing date for the request for proposal (RFP). Mr. Lebow stated the RFP was closed, and clarified that his previous statement was in reference to the fact that there was no project specific date at that time. Mr. Kevin Bazner made a motion to approve the minutes as amended. Mrs. Michele Derr seconded the motion. The commission voted on the motion; motion passed unanimously.

III. Application for Design Review at 3008 10th Street, West Floral Heights: Request for Landmark Approval to Replace Four Windows on East Side of Home with Aluminum Replacement Windows.

Mr. Matthew Prouty stated the applicant had previously applied and received commission approval for other replacement windows in the home, and the proposed replacement windows would not be visible from the right of way.

Mr. Lee asked if the applicant was in the audience and wished to address the commission. Ms. Susan Gross of 3008 10th Street stated the proposed four windows would be the last of fifty in the house to be replaced. She stated she had been informed by multiple contractors that aluminum windows would no longer be available as of September 2016. Ms. Gross suggested, based on this information, the requirements for Floral Heights stipulating the use of either aluminum or wood for replacement windows should be reevaluated by the city. Ms. Gross also stated, due to the recent hail storms, she was having difficulty finding someone to provide estimates in order to replace the windows.

Mr. Kevin Bazner asked if the muntins on the replacement windows were on the inside, or the outside of the windows. Ms. Gross stated they would be inside, as they are on all of the previously replaced windows. Mrs. Karen Gagné stated the last set of replacement windows done in a series with the applicant were prior to the current design review guidelines being updated. Ms. Gross stated the proposed replacement windows were the third or fourth in a series of replacements, and the first windows done in the series were replaced prior to West Floral Heights becoming a historic district. She stated the proposed windows would be the same as the windows replaced a year ago on the opposite side of the house, and that she wanted to use the same style windows for purposes of continuity.

Ms. Cindy Ramirez asked if all of the windows would be the same size as the previously replaced windows. Ms. Gross stated the only difference would be that the larger windows, for safety reasons, would be slightly modified to allow for egress.

Mrs. Christy Graham stated, because the previous set of windows had been approved, she made the motion to continue to approve the replacement windows as requested for the applicant's home. Mr. Barney Brock seconded the motion. The commission voted on the motion; motion passed unanimously.

IV. Application for Design Review at 800 Ohio, Historic Name: Zales Building, Depot Square Historic District: Request for Landmark Approval to Install a 40' x 20' Mixed Media Mural on Exterior Wall.

Mr. Matthew Prouty deferred to Mrs. Ann Arnold-Ogden to introduce the proposed mural project. Mrs. Arnold-Ogden stated the proposed mural had the full support of the Downtown Wichita Falls Development Board (DWFD). She advised the DWFD board had voted and everyone was in full agreement that the mural was something that should happen, and board members were excited to partner with the Museum of Art at MSU. Mrs. Arnold-Ogden then introduced Ms. Francine Carraro, director of the Wichita Falls Museum of Art.

Ms. Carraro explained that the project, which they are calling "Arts for All", is fully funded by the Priddy Foundation. She stated the mural project would follow the Priddy Foundation's arts initiative and the museum's mission to serve both the community and the university. The "Arts for All" project was conceived as a way to extend their relationship with the community beyond the walls of the museum. Ms. Carraro stated the Wichita Falls Chamber of Commerce and Downtown Proud had recommended the wall, and the museum had conceived the production of the mural. She explained the idea was modeled after a similar project undertaken at the University of Wyoming. Ms. Carraro stated that, prior to the mural project, Laramie, Wyoming's downtown was in far worse shape than downtown Wichita Falls. About ten years ago the museum at the University of Wyoming initiated a project to produce an exterior mural in downtown Laramie. Now there are eighteen murals downtown, and the mural project was central to the revitalization of downtown Laramie. Ms. Carraro pointed to the fact that downtown Laramie now has a highly attended art night once a month, and new businesses continue to open there. She stated it was the Wichita Falls Museum of Art's intention to start slow and small, but they have the model of Laramie in mind.

