



Nacogdoches Historic Landmark Preservation Committee

Wednesday, September 11, 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 Historic Landmark Preservation Committee members.

3. Approval of minutes

A. Consider approval of minutes from the August 5th, 2024 HLPC Meeting.

4. Regular Agenda

A. Discuss and consider Certificate of Appropriateness request for property located at 418 E. Main St. COA #2024-027

B. Discuss and consider Certificate of Appropriateness request for property located at 510 N. Mound St. COA #2024-028

C. Discuss and consider Certificate of Appropriateness request for property located at 110 N. Pecan St. COA #2024-029

D. Discuss and consider Certificate of Appropriateness request for properties located along W. Cox, Virginia, Sunset and Bremond St. COA #2024-026



- E. Receive presentation and discuss proposed updates to Chapter 50 of the Nacogdoches Code of Ordinances.
- F. Discuss and consider supplement to Nacogdoches Historic District Design Guidelines related to murals
- G. Discuss and consider draft Historic Landmark Preservation Committee meeting procedures.

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: _____

MINUTES
Nacogdoches Historic Landmark Preservation Committee
August 5, 2024 - 4:00 p.m.
City Council Chambers

Commissioners Present: John Sloane, Vickie Winthrop, Charles Bradberry, Jeff Abt, Mitzi Blackburn, Zee Whitehead and Chris LaBauve.

Commissioners Absent: Eric Gaylord and Joanne Shofner.

Others Present: Jessica Sowell (City Staff), Cecilia Sarmiento (City Staff), Carlie Allen (City Staff), Jerry Baker (City Staff), Tori Huddleston (City Staff), Rhonda Lewis (City Staff), Kathleen Belanger, Brad Maule, Rikki Leigh Willoughby, Brandon Lee Rowell, Danielle Labauve, Alex Ortega, Robert McCandless and Gail McCandless.

Call to Order: 4:00pm

1. Agenda Item 2. Oath of Office

Commissioners LaBauve, Blackburn and Sloane were sworn into HLPC.

2. Agenda Item 3A - Approval of Minutes: July 1, 2024

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

3. Agenda Item 4A- Discuss and consider draft Historic Landmark Preservation Committee meeting procedures.

Mrs. Sowell reviews the draft Historic Landmark Preservation Committee meeting procedures.

Commissioner LaBauve states that the procedures look good to him.

Commissioner Blackburn states she has not had a chance to look through it all completely.

The board wishes to discuss and consider the procedures at the next upcoming meeting.

4. Agenda Item 4B- Discussion of potential adoption of principles for applications for certificates of appropriateness involving murals in historic districts.

Mrs. Sowell explains that there have been some questions and concerns from HLPC members, requesting additional clarification on COAs that deal with murals in our historic district. Information in the packet is taken from the September 7th, 2023 meeting that was between City Council and the Main Street department. Initially, murals started as a function of the Main Street Department, which is why the discussion started with that department. Since that time, the Brushing Up Nac organization has formed a 501(c)3 so they are now a separate

organization. This was a discussion item, and none of these guidelines were adopted. This is a discussion of potential principles, once these are endorsed by HLPC, they will have to be taken to City Council for formal adoption.

Commissioner Bradberry asked if there was a possibility of including something like a contract when applying that they would be expected to maintain the integrity and the beauty of that particular mural or whatever that may be. Commissioner Winthrop asks to add if the building were to be owned by someone new, will that new person be required to maintain and keep up that mural. Commissioner Abt asks to add that they should consider murals based on if it significantly changes the look of a building. Commissioner Abt also states there needs to be clarification that the property owner has seen and approved what is being brought to the board and how it affects the historic district as a whole.

Commissioner Abt opens the meeting for public comment.

Kathleen Belanger would like to clarify more on the meeting that took place September 7th. She provided the board members with a simplified version of the powerpoint and she went over the principles they did arrive at. Murals should be positive, nice to look at, and people will want to see it again. They should be historically accurate, highlight rich and diverse history, highlight current creativity, highlight the beauty of the city, region and state and encourage exploration. They should relate directly to Nacogdoches, East Texas and then Texas in that order. They should be collaborative with the staff, city council, community, the artist and the property owners to work together to resolve differences and find solutions and no politics in the middle of it all. There was also a suggestion of a collaborative recommendation process so that people could see what was proposed ahead of time instead of coming straight to the board after a lot of work has been done and being told no or yes. She encourages the board to get a subcommittee to discuss these things.

Brandon Rowell, president of Brushing Up Nac, states for the foreseeable future, besides the murals that have already been approved, they are not going to be doing any more murals in the historic overlay. He would like to make sure to include HLPC in future murals, he thinks it was a mistake not to in the past. Brushing up Nac is here to tell a visual history of Nacogdoches through art, it has to be pertinent to the history of Nacogdoches. He will send the board a copy of their mission statement.

Mrs. Sowell asks the boards if the present principles are what they would like to use as a jumping off point. Staff could use the powerpoint Mrs. Belanger went over and write it up in a more formal way and have the committee review it again.

Staff will work with the City Attorney and write up draft guidelines to bring back in the September meeting for the board to review.

5. Agenda Item 4C - 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 proposed building will closely resemble the home in terms of colors. 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.

Commissioner Abt opens the meeting for public comment.

Kathleen Belanger states they are neighbors to the applicant and think they are doing a great job and are very supportive of what they are doing.

Commissioner Abt asks if the building is the size of the concrete slab that is there now.

Alex Ortega, the applicant, states yes it is.

Commissioner Blackburn asks if the applicant has decided what materials would be used on the outside.

Alex Ortega answers it will be an all metal building.

Commissioner Blackburn asked if there has been any opposition to it being metal instead of using brick to match the house.

Alex Ortega states the slab that is currently there fits perfectly with the proposed shed, the brick would not fit on the slab, it would hang off. He also states that in the picture, the neighbor also has a shed that is made of metal.

Commissioner Abt says there are things in the Historic District that the board has never approved.

Commissioner Abt closes public comment.

Commissioner Winthrop makes a motion to approve COA 2024-019 based on the City Ordinances B, J, and K. Commissioner Whitehead seconds the motion.

Commissioner Bradberry states he made comments the last time this application came before the board that it would look much more appropriate that the shed looks more like the house itself since it is sitting out on the front of the street. This is a historic district and it should be compatible with the home and for that reason he will be voting against it.

Commissioner LaBauve asks if the house itself had to go through the COA process and was it separate from the shed.

Mrs. Sowell states this house was actually built when Parks Street was closed for construction and due to a communication error staff did not bring this before HLPC. This house did not receive a review by HLPC. Traditionally it would have, but the home was completed by the time the street had opened back up and staff knew about it.

Commissioner LaBauve, Blackburn, Winthrop and Whitehead vote in favor of the motion. Commissioner Sloane, Abt and Bradberry vote against it. The motion passes 4 - 3.

6. Agenda Item 4D - 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. 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. Staff find that City Ordinance Criteria B, C, D, H, J and K relate to the proposed construction.

Commissioner Abt opens the meeting for public comment.

