



Nacogdoches Historic Landmark Preservation Committee

Monday, August 5, 2024 at 4:00 PM

Notice is hereby given of a Regular Meeting of the Nacogdoches Historic Landmark Preservation Committee to be held on the above date in City Council Chambers of City Hall, 202 E. Pilar St., Nacogdoches, Texas, beginning at 4:00 p.m. for the purpose of considering the following agenda items.

Some Committee Members may attend via videoconference but a quorum of the Committee and the Presiding Officer will be present at the above-stated physical location. The meeting will be streamed live at <https://www.nactx.us/21>. There will be an opportunity for the public to comment on agenda items in person in Council Chambers.

1. CALL TO ORDER.
2. Oath of Office
 - A. Administer Oath of Office to newly appointed Historic Landmark Preservation Committee members.
 - B. Welcome and committee introductions
3. Approval of minutes
 - A. Consider approval of minutes from the June 3, 2024 HLPC meeting.
4. Regular Agenda
 - A. Discuss and consider draft Historic Landmark Preservation Committee meeting procedures
 - B. Discussion of potential adoption of principles for applications for certificates of appropriateness involving murals in historic districts.
 - C. Discuss and consider Certificate of Appropriateness request for property located at 708 Park St. COA #2024-019



- D. Discuss and consider Certificate of Appropriateness request for property located at 108 East Hospital. COA #2024-017
- E. Discuss and consider Certificate of Appropriateness request for property located at 401 East Main Street. COA #2024-024
- F. Discuss and consider Certificate of Appropriateness request for property located at 201 East Main St. COA #2024-021

5. ADJOURN.

The City Council Chambers is wheelchair accessible and accessible parking spaces are available. Requests for accommodations or interpretive services must be made 48 hours prior to this meeting. Please contact Jessica Sowell, at 936-559-2960 for further information.

Jessica Sowell, Community Services Director

Rhonda Lewis, City Secretary

I certify that the attached notice and agenda of items to be considered by the Historic Landmark Preservation Committee was removed by me from posting at City Hall on the _____ day of _____, 2024.

Name: _____ Title: _____

Nacogdoches Historic Landmark Preservation Committee
Updated 07/2024

Name	Initial Appointment	Expires	Number of Terms	Completed Open Meetings Training?
Mitzi Blackburn	07/09/2024	7/2027	1	No
Christopher LaBauve	07/09/2024	7/2027	1	No
**Joanne Shofner	07/11/2023	7/2025	1	Yes
Jeff Abt	07/11/2023	7/2026	1	Yes
Charles Bradberry	07/11/2023	7/2026	1	Yes
John Sloane	07/09/2024	7/2027	1	Yes
Eric Gaylord	07/12/2022	7/2025	1	Yes
Zee Whitehead	07/11/2023	7/2026	1	No
Vickie Winthrop	07/11/2023	7/2026	1	No

Three-year terms.

** - Finishing an unexpired term in a position that was vacated.

MINUTES
Nacogdoches Historic Landmark Preservation Committee
July 1, 2024 - 4:00 p.m.
City Council Chambers

Commissioners Present: Judy Kugle, Joanne Shofner, Charles Bradberry, Vickie Winthrop and Zee Whitehead.

Commissioners Absent: Perky Beisel, Jeff Abt, Eric Gaylord and Anne Keehnen.

Others Present: Jessica Sowell (City Staff), Carlie Allen (City Staff), Cecilia Sarmiento (City Staff), Lynn Myers, Pam Fitch, Michelle Filer, Riki Leigh Willoughby, Stony Burk, JW Ramshur, Gerry Larabe, Sam Wright, Sherry Lawson and 4 others.

Call to Order: Commissioner Bradberry calls the meeting to order at 4:00pm.

1. Approval of Minutes: June 3, 2024

Commissioner Kugle makes a motion to approve the minutes as written. Commissioner Winthrop seconds the motion, and it passes unanimously.

2. Agenda Item 3A- Discuss and consider Certificate of Appropriateness request for property located at 708 Park St. COA #2024-019

Mrs. Sowell explains the applicant is requesting to install a 18' x 20' metal storage building at the end of the driveway of the new home located at 708 Park Street. The roof will be a black/dark gray color and the walls will be white, similar to the home on the same property.

This is a new build located in the Zion Hill Historic Overlay District. Staff find that City Ordinance Criteria B, J and K relate to the proposed construction.

Commissioner Kugle asks if any of the neighbors have been notified.

Mrs. Sowell states the agendas get posted publicly with all the information on the city website, the agenda is posted out front of City Hall, and it is sent out to all media outlets as well.

The contractor for the project, Sam Wright, states he is not aware if they have been notified, and no neighbors have said anything to him, as well.

Commissioner Shofner asks what is the distance on the home from the front to the back.

Sam Wright states it is about 50 ft.

Commissioner Shofner states she is trying to get a proportion of the shed from the house and asks if the size of the shed is half the length of the house.

Sam Wright states it is less than the depth of the house from front to back. He states it's 50 ft on the garage side.

Commissioner Kugle asks why the shed isn't located where it cannot be seen from the street.

Sam Wright states the ground behind the house does not allow easy access and it would need the driveway to roll that way.

Commissioner Bradberry asks if there is any consideration of making the shed materials more compatible with the house. He states that due to it being in the historic district, it would be expected to be compatible with the house itself, especially with it being visible from the road.

Sam Wright states he would need to talk to the homeowner about that.

Commissioner Kugle states it is a bit of an eyesore and if they would consider the shed materials to be the same color as the brick.

Sam Wright states the picture they were provided was just photoshop. The shed itself will probably be more similar in color to the house.

Commissioner Shofner asks if he can add brick to the facade.

Sam Wright states not easily, but it could be done potentially.

Commissioner Kugle asks if it will be placed on the existing pad at the end of the driveway.

Sam Wright states that is correct, that extra pad was intended to be an extra parking space. He states it does not look like it is connected at the moment due to a drain that will run from the pad to the driveway.

Commissioner Kugle asks if there is a way to notify the neighbors.

Mrs. Sowell states that there is nothing in our code of ordinances or the HLPC ordinance that requires or asks City Staff to do that. There could be a courtesy notification similar to what Planning and Zoning does, but those specifications would have to come from City Council.

Commissioner Shofner asks if there has been any structure like the shed in the area that has already been approved.

Mrs. Sowell states there is a house that is similar to the request on homestyle, down the street on North Lanana. It has similar roof lines, but Mrs. Sowell is not aware of whether they have a shed or not. There is another property that is in the Sterne-Hoya District that does have a shed in the back, they did make some effort to have it blend with the property but not make the building seem like it was an old building that has been there forever.

Commissioner Winthrop asks if the size of the existing pad will be the size of the shed.

Sam Wright states that is correct.

Commissioner Bradberry states he would have a difficult time voting for the COA due to it not being compatible materials to the home.

Karina Ortega, homeowner, states the neighbors are aware of some of the updates they will be doing to the property and would like to point out that the property right behind theirs is the McMichael house, they have a shed that is made out of metal. It is visible from all angles of Lanana and Parks Street. She states that their shed would blend more with their house, and they would make it modern.

Commissioner Kugle asks if the shed is behind the house.

Mrs. Ortega states that is correct.

Commissioner Kugle states that the requested shed is not behind a house.

Mrs. Ortega states that the shed is still visible from the road.

Commissioner Kugle asks if Mrs. Balanger is aware and has been shown pictures of the shed.

Mrs. Ortega states she hasn't seen pictures but that she did mention to the neighbors about their future updates. She is not able to recall or keep up with what was said to each neighbor.

Commissioner Winthrop asks if there are materials that would be acceptable besides brick.

Commissioner Kugle states she wouldn't have a problem if the metal was painted to match the color of the house brick. She just thinks the neighbors should be notified a metal building is sticking out there where people can drive by and see it due to it being at the end of the driveway.

Commissioner Shofner asks if the applicant is willing to put a brick facade at the front of it.

Mrs. Ortega states she is willing to do that and anything to make it work.

Mrs. Sowell states that the City Council does get a copy of the HLPC packet when it is sent out to the board, that has all the same information and pictures in it.

Commissioner Bradberry asks if it can be approved with stipulations with something added to the front of the shed.

Mrs. Sowell states that they vote either approval or denial of what is put in front of the committee. Usually when there is a denial, there is feedback given so that way the applicant

has something to go on. Stipulations do not get added to an approval or denial that the applicant has not proposed to the board beforehand.

Commissioner Bradberry clarifies then the applicant would have to come back with the feedback listed on the application.

Mrs. Sowell states that is correct.

Commissioner Whitehead asks if someone else has been allowed to put a metal building behind their house down the street, how can the board deny the current applicant.

Mrs. Sowell states that even though staff does notify anyone living in the Historic District does need to come before the board, there are some instances where staff is not notified about it beforehand.

Commissioner Whitehead makes a motion to approve COA 2024-019. Commissioner Winthrop seconds the motion. Whitehead and Winthrop voted Aye. Kugle, Shofner and Bradberry voted Nay. With a 3 - 2 vote the motion fails.

