

MINUTES
DOWNTOWN LAWTON ARCHITECTURAL REVIEW COMMITTEE

Minutes of the Downtown Lawton Architectural Review Committee meeting held February 19, 2013 in the 2nd Floor Conference Room, City Hall, 212 SW 9th Street, Lawton, Oklahoma.

The meeting was called to order at 1:28 p.m. by Chairman Ernest Sheppard.

Notice of the meeting and agenda were posted on the City Hall bulletin board as required by State law.

1. ROLL CALL

MEMBERS PRESENT: John Purcell
Albert Johnson
Ernest Sheppard
Jerry Evers
Jacob Brox

MEMBERS ABSENT: None

OTHERS PRESENT: Richard Rogalski, Planning Director
Steven Greb, Assistant City Attorney
Jackie Monette, Recording Secretary

2. CONSIDER APPROVAL OF THE MINUTES OF THE DECEMBER 11, 2012 MEETING OF THE DOWNTOWN LAWTON ARCHITECTURAL REVIEW COMMITTEE.

MOTION by Evers, SECOND by Purcell, to approve the minutes of the December 11, 2012 meeting of the Downtown Lawton Architectural Review Committee as written.

VOTE ON MOTION: AYES: Johnson, Evers, Sheppard, Brox, Purcell. NAYS: None.
MOTION CARRIED 5 – 0.

3. CONSIDER ISSUING A CERTIFICATE OF ARCHITECTURAL CONFORMANCE FOR THE LAWTON TOWN CENTER BUILDINGS.

The building elevations for the buildings to be constructed as part of Phase I of the Lawton Town Center have been submitted for pre-approval of the architectural design and materials. The buildings will be located within the Commercial Central Subdistrict and the Mixed Use Subdistrict. The buildings located within the Mixed Use Subdistrict will also be within the 2nd Street Corridor Subdistrict.

Article 18-12 of Lawton City Code sets out the provisions for building materials allowed in the Downtown Lawton Overlay District, strongly emphasizing the use clay fired brick, or other quality architectural material as approved by the DLARC. The front facade of the buildings in

the Commercial Central Subdistrict consists of 36.6% brick and accent masonry, 23.6% EIFS, 17.6% storefront, 9.5% split-faced painted concrete block, 4.2% textured concrete panel, 1.6% ceramic tile, 3.0% awning, and 3.9% metal fascia. The side elevations are similar to the front elevations, and the rear elevations show the buildings to be painted concrete walls and painted smooth face blocks. All colors are shown to be earth tones. The materials are similar to previously approved materials with the exception of the addition of 4.2% textured concrete panels and a decrease in the amount of EIFS (27.5% versus 23.6%). Another change to the elevations with this submittal is the elimination of the parapet wall on the rear of the structures. Section 3.C.9.b of the Downtown Overlay District Design Policy states “When roof decks with mechanical units are visible from adjacent developments, they shall be as unobtrusive as possible and painted to match finish roof material. The addition of parapet walls enclosing the mechanical units is encouraged.”

The two buildings located closer to 2nd Street and within the 2nd Street Corridor Subdistrict are also shown to be of similar materials. The rear elevations which will abut the entrance at NW Columbia Avenue are shown to consist of integral color split-face block and EIFS with brick screen walls for dumpsters and utility meters. All colors are shown to be earth tones. The elevations include two colors of clay fired brick: the red brick used on the hotel and convention center and a significant amount of cream-colored brick. Staff recommends maximizing the use of the red clay-fired brick to be more consistent with previously approved materials. Except as noted, Staff feels that the materials, scale and design of the buildings are consistent with the prior actions of the DLARC within the project area and therefore recommends approval of the Certificate of Architectural Conformance for the proposed buildings within the Lawton Town Center with all areas shown to be brick being red clay-fired brick selected to match the brick on the hotel and other buildings within the project.

Chairman Sheppard stated that he remembered that Johnson was concerned with the rear elevations of the buildings, because he had issues with the look of the air conditioning units being exposed.

Rogalski stated that project cost issues have been a factor and created the reason for the re-submittal without the screening of the rooftop air conditioning units.

Johnson stated that the surrounding neighborhoods have been working to take care and improve their properties because of the incoming development. He stated that he doesn't like the idea of having the screening removed.

Purcell asked if the screening is so that you don't see the air conditioning units.

Rogalski stated that he is correct. He stated that it is not really a public view area, because it is on the rooftop on the rear of the building. He stated that the gray membrane roof is not the most attractive, but it is the way most buildings are constructed. He stated that it would be facing Railroad Street where all of the delivery trucks would be going. He stated that, by removing the screening, it also eliminates various drainage issues that it would cause.

Chairman Sheppard asked if the rear of any of the buildings would be facing 2nd Street or be in any violation of City Code.

Rogalski stated that it does not meet the intent of the Code, as the policy is that rooftop units are screened from view.

Mackey asked if the retail portion of the project may be a dead deal if this is not approved.

Rogalski replied that that Mackey is correct, because the developers are being very strict and won't budge.

Chairman Sheppard asked about the look of the out buildings as people would be entering the shopping center.

Rogalski stated that the out buildings lay with the sides of the buildings facing 2nd Street and the rear of the buildings facing Columbia Avenue. He stated that the primary access to this portion of the development would be via 2nd Street, where motorists would be approaching the front of one of the buildings and then turning into the center at Columbia Avenue. He stated that the majority of the view would be the front of one of the buildings. He added that he felt that all of the brick in those centers should be red clay-fired brick instead of the varied colors as shown in the elevations, as he feels that it is more within the intent of the Code.