Rikki Leigh Willoughby, speaks on behalf of her father Richard Herd the owner of the building.

Commissioner Abt asks if her father is supportive of the mural and knows everything about it.

Mrs. Willoughby answers yes.

Commissioner Abt closes public comment.

Commissioner Winthrop clarifies that in the last meeting, the applicant stated they will keep it in good condition, and they were the ones that wanted to attach it instead of painting it on the building. She states it is just down the street from the garden mural and thinks they both go together.

Commissioner Blackburn asks whether the owner approached Brushing up Nac or was approached.

Rikki Leigh Willoughby states they approached an artist about doing this mural. The Mayors Monarch's pledge is with the National Wildlife Federation and in order to do conservation efforts to protect monarch butterflies and local earth cities across the state could participate, and Nacogdoches is one of those cities that has chosen to participate in the mayor's monarch pledge and conservation efforts for monarch butterflies.

Brandon Rowell states Brushing up Nac is not a part of this mural.

Commissioner Abt would like to clarify if the Mayors Monarch Pledge is specific to the current or a past Nacogdoches Mayor.

Mrs. Sowell states she believes it was Mayor Brophy who originally started the project. It is something that the individual cities and the Mayor, whoever is in the office at the time, takes that pledge. She is unclear of how often they have to renew it.

Commissioner LaBauve makes a motion to approve COA #2024-017 based on city ordinance B, C, D, H, J and K. Commissioner Winthrop seconds the motion.

Commissioner Abt thinks the board should consider how it would be attached to the wall and what the wall will look like in 10 years when they are taken down.

Mrs. Sowell states at the last meeting it was discussed that they would be screwed or bolted into the wall that then can be filled in afterwards when they are removed.

Commissioner Sloane states if they go by the principles and philosophies of murals, it needs to be historically accurate, needs to be highly rich in diverse history, and it needs to relate directly to Nacogdoches. He asks how butterflies relate directly to Nacogdoches, East Texas or Texas.

Commissioner LaBauve states Nacogdoches has taken the Mayor's Monarch pledge. He also states that looking at it, he would not know what it represents and that adding a plaque explaining what the Monarchs are could help people better understand the meaning of it.

Commissioner Abt says he is grateful the applicant and the family have saved the Mize Department Store sign, it is historically significant. He personally thinks it detracts from the building greatly and that the mural does not fit.

Commissioner Abt calls for a vote on the motion to approve COA #2024-017. Commissioners LaBauve and Winthrop vote in favor of the motion. Commissioners Sloane, Blackburn, Abt, Bradberry and Whitehead vote no. The motion fails 2 -5.

City Attorney, Jerry Baker interjects that this is the second meeting that has now had two motions to approve this application that did not receive enough votes but there has not been a motion to deny the application. The application is still pending since there has not been a motion to deny and it falls under taking no action against it.

Commissioner Sloane makes a motion to deny the application. Commissioner Whitehead seconds the motion. Commissioners Sloane, Blackburn, Abt, Bradberry and Whitehead are in favor of the motion. Commissioners LaBauve and Winthrop are against the motion. The ayes carry the motion 5 - 2.

7. Agenda Item 4E - Discuss and consider Certificate of Appropriateness request for property located at 401 East Main Street. COA #2024-024

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

Commissioner Abt opens the meeting for public comment.

Brad Maule states that the board has not adopted the principles yet, they just discussed them and now they are approving murals without principles. It is a 4ft mural on an unpainted wall and it seems like they are getting ahead of themselves if they have not adopted principles or guidelines.

Robert McCandless, Secretary of Brushing Up Nac states they do not want redundancy in murals throughout town and Brushing Up Nac has a railroad themed mural planned. They will not be doing murals for some time until they get funding and until they get HLPC involved in making sure things work right. He states the train painting is much more appropriate in another location. He thinks the size of the plaster of where the painting will be at does not fit visually or scalewise does not work for a train.

Commissioner Abt closes the meeting for public comment.

Commissioner Bradberry makes a motion to deny COA 2024-024 based on city ordinance B, C, D, F, H, J and K. Commissioner Winthrop seconds the motion.

Commissioner LaBauve thinks it is odd to make calls on murals based on potential murals people are thinking of doing. He pointed out the painting will also be painted on plaster that has never been painted on before and that it is newly restored plaster.

Commissioner Blackburn asked what if they come up with a different design other than the locomotive. Something that would actually be more appealing to that size.

Commissioner Abt states that it is going to be an elegant building and this might not be the place to put a mural.

Commissioner LaBauve states he would have more confidence in it if they had a mockup of an actual design. He trusts Robert McCandless' opinion of how it would not look great at the proposed scale.

Commissioner Abt says they should consider that blank spaces architecturally serve a purpose. A blank space isn't something that needs to be covered.

Commissioners Sloane, Blackburn, Abt, Bradberry, Winthrop and Whitehead vote in favor of the motion to deny COA #2024-024. Commissioner LaBauve votes no. The motion passes 6 - 1.

8. Agenda Item 4F - Discuss and consider Certificate of Appropriateness request for property located at 201 East Main Street. 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. 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. Staff find that City Ordinance Criteria B, C, D, H, J and K relate to the proposed construction.

Commissioner Abt opens the meeting for public comment.

Brad Maule states he does not think Stevie Ray Von has ever driven through Nacogdoches to his knowledge nor has any history here. John Wayne said one line in a movie. The Marks Brothers chased a mule. It seems like they are just throwing paint to be throwing paint.

Commissioner Abt closes public comment.

Commissioner Braberry makes a motion to deny COA 2024-021 based on city ordinance B, C, D, H, J and K. Commissioner Sloane seconds the motion.

Commissioner Abt states this is a significant building and asks if it is a Diedrich Rulfs Building. The mural would change the architectural features of the building and it becomes domineering over it. He likes the concept but he thinks it changes the building significantly and changes the neighborhood in some way.

Mrs. Sowell is unsure if it is a Diedrich Rulfs building.

Commissioner Winthrop states it has been brought up in the last meeting that this wall has already been painted.

Commissioner Abts states that is correct. It would be even more convincing if the wall was still unpainted brick.

Commissioner Winthrop agrees it is distracting.

Commissioners Blackburn, Abt, Sloane, Braberry, Winthrop and Whitehead vote in favor of the motion to deny COA #2024-021. Commissioner LaBauve votes no. The motion passes 6 - 1.

9. Adjourn @ 5:18pm

Attest: Cecilia Sarmiento
Community Services Coordinator

Vice Chairman Abt



Historic Landmark Preservation Committee Meeting

Date: September 11, 2024

Agenda Item: 4.A.

ITEM/SUBJECT: Discuss and consider Certificate of Appropriateness request for property located at 418 E. Main St. COA #2024-027

STAFF REPORT:

Case Number: 2024-027

Name of Applicant: Scott Runnels - Rees Jewelry

Location: 418 E. Main St.

Requested Action: Install 3'x3' aluminum sign with printed vinyl, to be hung from the existing sign pole above the awning.

