



**HISTORIC LANDMARK COMMISSION MEETING MINUTES
2ND FLOOR, CITY COUNCIL CHAMBERS
CITY HALL BUILDING, TWO CIVIC CENTER PLAZA
JUNE 11, 2012
4:00 P.M.**

The El Paso Historic Landmark Commission held a public hearing in the City Council Chambers, 2nd Floor, City Hall Building, June 11, 2012, 4:00 p.m.

The following Commissioners were present:

Commissioner Jim Booher, Chair
Commissioner Stephanie Fernandez
Commissioner Joel Guzman (*arrived 4:08 p.m.*) (*departed 5:20 p.m.*)
Commissioner David Berchermann
Commissioner Cesar Gomez

The following City Staff were present:

Ms. Providencia Velázquez, Planning, Historic Preservation Officer
Mr. Tony De La Cruz, Planning, Planner
Ms. Kristen Hamilton, City Attorney's Office, Assistant City Attorney

Commissioner Booher called the meeting to order at 4:01 p.m.

I. CALL TO THE PUBLIC – PUBLIC COMMENT

Mr. Ray Rutledge, former Historic Landmark Commissioner, also involved in historic preservation efforts in three cities over the last 30 years, made comments regarding the accountability for projects approved under Administrative Review. He noted that on today's agenda, Item 4. this project was originally approved under Administrative Review; furthermore, this project calls for demolition of historic fabric, new construction with incompatible materials and stucco as a finish. He stated that stucco, under the Administrative Review Guidelines, is an incompatible finish for the Manhattan Heights Historic District. In spite of these three glaring issues, this project was approved administratively. Had it not been for the vigilant efforts by the City Council

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Representative for that district, as well as neighbors in the neighborhood, that project would have never come before the Commission.

To Mr. Rutledge, Ms. Hamilton explained that he could comment on that particular agenda item at the time the item comes before commissioners.

To Ms. Hamilton, Mr. Rutledge responded this is general comments, not specifically only related to that, it is a procedural administrative issue. He then commented on inconsistent, inappropriate and misinterpretation of the Design Guidelines that create these approvals. Mr. Rutledge stated that this commission is the only body that has any authority to provide any oversight. He requested commissioners request a little more information for cases on the Administrative Review approval list; therefore, more questions will be asked to ensure that the Administrative Review Guidelines are being followed.

CHANGES TO THE AGENDA

Ms. Velazquez noted item 3. PHAP12-00013 has been postponed.

II. REGULAR AGENDA – DISCUSSION AND ACTION

Certificate of Appropriateness

- 1. **PHAP12-0011:** Lots 5 to 7, Block F, Santa Fe Addition, City of El Paso, El Paso County, Texas
- Location: 432 Charles Road
- Historic District: Chihuahuita
- Property Owner: Juan Aguilar
- Representative: Jesus Diaz
- Representative District: #8
- Existing Zoning: SRR/H (Special Residential Revitalization/Historic)
- Year Built: 1939
- Historic Status: Contributing

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Request: Certificate of appropriateness for partial demolition of home that is encroaching into adjacent property and addition to residence and alteration of the roof.

Application Filed: 5/21/2012

45 Day Expiration: 7/5/2012

Ms. Velázquez gave a PowerPoint presentation and explained the applicant seeks approval for the partial demolition of the home that is encroaching into the adjacent property and addition to residence and alteration of the roof. Ms. Velázquez explained at issue is the claim by the adjacent property owner that a portion of the applicant's structure is on his property. The applicant has suggested the following solution:

1. Remove 5' feet from a structure on his property (which the adjacent property owner claims is on his property); and
2. Replace that with a very small addition to be located on the opposite side of the home

Ms. Velázquez stated the Historic Preservation Office recommends APPROVAL of the proposed scope of work based on the following recommendations:

The Chihuahueta Historic District Design Guidelines recommend the following:

- *New additions should be designed and constructed so that the character-defining features are not radically changed, obscured, damaged, or destroyed.*
- *Additions should complement the original structure, but not necessarily attempt to duplicate or copy it.*

The Secretary of the Interior's Standards for Rehabilitation recommend the following:

- *The new work shall be differentiated from the old and will be compatible with historic materials, features, size, scale and proportion.*

Ms. Velázquez understood a survey of the property owner's property had been done.