3. Agenda Item 3B- Discuss and consider Certificate of Appropriateness request for property located at 310 North Mound St. COA #2024-022

Mrs. Sowell explains the applicant is requesting to replace existing untreated wood siding on the garage of the home with new wood composite "SuperBoard" siding. The new siding will be painted to match the existing color. The freestanding garage was built approximately 10 -12 years ago and is located behind the residence and is not visible from the street.

310 North Mound is listed as contributing to the Washington Square National Register District. The home located on the property was built in 1897 and is a 2-1/2 story wood framed building. The freestanding garage, located behind the home, was built approximately 10-12 years ago and is not visible from the street. Staff find that City Ordinance Criteria B, C, D, J and K relate to the proposed construction.

Commissioner Shofner asks if the material is like Hardie Plank.

Lynn Meyers, applicant, states it is similar to Hardie Plank but the brand is called Smart Board. On the back of the house they are planning to use Hardie Plank because it comes in a thinner veneer which is needed because it was an addition on it.

Commissioner Kugle makes a motion to approve COA 2024-022 for the replacement of the existing siding with the new material. Commissioner Winthrop seconds the motion, and it passes unanimously.

4. Agenda Item 3C- Discuss and consider Certificate of Appropriateness request for property located at 601 East Main. COA #2024-023

Mrs. Sowell explains the applicant is requesting to place a 8' x 20' metal storage container on the property located at 601 East Main Street. This storage container is freestanding and can be painted to match the existing building. The storage container will be located on the northwest corner of the property next to the existing dumpster.

601 East Main Street is a part of the Downtown National Register District. The 1986 Historic Sites Survey lists it as a 1-story rectangular masonry structure with a flat roof. The property has been repainted and remodeled since that time including the addition of a porch structure on the east side of the building.

Staff find that City Ordinance Criteria B, D, J and K relate to the proposed construction.

Commissioner Bradberry asks will it be behind or beside the dumpster and fence.

Mrs. Sowell states that if you are looking from Main Street with Brendyn's BBQ building directly in front of you, the dumpster is to your left and the storage container would be right behind the dumpster.

Commissioner Winthrop makes a motion to approve COA 2024-023 for the approval of the storage container at 601 East Main St. Commissioner Shofner seconds the motion, and it passes unanimously.

5. Agenda Item 3D- Discuss and consider Certificate of Appropriateness request for property located at 108 East Hospital. COA #2024-017

Mrs. Sowell explains the applicant is requesting to install 7 - 4' x 4' butterflies painted on light weight ACM Board on the west facade of the building located at 108 East Hospital Street. The applicant is also requesting to install a 3' x 8' ACM Board on the west facade with wording. The substrate will be anchored into the existing brick.

108 East Hospital Street is listed as a 1965 building located in the Downtown National Register Historic District. It is a 1-1/2 story and 1-story rectangular brick commercial structure with flat roof, metal and plate glass doors and windows. It is listed as "good condition" in the 1986 Historic Sites Survey.

Staff find that City Ordinance Criteria B, C, D, H, J and K relate to the proposed construction.

Commissioner Kugle states the brick that is on the building does not have a water absorption problem or moisture retention, and could be painted on. She asks why the applicant is proposing drilling holes in brick, which is a permanent situation.

Applicant Rikki Leigh Willoughby states that when her parents bought the building, that was the original intent, to paint the brick, and they were told by HLPC at the time that they were not allowed to paint the brick because there was no previous paint on the brick.

Commissioner Kugle would like to clarify that the reason the board says no to painting on unpainted brick is because most of the downtown buildings were built in the 1800s before hard fire brick, this is a 60's building mid century that came from a furnace; it is not a porous brick. Commissioner Kugle states she understands it is better to say no if they do not know the structure which the previous board members probably did not know. Painting the brick would not be an issue. She asks if the applicant would rather paint the brick or drill holes into the brick.

The applicant states it is an easy fix if there were holes in the brick.

The artist, Michelle Filer, asks if they would have to submit another application stating they would want to paint the brick instead of installing it.

Mrs. Sowell states that is correct. She would like to clarify that the approval of painting on the brick depends on the HLPC board seated at the time. Some look at the ordinances that say painting on unpainted brick whether it is the old woodfire brick or modern brick is not a minimal alteration. Other HLPCs have said it is not a historic brick, it wouldn't be damaged if someone painted it. Historically it has always been you cannot paint on the brick since you can't undo it which is the case with some brick. As far as submitting a new application, since it is not present that way currently, they would have to redo the application and resubmission if the committee voted to deny the current application.

Michelle Filer asks if they can get approval of the ACM Board and submit another application for it to be painted for next month's meeting.

Commissioner Winthrop asks what are the applicants plans to maintain to keep it looking good as time goes on.

Michelle Filer states it is metal sign board so the paint would be sealed and it would weather well just as if they painted it directly on the brick.

Commissioner Bradberry asks what the expected life of the ACM Board is.

Michelle Filer states it could go anywhere from 7 - 15 years. There will be a UV coating on the sign.

Commissioner Winthrop asks that when the time comes for it to be removed because it is deteriorated, which would be easier to remove the board or the paint.

Michelle Filer states that rather than take the paint off the wall, they would just repaint it.

Commissioner Kugle states that brick can take powerwashing if needed.

The applicant states she would rather attach it to the wall instead of painting it because it gives a 3D Effect. She states it is an easy fix if something were to happen to the ACM Board. She

would like to go as is with installing the ACM board instead of submitting an application to paint the mural.

Commissioner Kugle makes a motion to accept COA 2024-017 for installation of the butterflies on the ACM board. Commissioner Whitehead seconds the motion.

Commissioner Bradberry states they are approving these murals without any guidelines and not thinking ahead or planning for the future. He is not opposed to the signs, but he is opposed to approving things that are going to impact other people in the future. He strongly feels there should be guidelines in dealing with murals and responsibility later for when the signs begin to deteriorate. He states he will not be voting again on a sign or mural until there are guidelines to go by.

Mrs. Sowell states something like that would have to originate from the City Council. They have set out the Chapter 50 historic overlay ordinances, those are the guidelines the board currently has as far as separate policies and procedures. A policy specifically would have to originate from the City Council.

Commissioner Shofner asks if there can be a pause on all things signs or murals until there is a proper policy about them.

Mrs. Sowell states all applications have timelines tied to them. They have to be voted on by 90 days and if they are not voted on, they can be automatically approved. Denials would need to be based on not meeting some of the criteria ordinances.

Kugle and Whitehead Aye the motion and Shofner, Bradberry and Winthrop did not vote.

6. Agenda Item 3E- Discuss and consider Certificate of Appropriateness request for property located at 116 S. Pecan St. COA #2024-018

Mrs. Sowell explains the applicant is requesting to paint a mural on the Southeast corner of the South facade in the approximate location for the existing "ghost" sign. The area to be painted is approximately 20' x 25'.

Staff find that City Ordinance Criteria B, C, D, F, H, J and K relate to the proposed construction.

Commissioner Kugle comments that the board has faced a similar request for the building in the past and she strongly disagrees with painting the brick.

Commissioner Kugle makes a motion to deny COA 2024-018 the painting of the mural on the southwest corner of the building at 116 S. Pecan due to the structure of the brick being very porous and deteriorating. Commissioner Winthrop seconds the motion. Kugle, Shofner, Winthrop and Whitehead vote Aye. Bradberry did not vote. The motion passes with 4 aye votes.

7. Agenda Item 3F- Discuss and consider Certificate of Appropriateness request for property located at 716 East Main. COA #2024-020

Mrs. Sowell explains the applicant is requesting to paint over an existing mural on the retaining wall located at 716 East Main. The proposed design would have the word "Nacogdoches" in hollow lettering with paintings depicting Nacogdoches' history inside the letters.

The property of 716 East Main Street is included in the Downtown National Register District but the retaining wall was not included in any historic site survey. This request will not alter any buildings, rather is an alteration to a site located in a Historic Overlay District.

Staff find that City Ordinance Criteria B, C, D, J and K relate to the proposed construction.

Artist Lynn Myers explains the process and timeline of the requested COA.

Commissioner Shofner asks how many more murals Brushing Up Nac has planned.

Lynn Myers states at the moment, none due to the lack of funds.

Commissioner Kugle makes a motion to approve COA 2024-020 for a refreshed new mural at 716 East Main Street. Commissioner Winthrop Seconds the motion. Kugle, Winthrop and Whitehead voted aye and Shofner and Braberry did not vote. The motion passes with 3 aye votes.

Commissioner Shofner makes a motion to have a moratorium on murals until the board has further policy instruction from the City Council.

City Attorney Jerry Baker states that the matter is not on the agenda for approval. The committee has to go with what is listed on the current agenda. If the committee would like to put that on a future agenda they can, but until then, that motion should not be considered by the committee.

Commissioner Bradberry states that the statement does not need to be put on the agenda. Staff has heard the wishes of the majority of the committee. He would like to clarify again that he has not heard anyone on the board say they are against murals at all; they just want guidelines to be able to make sure they are doing it right and have a basis for denying something that should be denied.

8. Agenda Item 3G- Discuss and consider Certificate of Appropriateness request for property located at 201 East Main St. COA #2024-021

Mrs. Sowell explains the applicant is requesting to paint the west facade of the building located at 201 East Main Street with a painting of famous figures and "Have you ever been to Nacogdoches" wording. The west facade of the building is currently painted a tan/white base with black trim.