The building at 418 East Main has an estimated construction date of 1920 and is contributing to the Downtown Historic District. It is a 1-story rectangular brick commercial structure with flat roof; plate glass and metal windows; glass paneled wood entry doors; applied textured brick veneer.

PROPOSED WORK:

The applicant is requesting to install a 3'x3' aluminum sign with printed vinyl, to be hung from the existing sign pole above the awning. The sign will feature purple and gold colors. This installation will utilize existing sign hardware and will not result in additional attachments to the brick.

STAFF COMMENTS

Staff find that City Ordinance Criteria **B, C, D, E, F and G** 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.

E - Previous alterations. Changes which may have taken place in the course of time are evidence of the history and development of a building, structure, object, or site and its environment. These changes may have acquired significance in their own right, and this significance shall be recognized and respected.

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.

G - Repair and replacement of features. Deteriorated architectural features shall be repaired rather than replaced, wherever possible. If replacement is necessary, the new material should reflect the material being replaced in composition, design, texture, and other visual qualities. Repair or replacement of missing architectural features should be based on accurate duplications of features, substantiated by historical, physical, or pictorial evidence, rather than on conjectural designs or the availability of different architectural elements from other buildings or structures.

Chapter 10 - Sign Guidelines of the Nacogdoches Design Guidelines also applies to this request.

2. These types of signs may be considered:

- Projecting signs
- Awning signs
- Product display signs

7. Mount signs so they will not obscure any architectural details.

- Avoid covering moldings that may be found above the display windows.
- Never obscure upper story windows with signs.

FINANCIAL:

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

ATTACHMENTS: 1. Sign Image





Historic Landmark Preservation Committee Meeting

Date: September 11, 2024

Agenda Item: 4.B.

ITEM/SUBJECT: Discuss and consider Certificate of Appropriateness request for property located at 510 N. Mound St. COA #2024-028

STAFF REPORT:

Case Number: 2024-028

Name of Applicant: Jamie Carrillo/Robyn Gillespie

Location: 510 N. Mound St.

Requested Action: Replace rotten wood and repaint trim and windows.

The house located at 510 N. Mound street is listed as contributing in the Washington Square District. 1-1/2 story; wood frame construction with brick veneer; brick foundation; massed plan; bay facade; steep gable roofs with a front-facing clipped gable end, slate shingles with no overhang and wood trim at the eaves; extended porch with gable roof and stone arched entry, brick half piers and low brick balustrade with stone cap; windows wood frame casements with arched transoms on the west facade and multipaned wood double-hung windows; keyed stone window surrounds and spiraled columns, window lead panes are set in ornamental patterns; entry door wood with arched head, iron hinges, and four small upper glass lights; exterior brick chimney on north with clay chimney pots; inset balcony on the south side of the front gable.

Constructed in 1925, this Tudor-style cottage is known locally as "The Candy House" since its former owners used the building as the logo house on the family's locally produced confectionery products. This house has been vacant for several years. The applicant estimates that the guest house addition was constructed sometime in the 1950s

PROPOSED WORK:

The applicant is requesting to replace rotten wood in multiple areas throughout the property and repaint window trim in the "urban bronze" color supplied. Additionally, the applicant is requesting to add a guest house addition, covered porch and fireplace to the back yard. The existing addition extends 34 feet beyond the back of the house and has a wood siding exterior. The applicant would like to build a 15 foot extension to the guest house, add a 20 foot covered porch and an outdoor fireplace. The roof line of the additional footage and covered porch would match the guest house roof line and would have a stucco exterior rather than wood siding in order to better match the style of the house. The project also includes replacing the wooden privacy fence to match the neighbors' fence, and adding a pool in the backyard. These additions will not be seen from the street.

STAFF COMMENTS

Staff find that City Ordinance Criteria **B, C, D, E, F, 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.

E - Previous alterations. Changes which may have taken place in the course of time are evidence of the history and development of a building, structure, object, or site and its environment. These changes may have acquired significance in their own right, and this significance shall be recognized and respected.

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.

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. 510 N Mound Street Project Summary - supplied by applicant