Ms. Carraro stated part of the grant money from the Priddy Foundation was being used to hire Anne Farley Gaines, a Chicago artist, as a consultant on the project. Ms. Gaines has made a career out of public art and collaborative murals. Ms. Carraro explained that the proposed mural would not be created by one artist, and that it would be a community project. Ms. Carraro stated she met with twenty five people from the community who will be serving as the museum's ambassadors, and they will be structuring the project in a way so as many people as possible can contribute to the production of the mural.

Ms. Carraro stated the mural would be constructed primarily of fired clay relief pieces placed on a HardieBacker board. She compared the HardieBacker board to what is typically used in bathrooms and kitchens, and stated it is weatherproof. Ms. Carraro clarified that the mural would not be painted to the wall, it will be affixed to the HardieBacker board, then bolted to the wall. She explained that the mural could be removed if so desired, and that the colors, being on fired clay, would not fade. She pointed to examples of other murals done by Anne Farley Gaines that are ten years old and look brand new.

Ms. Carraro stated the agreement between the artist, the museum, and DWFD, Inc. would take around a year to construct the mural. She clarified that the individual pieces for the mural would not be solely created by professional artists, though they could also be included, but a large collaborative effort, including students and children. Ms. Carraro stated that Anne Farley Gaines would be returning to Wichita Falls in August to conduct workshops, giving artists hands on experience with the materials being used. Ms. Gaines will be responsible for orchestrating the effort and creating the composition of the mural. Ms. Carraro stated the title of the mural is "Blue Skies, Golden Opportunities, and Red Sunsets", and the mural is intended to celebrate Wichita Falls.

Ms. Carraro indicated the mural is slated for installation, June 2017 and will be owned by whoever owns the building. Ms. Carraro stated MSU's attorney had been consulted regarding an agreement that the Wichita Falls Chamber of Commerce has agreed to. She explained that whoever takes ownership of the mural could take it down or move it if

they chose to, but expressed her belief that the mural would have a long life and become a historically significant which Wichita Falls could be proud of in downtown.

Ms. Carraro stated there had already been a great deal of enthusiasm about the project, and compared it to a similar project done a year ago called "Quilting Together Wichita Falls". The quilting project was a huge success, with three hundred people helping to create pieces for four large community quilts. She explained it was this success that the museum hoped to translate into something larger through the mural project.

Mr. Lee congratulated Ms. Carraro on obtaining funding from the Priddy Foundation and stated that the key concern of the Landmark Commission with the project would be the application of the mural to the brick wall.

Councilor Smith expressed concern over the lack of representation of Sheppard Air Force Base on the example included in the landmark packets. Mrs. Arnold-Ogden explained the artist had only been in Wichita Falls for a week on her initial visit and that the example provided was only a conceptual model. Once Ms. Gaines is able to immerse herself in the community and collaborate with the other artists, other aspects of the mural will emerge. Councilor Smith suggested the artist be taken to visit the Jenny to Jet exhibit at Wichita Falls Regional Airport. Ms. Carraro stated that Ms. Gaines had visited the exhibit when she visited in February, and she was very impressed with the public art in Wichita Falls. Ms. Carraro agreed that all of the major landmarks of Wichita Falls need to be included in the mural. She explained that once the individual artists have created their pieces, and Ms. Farley Gaines begins to create a composition and design, any possible omissions will be assessed, and later added to the mural.

Ms. Carraro stated it was hoped the mural's installation would be part of a big event. Mrs. Arnold-Ogden elaborated that it was the intention to have the mural unveiled during the yearly Art and Soul Festival held downtown in June. Councilor Smith asked for clarification that Ms. Farley Gaines would not be creating the entire mural. Ms. Carraro confirmed that it was a collaborative effort, then pointed out that Ms. Farley Gaines has done many other, similar projects, and provided photo examples. She explained that Ms. Farley Gaines will be conducting workshops with the Kemp Center for the Arts, the Wichita Falls Art Association, and Wichita Falls ISD with the goal of providing materials and instructions to the artists. Though the artists will be using individual expression, they will be instructed to make sure their pieces represent Wichita Falls, and Ms. Farley Gaines will be ensuring that the pieces come together in a cohesive way. Ms. Carraro stated they had been vague regarding the length of the mural because they were uncertain what the response would be to the project. She explained with the quilt project they had only anticipated creating one quilt, but, due to the overwhelming response to the project, had ended up with four quilts. Ms. Carraro stated that, at this point the size of the mural was uncertain so the proposed wall was ideal because of its length.

