



**Economic & International Development Department**

**HISTORIC LANDMARK COMMISSION MEETING MINUTES  
FIRST FLOOR, COUNCIL CHAMBERS  
CITY 1 BUILDING, 300 N. CAMPBELL STREET  
MARCH 7, 2016 4:00 P.M.**

**Mayor**

Oscar Leeser

**City Council**

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Peter Svarzbein

*District 2*

Larry Romero

*District 3*

Emma Acosta

*District 4*

Carl L. Robinson

*District 5*

Dr. Michiel R. Noe

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*District 8*

Cortney C. Niland

**City Manager**

Tommy Gonzalez

The El Paso Historic Landmark Commission held a public hearing in the Council Chambers, City 1 Building, 300 N. Campbell Street, March 7, 2016, 4:00 p.m.

The following commissioners were present:

- Chairman William Helm
- Commissioner Joseph Longo
- Commissioner Randy Brock
- Commissioner Edgar Lopez
- Commissioner Melinda Skillern

The following commissioners were not present:

- Commissioner Beatriz Lucero
- Commissioner George Córdova

The following City staff members were present:

- Ms. Providencia Velázquez, Historic Preservation Officer, Economic & International Development
- Mr. Juan Gonzalez, Assistant City Attorney, City Attorney’s Office
- Mr. Adam Train, Planner, Historic Preservation Office, Economic & International Development
- Mr. Marcos Soto, Customer Relations Clerk, One Stop Shop, Planning & Inspections

**CALL TO ORDER**

Chairman Helm called the meeting to order at 4:04 p.m., quorum present.

**PUBLIC COMMENT**

Chairman Helm asked if anyone present would like to address the Commission on issues not posted on the agenda. *There was no response.*



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1. **PHAP16-00006:** 92 Government Hill 9 & 10, City of El Paso, El Paso County, Texas
- Location: 4423 Hueco Avenue  
 Historic District: Austin Terrace  
 Property Owner: Alice Marquez  
 Representative: Lorenzo Villanueva  
 Representative District: 2  
 Existing Zoning: R-5/H (Residential/Historic)  
 Year Built: 1929  
 Historic Status: Contributing  
 Request: Certificate of Appropriateness for the removal of the roof and replacement with a new roof in a different color after-the-fact
- Application Filed: 2.9.16  
 45 Day Expiration: 3.25.16  
*Postponed from 02.22.2016 meeting*

Ms. Velázquez gave a presentation and stated the property owner is requesting a Certificate of Appropriateness for the removal of the roof and replacement with a new roof in a different color after-the-fact. The property owner experienced roof damage and changed the shingle color to Onyx Black, without approval or permits.



Photo of home, 2000



Photo of home, 2015



Photo of home, 2016

Staff presented the original Certificate of Appropriateness request at the February 22, 2016 meeting. Commissioners requested city staff, Mr. Marcos Soto, Customer Relations Clerk, One Stop Shop, be present at today’s meeting to answer questions the commissioners have. Commissioners also asked Mr. Lorenzo Villanueva, contractor, BMI Refrigeration, be present at today’s meeting and to bring possible solution(s) to remedy the situation. Ms. Velázquez stated she too had researched painting roof shingles and found that yes, it is possible to paint roof shingles to lighten the color of the shingles. She was unsure if painting the shingles would affect the warranty for the new roof. She felt that painting the shingles was a very good solution due to El Paso’s dry climate.



## Economic & International Development Department

The following websites provide materials to paint roof shingles.

**Behr Multi-Surface Roof Paint:**

<http://www.behr.com/consumer/products/specialty-paint/beh-multi-surface-roof-paint>

**NuTech Paint for Roofs:**

<http://nutechpaintssca.com/asphalt-shingle-restoration-coating/>

At the February 22<sup>nd</sup> meeting, Mr. Lorenzo Villanueva, stated that he had spoken with city staff on Thursday, January 15<sup>th</sup>, prior to the Martin Luther King Jr. holiday. Staff told him to go ahead and replace the roof because the computer system was down and the property was not in a historic district. At the same HLC meeting, staff recommended **DENIAL** of the Certificate of Appropriateness as this does not fall within the guidelines.

Mr. Lorenzo Villanueva, HVC and general contractor, BMI Refrigeration, provided commissioners samples of three-dimensional shingles in Onyx Black, with a 30-year warranty. Regarding painting the shingles, he asked the manufacturer if shingles could be painted. The answer was yes, however, it would affect the warranty. Mr. Villanueva informed the property owner of the commissioners' options, either to paint the shingles or replace them. He stated the property owner is agreeable to either one, either to paint the shingles or replace them.

Chairman Helm stated the shingles were good quality; however, he was disappointed the Certificate of Appropriateness request had not been presented to commissioners initially.

Mr. Marcus Soto, Customer Relations Clerk, One Stop Shop, was present to answer questions the commissioners had. It was Friday, January 15<sup>th</sup>, the Friday before the Martin Luther King Jr. holiday; he had had a conversation with a man regarding the installation of a roof. The man informed Mr. Soto that he had already purchased the shingles and that he was already working on the roof; however, he did not know what to do. Mr. Soto explained to the man should the property be located in a historic district, he would have to wait until Tuesday, January 19<sup>th</sup>, *due to the long holiday weekend*, to speak to staff. Staff working hours are Monday through Thursday, 7:00 a.m. to 6:00 p.m.