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Mr. De La Cruz noted the property owner mentioned that the adjacent property owner had a survey of his property done; however, the adjacent property owner did not provide a copy of the survey to the property owner. Historic Preservation staff recommended the property owner research the encroachment issue further prior to demolition. To keep the peace with the adjacent property owner, the applicant is willing to remove that portion of the home. The photographs do not show the portion to be demolished as part of the original structure.

Ms. Velázquez concurred with Commissioner Gomez that the addition would be flush with the existing structure.

Regarding the issue with the adjacent property owner, Chair Booher asked if commissioners could approve the request contingent upon their acknowledging any issues upon submission of their permit.

Ms. Velázquez said if the applicant provides a copy of the survey; additionally, submitting a copy of the survey is not included in the staff recommendation.

Chair Booher asked if there was any further discussion.

1ST MOTION:

Motion made by Chair Booher TO APPROVE WITH ANY CONTINGENCIES THAT STAFF MAY FEEL ARE APPROPRIATE.

Following his motion, Chair Booher felt that that particular aspect of the project was important.

Ms. Velázquez has seen instances where people have built on city property, right-of-ways, and alleys. The structure was most likely built without a permit. She suggested commissioners postpone the item to the next HLC meeting and request of the property owner that he produce a copy of that survey documentation.

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Commissioners concurred with Ms. Velázquez' suggestion to postpone the item to the next HLC meeting.

Chair Booher asked Commissioner Berchermann if he would reword the motion language to postpone the item to the next HLC meeting.

2ND MOTION:

Motion made by Chair Booher TO POSTPONE THIS ITEM, ITEM 1. ON THE AGENDA, TO ALLOW THE PROPERTY OWNER TO SUBMIT PROPER DOCUMENTATION REGARDING THE ADJACENT PROPERTY OWNER'S CONDITION.

Prior to the vote, Chair Booher withdrew his first motion.

Mr. Pedro Rodriguez, relative of the property owner, was present to help the property owner. He explained that the property owner's relationship with the adjacent property owner is problematic. The property owner would rather just acquiesce and demolish the structure rather than ask the adjacent property owner for any assistance in this matter. Mr. Rodriguez spoke with the previous property owner who informed him that yes; the structure did cross over into the adjacent property owner's property a little bit. He stated that he purchased the property in 1993/1994; however, he does not remember receiving a survey.

Ms. Velázquez provided translation for Mr. Rodriguez. She stated that the original structure was constructed in 1939 and considered a contributing structure. For a demolition permit, the city does not require a survey of the property. To clarify, as far as staff understands, the structure belongs to the property owner.

Commissioner Fernandez asked if the portion of the structure to be demolished is considered *contributing*.

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Commissioner Guzman commented on the adobe exterior and reiterated the structure is located in the Chihuahueta Historic District.

Ms. Velázquez stated properties' changes over time acquire their own significance; therefore, she could not say for certain if this was significant.

Commissioner Guzman read into the record portions from Section 20.20.120.A. Historic landmark demolition or removal; *The HLC shall delay the proposed demolition for a period of at least sixty days from the date of submission of a completed application. After such time period, the HLC may approve or deny the application in whole or in part, or suspend action on it for a period not to exceed six months.* Commissioner Guzman asked staff if that language would apply to this request.

Ms. Velázquez responded yes, the sixty day delay does apply. Furthermore, staff does not have any issue approving the request. She reiterated the property owner could have a survey done of his own property.

Chair Booher felt the dialogue was important in asking the property owner for additional information pertaining to the demolition.

Regarding the site plan, Commissioner Berchelmann stated it looked good as far as the addition went. He asked staff if commissioners could approve the construction of the addition but delay the demolition. He felt it unfair that the adjacent property owner is demanding the property owner demolish that structure without producing a copy of the survey. Commissioner Berchelmann did not think that was a good standard to set.

Mr. Rodriguez explained he really has no use for the portion of the property. He explained that where the roofline falls, for the addition, there is a wall there which is part of the original structure. Ms. Velázquez translated for Mr. Rodriguez.

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Commissioner Guzman reiterated that staff has determined the portion of the structure to be demolished not particularly contributing and in light of the fact it will be difficult to obtain a survey. Commissioner Guzman made the following motion;

3RD MOTION:

Motion made by Commissioner Guzman TO DEMOLISH THE ADDITION AND APPROVE THE NEW CONSTRUCTION ON THE OTHER SIDE OF THE HOUSE.

Chair Booher clarified the motion language ***TO APPROVE THE PROJECT TO INCLUDE THE DEMOLITION AS WELL AS THE ADDITION AS NOTED ON THE APPLICATION.***

Chair Booher asked if there was any further discussion.