Purcell stated that he prefers the alternating colors. He stated that, if the center was all red clay-fired brick, it would make all of the shops blend into each other.

Chairman Sheppard asked if the out building elevations, as submitted, violate any provision of Code. He added that he wants to make sure that there aren't any violations being allowed so that others may try to make submissions that violate Code.

Rogalski stated that they don't violate any provisions of Code.

MOTION by Purcell, SECOND by Evers, to issue a Certificate of Architectural Conformance for the Lawton Town Center buildings as submitted.

VOTE ON MOTION: AYES: Evers, Sheppard, Brox, Purcell, Johnson. NAYS: None.
MOTION CARRIED 5 – 0.

4. CONSIDER ISSUING A CERTIFICATE OF ARCHITECTURAL CONFORMANCE FOR THE SIGNS WITHIN THE LAWTON TOWN CENTER, PHASE I.

Section 18-12-1-1216 of the City Code sets out the requirement that all signs within the Downtown Overlay District must be approved by DLARC. Illustrations for the proposed free-standing signs and building elevations showing proposed building-mounted signs within the Lawton Town Center, Phase I, have been submitted. The application includes four multi-tenant signs and one general business sign as well as a building-mounted sign for each business. The

height of the free-standing signs and the sign area of each of the signs meet the sign regulations. The City Code allows one multi-tenant sign per street frontage, and the site plan indicates three multi-tenant signs on 2nd Street. The applicant is submitting an application to the Board of Adjustment for a variance to allow a total of four multi-tenant signs for this development.

Staff recommends approval of the Certificate of Architectural Conformance for the proposed signs.

Chairman Sheppard noted that there was a picture of a tall pylon sign that the developer wanted to place on the northwest corner of Ferris and 2nd Street. He noted that the property was not owned by LURA and is not part of the project area, so it shouldn't be considered.

Rogalski stated that that sign labeled 'Shopping Center Pylon #3' should be removed from the packet, as it is not to be addressed with this application.

MOTION by Brox, SECOND by Purcell, to issue a Certificate of Architectural Conformance for the proposed signs labeled as #1, #2 and the outparcel signs within the Lawton Town Center, Phase I.

VOTE ON MOTION: AYES: Sheppard, Brox, Purcell, Johnson, Evers. NAYS: None.
MOTION CARRIED 5 – 0.

5. COMMENTS

Rogalski gave the Committee an update on the violation situation with the property owned by Mike Corrales located at 607 SW C Avenue. He gave the following timeline of events:

November 20, 2012-DLARC denied certificate revision request by Corrales

November 27, 2012-Planning sent letter to Corrales stating DLARC had denied request and that paint must be removed from brick

December 5, 2012-License and Permits sent letter to Corrales giving him until December 14, 2012 to remove paint from brick

December 17, 2012-License and Permits received letter from Corrales asking for more time, until December 28, 2012, to remove paint

January 10, 2013-Michael Corrales was written a citation

January 30, 2013-Citation arraignment date, Corrales plead not-guilty and hearing was placed on April 24, 2013 jury docket

February 4, 2013-License and Permits sent letter to Corrales stating that the outstanding violation must be corrected by February 25, 2013 or risk additional citations (*letter attached*)

As of 8:30am, February 19, 2013-License and Permits has not received any correspondence regarding this issue from Corrales and is not aware of any correspondence received by any other City division/department

February 25, 2013-Additional citation scheduled to be written to Corrales if violation still exists

Rogalski stated that the arraignment serves as legal notice that Mr. Corrales is aware of the violation against him, so additional citations can be issued at any time. The judge restricts additional citations being written until the time of the arraignment. He added that, at the time the matter is heard on April 24th, the judge can determine whether or not Mr. Corrales will be responsible for payment for all citations issued.

Chairman Sheppard asked how much the fine would be, per citation.

Rogalski stated that the judge can set the fine for up to \$800 per citation.

Greb added that, if the City prevails, Mr. Corrales will also be assigned the court costs.

Chairman Sheppard stated that, after a couple of fines, Mr. Corrales may find that it would have been cheaper to just sand-blast the paint off the brick.

Rogalski stated that it could also be possible that Mr. Corrales will delay the proceedings until the very last minute and then fix the violation right before the court date. He added that it is possible that the court will just give him a slap on the wrist for the violation since it has been remedied.

Purcell stated that Mr. Corrales is well aware of how the system works in this situation, so he suggested making sure that Mr. Corrales is issued a citation every week until the matter is settled in court.

6. AUDIENCE PARTICIPATION

None.

7. ADJOURNMENT

There being no further business the meeting was adjourned at 2:04 p.m.

Ernest Sheppard, Chairman

Jerry Evers, Secretary

jm

MINUTES
DOWNTOWN LAWTON ARCHITECTURAL REVIEW COMMITTEE

Minutes of the Downtown Lawton Architectural Review Committee meeting held May 21, 2013 in the 2nd Floor Conference Room, City Hall, 212 SW 9th Street, Lawton, Oklahoma.

The meeting was called to order at 1:05 p.m. by Vice-Chairman John Purcell.

Notice of the meeting and agenda were posted on the City Hall bulletin board as required by State law.

1. ROLL CALL

MEMBERS PRESENT: John Purcell
Albert Johnson
Ernest Sheppard*
Jerry Evers
Jacob Brox

MEMBERS ABSENT: None

OTHERS PRESENT: Richard Rogalski, Planning Director
Steven Greb, Assistant City Attorney
Jackie Monette, Recording Secretary

*Chairman Sheppard entered the meeting at 1:19 p.m.