Staff find that City Ordinance Criteria B, C, D, H, J and K relate to the proposed construction.

Commissioner Winthrop asks about the “Movie Screen” section of the plan.

Michelle Filer states that in the past, movies were shown on the building, and they are leaving that space blank because the applicant would like to continue showing movies.

Commissioner Winthrop asks if they are allowed to use the images of the characters due to copyright laws.

Michelle Filer states she has spoken to two licensing lawyers and they said art work that pays homage to them is fine.

Commissioner Kugle makes a motion to approve COA 2024-021 for 201 East Main Street to have the Have You Ever Been to Nacogdoches Mural but would like to clarify the reason she is moving to approve this is because the building is already painted. Motion dies due to the lack of a second.

9. Adjourn @ 5:01 pm.

Attest: Cecilia Sarmiento
Community Services Coordinator

Chairman



Historic Landmark Preservation Committee Meeting

Date: August 5, 2024

Agenda Item: 4.A.

ITEM/SUBJECT: Discuss and consider draft Historic Landmark Preservation Committee meeting procedures

STAFF REPORT:

At the February 5, 2024 Historic Landmark Preservation Committee meeting the committee members discussed the creation of meeting procedures for HLPC. The Committee requested that staff prepare draft meeting procedures that included information on the types of applications that come before HLPC as well as the meeting procedures for clarity. City staff have prepared the attached meeting procedure draft based on other city meeting procedures and those of other historic committees.

Staff is requesting feedback on the existing draft. If the draft is acceptable to the committee, it can be adopted as presented or additional changes can be made.

PROPOSED WORK:

STAFF COMMENTS

FINANCIAL:

CITY CONTACT: Jessica Sowell, Community Services Director
sowellj@nactx.us
936-559-2935

ATTACHMENTS: 1. HLPC Policies and Procedures_DRAFT

**CITY OF NACOGDOCHES
HISTORIC LANDMARK PRESERVATION COMMITTEE
RULES AND PROCEDURES**

TABLE OF CONTENTS

1. ORGANIZATION, OFFICERS, AND STAFF	1
1.1. ORGANIZATION.....	1
1.2. MEMBERSHIP.....	1
1.3. OFFICERS.....	1
1.4. OFFICER DUTIES.....	1
1.5. RULES OF ORDER.....	2
1.6. HISTORIC PRESERVATION OFFICER.....	2
2. MEETINGS	2
2.1. QUORUM.....	2
2.2. AGENDA.....	3
2.3. MEETING TYPES.....	3
2.4. MEETING GUIDELINES.....	3
3. OFFICIAL RECORDS	3
3.1. RECORDING OF VOTE.....	3
3.2. PUBLIC RECORDS.....	3
3.3. COMMITTEE OFFICE.....	4
3.4. WRITTEN DECISION.....	4
4. APPLICATION PROCEDURES	4
4.1. TYPES OF REQUESTS.....	4
4.2. APPLICATION REQUIRED.....	5
4.3. DEADLINE FOR FILING APPLICATION.....	5
4.4. GUIDELINES FOR APPLICATION AND DECISION.....	5
4.5. WITHDRAWAL OF REQUEST.....	5
5. HEARINGS AND DECISIONS	5
5.1. PUBLIC HEARINGS.....	5
5.2. ORDER OF BUSINESS.....	5
5.3. PROCEDURES FOR APPLICATION REVIEW.....	6
5.4. COMMITTEE REVIEW.....	6
5.5. DISPOSITION OF CASES.....	6
5.6. PARTICIPATION IN DELIBERATIONS AND VOTING.....	6
5.7. DECISIONS.....	7
6. APPEAL	7
6.1. APPEAL OF DECISION OF HLPC.....	7
7. CERTIFICATION AND AMENDMENTS	7
7.1. CERTIFIED COPY.....	8

7.2.	REPEALING CLAUSE.....	8
7.3.	AMENDMENT PROCEDURE.....	8
7.4.	INFORMAL ADVICE.....	8

DRAFT

**CITY OF NACOGDOCHES
HISTORIC LANDMARK PRESERVATION COMMITTEE
RULES AND PROCEDURES**

1. ORGANIZATION, OFFICERS, AND STAFF

1.1. Organization

The Historic Landmark Preservation Committee (“HLPC”) shall consist of members appointed by the City Council and organized under the laws of the State of Texas and Historic Preservation Ordinance Chapter 50, as may be amended, of the City of Nacogdoches (“City”).

1.2. Membership

- a. Membership on the HLPC will be in accordance with Chapter 50, Division 2 of the Nacogdoches Municipal Code. Membership will be composed of nine (9) members.
- b. Terms of membership will be three (3) years.
- c. All members regardless of background, shall have a known and demonstrated interest, competence, or knowledge in historic preservation within the City. Consideration will be given to the following recommended professions: architecture, planning, or other design profession; historian; licensed real estate broker; property owner of a landmark or in a historic district; attorney; or archaeologist or related discipline.
- d. BoardCommittee members will maintain excellent attendance at meetings. Failure to do so may result in removal by City Council.

1.3. Officers

The Chair and Vice-Chair of the HLPC shall be elected annually by a majority of committee members.

1.4. Officer Duties

- a. Duties of the HLPC Chair: The Chair shall preside over meetings and hearings of the HLPC while performing the duties normally associated with parliamentary usage of such offices. The Chair shall be able to discuss all items before the commission and participate in voting. All resolutions and minutes approved by the HLPC shall be signed by the Chair.

- b. Duties of the HLPC Vice-Chair: The Vice-Chair shall perform the duties and responsibilities of the Chair if the Chair is absent or unable to perform his or her duties.
- c. If both the Chair and Vice-Chair are absent or unable to administer their duties, the present members shall select a temporary replacement to act as the Chair ("Acting Chair") for that meeting. The Acting Chair shall be the current member of HLPC who has the longest tenure on the committee. If more than one member qualifies for this distinction, the Acting Chair shall be the one whose last name is closest to the beginning of the alphabet.

1.5. Rules of Order

Robert's Rules of Order, Newly Revised, shall be the committee's final authority on all questions of procedures and parliamentary law not covered by these Rules of Procedure. A failure to strictly adhere to the procedures set forth in Robert's Rules of Order shall not constitute grounds for the invalidation of any motion or order made by the committee.

1.6. Historic Preservation Officer

- a. The city manager shall appoint a qualified city official, staff person, or appropriate resident of the municipal entity to serve as historic preservation officer (HPO). This officer shall administer this article and advise the HLPC on matters submitted to it.
- b. The HPO shall perform and supervise the clerical details of the HLPC. The HPO shall be responsible for preparing and maintaining the meeting records, minutes, hearings, official actions, notices, and public records related to the HLPC.
- c. The HPO may make recommendations for adoption by the HLPC, but shall not vote in HLPC matters.

1.7 Establishment of Subcommittees

The HLPC may establish subcommittees as it deems appropriate for specific duties or functions. The Chair shall designate subcommittee members and name a subcommittee chair. The HLPC Chair may fill subcommittee vacancies as needed.

2. MEETINGS

2.1. Quorum

Five members shall constitute a quorum for official business, voting, and action. When a quorum is not present at a regular or special meeting, no action may be taken,

and the meeting will be canceled and rescheduled to a future date. During the course of a meeting, if attendance becomes lower than a quorum, the meeting will be adjourned immediately.

2.2. Agenda

An agenda shall be prepared by the Historic Preservation Officer for each meeting of the committee. The Chair or at least two other members of the committee may request that a specific item be placed on the agenda. The agenda shall be posted on the official bulletin boards at Nacogdoches City Hall, 202 East Pilar, 1st Floor, Nacogdoches, Texas, 75961, as well as online on the City of Nacogdoches website, pursuant to the Texas Open Meetings Act, Texas Government Code, Chapter 551.

2.3. Meeting Types

- a. Regular Meetings - Regular meetings will be held monthly on the first Monday at 4 p.m. in the City Council Chambers at 202 E. Pilar St., 1st Floor, Nacogdoches, TX 75961. If a meeting date falls on a holiday, an alternate meeting date will be scheduled. Regular meetings will comply with the Texas Open Meetings Act.
- b. Special Meetings - Special meetings may be called at any time by the chair or at the written request of two committee members. Special meetings are required to comply with the Texas Open Meetings Act.
- c. Work Sessions - Work Sessions may be called at any time by the Chair or at the written request of two committee members. Work Sessions are required to comply with the Texas Open Meetings Act.

2.4. Meeting Guidelines

All meetings of the committee shall be open to the public. Meetings shall be held in full compliance with the provisions of the Texas Open Meetings Act, the City's Historic Preservation Ordinances, and these Rules of Procedure

- a. Public Comment - Public comment shall be called for after each regular agenda item is presented by the HPO to the committee.

3. OFFICIAL RECORDS

3.1. Recording of Vote

The minutes of the HLPC's proceedings shall show the vote of each member on each decision of the HLPC, or if absent or failing to vote shall indicate that fact.

3.2. Public Records

All requests and other matters coming before the HLPC shall be filed in the City's records and be available for public inspection during normal business hours. Original papers of all appeals shall be retained along with other special matters as the HPO deems essential for permanent record.