510 N Mound Street

ROBYN 99-1 PROJECT

Existing structure



PREPOSED COLORS

STUCCO

Sherwin Williams
Greek Villa

EXISTING
BRICK

URBAN
BRONZE
SW 7084

by Sherwin
Williams

TRIM/WINDOWS



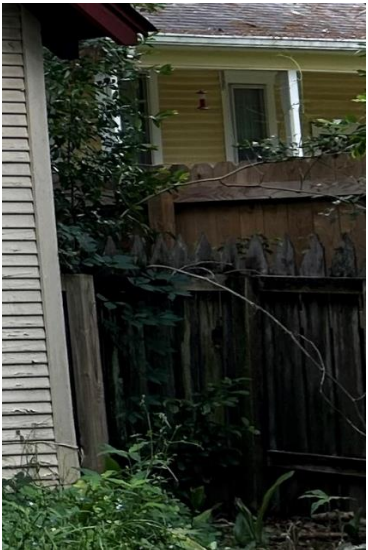
CONCEPT
PICTURE
ONE COLOR
TRIM AND
WINDOW
CHANGE

NEW FENCE TREATED WOOD TO MATCH NEIGHBORS

EXISTING FENCE



NEIGHBORS EXISTING 6FT FENCE

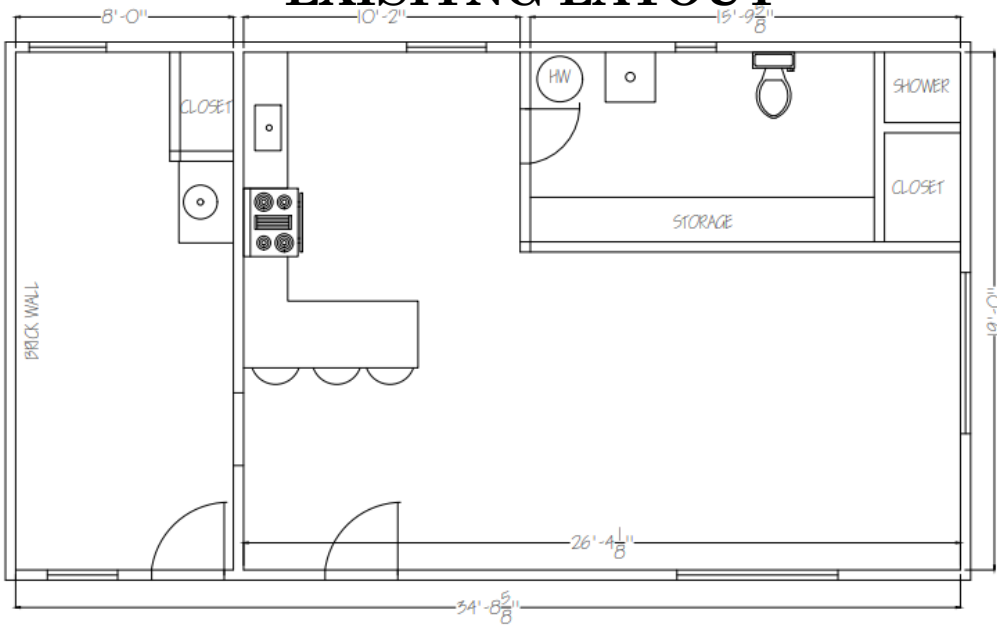


NEW FENCE TO MATCH NEIGHBORS



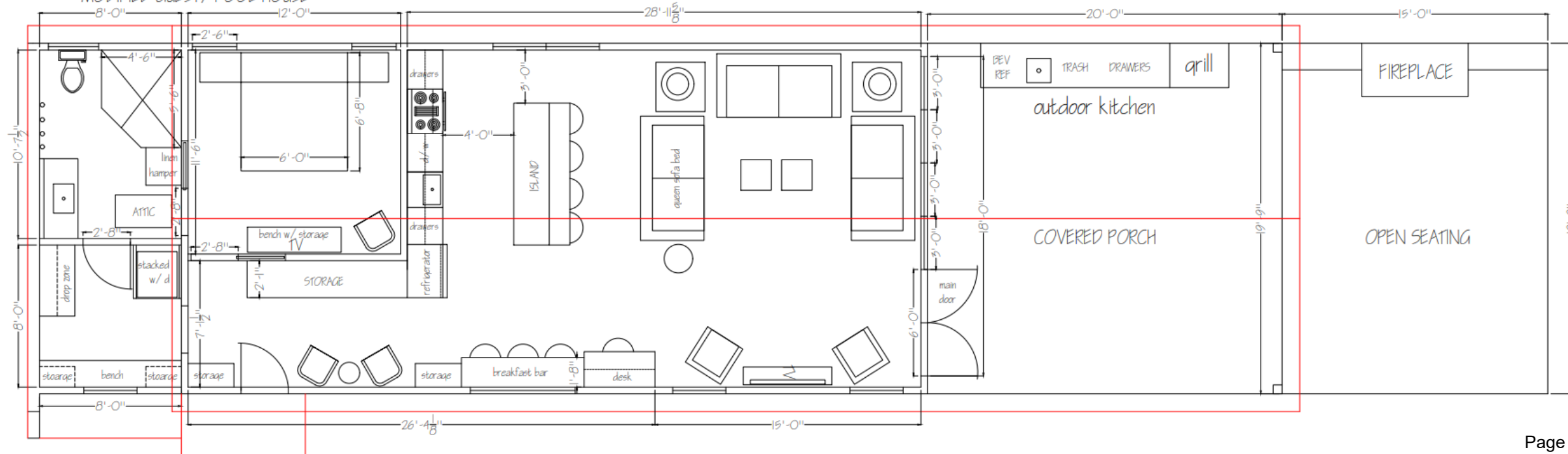
EXISTING GUEST HOUSE

EXISTING LAYOUT



NEW LAYOUT/ADDITION

MODIFIED GUEST/POOL HOUSE

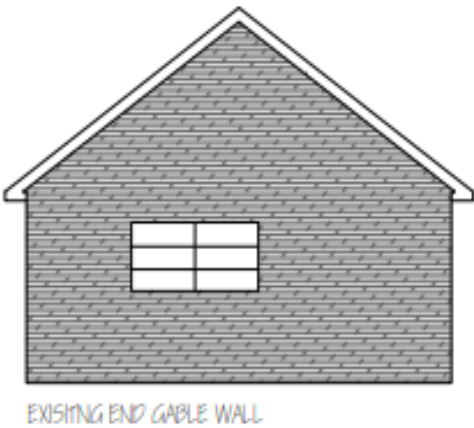


EXISTING ELEVATIONS/ REMODEL/ADDITION

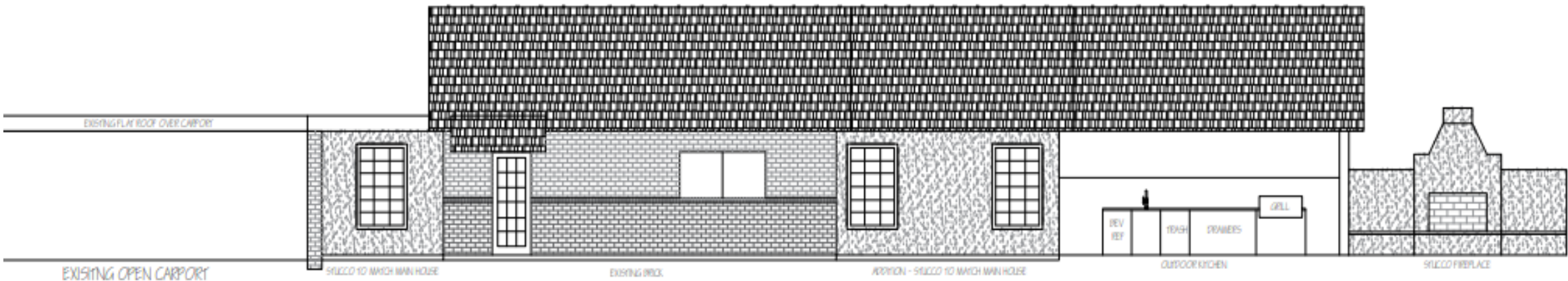
EXISTING ELEVATION



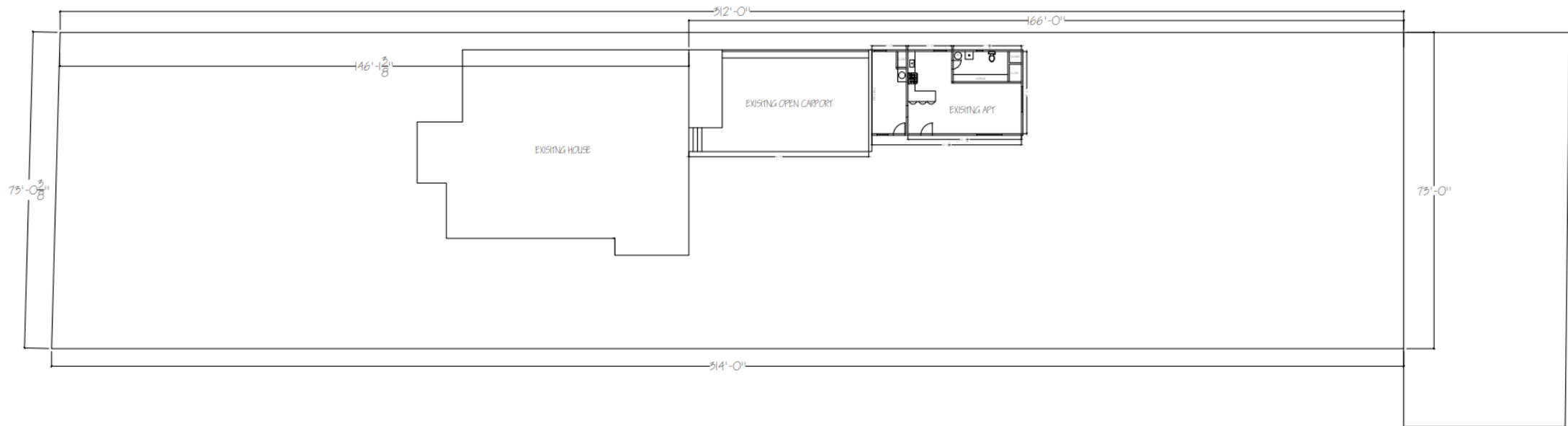
EXISTING



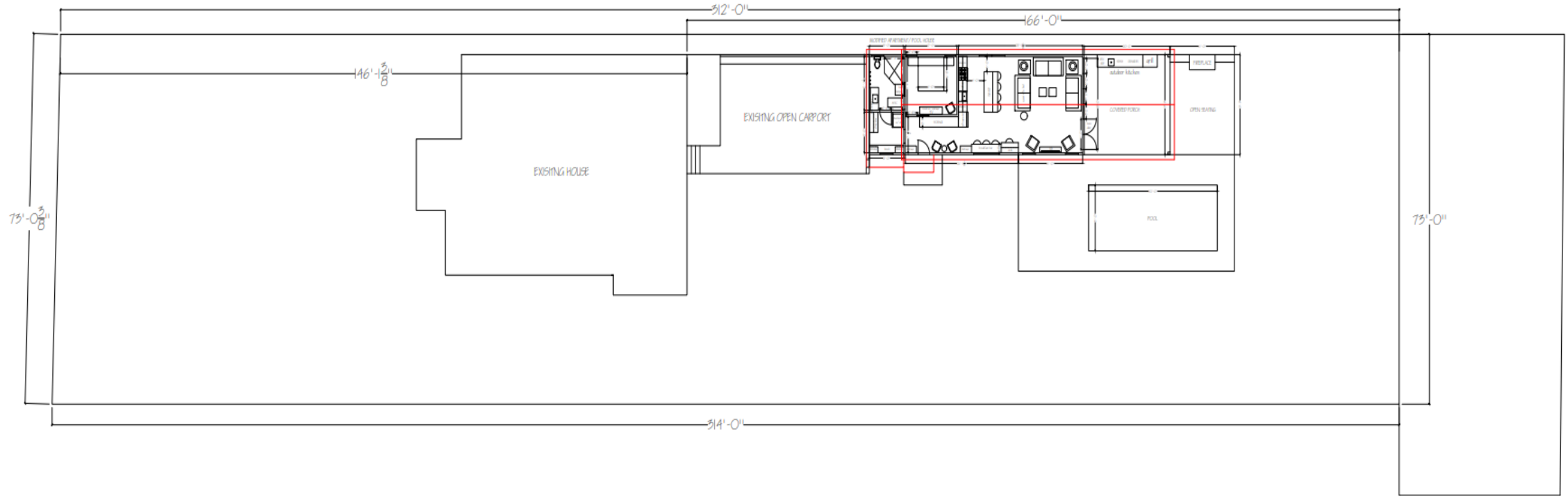
NEW STUCCO



NEW ELEVATION WITH OUTDOOR KITCHEN/FIREPLACE



EXISTING SITE PLAN



SITE PLAN WITH ADDITION /POOL LOCATION

JC DESIGN WORKS

- JAIME CARRILLO
- 936-715-5853
- JC.DESIGNWORKS@YAHOO.COM
- INTERIOR DESIGNER/ CONTRACTOR



Historic Landmark Preservation Committee Meeting

Date: September 11, 2024

Agenda Item: 4.C.

ITEM/SUBJECT: Discuss and consider Certificate of Appropriateness request for property located at 110 N. Pecan St. COA #2024-029

STAFF REPORT:

Case Number: 2024-029

Name of Applicant: Jeff Whitfield/Jimmy Mize (Commercial Bank Of Texas)

Location: 110 N. Pecan St.

Requested Action: Replace existing roll-top door and two back doors. Add concrete walkway and paint building to match.