2. CONSIDER APPROVAL OF THE MINUTES OF THE FEBRUARY 19, 2013 MEETING OF THE DOWNTOWN LAWTON ARCHITECTURAL REVIEW COMMITTEE.

MOTION by Evers, SECOND by Brox, to approve the minutes of the February 19, 2013 meeting of the Downtown Lawton Architectural Review Committee as written.

VOTE ON MOTION: AYES: Johnson, Evers, Brox, Purcell. NAYS: None. MOTION CARRIED 4 – 0.

3. CONSIDER ISSUING A CERTIFICATE OF ARCHITECTURAL CONFORMANCE FOR THE FAÇADE IMPROVEMENTS AND SIGNAGE OF AN EXISTING STRUCTURE LOCATED AT 319 SW C AVENUE.

An application for Certificate of Architectural Conformance has been submitted by Terry Wells for façade improvements and signage for the existing building located at 319 SW C Avenue. The building will be occupied by the Pregnancy Resource Center.

May 21, 2013

The building is located in the Downtown Lawton Overlay District, within the Mixed Use sub-district and the C Avenue Corridor Overlay subdistrict. Per Section 18-12-1-1205, a minimum of 51% of the façade area must be clay-fired brick.

Attached are elevations for the building. The proposed façade and signage would meet the requirements of the district.

Max Sasseen of ReMax Sasseen Realty spoke on behalf of the Pregnancy Resource Center of Southwest Oklahoma, which will be located in the building. He stated that he created a coalition called Build for Life 2013 to raise money for the improvements to the building. He stated that the program will be similar to the way funds were raised for the playground at Elmer Thomas Park and the Habitat for Humanity 'Blitz Build'. He stated that they believe in the revitalization of the downtown area and want to continue the efforts being done on 2nd Street and the Liberty Bank Building. He stated that the pictures provided show the brick in brownish tones, but the actual color of the brick would be deep red. He stated that the red brick they are trying to find is similar to some buildings in Guthrie and Sulphur.

Rogalski stated that the plans and color scheme meet the requirements of the Downtown Overlay District.

Evers asked if there would be a sign to be approved today.

Mr. Sasseen stated that the original renderings did show a sign, but they are modifying their application by omitting the sign. He stated that they want to do something different than what was originally submitted. He added that they are aware that they will have to submit another application to this committee when they have decided on the sign they would be using.

Vice-Chairman Purcell asked which of the three samples that Mr. Sasseen brought to the meeting would be used.

Mr. Sasseen showed a sample board by CLAYMEX, with the color 'Victoria KS'. He stated that it is pretty close to what they want to use. He stated that they are looking for a true red and not an orange-red.

Johnson stated that he felt that the committee shouldn't make a decision on the building if the applicant can't provide samples of the exact brick that would be used on the building. He added that he appreciates that the applicant's concept to follow in the same manner as the committee's vision for the downtown area, but he would like to see it.

Vice-Chairman Purcell asked if there would be any problem if the decision was delayed until samples of the exact brick color that will be used.

Mr. Sasseen stated that they were hoping to get an approval of the design, knowing that it will be within a general range of red brick.

Rogalski stated that the Committee could approve the design with a red brick color, and provide him with the actual sample to approve prior to construction. He stated that, if he considered the sample a moderate change from the approved sample, he could have the authorization to approve it.

Brox stated that he trusts allowing Rogalski to approve the brick that the applicant chooses, as long as it is in a red color similar to the samples provided today.

Chairman Sheppard reminded the members that there are no specifics in the Code for the color of the materials used. He stated that the Code only provides a range of earthtones for the color of the materials used.

MOTION by Johnson, SECOND by Purcell, to issue a Certificate of Architectural Conformance for the façade improvements of an existing structure located at 319 SW C Avenue, provided that the clay fired brick is in a dark red tone similar to the sample provided at the meeting and approval of the Planning Director.

VOTE ON MOTION: AYES: Evers, Sheppard, Brox, Purcell, Johnson. NAYS: None.
MOTION CARRIED 5 – 0.

4. COMMENTS

None.

5. AUDIENCE PARTICIPATION

None.

6. ADJOURNMENT

There being no further business the meeting was adjourned at 1:25 p.m.

Ernest Sheppard, Chairman

Jacob Brox, Secretary

jm

MINUTES
DOWNTOWN LAWTON ARCHITECTURAL REVIEW COMMITTEE

Minutes of the Downtown Lawton Architectural Review Committee meeting held September 17, 2013 in the 2nd Floor Conference Room, City Hall, 212 SW 9th Street, Lawton, Oklahoma.

The meeting was called to order at 1:18 p.m. by Chairman Ernest Sheppard.

Notice of the meeting and agenda were posted on the City Hall bulletin board as required by State law.

1. ROLL CALL

MEMBERS PRESENT: John Purcell
Albert Johnson
Ernest Sheppard
Jerry Evers
Jacob Brox

MEMBERS ABSENT: None

OTHERS PRESENT: Richard Rogalski, Planning Director
Fred Fitch, Mayor
John C. Mackey, Legal Counsel (Mackey)
John C. Mackey, Jr. (Jack), Legal Counsel
Jackie Monette, Recording Secretary

2. CONSIDER APPROVAL OF THE MINUTES OF THE MAY 21, 2013 MEETING OF THE DOWNTOWN LAWTON ARCHITECTURAL REVIEW COMMITTEE.

MOTION by Johnson, SECOND by Evers, to approve the minutes of the May 21, 2013 meeting of the Downtown Lawton Architectural Review Committee as written.