3.3. Committee Office

The Office of the Historic Preservation Officer shall be designated as the HLPC's office.

3.4. Written Decision

All decisions of the HLPC shall be in writing, shall indicate the decision of the HLPC and shall be filed in the HLPC's Office no later than five business days after such decision has been made. However, the failure to timely file the decision in the HLPC's Office shall not have any effect on the validity of the decision.

4. APPLICATION PROCEDURES

4.1. Types of Requests

The committee shall only consider requests authorized under the Historic Preservation Ordinance, including the following matters:

- a. Certificate of Appropriateness (COA) - *HLPC hears applications for certificates of appropriateness in accordance with Chapter 50, Division 5 of the Nacogdoches Municipal Code. COAs are required for any exterior reconstruction, alteration, restoration, rehabilitation of any historic landmark or any new construction on property within a historic district, as well as any material change in the light fixtures, signs, sidewalks, fences, steps, paving or other exterior elements visible from a public right-of-way which affect the appearance and cohesiveness of the historic landmark or any property within a historic district. No building permit shall be issued for such proposed work until a COA has first been issued by HLPC.*
- b. Historic Overlay - *HLPC hears cases of proposed historic landmarks and overlay districts in accordance with Chapter 50, Division 4 of the Nacogdoches Municipal Code. This process will involve a public hearing at an HLPC meeting, a subsequent hearing on the proposed designation with the Planning and Zoning Commission, and a final hearing and determination by the City Council.*
- c. Demolition - *HLPC hears applications for demolition as outlined in Chapter 50, Division 6 of the Nacogdoches Municipal Code if an owner of real*

property designated as a landmark or included within a historic district seeks demolition or removal of same.

- d. Demolition by Neglect - *HLPC hears applications for demolition in accordance with Nacogdoches Municipal Code Section 50-32, if real property designated as a landmark or included within a historic district is permitted to fall into a serious state of disrepair so as to result in the deterioration of any exterior architectural feature which would, in the judgment of HLPC, produce a detrimental effect upon the character of the historic district as a whole or the life and character of the property itself.*
- e. Historic Restoration Grant – *HLPC makes recommendations to City Council concerning the utilization of state, federal, or private funds to promote the preservation of landmarks and historic districts within the City under the Historic Restoration Grant program.*

4.2. Application Required

Every request falling under HLPC purview shall be filed on the application forms provided by the City and shall be complete in all respects before being accepted for filing. The application shall bear the signature of the owner of the property which is the subject of the request or shall be accompanied by a letter of authorization from such owner. An incomplete application or a communication purporting to be an application and not made in the form prescribed shall be regarded only as a notice of intent to apply, and shall not be considered or acted upon by the HLPC.

4.3. Deadline for Filing Application

The deadline for all applications is the third Monday of each month before 4 p.m. Any application received after this deadline shall not be considered until the next month's committee meeting.

4.4. Guidelines for Application and Decision

Every request for a COA will be considered for approval based on the criteria listed in [Section 50-157](#) of the Nacogdoches Municipal Code.

4.5. Withdrawal of Request

Any request may be withdrawn by an applicant upon written notice to the Historic Preservation Officer, but no request shall be withdrawn after public notice has been given without formal consent of the HLPC.

5. HEARINGS AND DECISIONS

5.1. Public Hearings

Hearings on all matters on which a decision of the HLPC is required by City ordinance shall be open to the public. The applicant(s) may appear on their own behalf or be represented by the applicant's own counsel or agent.

5.2. Order of Business

The Chair shall call the meeting to order. The Chair shall publicly advise those present of the procedures followed in the hearing and disposition of agenda items; he/she shall call each item in the order filed and shall announce the name of the applicant, the location of the property involved, and the nature of the request. The Historic Preservation Officer or designee shall publicly advise the committee of any communications received. Supporting documentation for each case shall be presented to the committee. Each case may be taken under advisement until all have been heard.

5.3. Procedures for Application Review

- a. Presentation of the application and information related thereto by HPO
- b. Public Comment (if any)
- c. Committee discussion and questions of applicant (if any)
- d. Vote on a motion made and seconded with respect to the disposition of the request.

5.4. Committee Review

The Chair may direct any question to the applicant or any persons speaking in order to bring out all relevant facts, circumstances and conditions affecting the request, and may call for questions from other members of the committee and from the City staff. At any time prior to the time a vote is called for, the committee may call back any applicant or speaker or staff member for clarification of facts presented in the hearing or to answer one or more questions of the members of the committee. All questions should pertain to the case listed in the agenda.

5.5. Disposition of Cases

- a. For each application heard by HLPC, a motion may be made and voted upon as follows:
 - i. Approval of the Application
 - ii. Denial of the Application
 - iii. Approval of the Application with Modifications
 - iv. No action on the Application.
- b. Decisions related to demolitions, designation of historic landmarks and districts, and the Historic Preservation grants/annual budget will require a

recommendation from HLPC and ultimate approval by the Nacogdoches City Council before taking effect.

- c. A majority vote of the members present shall be necessary for the approval for any of the above motions.

5.6. Participation in Deliberations and Voting

- a. All members who are present may participate in the deliberations of each case and may directly question the applicant/agent or staff members unless abstaining because of a conflict of interest or personal involvement with a project as outlined below.
- b. All members who are present are required to vote unless abstaining because of a conflict of interest or personal involvement with a project as outlined below.
- c. Chapter 171 of the Local Government Code requires a committee member with a conflict of interest to file an affidavit with the City and abstain from voting on the matter before the committee. This affidavit should be completed and turned in prior to the start of the meeting at which the item will be presented. The committee member should not be involved in presenting the matter in which he or she has a conflict of interest to the committee and in most instances should not be present while the matter is being considered.

5.7. Decisions

- a. All decisions of the HLPC shall be in writing. The committee's decision shall state its findings pertaining to the approval, denial, or modification of the application. A copy shall be sent to the applicant. Additional copies shall be filed as part of the public record on that property and dispersed to appropriate city departments.
- b. HLPC shall review the application for a certificate of appropriateness at a regularly scheduled meeting within 60 days from the date the application is received by the committee, at which time an opportunity will be provided for the applicant to be heard. The committee shall approve, deny, or approve the application with modifications the permit within 45 days after the review meeting unless HLPC and the applicant mutually agree to extend the period of review. If the committee does not act within 90 days of the receipt of the application, a permit may be granted by the HPO.
- c. If no action is taken on an application at a meeting of HLPC, the application will be placed on the agenda for the next meeting unless it is withdrawn by the applicant.

6. APPEAL

6.1. Appeal of Decision of HLPC

An applicant for a certificate of appropriateness dissatisfied with the action of the HLPC relating to the issuance or denial of a certificate of appropriateness shall have the right to appeal to the city council within 30 days after receipt of notification of such action. The city council shall give notice, follow publication procedure, hold hearings, and make its decision in the same manner as provided in the general zoning ordinance in chapter 118 of Nacogdoches Municipal Code.

7. CERTIFICATION AND AMENDMENTS

7.1. Certified Copy

A certified copy of these Rules of Procedure and of any amendments thereto will be placed on record in the office of the City Secretary within ten (10) days following their date of adoption.

7.2. Repealing Clause

All previously adopted Rules of Procedure of the HLPC shall be and the same are hereby expressly repealed.

7.3. Amendment Procedure

Amendments to these Rules of Procedure may be made by the HLPC at any meeting upon the affirmative vote of two-thirds (2/3rds) of the members present, provided any such amendment is proposed at a preceding meeting and recorded on the minutes of such meeting. By unanimous consent of all members present, amendments may be adopted at the meeting at which they are introduced but such amendments shall not become effective until the next regular meeting. It is recommended that the HLPC review these rules and procedures at least once every year.

7.4. Informal Advice

The HLPC or its individual members shall not consider a request (formal or informal) for advice on theoretical or actual situations that potentially may come before the HLPC in the future as an appeal or application.

ADOPTED this ____ day of _____, 2024.

Chair, Historic Landmark Preservation Committee

ATTESTED:

Jessica Sowell, Community Services Director

Filed in the Office of the City Secretary this ____ day of _____, 2024.

Rhonda Lewis, City Secretary
City of Nacogdoches, Texas



Historic Landmark Preservation Committee Meeting

Date: August 5, 2024

Agenda Item: 4.B.

ITEM/SUBJECT: Discussion of potential adoption of principles for applications for certificates of appropriateness involving murals in historic districts.

STAFF REPORT:

The attachment included with this agenda item was taken from the September 7, 2023 joint City Council and Main Street Advisory Board meeting where murals were discussed. This slide was not prepared by city staff.

PROPOSED WORK:

Members of the Historic Landmark Preservation Committee have expressed a desire to have further guidance on Certificates of Appropriateness (COA) involving murals in the historic overlay districts. This agenda item is intended to discuss the potential adoption of principles for COAs involving murals.

Principles for certificates of appropriateness involving murals could be used similarly to the 1991 Nacogdoches Design Guidelines which, according to the document, "are presented as an aid to property owners in Nacogdoches who wish to protect and enhance the historic resources of the community".

