



# STAFF REPORT

**MEETING DATE:** July 12, 2022

**TITLE:**

Consider action to approve Resolution No. R-2022-55 for approving an appeal of a Certificate of Appropriateness to paint the rear masonry wall of the building at 910 & 912 Main Street, on 0.17 acres of Building Block 9 West of Water Street, known as the Kleinert and Kesselus buildings, attached in Exhibit A; authorizing the city manager to execute all necessary documents; providing for a repealing clause; and establishing an effective date.

**STAFF REPRESENTATIVE:**

Jennifer C. Bills, Director of Planning & Development

**BACKGROUND/HISTORY:**

The businesses occupying 910 and 912 Main Street, Astro Records and The Painted Porch Bookstore, painted a mural on the rear wall of the building, which faces Alley B. This work was done without a Certificate of Appropriateness. Upon receiving a Notice of Violation, the applicant promptly submitted their application for this CoA. The building is historically designated at the state level and is part of the Bastrop Commercial District.

The Historic Landmark Commission considered the item on February 16, 2022 and March 10, 2022. The Commission voted on a motion to approve the COA with following conditions; No further changes to be made to the building without HLC presentation and approval, and any damages to the building or brick as a result of the using the incorrect paint be corrected by the owner and present to HLC prior to making these changes. The motion failed by a vote of two to three. No replacement motion was proposed, so the Certificate of Appropriateness was denied.

Section 9.3.005 of the Bastrop Building Block Code allows the applicant to appeal a decision by the HLC to City Council.

Please see the attached memo for additional background information.

**RECOMMENDATION:**

Consider action to approve Resolution No. R-2022-55 approving the appeal of the Certificate of Appropriateness and provide direction to Planning Staff on any punitive action to be taken for working prior to a COA being approved.

**ATTACHMENTS:**

- Resolution R-2022-55
- Exhibit A – Certificate of Appropriateness
- Background Memo
- Attachment 1: March 10, 2022 Report to HLC
- Attachment 2: Applicant Appeal