VOTE ON MOTION: AYES: Johnson, Evers, Sheppard, Brox, Purcell. NAYS: None.
MOTION CARRIED 5 – 0.

3. CONSIDER ISSUING A CERTIFICATE OF ARCHITECTURAL CONFORMANCE FOR THE HILTON GARDEN INN AND LAWTON CONVENTION CENTER BUILDING TO BE DEVELOPED IN THE LAWTON DOWNTOWN CENTER, PART 1, LOCATED AT 135 NW 2ND STREET.

The building elevations for the Hilton Garden Inn and Lawton Convention Center building being constructed in the Lawton Downtown Center were approved by the DLARC on October 16, 2012. Plans have now been submitted for the signs. The plans show 1 monument sign, 2 pole signs, and 7 building mounted signs.

DLARC Minutes
September 17, 2013

Section 18-12-1-1216 of the Lawton City Code requires all signs within the Downtown Overlay District must be approved by the DLARC. This section does allow monument signs with a maximum height of 12 feet. The proposed monument sign is 6.5 feet high and approximately 14 feet wide. Building mounted signs are allowed with a maximum area of 30% of the building façade, shall not exceed 25 inches above the height of the roofline, and shall not extend more than 36 inches from the building. The Downtown Lawton Overlay District Design Policy states that the appearance of all signs shall be compatible with the purpose of the subdistrict, the surrounding architecture, and the architecture of the building.

The size and location of the signs meet the requirement of the City Code. Staff recommends a Certificate of Architectural Conformance be issued for the building mounted signs for the Hilton Garden Inn and Lawton Convention Center building as submitted. However, Staff feels that the material proposed for the freestanding signs G and I should include brick to be compatible with the architecture of the hotel building. Therefore Staff recommends the Certificate of Architectural Conformance be issued subject to the addition of brick on the base on the signs.

Rogalski stated that sign G is along 2nd Street, and Staff discussed with Journeyman Construction adding a red brick base to the sign so that it is more in line with the 2nd Street corridor requirements. He stated that signs H and I are only four foot tall and are just small directional signs. He added that it isn't really necessary to add brick to those signs, even though they are also along 2nd Street. He stated that the hotel developer has talked to the people at Hilton and they have no problems making that adjustment to sign G, but a revised rendering was not able to be submitted prior to today's meeting.

Chairman Sheppard asked where the brick would be, as it appears that the sign is flush with the ground.

Rogalski stated that the sign would be raised to add a red brick base that will be 15"-18" and will match the brick on the hotel. He stated that monument signs are allowed to be twelve-foot tall, and the sign is only six-foot, six-inches tall. He stated that raising the sign would not be out of Code compliance.

Purcell asked if raising the sign would create an issue with the sight triangle.

Rogalski stated that the sign is not located in the sight triangle, so the additional height would not make a difference.

Chairman Sheppard asked what material is on the sides of the sign.

Rogalski stated that the sign has steel supports with aluminum base and side panels and convex-shaped covers with caps.

Chairman Sheppard asked how Staff could ensure that the brick base on the sign is acceptable and not have the same issue that happened with the sign approved for First Baptist Church.

Rogalski stated that the Board's motion could give him the authorization to approve the brick base on the sign. He added that the Certificate of Architectural Conformance can include language requiring approval of the brick base on sign G by the Planning Director.

MOTION by Johnson, SECOND by Evers, to issue a Certificate of Architectural Conformance for the signs for the Hilton Garden Inn and Lawton Convention Center located at 135 NW 2nd Street, subject to the addition of a brick base on freestanding sign G, and give the Planning Director the authority to approve the look and color of the brick base.

VOTE ON MOTION: AYES: Evers, Sheppard, Brox, Purcell, Johnson. NAYS: None.
MOTION CARRIED 5 – 0.

4. CONSIDER ISSUING A CERTIFICATE OF ARCHITECTURAL CONFORMANCE FOR THE EXTERIOR FAÇADE IMPROVEMENTS FOR THE BUILDING LOCATED AT 607 SW C AVENUE.

An application for a Certificate of Architectural Conformance has been submitted by Michael Corrales to paint the brick on the building located at 607 SW C Avenue. In April 2012 a Certificate of Architectural Conformance was issued for exterior façade improvements to the building. The applicant has stated that during the course of improvements, graffiti was painted on the brick and he chose to paint the brick to cover the graffiti. In August 2012 Mr. Corrales was notified that the building façade was in violation of the Certificate of Architectural Conformance previously issued by the DLARC. In November 2012 Mr. Corrales applied for a Certificate of Architectural Conformance for the façade improvements to include the painting of the brick. The DLARC denied the request citing the painting of the brick was not in conformance with the Certificate issued in April 2012.

At the time the rest of the building was painted, there was a sign measuring 3 feet by 14 feet on the building. The sign had not been permitted by the City or by DLARC and was later removed. The applicant proposes to paint the 3' x 14' rectangle to match the existing color of the painted brick, which is a green/gray color as shown on the exhibit. Included with the application is a letter from Power Washing Extreme, Inc., stating removal of the paint from the brick would leave specks of the paint and the mortar would be destroyed. It is also a possibility that due to the age of the brick, the brick could also be destroyed.

The building is located in the Downtown Lawton Overlay District, within the Mixed Use sub-district and the C Avenue Corridor Overlay subdistrict. Per Section 18-12-1-1205, a minimum of 51% of the façade area must be clay-fired brick, and the building does meet this requirement. Section 3, Architectural Characteristics, Textures, Guidelines, of the Downtown Overlay District Design Policy states "color palette shall take cues from the surrounding environment of Lawton, integrating the classic base colors of Oklahoma materials including but not limited to warm earth tones such as tan, green, ochre, beige, blue, and terra cotta." The proposed color is in conformance with the Design Policy.