These potential principles, just as with the Design Guidelines, would be supplementary and would not supersede or take precedence over the Criteria for Approval laid out in City of Nacogdoches Ordinances Chapter 50, Section 50-157. Any potential principles would be recommended by the Historic Landmark Preservation Committee to the Nacogdoches City Council for formal adoption.

STAFF COMMENTS

FINANCIAL:

CITY CONTACT: Jessica Sowell, Community Services Director
sowellj@nactx.us
936-559-2935

ATTACHMENTS: 1. Principles and Philosophy of Murals - ppt slide



Principles and Philosophy of Murals

- 1. Positive; nice to look at; people will want to see again
- 2. Historically accurate
 - Highlights rich and diverse history
 - Highlights current creativity
 - Highlights the beauty of the city/region/state
 - Encourages exploration
- 3. Relates directly to
 - Nacogdoches
 - East Texas
 - Texas



Historic Landmark Preservation Committee Meeting

Date: August 5, 2024

Agenda Item: 4.C.

ITEM/SUBJECT: Discuss and consider Certificate of Appropriateness request for property located at 708 Park St. COA #2024-019

STAFF REPORT:

Case Number: COA 2024-019

Name of Applicant: Alex Ortega

Location: 708 Park Street

Requested Action: Installation of a 18' x 20' storage building on the west side of the property

PROPOSED WORK:

The applicant is requesting to install a 18' x 20' metal storage building at the end of the driveway of the new home located at 708 Park Street. The proposed building will closely resemble the home in terms of colors.

STAFF COMMENTS

This is a new build located in the Zion Hill Historic Overlay District. The proposed storage building was brought before the Historic Landmark Preservation Committee at the July 1, 2024 meeting. There was a motion to approve the application, but it failed during the vote. The applicant, Mr. Ortega, has provided more accurate examples of the proposed color of the building. During discussion at the July meeting, the color was brought up as a concern.

Staff find that City Ordinance Criteria **B, J and K** relate to the proposed construction.

B - Minimal alterations. Every reasonable effort shall be made to adapt the property in a manner which requires minimal alteration of the building, structure, object, or site and its environment.

J - Acceptability of contemporary designs for alterations. Contemporary design for alterations and additions to existing properties shall not be discouraged when such alterations and additions do not destroy significant historical, architectural or cultural material, and such design is compatible with the size, scale, material, and character of the property, neighborhood or environment.

K - Preservation of historic features with new alterations. Wherever possible, new additions or alterations to buildings, structures, objects, or sites shall be done in such a manner that, if such additions or alterations were to be removed in the future, the essential form and integrity of the building, structure, object, or site would be unimpaired.

FINANCIAL:

CITY CONTACT: Jessica Sowell, Community Services Director
sowellj@nactx.us

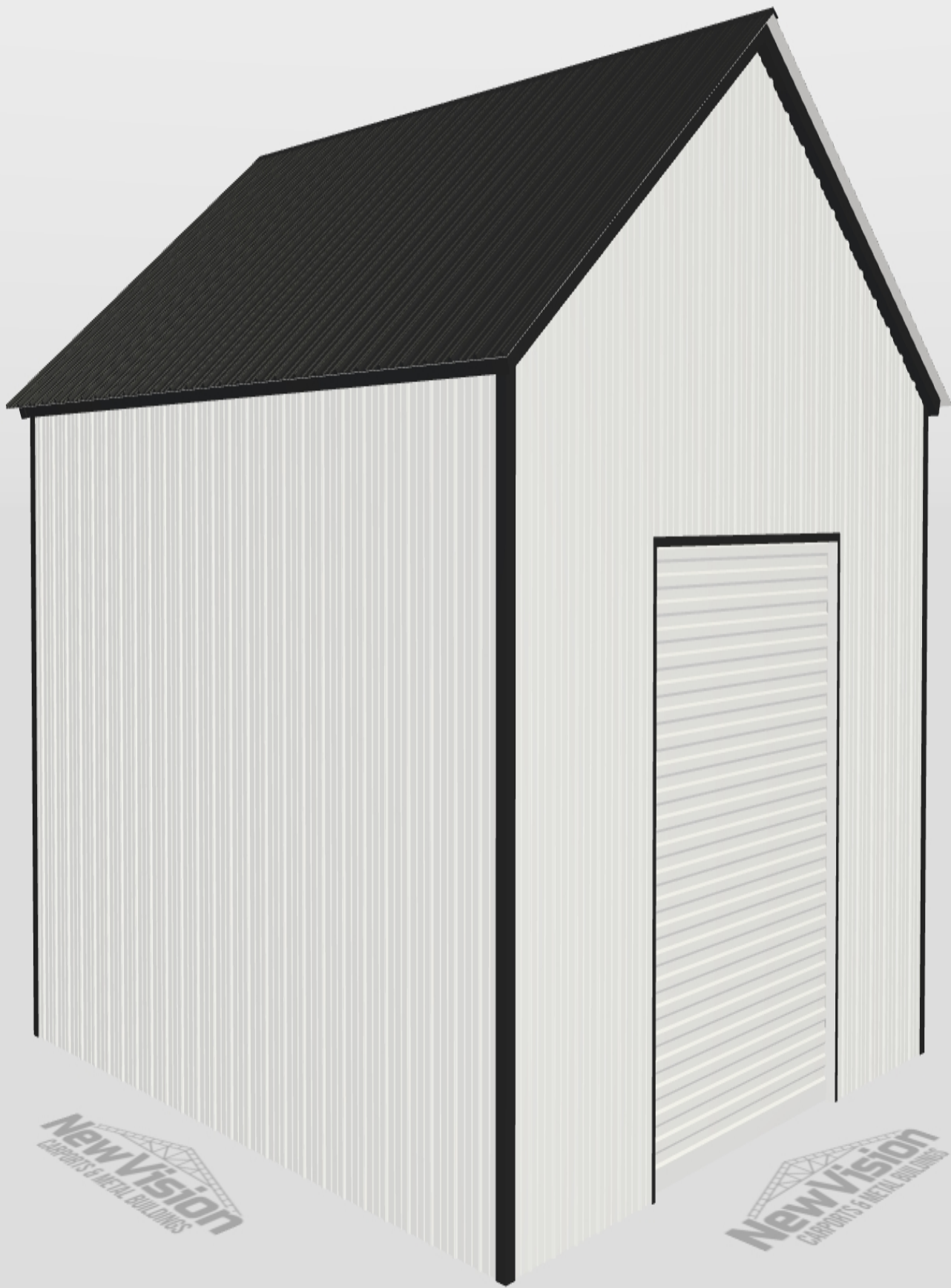
936-559-2935

- ATTACHMENTS:**
1. Existing View
 2. Street View #2 Revised
 3. Street View #1 Revised
 4. Building Rendering
 5. Shed and Site plans
 6. 708 Park Map