Mr. Kevin Bazner stated that, as a staff member at MSU, he appreciated that MSU students would be involved in the project, but he was concerned about the actual attachment of the finished product to the building. He asked Ms. Carraro to explain further how the mural would be attached to the brick wall, whether through the masonry or through the mortar. Ms. Carraro stated this was a technical question that she could not answer. She did state that nothing will be painted on or attached to the wall other than

the individual HardieBacker boards, and that they would be bolted to the wall. Mrs. Arnold-Ogden clarified that the bolts would be applied through the mortar.

Ms. Cindy Ramirez asked how much a 1 square foot (sf) of tile would weigh. Ms. Carraro stated the tiles were heavy, as was the backer board, but was uncertain of exact weight. Ms. Carraro pointed out that other, similar murals in Chicago had not posed any issues, and they had remained permanent fixtures. She pointed out that the proposed wall for the Wichita Falls mural was a party wall and had belonged to another building that was now gone. Mr. Lee confirmed that there were still three courses of brick in the proposed wall.

Ms. Ramirez asked if there would be some form of pre-treatment done on the wall to protect it from trapped moisture. She expressed concern that mold growth could cause deterioration of the wall. Ms. Carraro stated the materials used in constructing the mural are waterproof and that a sealant could be applied to the wall if necessary. She explained that once it was determined which wall could be used, a technical engineer would be brought in to advise on the installation. Ms. Carraro stated there was money included in the budget to cover these costs. She also stated the artist was pleased with the proposed wall because of how straight it is.

Councilor Smith directed a question at Mr. Jackie Lebow asking if he felt the situation would require the consultation of an engineer/architect/contractor to inspect the brick and mortar of the wall. Mr. Lebow confirmed that this would be the prudent course. He stated that, because the strength of the mortar is unknown, it would be wise to consult a design professional regarding the anchoring system, as well as the drainage. Ms. Carraro stated this could absolutely be done. Mrs. Arnold-Ogden stated that all of the technical and architectural components being discussed were part of the grant and that there was funding.

Councilor Smith asked if the current owner of the building was in agreement with all of the proposals being discussed. Mrs. Arnold-Ogden stated that the building is currently owned by Downtown Wichita Falls Development, and the project is backed by full board support.

Mr. Lee stated that he felt it was critical the doorway on the proposed wall be left available. Mrs. Arnold-Ogden stated that, according to their contractor, John Dickinson, there is plenty of space on the wall that would allow for the door to be left as is. Mr. Lee recommended an easement agreement be acquired from the adjacent property owner on the chance that the new property owners choose to put in a door. Mrs. Arnold-Ogden stated that the Muehlbergers, property owners of the adjacent property, had been informed and intended to include the easement agreement in the purchase agreement.

Mr. Lee asked who would be responsible for maintaining the mural. Mrs. Arnold-Ogden explained that the mural would be maintained in the interim by Downtown Wichita Falls Development, but, when the building is sold, it will become the new property owner's responsibility. She clarified that this would also be included in the purchase agreement. Mr. Lee pointed out that the pre-existing door, which had been removed and restored, could potentially be reinstalled. Mrs. Arnold-Ogden stated that it was her understanding that it was not the intention of Downtown Wichita Falls to reinstall the door. Mr. Prouty

clarified that part of the door had been removed during restoration and it would no longer fit into the proposed doorway.