As stated in November 2012, Staff would not have recommended approval of the painting of the original brick; however, the paint has been on the building for over a year, the applicant has

submitted a letter from a professional power washing company that the brick could be damaged if an attempt was made to remove the paint, and the paint color is in conformance with the Downtown Overlay District Design Policy. Therefore, Staff recommends approval of the request.

Brox asked Mr. Corrales if only one professional was contacted regarding the removal of the paint.

Mike Corrales, applicant, stated that he had contacted the only two local power washing companies that he knew. He stated that both had the same opinion, but he did request a letter from the bigger and more reputable of the two. He stated that the building permit was obtained and the façade was exactly as the original Certificate of Architectural Conformance was issued. He stated that he leased the eastern portion of the building to the bail bonds company, and they put up their own sign which was not approved by this Committee. He stated that several weeks later, there was some graffiti on the building. He stated that they painted the brick, because they were told that power washing would not remove the graffiti without damaging the brick and mortar. He added that there was nothing in the Code that prohibited painting the brick. He added that the majority of the buildings in the downtown area are painted. He stated that a friend and business partner of his who owns Insight Commercial Realty has his office somewhere around 616 SW C Avenue used the same contractor for his office on C Avenue and had that building painted. He added that it may have been 6, 8 or 10 years ago, but nothing was said about the building being painted. He also stated that Don Smith's building is downtown and is also painted.

(Note: Insight Commercial Real Estate and Don Smith's law office are located on SW D Avenue and are not in the Downtown Overlay District.)

Mr. Corrales stated that the removal of the paint is not feasible. He stated that he can either paint the rectangular area where the bail bonds sign was and have the paint match the current paint color or he can paint over all of it to another color of the Board's choice.

Rogalski stated that Mr. Corrales has offered to paint the entire brick façade in a red brick color.

Chairman Sheppard stated that the initial painting of the building is the issue. He stated that all exterior improvements need to be approved by the Architectural Review Committee. He stated that painting the exterior of a building in the District is an improvement and needed to be brought before the Committee.

Mr. Corrales stated that he doesn't understand why he would have needed permission when City Code allows clay fired brick to be painted. He stated, again, that he gave examples of buildings that have been painted and never been cited for it.

Johnson stated that it doesn't make any sense to keep making exceptions to the Code. He stated that the Downtown Overlay District requirements were made to ensure a certain look for the area.

Chairman Sheppard asked the applicant if he pursued the possibility of sand-blasting the paint off the brick.

Rogalski stated that Staff had contacted the superintendant for the Buildings and Grounds Division for the City about removal of the paint. He added that it would not completely destroy the brick, but it would cause damage to the brick and mortar and still leave paint residue. He added that there is also the possibility of chemically removing the paint, but it would still leave the brick 'in some degree of ugly'.

Purcell stated that he has an issue with painting the buildings downtown. He stated that the paint can peel and deteriorate after several years. He asked if the ARC has any authority to make sure that the buildings are kept looking nice.

Rogalski stated that it is a standard building code where a property owner must maintain the property. He added that it would be considered in violation of the City's Nuisance Code if the building was not maintained.

Mr. Corrales stated that the majority of the buildings downtown are painted and are not raw clay-fired brick. He added that Jay Walker and Ana Basora's office is painted.

Chairman Sheppard stated that he doesn't accept the argument that it is okay to violate the regulation because someone else has violated it.

Mr. Corrales stated that he is more in conformity with the regulations than most of the buildings downtown. He added that he has gotten dozens of compliments on the look of his office. He stated that the purpose of the regulations was so people can be proud of the downtown area.

Purcell stated that Mr. Corrales' Law Office looks really good. He stated that the eastern portion of the building looks awful. He added that it detracts from the offices on each side of it.

Mr. Corrales stated that he understands that it looks really bad right now because of the area where the bail bonds sign was, because it is a different color than the rest of the building.

Mackey stated that there is an agenda item by the bail bonds company to add an awning sign to the building, and he thinks that he would not like to see that in the downtown area.

Mr. Corrales stated that he knew that the bail bond company had submitted an application for a sign, but was not aware of what type of sign. After looking at the renderings submitted, he stated that he thinks the awning sign looks obnoxious.

Evers asked if Mr. Corrales was a part of AAA Bail Bonds.

Mr. Corrales stated that he is not and that the bail bonds company is just a tenant.

Evers asked if there was anything in the lease agreement for the landlord to approve any signage.

DLARC Minutes
September 17, 2013

Mr. Corrales stated that there aren't any provisions for approval of signage, but he can always ask if they can design a less obnoxious sign. He stated that he is willing to do whatever the Committee decides. He stated that all he did was paint over the graffiti with a color called 'tobacco' that is a kind of gray-green color.

Mackey stated that it is counter-productive to speculate on what may or may not look good. He suggested that the Committee allow the applicant to paint the building and then see how it looks.

Chairman Sheppard asked what material was used in the Corrales Law Office awning, because it looks good, but extending it over to the eastern side of the building could look better.

Mr. Corrales stated that he thinks it is some type of travertine tile or parapet.

Purcell asked Mr. Corrales if he planned on painting the entire front of the bail bonds portion of the building or just the rectangular area that is still the reddish brick.

Mr. Corrales stated that he would paint the entire surface if the Committee wanted it a different color, but he would only paint the rectangular area if it is to be the same color as the surface that is already painted. He added that it would probably look better if it is painted a different color.