The building located at 110 and 116 North Pecan is a part of the Downtown Historic District. This building, commonly referred to as the Baxter Building, is a part of Commercial Bank of Texas, but is a modern addition to the Downtown District.

PROPOSED WORK:

The applicant is requesting to remove an existing roll-top garage door and replace it with a glass and metal door to match an existing door on the building. They are also requesting to remove two doors and match the color and style of two other doors on the building. Adding a concrete walkway from the sidewalk to the back door. They would also like to paint the building to match paint on other parts of the building.

STAFF COMMENTS

Staff find that City Ordinance Criteria **B, D, E, F, 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.

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.

E - Previous alterations. Changes which may have taken place in the course of time are evidence of the history and development of a building, structure, object, or site and its environment. These changes may have acquired significance in their own right, and this significance shall be recognized and respected.

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.

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

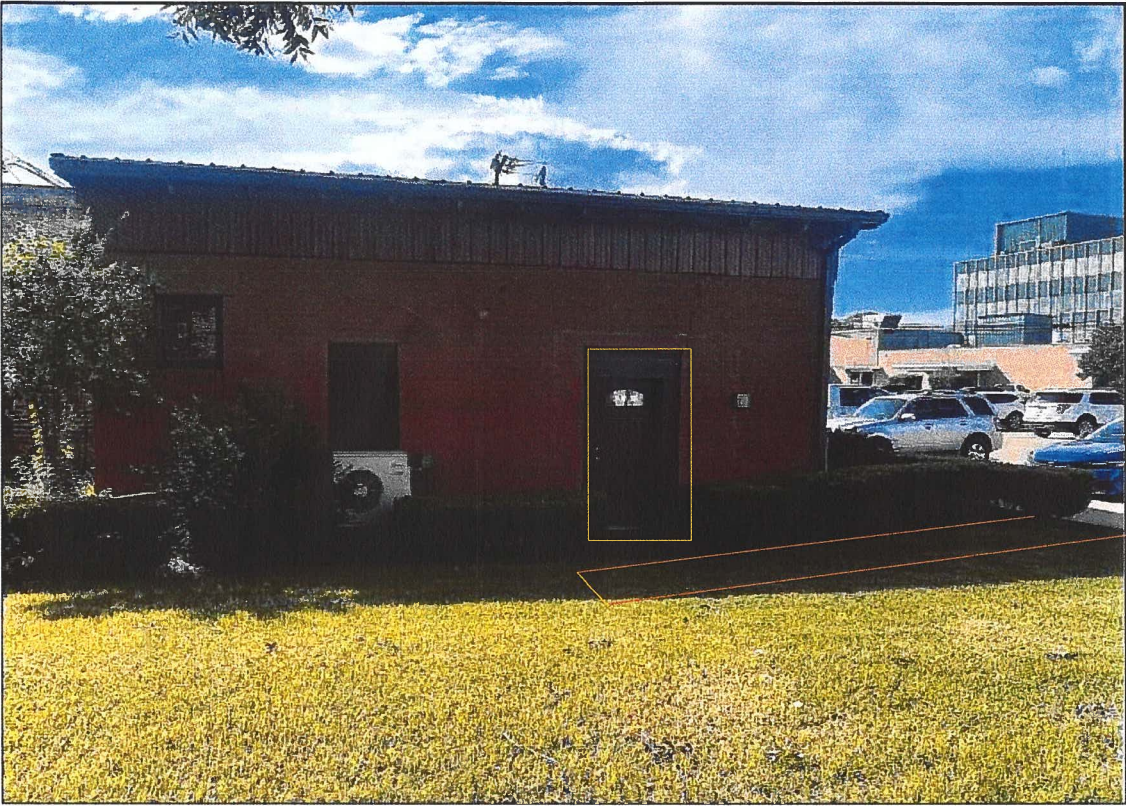
do not destroy significant historical, architectural or cultural material, and such design is compatible with the size, scale, material, and character of the property, neighborhood or environment

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. Site Photos
2. 110 N Pecan Map



Replace door to match glass and metal overhead door in front, with a walkway to door from parking area.