Commissioners commented on the portion of the structure to be demolished, dispute between the two property owners regarding ownership of property, copy of the survey document, unnecessary demolition of the structure, and per the Code, waiting 60 days prior to demolition.

Ms. Hamilton provided legal guidance regarding historic preservation and demolition.

Commissioner Guzman asked staff if there might be any photos of the interior of the exterior wall.

Mr. De La Cruz responded he may have some photos that the property owner had emailed to him. *He requested Commissioners postpone the request to the end of the agenda.*

Commissioner Guzman withdrew his motion.

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Following the discussion regarding items 9. B. and 9. C. staff redirected commissioners to Item 1. PHAP12-00011.

Per the photos, Mr. De La Cruz explained commissioners are looking at photos of the interior space, confined within the current bricked up window openings, and the taller of the vertical walls.

Ms. Velázquez clarified the property owner is requesting a demolition on one side of the home and construction of an addition on the other side.

To Chair Booher, Ms. Hamilton explained commissioners could approve the addition and deny the demolition or vice-versa. She requested commissioners be very clear regarding the demolition and showing the property lines. Ms. Hamilton was concerned that commissioners were requiring the property owner provide a survey; however, the question is the historical value of the structure.

Commissioner Berchermann asked if commissioners would be setting a precedent.

Ms. Hamilton provided legal guidance regarding demolition on a contributing property in a historic district.

FOR THE RECORD

Commissioner Berchermann requested, for the record, that the property owner did express concern that there was not a copy of the survey showing the property lines. Furthermore we, as a commission, cannot require the property owner to produce a survey to commissioners.

Ms. Velázquez clarified there is a 60 day waiting period upon submittal of a demolition permit request.

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Mr. De La Cruz explained the Historic Preservation Office and Building Permits & Inspections staff duties and responsibilities for applicants submitting for construction and demolitions permits.

Motion made by Commissioner Berchelmann to approve this Certificate of Appropriateness for Item 1 in its entirety and with the conditions provided.

Chair Booher clarified the motion language "to approve the project, in its entirety, to include the addition, as well as the demolition of the residence, and to coincide with the staff's recommendation."

MOTION:

Motion made by Commissioner Berchelmann, seconded by Commissioner Fernandez AND UNANIMOUSLY CARRIED TO APPROVE THE PROJECT, IN ITS ENTIRETY, TO INCLUDE THE ADDITION AS WELL AS THE DEMOLITION OF THE RESIDENCE, AND TO COINCIDE WITH THE STAFF'S RECOMMENDATIONS.

NOT PRESENT FOR THE VOTE: *Commissioner Guzman*

Following the vote, Chair Booher redirected commissioners and staff to Items 9. B. and 9. C.

- 2. PHAP12-00012:** Lots 9 and 10, Block 11, Mundy Heights Addition, City of El Paso, El Paso County, Texas
- Location: 1316 Missouri
- Historic District: Sunset Heights
- Property Owner: Maria L. Yee and Robert Concha
- Representative: Gerardo Quinones
- Representative District: #8
- Existing Zoning: C-2/H (Commercial/Historic)
- Year Built: N/A
- Historic Status: N/A
- Request: Certificate of appropriateness for the construction of a two story duplex.
- Application Filed: 5/22/2012

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45 Day Expiration: 7/6/2012

Ms. Velázquez gave a PowerPoint presentation and read into the record a letter from the Sunset Heights Neighborhood Improvement Association. She stated that the contractor was not opposed to the modifications as requested by the Sunset Heights Neighborhood Improvement Association. (see attached letter)



Sunset Heights
Neighborhood Improv

Ms. Velázquez stated the Historic Preservation Office recommends APPROVAL, *with modifications**, of the proposed scope of work based on the following recommendations:

The Magoffin Historic District Design Guidelines recommend the following:

- Any new construction must be compatible in size, texture, color, design, proportion and detail to adjacent buildings and streetscapes.
- New structures should respect the integrity of existing buildings.
- Setbacks, proportion, rhythm, and building elements should all be addressed.
- Maintain the predominant existing building line.
- All new construction should preserve and enhance the streetscape.

The Secretary of the Interior's Standards for Rehabilitation recommend the following:

- New construction will not destroy historic materials, features, and spatial relationships that characterize the property.