Mr. Lee stated he believed the proposed wall to be a desirable location, but expressed concern regarding the permanence of the mural and the potential of covering the whole wall. Mrs. Arnold-Ogden stated that, due to budget constraints, the proposed 40' x 20' is the largest the mural could potentially be. Councilor Smith stated he felt the \$1000.00 allotted to the installation was possibly under-budgeting. Ms. Carraro stated that the tools and labor for the installation would be provided by the museum and the contracted artists, and that the \$1000.00 had been budgeted for the renting of a lift. She elaborated by saying other money in the budget is not only for the honorarium for the artist and her travel, but also for the materials, production, and installation of the mural. Ms. Carraro stated that the doorway could be avoided if necessary, and the mural is permanent in that it is sturdy and weatherproof, but it could be moved.

Councilor Smith expressed concern that the owner of the building could move, and potentially store the mural. He recommended that, as part of the purchase agreement with the new property owners, it be stipulated that the mural must remain on display. Mrs. Arnold-Ogden stated this was something that could be stipulated in the purchase agreement.

Ms. Ramirez asked if there was any lighting planned for the mural. Ms. Carraro stated that with the similar murals in Chicago lighting had not been provided as part of the project, but the owners later installed lighting. She explained that they had not thought that far ahead on this project, but there is good amount street lighting in the area surrounding the mural. Ms. Carraro stated the mural would not go all the way up to the top of the wall, and there would be room for lighting to be installed if the owner of the property chose to do so. Mrs. Arnold-Ogden stated the City had been very proactive about installing lighting in the downtown area, and the street where the proposed mural would be located is a well-lit area.

Mr. Kevin Bazner directed a question at Ms. Amy Krikorian, asking if the easement question and the Planning and Zoning issues of encroachment would need to be dealt with prior to moving forward with the structural issues of concern to the Landmark Commission. Ms. Krikorian stated there were a lot of complicated issues preventing her from giving a definitive answer at this time, but expressed concern about the approval of a motion with so many conditions. She stated it would be difficult to formulate an approvable motion that made stipulations for all of the concerns that had been addressed.

Mr. Lee asked Mrs. Karen Gagné if she could address whether the mural would fall under the sign criteria of the City's code of ordinance, or be viewed as artwork. Mrs. Gagné stated that there had been some discussion while developing design review guidelines for the project of whether to approach the project as a sign or as a mural. She pointed to a Supreme Court case in the last year that would require a lot of communities to rewrite their sign ordinances to take into account content, as well as all other aspects of signage. Mrs. Gagné stated the proposed mural, because of all of the unique characteristics associated with it, was being considered more as artwork, than signage. She also stated that, because the width of the mural was currently an unknown factor, there were still some things to be addressed. Mr. Prouty clarified that the issue of the easement would

would not be something resolved through the Planning and Zoning Commission, but rather a civil matter agreed upon between the property owners. Ms. Krikorian stated that the easement agreement could be stipulated in the purchase agreement, but there are so many other concerns being expressed that it didn't seem possible to pass a motion that would address every stipulation being discussed by the Commission.

Mr. Lee stated there was so much interest in the type of project being proposed, and so much potential for similar projects in the future, that it was important to make sure that this first mural going up in the Depot District area was done correctly. Mr. Lee stated that, because the proposed mural would be going up in a nationally registered historic district, there were set guidelines that the Landmark Commission would need to look at regarding how the mural would be attached to the building. Mr. Lee pointed out that the proposed wall was built in 1897, and it was an important function of the commission to protect these historic structures from potential sources of deterioration. He then clarified that the wall was a party wall consisting of three course brick.

Mr. Lebow asked where the property line would be in a fire wall that was a party wall. Mr. Prouty stated that he had spoken with the contractor, John Dickinson, and was informed that the other adjoining party wall was no longer existing and the property line would be at the face of the existing wall.

Mrs. Christy Graham stated that as a former member of Downtown Wichita Falls Development, about ten years ago they had worked very hard toward initiating a mural project. She expressed that she was extremely excited about the proposed project, but that there were some questions and concerns that still needed to be addressed. Mrs. Graham stated that many of the walls downtown have very sandy mortar and it would need to be looked at closely to insure that the wall didn't further deteriorate, possibly causing the mural to fall and destroy all of the hard work of the artists involved. She stated that she would really like the project to move forward, even if it was not on this proposed wall.