Replace door to match glass and metal overhead door to the left.

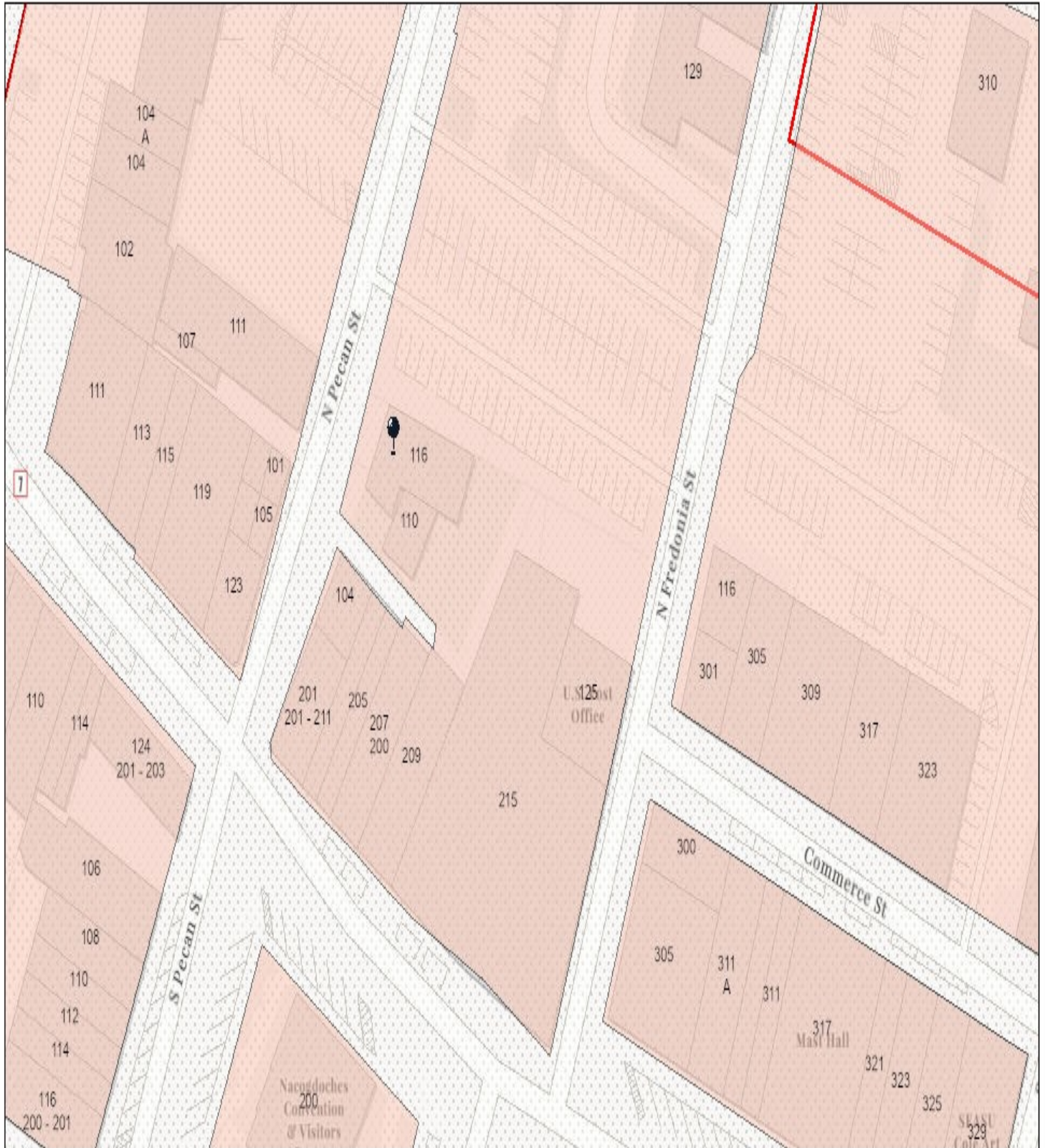


Overhead door we will be matching other doors to

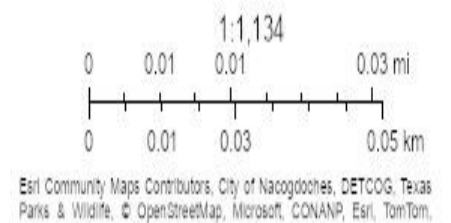


Will refresh paint on both buildings to match.

Historic Districts/Fire Limits



9/2/2024





Historic Landmark Preservation Committee Meeting

Date: September 11, 2024

Agenda Item: 4.D.

ITEM/SUBJECT: Discuss and consider Certificate of Appropriateness request for properties located along W. Cox, Virginia, Sunset and Bremond St. COA #2024-026

STAFF REPORT:

Case Number: 2024-026

Name of Applicant: Jonathan Fuentes - Vexus Fiber

Location: W. Cox, Sunset, Bremond and Virginia St.

Requested Action: Boring to install permanent fiber optic lines and 11 utility boxes.

The Virginia Avenue Historic Overlay District is a residential neighborhood established in the late-nineteenth century by business owners and managers who moved to this prominent hill just south of downtown. Most of the homes are two or three stories and are architecturally significant representatives of the Queen Anne and Folk Victorian styles. The mature trees and extensive landscaping have helped the area retain its historic feel and ambiance.

PROPOSED WORK:

The applicant is requesting to bore 6 to 8 feet under areas of West Cox, Virginia, Sunset and Bremond Street consistent with lines marked on the attached map. Fiber optic cable will run parallel to existing City utilities and will be 6" off the edge of sidewalks, curbs and existing poles. In addition to boring under the surface, the applicant is requesting to install 11 flush mounted permanent utility boxes.

STAFF COMMENTS

Staff find that City Ordinance Criteria **B, C, I 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.

I - Archaeological resources. Every reasonable effort shall be made to protect and preserve archaeological resources affected by, or adjacent to, any project.