** The modifications are that the parking spaces at the front of the main façade be eliminated and that the new building be constructed in line with the adjacent buildings, that the eaves be extended outward up to two feet, and the window surrounds on the main façade will be replaced with sills.*

Commissioners and staff discussed the color and material of the exterior construction material. Ms. Velázquez was not opposed to stucco because

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there is stucco in the district; however, she asked that the color be in keeping with the neighborhood. She noted that staff has not received any phone calls, emails or other letters in favor of or opposition to the request.

Chair Booher felt that the scale was good and the proportion and massing were in keeping with the fabric of the two adjacent structures.

Ms. Velázquez clarified parking would be on the street.

1st MOTION:

Motion made by Commissioner Berchelmann, seconded by Commissioner Fernandez
TO APPROVE THE REQUEST WITH MODIFICATIONS AS RECOMMENDED BY THE HISTORIC PRESERVATION OFFICER AND STAFF.

Chair Booher called for the question.

1st MOTION:

Motion made by Commissioner Berchelmann **TO APPROVE THE MODIFICATIONS RECOMMENDED BY THE HISTORIC PRESERVATION OFFICER AND HER STAFF.**

Chair Booher reiterated the motion language *to approve in acknowledgement of the recommendations made by Ms. Velázquez and her staff to approve.*

Chair Booher asked if there was any further discussion.

Commissioner Guzman asked if staff will review the rock veneer for approval.

Ms. Velazquez responded yes; it will be brown in color, veneer applied to the surface and rather geometric in shape; however, she was unsure what type of rock specifically.

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Chair Booher called for a second to the motion. Commissioner Fernandez seconded the motion.

Chair Booher asked if there was any further discussion.

Commissioner Guzman asked if commissioners wanted to respond to the letter submitted by the Sunset Heights Neighborhood Improvement Association. He asked if Ms. Velázquez had gotten in touch with someone from the Sunset Heights Neighborhood Improvement Association.

Ms. Velázquez responded no, not after staff received this letter.

Commissioner Fernandez asked if commissioners shouldn't postpone the request to the next HLC meeting to allow feedback from the neighborhood association.

Mr. Diaz, contractor, responded as far as he knows the neighborhood association is aware of your recommendations. The neighborhood association may write commissioners a letter of support.

Chair Booher called for the question.

1st MOTION:

Motion made by Commissioner Berchelmann, seconded by Commissioner Fernandez TO APPROVE THE MODIFICATIONS RECOMMENDED BY THE HISTORIC PRESERVATION OFFICER AND HER STAFF.

AYES: Commissioners Fernandez and Berchelmann

NAYS: Commissioners Guzman, Gomez and Chair Booher

Chair Booher broke the tie vote, motion failed 2-3.

Chair Booher suggested the request be postponed to gain the concurrence of the neighborhood association that was kind enough to submit a letter.

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Ms. Velázquez responded she will contact the neighborhood association first thing tomorrow.

Chair Berchermann requested commissioners not drag out the process too long.

Commissioner Guzman suggested subsequent motion language as *“to approve pending concurrence of the association within the next two weeks.”*

Ms. Velazquez asked commissioners if the neighborhood association does not concur, then what.

Commissioner Guzman responded commissioners have two weeks until the next HLC meeting.

Ms. Hamilton requested commissioners clarify the motion language, *“Move to approve with the contingency that the neighborhood association concurs with the staff’s recommendations.”* The neighborhood association was not present in the audience; however, they did submit a letter noting their recommendations.

Chair Booher replied with the understanding that the city’s recommendations will be rendered to the neighborhood association and that the neighborhood association will respond in a timely manner. At that point, whether or not the neighborhood association is in concurrence, commissioners will make a determination.

Chair Booher clarified the request has been postponed to the next HLC meeting.

3. **PHAP12-00013:** South 72 Feet of Lot 20 & South 72 Feet of East 8 Feet of Lot 19, Block 14, Mundy Heights Addition, City of El Paso, El Paso County, Texas
Location: 1105 W. Main
Historic District: Sunset Heights

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Property Owner: Guadalupe Dill
Representative: Guadalupe Dill
Representative District: 8
Existing Zoning: C-2/H (Commercial/Historic)
Year Built: 1920
Historic Status: Contributing
Request: Certificate of appropriateness to legalize the construction of a deck at the rear yard.

Application Filed: 05/30/12
45 Day Expiration: 07/14/12

See page 2, CHANGES TO THE AGENDA, Ms. Velazquez noted item 3. PHAP12-00013 has been postponed.