Mr. Prouty stated that the Texas Historical Commission did weigh in regarding signs attached to historic buildings by stating that anything being affixed to the wall would need to be drilled into the mortar, and not the brick.

Mrs. Arnold-Ogden stated that they would make an effort to gather more information to address all of the concerns expressed by the commission. Mr. Lee suggested tabling the issue until the next meeting of the Landmark Commission. Ms. Carraro thanked the commission for their consideration and stated that she believed the Commission's suggestions would make the project stronger in the long run.

Mrs. Graham made the motion to table the decision for future discussion. Mr. Bazner seconded the motion. The commission voted on the motion; motion passed unanimously.

V. Discussion and Recommendation Item: Regarding WFISD Schools Letter (Alamo/Holland Schools)—TIF #3 Board Sample Letters

Mr. Matthew Prouty presented the sample letters that were provided by the TIF #3 Board to the superintendent and school board at WFISD regarding Alamo and Holland schools.

Councilor Smith stated that, though he is not a member of the TIF #3 Board, he had attended the meeting in the interest of Early Head Start, which was considering one of the buildings for use in its program. Councilor Smith suggested that the letters drafted by the TIF #3 Board expressed many of the same sentiments that had been expressed by the Landmark Commission regarding keeping these buildings viable and usable by the community.

Mr. Bazner stated that the recent articles published in the Wichita Falls Times Record News also shared the same sentiments of the Landmark Commission in regard to the two school buildings. He stated there seemed to be some traction building within the WFISD, and there had been some public mention of the renewed interest in these buildings for private development.

Mr. Lee stated that, now that these letters had been provided to the WFISD school board, the commission would wait to see if action was taken. Mrs. Karen Gagné stated that the letters were finalized and approved by management to send to WFISD after the TIF #3 board members reviewed the content. The letters were sent on April 14th, and the board meeting was the following Monday, April 18th. Copies of the letters were also handed to the board members at the meeting. Mrs. Gagné stated that Chris Guess, TIF #3 planning staff member, Kenny Haney, TIF #3 chairperson, and a couple of other TIF #3 board members attended the school board meeting and addressed the superintendent and the trustees. Mrs. Gagné explained that the school board had viewed the presentation as receipt of information, but there was no action taken.

Councilor Smith stated that, if the letters were simply handed to the board members at the meeting, it is unlikely they were taken up as an action item. Councilor Smith suggested that the Landmark Commission, as an entity, send the same letter, or a similar letter, to the school district superintendent and board of trustee's president, making them officially aware that the Landmark Commission has the same thoughts and recommendations as those expressed by the TIF #3 Board.

Mrs. Gagné offered some clarification on what Councilor Smith was suggesting by explaining that, if the commission wished to take action, the agenda was worded so that a motion could be made for the Landmark Commission to direct staff to prepare a letter on their behalf. The letter could be worded similarly to the one drafted by the TIF #3 Board, and sent to WFISD. The letter would be signed by the Landmark Commission chairperson and distributed by email for everyone's comments, prior to being sent to WFISD.

Mr. Barney Brock made the motion to direct staff to draft a letter on behalf of the Landmark Commission, expressing the commission's recommendations to WFISD regarding the proposed demolition of Alamo and Holland schools. Mrs. Christy Graham seconded the motion. The commission voted on the motion; motion passed unanimously.

VI. Other Business:

- a) Monthly Report—Depot Square Historic District; West Floral Heights Historic District; Morningside Historic District**

Mrs. Michele Derr stated the new doors for the Zales building were installed, as were most of the windows. The Iron Horse Pub is starting construction on their canopy on the sidewalk along 8th Street. Mrs. Derr stated she noticed some brick repair being done at 616 7th Street. The downtown arts groups are going to continue their monthly art nights on the first Friday of each month, and Cajun Fest is coming up on May 14th. Mr. Andy Lee stated that the representative for West Floral Heights and Morningside districts was not present and deferred discussion until the following week.

