

## The Rock Sports Bar

110 S Lampasas St. Suite 2

Round Rock, TX 78664

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[www.rocksportsbar.com](http://www.rocksportsbar.com)

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June 2, 2015

City Council Members:

I am writing to appeal our November 2014 denial of a Certificate of Appropriateness application involving the rear windows of our building at 114 East Main Street, Round Rock, TX 78664.

I would like to begin with a brief background of our company. The Rock Sports Bar is owned and operated by Erik Hall and Michelle Ly. Erik is a graduate of Georgetown High School (1998) and Texas A&M (2004). I am a graduate of Round Rock High School (1999) and Southwest Texas State (2004). We are not a franchise nor do we have investors for this large venture. We came to Round Rock to start this business because this is where we call home. Erik and I have not only grown up here, but we also give back to our community. Erik and I have sponsored the Williamson County A&M Fish Fry raising money for the Scholarship Foundation, sponsored a golf tournament raising over \$65,000 this year benefitting Prevent Child Abuse America and Austin Center for Child Protection, sponsored a 5K Run/Walk benefitting Prevent Child Abuse Texas, installed roofs for Habitat of Humanity Williamson County and held a fundraiser for The YMCA of Greater Williamson County. These are just a few projects from this year. We are passionate about being active members in our community.

We began our lease for 114 East Main Street in September 2014. We quickly noticed that after each rain, there was a significant amount of water in the back area. Upon inspection of the windows from the exterior, we found the windows were rotted completely through. There was a visible hole along the bottoms of both windows. The putty that was used to previously repair the windows had fallen out. Our natural reaction was to replace the windows to prevent the continuous leakage and prevent mold issues. The rotted windows were installed when the addition was built sometime between 2007 and 2009.

We later found out that replacement of the 5-7 year old windows required the approval of the Historic Preservation Commission. We met with Joelle Jordan, Senior Planner and Mark Remmert, Chief Building Official. Joelle indicated she would not approve the application and we needed to take this to the HPC. Mark confirmed that we installed windows that were higher quality and would most likely last longer than wood windows, but said it was up to the HPC on the approval. Erik and I attended the following HPC meeting. We provided the HPC with photos of the previous rotted windows, photos and receipt of the new windows, photos of our neighbors' windows. At the meeting, it was clear that it was just a formality. Joelle recommended not approving the application and the HPC followed her recommendation. We did not feel there was any room for recourse. We did apologize for our actions and hoped that we could come to a compromise. We were told that there were 3 items for the cause for the denial:

1. The mullions are in between the panes, not the exterior.
2. There is Aluminum Clad on the exterior of the window.
3. The HPC claim that we made the opening larger and put in larger windows.

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We met with Brad Wiseman and Joelle Jordan on November 24, 2014. Upon suggestion from that meeting, we agreed to research options to add mullions on the exterior of the window. We had 3 window installers inspect our windows and advised they were not able to re-glaze the windows to add mullions on the exterior. We later found someone willing to custom make mullions to add to the exterior of the windows. I have submitted an application for Certificate of Appropriateness for the exterior mullions and it was denied. After talking to Brad at the November meeting, we were under the impression that adding the mullions to the exterior was our compromise to resolve the issue.

The window exterior is aluminum clad, but the window is wood. We are asking for this to be approved to protect the integrity of the windows. We understand that the HPC requires wood windows. The rear patio is covered and it is not obvious that the windows are aluminum clad without close inspection. From the interior of the building, the windows are wood. This addition was built in 5-7 years ago. We apologize for the aluminum clad on the exterior, but it will keep the window from rotting so quickly. Commercial windows are a costly replacement. Paying \$5000+ every few years to replace windows does not seem reasonable.

To address changing the size of the opening, I have notified Joelle that we did not increase the opening for the window. The windows were custom ordered to the size of the opening. And if the new windows are actually larger, then the previous windows were too small for the opening and that could have been the cause of the premature rotting. Water pooling in the gaps could rot the windows quickly. There was never a response to this.

We have neighbors nearby with non-wood windows. We have neighbors with mullions on the interior of their windows. We have neighbors with window openings that are just covered. Our windows appear to be more appropriate than other windows in the area. We have no intentions of degrading the look of the building. We invested in higher quality windows with a similar look to the previous ones. We are asking for an alternative to replacing the windows. Through communications with Joelle, it is clear that replacement of the windows is the only option she is willing to recommend. We are looking for a compromise. We are asking the City Council to review this case and help us come to a resolution on the rear windows at 114 East Main Street. We invite you to come inspect the windows and workmanship of the installation. We take pride in being a part of this community.

Thank you for your time and consideration.

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Michelle Ly and Erik Hall  
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