Purcell stated that the current paint color doesn't fit in with the rest of the building. He stated that the law office looks really good, and the greenish-gray color on the Corrales Law Office sign would look better than the 'tobacco' color paint that is on the brick.

Mr. Corrales stated that he is okay with any color that looks good.

Chairman Sheppard stated that painting it is an option, but so is removing the paint.

Mr. Corrales stated that he doesn't see that removing the paint is an option, as it cannot be done without destroying the brick and the mortar.

Chairman Sheppard stated that he is not convinced that removing the paint would destroy the brick and mortar. He added that it is just one opinion.

Mr. Corrales stated that he doesn't see removing the paint as an option, as the opinion that it would destroy the brick and mortar are from a person who does paint removal work for a living.

Chairman Sheppard asked the Committee if they wanted to take any action on this item. He stated that it doesn't appear that any of the Committee members want to make a motion, so another solution needs to be found.

Johnson asked if the agenda item can be tabled for the time being.

Mackey stated that an action to table the item would mean that the identical item would be brought up again and a date for the item to be discussed would have to be decided. He stated that the Committee could just not take any action.

Rogalski stated that the Committee should give some indication as to what they would like. He stated that Mr. Corrales has offered to paint it any color they would approve, but it would not be prudent to bring back the item if the Committee won't approve any painting of the brick.

Mackey stated that it isn't the duty of the Committee to choose a color, but it might be a good idea for Mr. Corrales to paint a few bricks or a sample brick with the color he chooses. He stated that the Committee doesn't have anything to look at right now.

Purcell stated that, if he is going to paint it, the grayish color on the law office sign may not look bad. He stated that the current color is a dark olive green, and matching the color on the law office sign might make the whole building look better.

Mr. Corrales stated that, if no action is taken to resolve this issue, he won't do anything to the building.

Chairman Sheppard stated that he would like to see Mr. Corrales either power wash or sand blast a sample area on the brick to see what it looks like.

Mr. Corrales stated that painting would be much less expensive than trying to get the paint off of the brick.

Chairman Sheppard stated that he understands that painting is much less expensive, but the violation was not this Committee's doing. He stated that Mr. Corrales didn't pursue the right course in the first place, and it is not the ARC's responsibility to rescue someone from a violation that the property owner created. He stated that, if the direction is to try something and see how it looks, he'd like to see the applicant try to have the paint removed first.

Purcell asked if it would be possible to remove the paint from a small area that is approximately 2' x 2'. He stated that, if paint removal doesn't look good, it can be painted.

Mr. Corrales stated that he doesn't think the power wash companies will do it. He stated that the age of the brick is a factor as to why the process would destroy the brick and mortar, so he doesn't feel that it is an option.

Purcell stated that no action will just create the situation where nothing is done and the building wouldn't conform to anything. He stated that it gets tiresome seeing people violate regulations and then ask the City to make an exception and put a stamp of approval on their violation and accept it. He stated that something needs to be done about the building, because it looks terrible the way it is.

Chairman Sheppard asked if the City was still issuing violations on the building.

Rogalski stated that violations were halted so that Mr. Corrales could submit an application and pending the decision made at today's meeting. He stated that Mr. Corrales has been working with the prosecutor. He added that Mr. Corrales didn't feel that he was allowed to present his

position the last time this issue was discussed by the Committee, so re-visiting this issue with Mr. Corrales present was an important step in the settlement process.

Chairman Sheppard asked if citations would resume if the Committee takes no action today.

Rogalski stated that the citations would resume if the ARC does not take action and the applicant still will not remove the paint.

Mr. Corrales stated that his understanding is that none of the previous citations would be enforceable.

Chairman Sheppard asked if this is correct.

Rogalski stated that the City Prosecutor advised that the Code that was listed on the citations wasn't the proper Code Section. He added that new violations would be issued citing the proper section of Code.

Mr. Corrales stated that he had been advised by his attorney that you can only be cited once for a violation. He stated that he could always just pay the one fine and be done with it, but he is trying to work with the Committee.

Rogalski stated that the old violations would be dismissed, but new citations could still be written.

Chairman Sheppard stated that the Committee is trying to give Mr. Corrales some incentive to make the building look like the original submission.

Mr. Corrales stated that he could always just pay the one fine, but he wants to make the building look better. He stated that he will not destroy his building and he will not put new brick and mortar on the building. He added that, if the Committee doesn't take any action, he'll just paint the rectangular area the same color as the rest of the brick and be done with it.

Chairman Sheppard stated that would constitute an outside improvement made to a building in the Downtown Overlay District without approval.

Mr. Corrales stated that someone has to show him that Code, because he disagrees. He stated that he is willing to take this issue through the Municipal Court and then District Court if needed.

Chairman Sheppard stated that point is that the Committee doesn't like what Mr. Corrales submitted.

Mr. Corrales stated that he didn't present anything except asking to paint the brick or change it to whatever the Committee wants. He stated that he either wants to paint the red brick rectangle the same color as the rest of the façade or paint the entire façade another color so that it is all one color.

Rogalski stated that, if the Committee would consider allowing the brick to be painted, Mr. Corrales could make an application and submit it for approval. He added that it would be a wasted effort if the ARC won't allow any paint.

No action was taken on this item.

5. CONSIDER ISSUING A CERTIFICATE OF ARCHITECTURAL CONFORMANCE FOR THE BUILDINGS WITHIN PHASE I OF THE LAWTON TOWN CENTER PROJECT.