Mr. Matthew Prouty stated that staff had received a call from Syd Litteken, the architect working with the property owner at 616 7th Street, and he stated he had not been involved in the repairs done over the weekend, and the brick work that was done did not follow the façade agreement. Mr. Litteken also stated he did not believe the structural issues with the canopy were addressed. Mr. Prouty and Mr. Bobby Teague visited the site on Monday April 25th in the morning, and have since decided to engage with the legal department to determine what further steps need to be taken in terms of enforcing the façade agreement. Mr. Prouty stated that no building permit was pulled for the repairs done over the weekend, and it was unknown what contractor performed the work.

Mr. Lee stated concerns regarding the structural integrity of the canopy. He noticed from his own observations that when the canopy had been shored up, the existing support structure had been removed and replaced with a single 4"x4" post. Mr. Lee stated that he felt the canopy was a critical safety issue, especially considering the high winds that were expected. He expressed further concern that work was done without a permit, and suggested a visit from building inspections. Mr. Prouty stated that Mr. Litteken had informed him that there was significant slack in the support chain for the canopy, and the weight was clearly being distributed to other places on the façade. Mr. Prouty stated he agreed with Mr. Lee regarding the approaching storms making the stability of the canopy an immediate safety issue. Mr. Prouty assured the commission that he would speak with Mr. Teague, chief building official, and see about performing another site visit.

Mr. Prouty referred to a photo of the building's façade, which illustrated three different sizes of brick were used in the repairs. He stated Mr. Litteken had taken considerable time in his planning of the repairs to ensure the brick sizes would match, and his plans were not followed. Mr. Prouty explained staff had worked closely with Mr. Litteken finding available grant money and that, with the funds available, the project could have been completed properly at little expense. Multiple attempts were made by staff and Mr. Litteken to reach the property owner, but she remained unresponsive. Mr. Prouty stated approval for the repair was granted based on Mr. Litteken's design presentation, and the owner, Mrs. Westerman, had not been present for the presentation. A letter of approval was never sent to the property owner.

b) Design Review—Staff Authorized—Minor Alterations/Repairs:

Mr. Prouty reported on the six staff authorized minor alterations/repairs:

1411 9th Street – Dr. Fanous' Office – (City Landmark) – Replace rooftop a/c condenser.

1306 Buchanan (West Floral Heights) – Replace asphalt roof with same.

1501 Buchanan (West Floral Heights) – Residential gas service.

1413 Hayes (West Floral Heights) – Upgrade residential electrical service.

1504 Hayes (West Floral Heights) – Replace a/c condenser.

1709 Tilden (West Floral Heights) – Install new 6' wood privacy fence on interior common property line.

VII. New Business:

- a) Mr. Kevin Bazner stated that he would be moving to Bryan, Texas at the end of August, and that he was grateful for the time he spent on the Landmark Commission.
- b) Mrs. Christy Graham suggested the commission look into Ms. Susan Gross's statement regarding the discontinuance of aluminum windows after September 1st. Mrs. Graham volunteered to contact Norco to inquire. Mr. Bazner suggested the possibility that it was just a particular contractor's decision to no longer carry aluminum windows. Mrs. Graham advised that the issue be readdressed at the next meeting of the Landmark Commission. She stated that, if Ms. Gross's statement regarding the aluminum windows turns out to be correct, the commission would need to reassess the existing guidelines. Mrs. Karen Gagné suggested the possibility that changes to the federal energy code were the driving force behind the decision to discontinue that particular model of window. She stated that staff would coordinate with building inspections regarding any relevant changes to the building code.
- c) Next Mtg. – Tuesday, May 24, at 12pm

VIII. Adjourn:

Meeting adjourned at 1:11 pm

C. Andrea Lee - Co. Vice Chair

Stacie Flood, Chairperson

May 24, 2014

Date