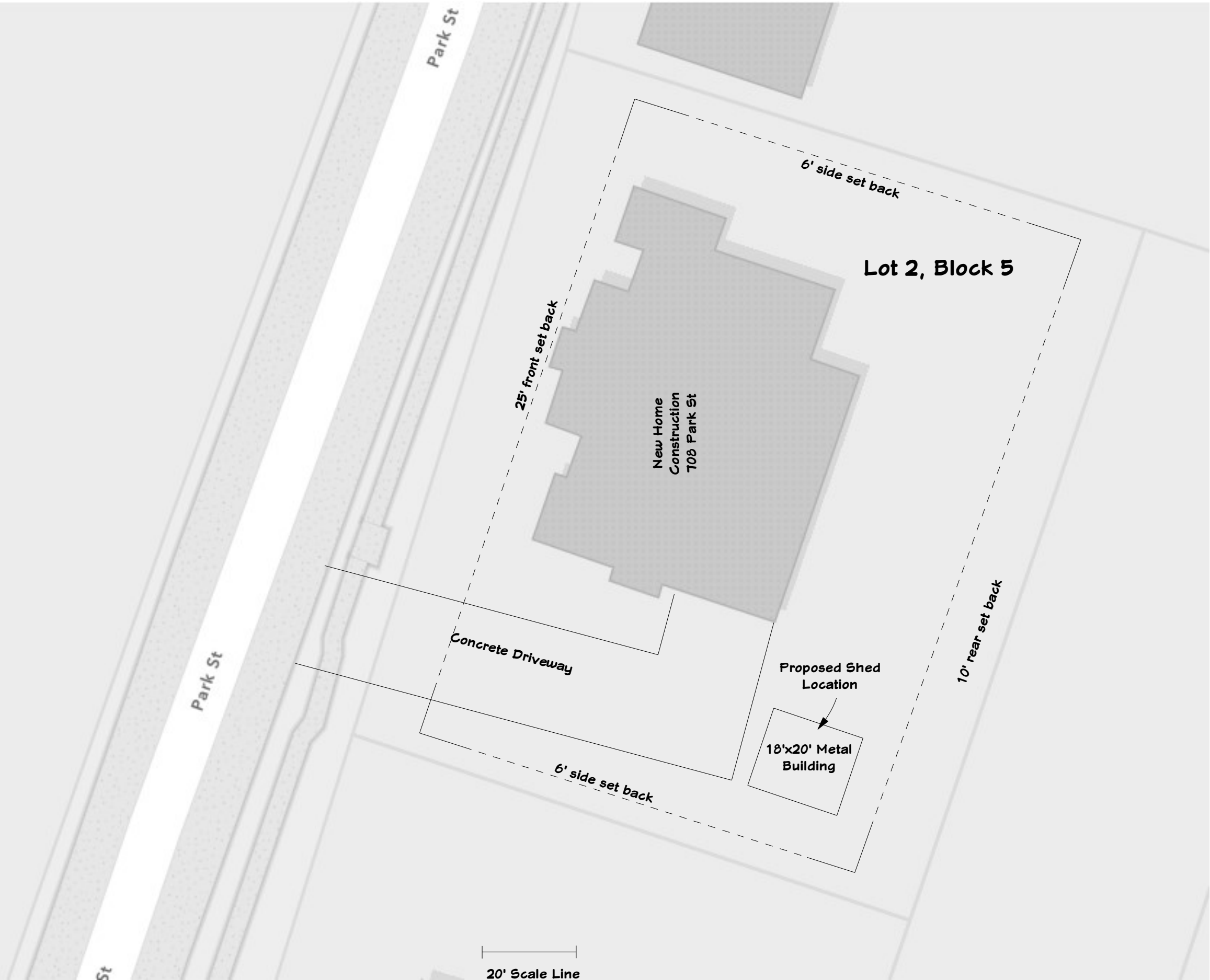




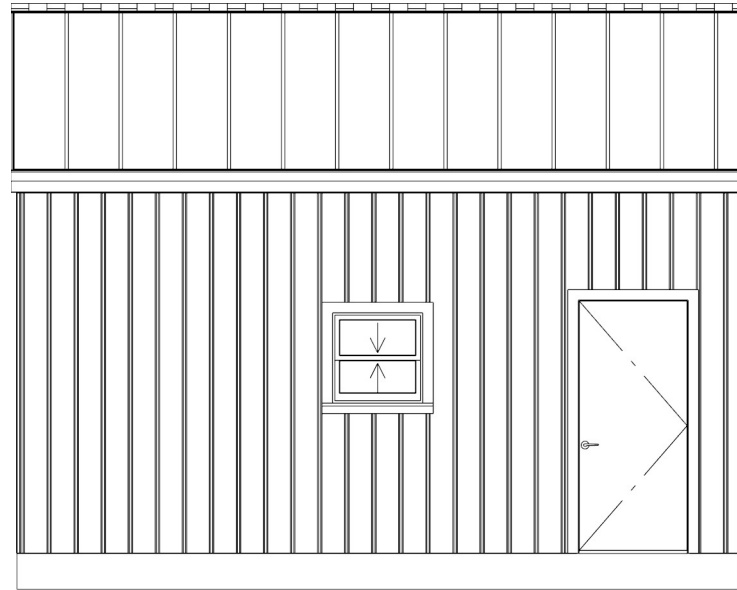




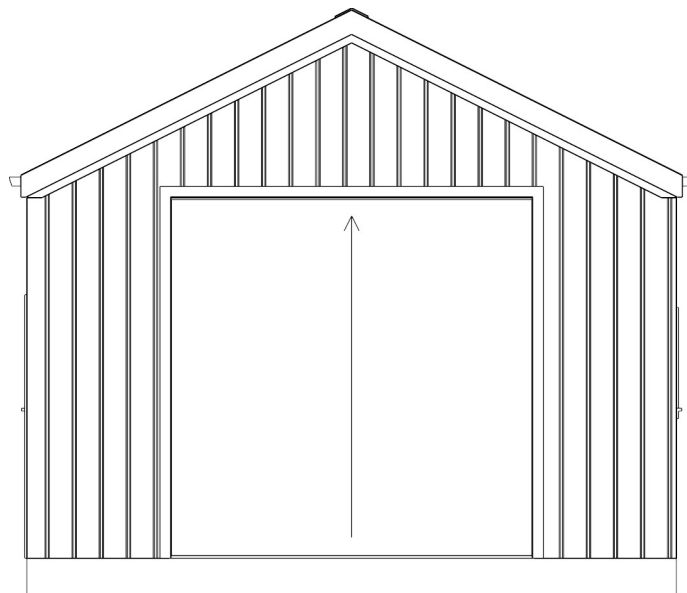
Garage
18' W x 20' L x 10' H



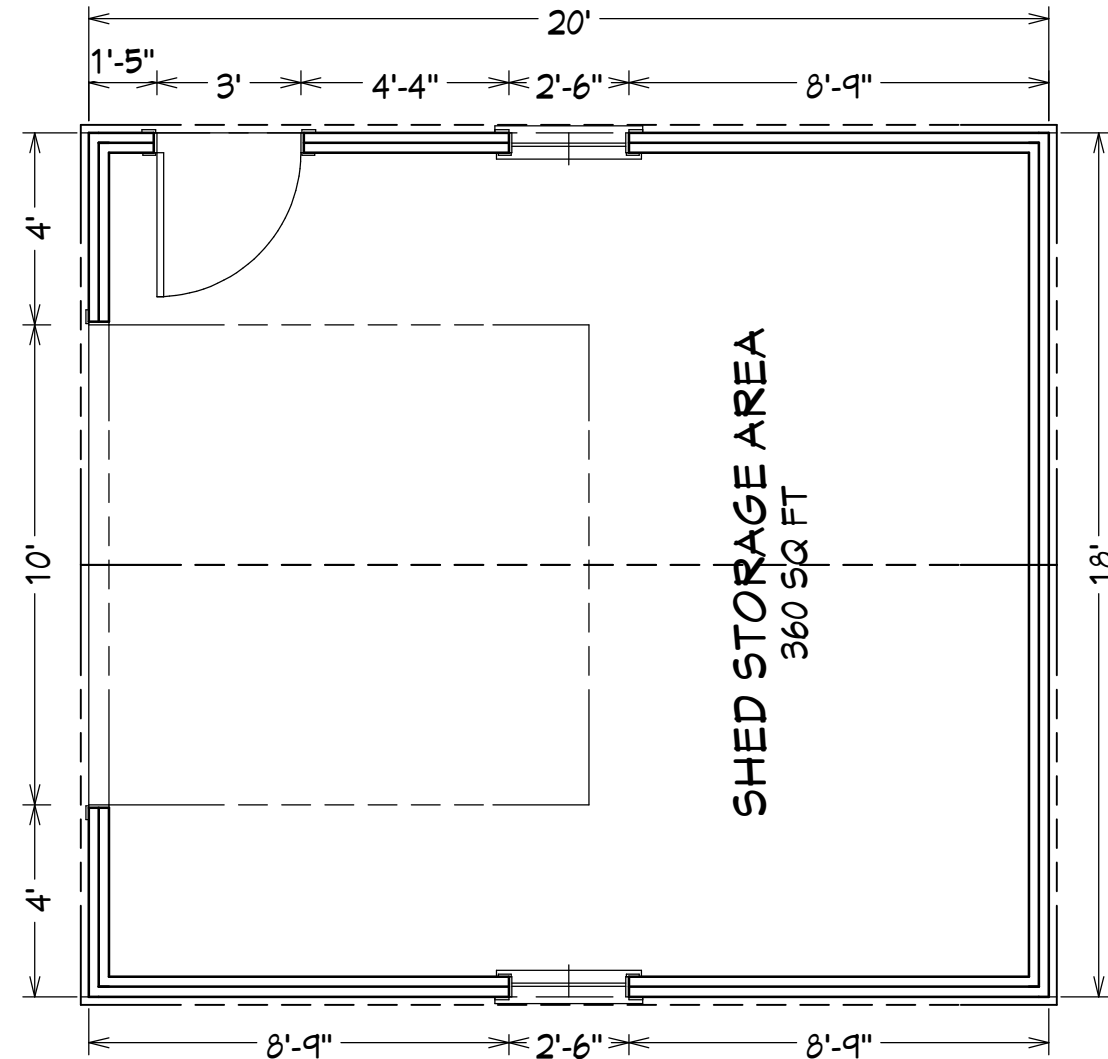
708 Park St



Left Side Elevation



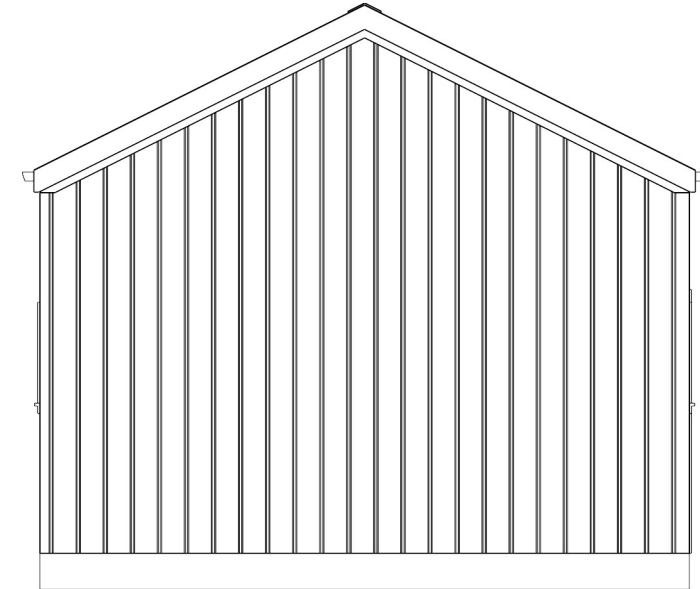
Front Side Elevation



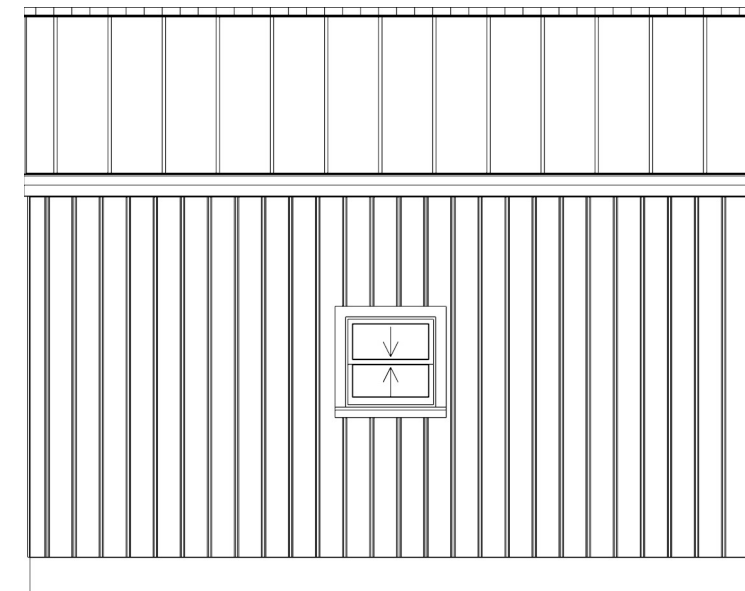
Building Notes:

No electric, no plumbing, no HVAC
Metal building only
Shed/yard equipment use only

18'x20' building - 360 sqft



Back Side Elevation



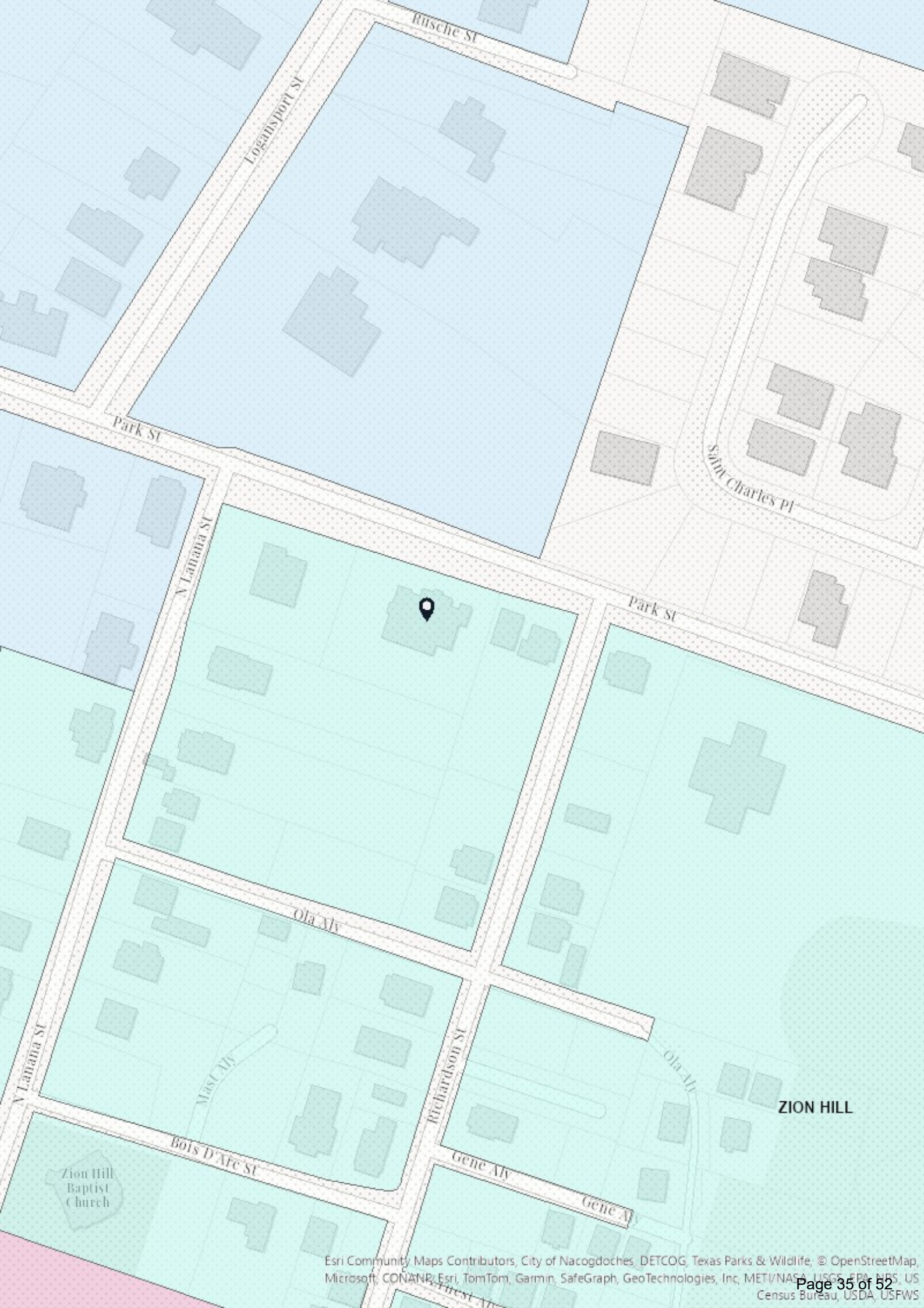
Right Side Elevation

A1

Alex & Karina Ortega
708 Park St
Nacogdoches, TX 75961

Drawn by Sam Wright
1/4":1' Scale Plan
3/16":1' Elevations
5/19/24





ITEM/SUBJECT: Discuss and consider Certificate of Appropriateness request for property located at 108 East Hospital. COA #2024-017

STAFF REPORT:

Case Number: COA 2024-017

Name of Applicant: Rikki Leigh Willoughby/ Richard Heard

Location: 108 East Hospital Street

Requested Action: Installation of 7 - 4' x 4' butterflies painted on lightweight ACM Board anchored to brick. Installation of lettering painted on ACM Board measuring approximately 3' x 8'

This application was reviewed at the July 1, 2024 Historic Landmark Preservation Committee. A motion was made and seconded to approve the request. There were two votes in favor of the application with three members not voting on the motion.

PROPOSED WORK:

The applicant is requesting to install 7 - 4' x 4' butterflies painted on light weight ACM Board on the west facade of the building located at 108 East Hospital Street. The applicant is also requesting to install a 3' x 8' ACM Board on the west facade with wording. The substrate will be anchored into the existing brick.

STAFF COMMENTS

108 East Hospital Street is listed as a 1965 building located in the Downtown National Register Historic District. It is a 1-1/2 story and 1-story rectangular brick commercial structure with flat roof, metal and plate glass doors and windows. It is listed as "good condition" in the 1986 Historic Sites Survey.