The man told Mr. Soto that he could not wait until Tuesday, January 19<sup>th</sup>. Mr. Soto told the man he could not continue working on the roof until he speaks to staff. The man told Mr. Soto he had already purchased the materials for the roof and could not wait. Mr. Soto informed commissioners that he could not demand he stop working on the roof, especially on the telephone. One Stop Shop staff explains to contractors, etc. what they can and cannot do for their projects.

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Mr. Soto explained neither he nor staff would ever tell customers, contractors, developers etc. "Go ahead and do the work and you can call for a permit and pay for it later." He added, for those who do not follow proper procedure, there are Code Enforcement fines and triple fees.

Commissioners thanked Mr. Soto for his time.

Ms. Velázquez explained had Mr. Villanueva applied for the Certificate of Appropriateness she would have administratively approved Sierra Gray or Shasta White for the shingle color.

Chairman Helm explained T-lock shingles are installed on top of other roofing materials and it is highly likely the original roof was wood slat or wood shake. He speculated that underneath the T-lock shingles there were other shingles of various colors. If Mr. Villanueva had not torn off the roof, there would have been proof.

Ms. Velázquez stated should Mr. Villanueva bring in proof of other shingle colors underneath the T-lock shingle then yes, she would consider using another color.

Commissioner Lopez asked Ms. Velázquez if, prior to removing the roof, Mr. Villanueva noted a history of other roof layers.

Ms. Velázquez responded not to her knowledge.

Commissioner Lopez and Chairman Helm wondered if Mr. Villanueva did a complete tear off of several roof layers.

Mr. Villanueva responded yes, there were three or four layers including brown and white; he could not remember what the other colors were.

Commissioner Lopez clarified the property owner was agreeable to either removing the new shingles or painting them. He asked Mr. Villanueva to choose one or the other solutions.

Mr. Villanueva responded he would much rather paint the shingles; however, he did not provide a sample paint color for commissioners to review. He stated he would prefer "Shasta Gray" or "Estate Gray" color.



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**MOTION:**

*Motion made by Chairman Helm, seconded by Commissioner Brock AND UNANIMOUSLY CARRIED TO GIVE THE OWNER THE OPTION OF EITHER RECOATING THE NEW ARCHITECTURAL SHINGLES THAT ARE THERE TO A COLOR ACCEPTABLE THROUGH ADMINISTRATIVE APPROVAL BY MS. VELÁZQUEZ OR TO DO A TEAR OFF AND REPLACEMENT WITH A COLOR APPROVED BY MS. VELÁZQUEZ WITHIN 45 DAYS FROM TODAY, MARCH 7<sup>TH</sup>.*

**AFTER THE VOTE**

Mr. Villanueva asked commissioners if he was approved to pull the permit.

Chairman Helm explained commissioners were not giving Mr. Villanueva approval to pull the permit; commissioners gave Mr. Villanueva a conditional Certificate of Appropriateness that will be ultimately approved by Ms. Velázquez after you present colors to her.

Ms. Velázquez explained should Mr. Villanueva decide to remove the existing roofing and replace with a new one, he should come to her office. If he should decide to paint the shingles, Mr. Villanueva should come to her office with paint samples.

Mr. Soto did not think Mr. Villanueva would need a separate permit to recoat the shingles; however, depending on the paint, it would benefit Mr. Villanueva to seek the advice of Mr. Ron Roth, Chief Building Inspector.

Chairman Helm explained Mr. Villanueva should begin the process with Ms. Velázquez first and One Stop Shop next.

- Addresses of property HLC commissioners have requested that HLC staff review or investigate and provide a report to the HLC. If no addresses are submitted in advance and listed under this agenda item, commissioners may announce such addresses under this agenda item. Discussion on property announced at this meeting will take place during the next regularly scheduled meeting. March 7, 2016 deadline for HLC members to request for agenda items to be scheduled for the March 21, 2016 meeting. March 21, 2016 deadline for HLC members to request for agenda items to be schedule for the April 4, 2016 meeting.

*No address requests from commissioners for staff to review or investigate.*



**Economic & International Development Department**

**HLC Staff Report**

- 3. Update on Administrative Review Cases since the last HLC meeting for the properties listed on the attachment posted with this agenda. (See Attachment "A")

*No comments from commissioners.*

**MOTION:**

*Motion made by Chairman Helm, seconded by Commissioner Brock AND UNANIMOUSLY CARRIED TO APPROVE THE HLC STAFF REPORT.*

**Other Business – Discussion and Action**

- 4. Approval of Regular Meeting Minutes for February 22, 2016

Chairman Helm asked commissioners if they had any additions, corrections and/or revisions. *There were none.*

Chairman Helm understood the EPWU-PSB were appealing commissioners' decision "to follow staff recommendations to cover 50% of the parkway for property located at 1500 and 1815 Elm Street."

Ms. Velázquez explained she had received an email from the EPWU-PSB staff stating they would like to appeal the commissioners' decision. The EPWU-PSB staff has 15 days from the hearing (February 22<sup>nd</sup>) to file the appeal. As of today, Ms. Velázquez has not received a formal notice of appeal. *(The deadline to file an appeal is March 8<sup>th</sup>.)*

**MOTION:**

*Motion made by Chairman Helm, seconded by Commissioner Skillern AND UNANIMOUSLY CARRIED TO APPROVE THE REGULAR MEETING MINUTES FOR FEBRUARY 22, 2016.*

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**MOTION:**

*Motion made by Chairman Helm, seconded by all Commissioner Brock AND UNANIMOUSLY CARRIED TO ADJOURN THE HLC MEETING AT 4:27 P.M.*

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