Lawton Town Center LLC has resubmitted the exterior elevations for the buildings to be constructed as part of Phase I of the Lawton Town Center project. A number of factors have caused a sharp increase in construction costs, causing them to be significantly over budget for this project. The buildings will be located within the Commercial Central Subdistrict and the Mixed Use Subdistrict. The buildings located within the Mixed Use Subdistrict will also be within the 2nd Street Corridor Subdistrict. Article 18-12 of Lawton City Code sets out the provisions for building materials allowed in the Downtown Lawton Overlay District, strongly emphasizing the use clay fired brick, or other quality architectural material as approved by the DLARC.

The front facade of the primary retail buildings is very similar to what was previously approved, with the percentage of clay-fired brick increasing to slightly more than 38%. The largest change on the front façade is that the color of the brick to be used on the Kohl's building has been modified to a softer brown. Kohl's feels strongly that the proposed color better suits their overall design template. On the side elevations, a large amount of the clay-fired brick has been replaced with painted split-faced block to reduce cost. Clay-fired brick remains on the front and rear corners. The rear elevations have not changed precipitously and continue to consist primarily of painted smooth face block. However the height of the walls screening the loading areas has been reduced to six feet.

The two buildings located closer to 2nd Street are shown to be of similar materials with very few changes proposed. The rear elevations which will abut the entrance at NW Columbia Avenue are shown to consist of integral color split-face block and EIFS with split-face block screen walls for dumpsters. Enhanced landscaping has been proposed in lieu of any additional fence or wall type of screening from the utility meters, etc. The elevations include two colors of clay fired brick: the red brick used within the downtown area and a significant amount of cream-colored brick as an accent.

Staff feels that the materials, scale and design of the buildings are consistent with the prior actions of the DLARC within the project area and therefore recommends approval of the Certificate of Architectural Conformance for the proposed buildings within the Lawton Town Center project.

Rogalski provided the Committee with the current elevations that were submitted after the meeting packets were prepared. He stated that the site plan hasn't changed, but there are a number of changes. He stated that the current submission actually has more brick than the

application previously approved, but there are changes. He stated that Kohl's wanted to use a browner brick than the red brick originally submitted. He added that this still looks good, and the majority of the buildings are still clay-fired brick. He stated that the other changes were to the sides and back of the buildings. He stated that the revised proposal was due to value engineering. He stated that developing the center as originally submitted had put the project approximately one million dollars over budget. Rogalski stated that the sides of the building will be painted split-face CMU, with brick columns on the rear corners of the building. He stated that the elevations submitted with the meeting packets showed that the developer removed the screening wall at the rear of the building. He stated that the revised elevations show a six-foot wall to partially screen the loading dock from the church and residential property to the east of the shopping center.

Mayor Fitch stated that Staff insisted that the screening walls be put back in the plans because of all of the debris that accumulates around loading docks and dumpsters. He added that Staff feels that a six-foot screening wall would shield neighboring property and the bicycle and walking paths that will be east of the project.

Chairman Sheppard stated that the changes don't seem like they would make that big of a cost savings.

Rogalski stated that it isn't a huge difference, but it does result in a cost reduction of approximately \$100,000 to \$150,000.

Chairman Sheppard stated that he is more concerned about the color of the brick.

Rogalski stated that the change of color of brick was just on the Kohl's building, and that direction came straight from Kohl's corporate office. He stated that the brick on the other store fronts will be more of the red clay-fired brick that the ARC wants. He added that the pictures printed can show some variation of color due to the printer used.

Rogalski stated that there were also changes made to the northern building along the entrance at Columbia Avenue. He stated that the previous plans were submitted with screening walls around the dumpsters at the rear of the building. He stated that the screening walls were going to be at an approximate cost of \$44,000. He stated that, in lieu of the screening walls around the dumpsters, the developer will be using additional landscaping to screen the dumpsters from view when entering the shopping center from Columbia Avenue.

Purcell stated that it looks better having the dumpsters shielded by landscaping instead of walls. He asked if the picture submitted showing the landscaping of the dumpsters would be binding.

Rogalski stated that the architect indicated that the rendering is what will be part of the development and not something to just enhance the rendering. He stated that it may take a year or so for the landscaping to mature to the point of the rendering, but it will be a requirement on the certificate.

MOTION by Purcell, SECOND by Evers, to issue a Certificate of Architectural Conformance for the buildings within Phase I of the Lawton Town Center project, with the landscaping as shown on the composite called 'Shops B' and the three elevations submitted showing the six-foot screening wall on the back of the Kohl's building.

VOTE ON MOTION: AYES: Sheppard, Brox, Purcell, Johnson, Evers. NAYS: None.
MOTION CARRIED 5 – 0.

6. CONSIDER ISSUING A CERTIFICATE OF ARCHITECTURAL CONFORMANCE FOR TWO PYLON SIGNS WITHIN PHASE I OF THE LAWTON TOWN CENTER PROJECT.

Section 18-12-1-1216 of the City Code sets out the requirement that all signs within the Downtown Overlay District must be approved by DLARC. On February 19, 2013, the Architectural Review Committee approved the signage for Phase I of the Lawton Town Center project. Due to concerns with the project budget, new designs have been received for the two pylon signs within the project. While the previously approved signs had almost a complete clay-fired brick veneer, due to the height of the two pylon signs, this veneer became cost prohibitive. The current proposal includes a large clay-fired brick base, with a painted aluminum skin on the taller portions of the sign. Staff feels that this proposal remains compatible with the architecture of the Phase I buildings and the overall theme of the downtown area.