Staff find that City Ordinance Criteria **B, C, D, H, J and K** relate to the proposed construction.

B - Minimal alterations. Every reasonable effort shall be made to adapt the property in a manner which requires minimal alteration of the building, structure, object, or site and its environment.

C - Preservation of distinguishing qualities. The distinguishing original qualities or character of a building, structure, object, or site and its environment shall not be destroyed. The removal or alteration of any historic material or distinctive architectural features should be avoided when possible.

D - Consistency of alterations with styles. All buildings, structures, objects, and sites shall be recognized as products of their own time. Alterations that have no historical basis and which seek to create an earlier appearance shall be discouraged

H - Cleaning of structures. The surface cleaning of structures shall be undertaken with the

gentlest means possible. Sandblasting and other cleaning methods that will damage the historic building materials shall not be undertaken.

J - Acceptability of contemporary designs for alterations. Contemporary design for alterations and additions to existing properties shall not be discouraged when such alterations and additions do not destroy significant historical, architectural or cultural material, and such design is compatible with the size, scale, material, and character of the property, neighborhood or environment

K - Preservation of historic features with new alterations. Wherever possible, new additions or alterations to buildings, structures, objects, or sites shall be done in such a manner that, if such additions or alterations were to be removed in the future, the essential form and integrity of the building, structure, object, or site would be unimpaired.