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. utility box photos
2. Utility Box map

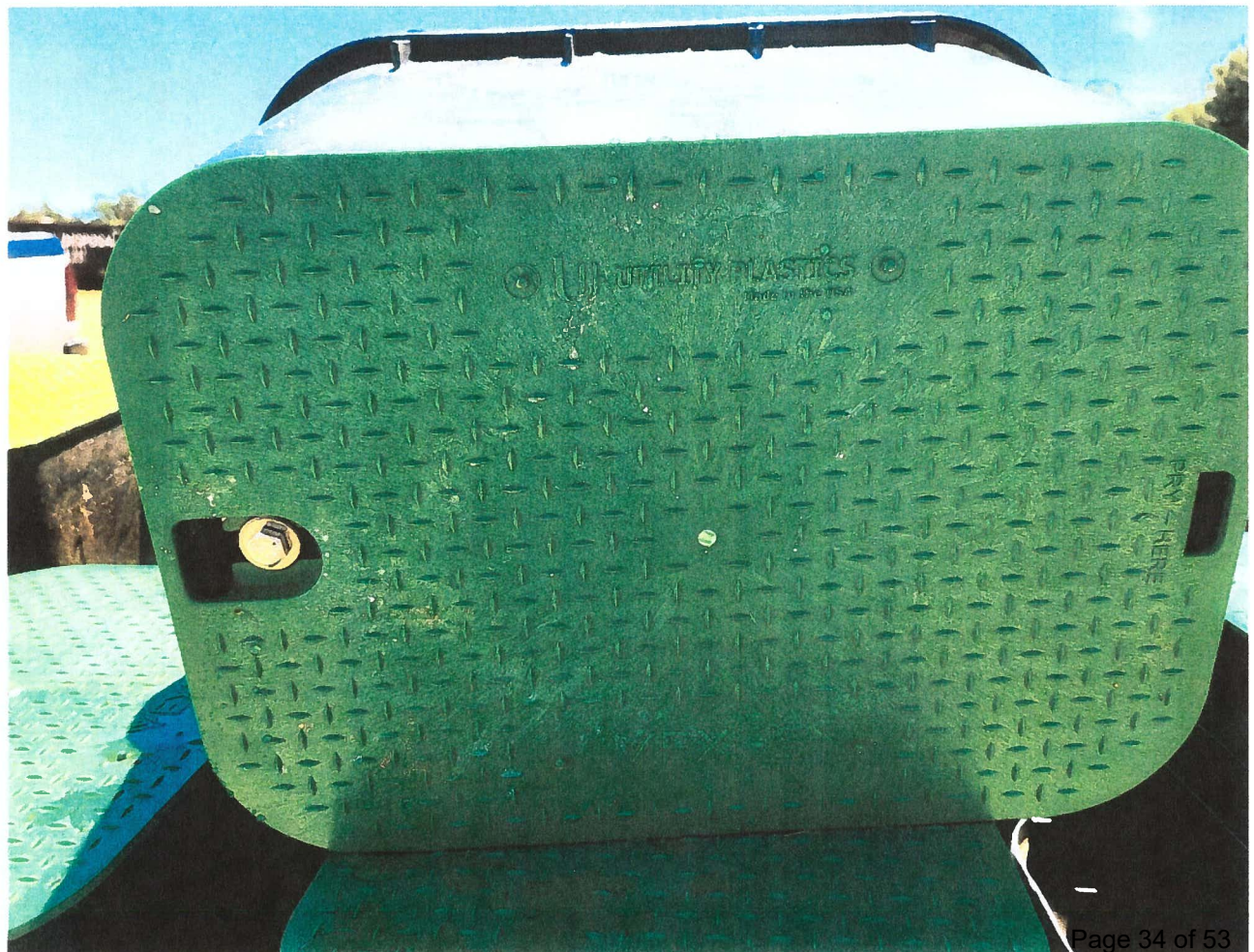


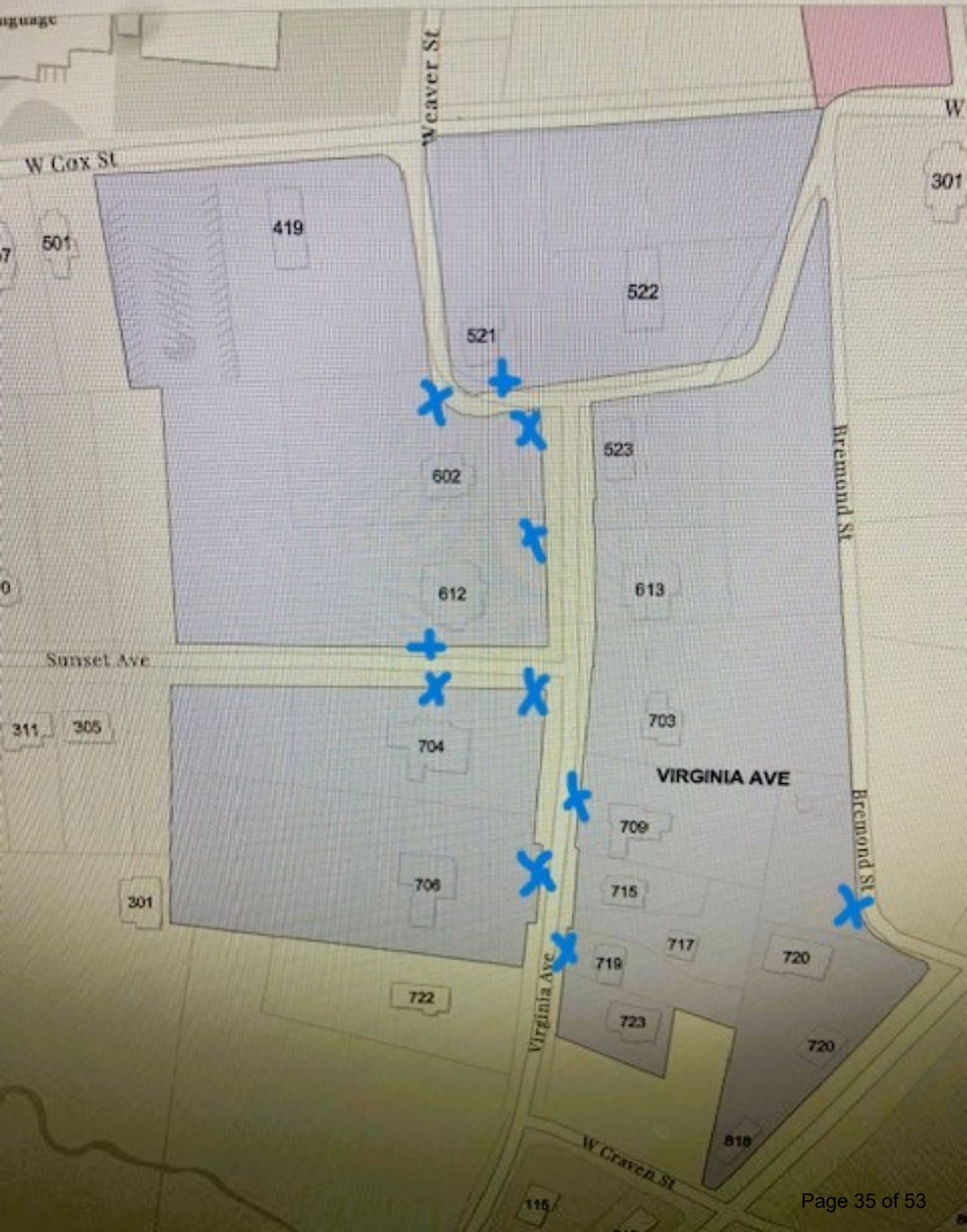
**"flowerpot" utility
box**





“flat” utility box







Historic Landmark Preservation Committee Meeting

Date: September 11, 2024

Agenda Item: 4.E.