Rogalski stated that the Wright Architects, the architect constructing the signs for the retail portion of the project, sent another revision to the pylon signs this morning. He stated that the renderings that went out in the meeting packets had a light cream colored brick on the base of the sign, but the ones provided today showing the red brick is the actual color. He stated that the original signs approved also showed a 3' 8" brick planter around the base of the sign. He stated that the shafts of both of the signs were 10' 4" wide, and the new elevations show the shafts of the signs to be 8' 4" wide. He added that the actual size of the signs showing the business names will be the same.

Brox asked if there would still be some landscaping around the base of the signs.

Rogalski stated that there will still be landscaping at the base of the signs, but the planter that was on the original submission was omitted.

Brox asked if the color on the shafts of the signs above the brick would be painted.

Rogalski stated that the shafts are not painted, but are pre-finished steel framed section skinned in aluminum and has simulated concrete texture on it.

Chairman Sheppard stated that there doesn't seem to be enough changes to account for the \$1 million that the developer said he is over budget.

Mayor Fitch stated that there are various factors that have affected the cost of developing this project. He stated that, with the recent tornadoes, the cost of materials and available labor has

increased. He stated that he believes that the cost for the signs as submitted today is approximately \$165,000, but the cost of the original signs as envisioned by Collett and Associates was more in the neighborhood of \$380,000. He stated that Collett and Associates has been doing this kind of development for twenty-two years, and John Collett stated that the recent increase in costs is something he's never seen. John Collett had said that the cost of labor in Lawton is higher than in Oklahoma City.

Chairman Sheppard stated that it is disappointing to receive documentation showing a projection of the finished development and then the developer changes the look to cut costs. He added that he hopes that the developer isn't just trying to make more profit on the project.

Rogalski stated that he has worked with lots of developers over the last thirty years, and he stated that he is sure that this developer is not making changes to increase his profits.

Mayor Fitch stated that he has seen other developments that Collett and Associates has built, and they are first class developments.

MOTION by Evers, SECOND by Purcell, to issue a Certificate of Architectural Conformance for the two pylon signs within Phase I of the Lawton Town Center project, with the darker brick base as shown in the pictures submitted at today's meeting.

VOTE ON MOTION: AYES: Brox, Purcell, Johnson Evers, Sheppard. NAYS: None.
MOTION CARRIED 5 – 0.

A-1. CONSIDER ISSUING A CERTIFICATE OF ARCHITECTURAL CONFORMANCE FOR AN AWNING SIGN FOR THE BUILDING LOCATED AT 607 SW C AVENUE.

An application for a Certificate of Architectural Conformance has been submitted by Terry Shaw, Monkey Business, and Michael Corrales, property owner, to install a 12 foot by 2.5 foot awning sign on the building located at 607 SW C Avenue. The sign would project 18 inches from the building. The applicant has proposed two different options: a yellow awning with black letters and a black awning with yellow letters. The awning sign would be located approximately in the same area as the unpainted rectangle currently on the building. There is a separate item on the agenda regarding the painting of the building.

The building is located in the Downtown Lawton Overlay District, within the Mixed Use sub-district and the C Avenue Corridor Overlay subdistrict. Subsection C.5 of Section 3, Architectural Characteristics, Textures, Guidelines, of the Downtown Overlay District Design Policy provides the following regarding awnings:

“5. Awnings and Canopies

- a. Structural awnings/canopies are encouraged at the ground level to enhance articulation of the building volumes.

- b. The material of awnings and canopies shall be architectural materials that complement the building such as metal flashing and wood trim. Some fabrics may be allowed; however, vinyl is prohibited.
- c. Awnings/canopies shall not be internally illuminated.
- d. Awnings/canopies shall not exceed the length of fifty feet (50') without a break.
- e. Awnings/canopies shall not extend more than three feet (3') over the sidewalk or right-of-way, whichever is closer.
- f. Awnings and canopies are not recommended adjacent to street trees and lighting.
- g. All designs of awnings/canopies will be approved by the ARC."

The proposed sign does meet the size and extension provisions; however, the sample material submitted with the application is vinyl. Staff recommends a Certificate of Architectural Conformance be issued for the color option of the black awning with yellow letters with the condition that the material of the awning be canvas or other material allowable by the Policy and the letters be smaller.

Rogalski stated that the ARC does have the purview on the size of the sign or awning, but Code does allow for a company to use their specific coloring and logo on their sign.

Purcell stated that the issue with the paint on the building should be resolved before any discussion continues about approving the sign for the bail bond company.

Rogalski stated that the two issues are separate, even if they are on the same building. He stated that the Committee could delay making a decision on the sign due to the possibility that it would get damaged during any paint removal process on the brick.

Purcell asked if the ARC has to approve an awning.

Rogalski stated that awnings are allowed in the Downtown Overlay District, so it would be difficult not to approve one.

Chairman Sheppard asked if the awning is back-lit.

Rogalski stated that there is no lighting included.

Chairman Sheppard suggested that the applicant amend their submission to meet Code.

Rogalski stated that the Committee could table this item until such time that the issue with paint on the building is resolved.

MOTION by Purcell, SECOND by Brox, to table this item until such time that the issue with the façade improvements on the building have been settled and the applicant is able to resubmit his application with the material of the awning to be an allowable material as listed in the Policy.

VOTE ON MOTION: AYES: Purcell, Johnson, Evers, Sheppard, Brox. NAYS: None.
MOTION CARRIED 5 – 0.

7. COMMENTS

None.

8. AUDIENCE PARTICIPATION

None.

9. ADJOURNMENT

There being no further business the meeting was adjourned at 2:28 p.m.

Ernest Sheppard, Chairman

Jacob Brox, Secretary

jm