FINANCIAL:

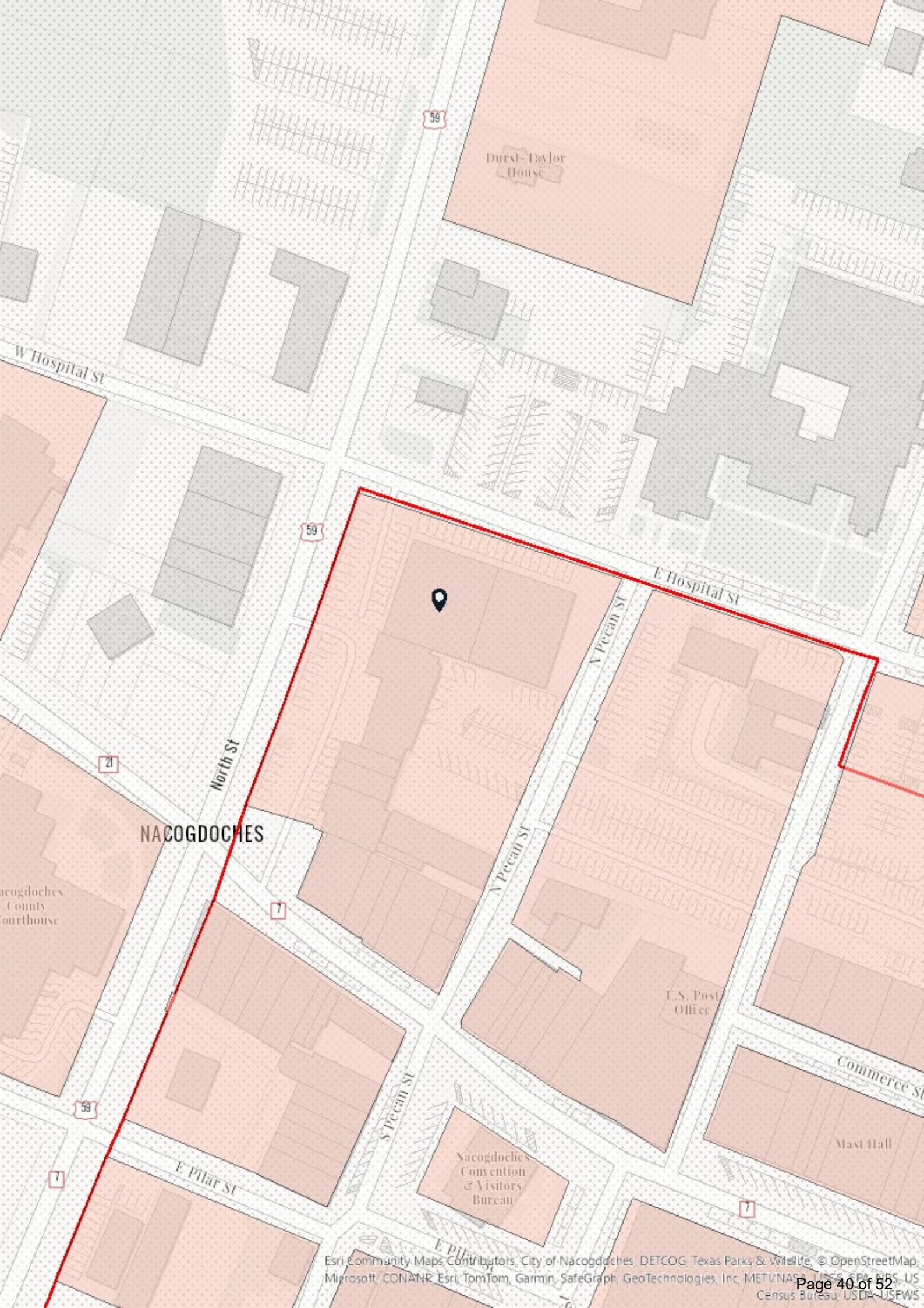
CITY CONTACT: Jessica Sowell, Community Services Director
sowellj@nactx.us
936-559-2935

ATTACHMENTS:

1. 108 E Hospital Existing
2. Butterfly design
3. 108 E Hospital Map









Historic Landmark Preservation Committee Meeting

Date: August 5, 2024

Agenda Item: 4.E.

ITEM/SUBJECT: Discuss and consider Certificate of Appropriateness request for property located at 401 East Main Street. COA #2024-024

STAFF REPORT:

Case Number: COA 2024-024

Name of Applicant: Dennis White

Location: 401 East Main Street

Requested Action: Paint a 4' x 40' section of plaster on the west wall of the building located at 401 East Main Street. This painting will depict the railroad history of Nacogdoches and feature old locomotives and railroad depots.

PROPOSED WORK:

The applicant is requesting to paint the plaster section of the west wall, facing Church Street, with a mural reminiscent of Nacogdoches' railroad history. The proposed painting will contain imagery of historic locomotives and the Nacogdoches railroad Depot. The approximate size of the plaster area is 4' x 40'. The applicant has supplied some sample historic photos that would be used for reference in the painting.

STAFF COMMENTS

401 East Main Street is listed as contributing to the Downtown Historic District. It is a 1901 2-story brick rectangular commercial structure with a "heavily altered first level with wood and glass doors and windows". Known as the M.C. Hazle Building, the location of Hazle Department Store; shown on the 1912 Sanborn Fire Insurance Map as a 2-story brick structure with frame awning wrapping around the south and west facade, used as a furniture store. Original location of Commercial Bank of Texas.

Staff find that City Ordinance Criteria **B, C, D, F, H, J and K** relate to the proposed construction.

B - Minimal alterations. Every reasonable effort shall be made to adapt the property in a manner which requires minimal alteration of the building, structure, object, or site and its environment.

C - Preservation of distinguishing qualities. The distinguishing original qualities or character of a building, structure, object, or site and its environment shall not be destroyed. The removal or alteration of any historic material or distinctive architectural features should be avoided when possible.

D - Consistency of alterations with styles. All buildings, structures, objects, and sites shall be recognized as products of their own time. Alterations that have no historical basis and which seek to create an earlier appearance shall be discouraged.

F - Stylistic features and craftsmanship. Distinctive stylistic features or examples of skilled

craftsmanship which characterize a building, structure, object, or site shall be kept where possible.

H - Cleaning of structures. The surface cleaning of structures shall be undertaken with the gentlest means possible. Sandblasting and other cleaning methods that will damage the historic building materials shall not be undertaken.

J - Acceptability of contemporary designs for alterations. Contemporary design for alterations and additions to existing properties shall not be discouraged when such alterations and additions do not destroy significant historical, architectural or cultural material, and such design is compatible with the size, scale, material, and character of the property, neighborhood or environment

K - Preservation of historic features with new alterations. Wherever possible, new additions or alterations to buildings, structures, objects, or sites shall be done in such a manner that, if such additions or alterations were to be removed in the future, the essential form and integrity of the building, structure, object, or site would be unimpaired

FINANCIAL:

CITY CONTACT: Jessica Sowell, Community Services Director
sowellj@nactx.us
936-559-2935

ATTACHMENTS:

1. 401 East Main - painting location
2. Reference Image 1
3. Reference Image 2
4. Reference Image 3
5. Nacogdoches Railroad Depot













Historic Landmark Preservation Committee Meeting

Date: August 5, 2024

Agenda Item: 4.F.

ITEM/SUBJECT: Discuss and consider Certificate of Appropriateness request for property located at 201 East Main St. COA #2024-021

STAFF REPORT:

Case Number: COA 2024-021

Name of Applicant: Kim Crisp

Location: 201 East Main Street

Requested Action: Paint the west facade of the building located at 201 East Main Street with a painting of famous figures and "Have you ever been to Nacogdoches" wording.

This application was reviewed at the July 1, 2024 Historic Landmark Preservation Committee. A motion was made to approve the COA application but there was no second to the motion.

PROPOSED WORK:

The applicant is requesting to paint the west facade of the building located at 201 East Main Street with a painting of famous figures and "Have you ever been to Nacogdoches" wording. The west facade of the building is currently painted a tan/white base with black trim.

STAFF COMMENTS

201 East Main is listed as contributing to the Downtown National Register District. It is a 1907,2-story brick commercial structure with a flat roof. The 1912 Sanborn Fire Insurance Map shows its use as a drug store and jewelry store on the west and dry goods on the east side.

Staff find that City Ordinance Criteria **B, C, D, H, J and K** relate to the proposed construction.

B - Minimal alterations. Every reasonable effort shall be made to adapt the property in a manner which requires minimal alteration of the building, structure, object, or site and its environment.

C - Preservation of distinguishing qualities. The distinguishing original qualities or character of a building, structure, object, or site and its environment shall not be destroyed. The removal or alteration of any historic material or distinctive architectural features should be avoided when possible

D - Consistency of alterations with styles. All buildings, structures, objects, and sites shall be recognized as products of their own time. Alterations that have no historical basis and which seek to create an earlier appearance shall be discouraged

H - Cleaning of structures. The surface cleaning of structures shall be undertaken with the gentlest means possible. Sandblasting and other cleaning methods that will damage the historic building materials shall not be undertaken.

J - Acceptability of contemporary designs for alterations. Contemporary design for alterations

and additions to existing properties shall not be discouraged when such alterations and additions do not destroy significant historical, architectural or cultural material, and such design is compatible with the size, scale, material, and character of the property, neighborhood or environment

K - Preservation of historic features with new alterations. Wherever possible, new additions or alterations to buildings, structures, objects, or sites shall be done in such a manner that, if such additions or alterations were to be removed in the future, the essential form and integrity of the building, structure, object, or site would be unimpaired

FINANCIAL:

CITY CONTACT: Jessica Sowell, Community Services Director
sowellj@nactx.us
936-559-2935

ATTACHMENTS:

1. Existing West facade
2. Painting proposal
3. 201 E Main Map