ITEM/SUBJECT: Receive presentation and discuss proposed updates to Chapter 50 of the Nacogdoches Code of Ordinances.

STAFF REPORT:

The section in red is a proposed addition to Chapter 50 (Historic Preservation) of the Nacogdoches Code of Ordinances. The intent of this update is to address Certificate of Appropriateness re-applications and create parameters for re-application.

Formal adoption of these updates will be done through the Nacogdoches City Council.

PROPOSED WORK:

STAFF COMMENTS

FINANCIAL:

CITY CONTACT: Jessica Sowell, Community Services Director
sowellj@nactx.us
(936) 559-2960

ATTACHMENTS: 1. DRAFT Ordinance - HLPC_Reapplying COA

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY OF NACOGDOCHES, TEXAS, AMENDING CHAPTER 50 “HISTORIC PRESERVATION”, ARTICLE II “LANDMARKS AND HISTORIC DISTRICTS”, OF THE CITY OF NACOGDOCHES, TEXAS; PROVIDING A SEVERABILITY CLAUSE; PROVIDING A CONTINUATION CLAUSE; PROVIDING A REPEAL CLAUSE; AND PROVIDING AN EFFECTIVE DATE.

RECITALS:

WHEREAS, the City Council of the City of Nacogdoches has designated and zoned certain sites, districts, areas, buildings, and lands located in the City as historic landmarks to be protected, enhanced, and preserved in the interest of culture, prosperity, education, and general welfare of the people;

WHEREAS, the City Council has adopted ordinances deemed necessary for protection, enhancement, and perpetuation of these landmarks and historic districts; and

WHEREAS, the City Council has determined the need to amend certain portions of these Historic Preservation ordinances.

NOW, THEREFORE BE IT ORDAINED BY THE CITY OF NACOGDOCHES:

SECTION I

All above premises are hereby found to be true and correct legislative and factual findings.

SECTION II

Chapter 50, “Historic Preservation,” ARTICLE II of the Code of Ordinances of the City of Nacogdoches, Texas, is hereby amended, as set hereafter to include as follows:

Sec. 50-161. - Decisions of committee.

- A. All decisions of the historic landmark preservation committee on the application for a certificate of appropriateness 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. If an application for a certificate of appropriateness is denied, a new application involving the same subject matter shall not be considered for a period of 180 days from the date of the denial. An applicant may submit an application for an entirely new project or a revised application that specifically addresses to the reasons for denial as indicated by the historic landmark preservation committee or historic preservation officer, as applicable, at any time.

SECTION III

Severability. If any word, article, phrase, paragraph, sentence, clause, or provision of this Ordinance shall be held to be invalid or unconstitutional, such holding shall in no way affect other provisions or applications of this Ordinance which can be given effect without the invalid provision, and to this end provisions of this Ordinance are declared to be severable.

SECTION IV

Continuation. All provisions of Chapter 50 of the Code of Ordinances existing prior to the date of passage of this Ordinance remain in full force and effect.

SECTION V

Repeal. This Ordinance shall be and is hereby declared to be cumulative of all other ordinances of the City of Nacogdoches, and this Ordinance shall not operate to repeal or affect any such other ordinances except insofar as the provisions thereof might be inconsistent or in conflict with provisions of this Ordinance, in which such conflicting provisions, if any, in such other ordinance or ordinances are hereby repealed.

SECTION VI

Effective Date. This Ordinance shall take effect ten (10) days from its passage and publication as may be required by governing law.

SECTION VII

Proper Notice & Open Meeting. It is hereby officially found and determined the meeting at which this Ordinance was passed was open to the public as required and public notice of time, place, and purpose of said meeting was given as required by the Open Meetings Act, Chapter 551 of the Texas Government Code.

SECTION VIII

Official Public Records. The City Secretary is hereby authorized and instructed to file a signed and sealed copy of this Ordinance in and among the records of the City of Nacogdoches.

PASSED AND APPROVED this the ____ day of _____, 2024, by a vote of ____ (ayes) to ____ (nays) of the City Council of the City of Nacogdoches.

ATTEST:

CITY OF NACOGDOCHES

BY: _____

Rhonda Lewis, City Secretary

Randy Johnson, Mayor

APPROVED AS TO FORM:

APPROVED AS TO CONTENT:

Jerry Baker, City Attorney

Jessica Sowell, Community Services
Director



Historic Landmark Preservation Committee Meeting

Date: September 11, 2024

Agenda Item: 4.F.

ITEM/SUBJECT: Discuss and consider supplement to Nacogdoches Historic District Design Guidelines related to murals

STAFF REPORT:

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.

With guidance from HLPC members and community comments from the August 5th Historic Landmark Preservation Committee meeting, staff have drafted potential supplemental guidelines relating to murals.

PROPOSED WORK:

STAFF COMMENTS

FINANCIAL:

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

ATTACHMENTS: 1. CHAPTER 11_ MURAL GUIDELINES DRAFT

CHAPTER 11: MURAL GUIDELINES

Property owners and artists seeking to incorporate murals in the City's historic district should seek collaboration with the City staff and HLPC throughout the application process. All parties should work together to resolve any differences of opinion related to the proposed work and seek to find solutions that will satisfy the concerns of all involved.

1. Consideration should be made for how the mural will conform to the overall historic overlay district.
 - Determine how the mural will appear in relation to the surrounding historic properties.
 - Consider whether the mural will attract visitors to the community or detract from their experience.
 - Ask if the mural is something that residents and visitors to Nacogdoches will want to see again.
 - Applicants should consider the history and period of significance for the historic district in which the mural will be placed.
2. Murals of an historic nature should strive to be historically accurate.
 - Aim for mural to highlight the rich and diverse history and the beauty of this community.
 - Emphasis should be placed on murals that relate to Nacogdoches, East Texas, or the State of Texas.
3. Murals shall be kept in good condition for the life of the mural.
 - Property owners and artists should ensure that the mural is properly maintained and is not faded or otherwise in a state of disrepair.
 - Consideration should be made as to the types of paints, materials, and processes used during the installation of the mural to ensure longevity.
4. The following are inappropriate in the historic district:
 - Murals which imitate or appear to imitate an official traffic sign or device.
 - Murals containing sexually explicit images.
 - Murals containing gang affiliation symbols.
 - Murals containing a political message should be avoided. Any such murals will be treated as political signs, and must comply with Sec. 78-96(4) of the Code of Ordinances and other provisions of the Sign Ordinance.



Historic Landmark Preservation Committee Meeting

Date: September 11, 2024

Agenda Item: 4.G.

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

STAFF REPORT:

PROPOSED WORK:

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.

These procedures were discussed briefly at the August 5th HLPC meeting. 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.

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**

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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