4. **PHAP12-00014:** Lot 12 Manhattan heights All Of Block (7500 Sq. Ft.), City of El Paso, El Paso County, Texas
- Location: 3200 Wheeling
Historic District: Manhattan Heights
Property Owner: El Paso Independent School District
Representative: Al Anderson
Representative District: #2
Existing Zoning: R-3/H (Residential/Historic)
Year Built: N/A
Historic Status: Contributing
Request: Certificate of appropriateness for removal and replacement of a concrete retaining wall with rock veneer and chain link fence.

Application Filed: 6/04/12
45 Day Expiration: 7/19/12

Ms. Velázquez gave a PowerPoint presentation and explained the applicant seeks approval the removal and replacement of a concrete retaining wall with rock veneer and chain link fence. She explained the existing wall is failing due to the weight; furthermore, cracks in the wall are visibly apparent. She noted the applicant is requesting removal of the existing wall

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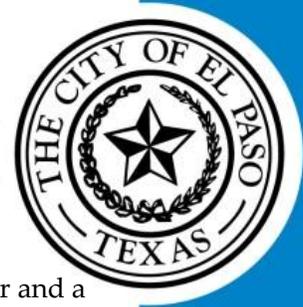
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and replacement with a stronger wall with a reinforced concrete veneer and a chain link fence, for safety purposes. She noted commissioners have the power to decide whether or not the chain link fence is warranted. At this time, Ms. Velázquez read into the record an email she received from the EPISD representative.

Ms. Velázquez stated the Historic Preservation Office recommends APPROVAL of the proposed scope of work based on the following recommendations:

The Administrative Review Design Guidelines recommend the following:

- *Construction of new fences and replacement of older existing fences should be of compatible materials in order to complement the building and the neighborhood.*
- *The height of the fence should not obstruct the street's view of the building.*

The Secretary of the Interior's Standards for Rehabilitation recommend the following:

- *Distinctive materials, features, finishes, and construction techniques that characterize a property will be preserved.*
- *Where the severity of deterioration requires replacement of a distinctive feature, the new feature will match the old in design, color, texture, and where possible, materials.*

Mr. Nick Corona, EPISD representative, explained EPISD hired a structural engineer, Henry Ng, to review the wall. Mr. Ng highly recommended that the wall be replaced. He clarified that it was the City Representative who recommended the wrought iron fencing. Mr. Corona stated obviously the wall failed and based on the recommendations of the structural engineer considering the height of the wall, and the new seismic code enforced by the commissioners, the installation of a gravity rock wall was not recommended.

Ms. Velázquez read into the record the letter from Mr. Henry Ng, Professional Engineer. (see attached letter).

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EPISD.Crockett
letter from hkn.pdf

To Commissioner Berchelmann, Mr. Corona stated he was unsure what the cost difference was between concrete and rock wall.

Mr. Al Anderson, EPISD representative, noted that the amount of necessary chain link fencing would be approximately 200 linear feet. Mr. Anderson gave background information regarding the 2007 EPISD bond election approved by the voters and the proposed construction of the Multipurpose Building to be located at the corner of Aurora and Luna, the northwest corner of Crockett Elementary School. The Manhattan Heights Neighborhood Association objected with the commissioners' approval of the Certificate of Appropriateness; therefore, EPISD and the Manhattan Heights Neighborhood Association agreed to relocate the Multipurpose Building to the south side of Crockett Elementary School nearby the retaining wall. Mr. Anderson further noted that EPISD agreed to change the façade and relocate the Multipurpose Building. It was after that agreement that the Manhattan Heights Neighborhood Association mentioned the retaining wall has cracks and asked if EPISD was going to replace the wall. EPISD responded now that the Multipurpose Building will be constructed in close proximity to the retaining wall, EPISD would replace the wall. After agreeing to those conditions, EPISD discovered that they did not own the land that the playground for Crockett Elementary School now sits on. Therefore, EPISD entered into negotiations with the City to vacate Wheeling and lease the parkland to in order to construct the Multipurpose Building. In the meantime, EPISD has obtained a Right-of-Entry, signed by the City of El Paso and EPISD, to construct the retaining wall. EPISD is requesting that the wall be constructed of concrete with a stone veneer to match the neighborhood.

PUBLIC COMMENT

1. Ms. Julie Rutledge, Manhattan Heights Neighborhood Association Board Member, made the following comments:
 - a. Concurs with EPISD that concrete, with a stone veneer, will

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- produce a stronger wall
- b. Wants EPISD to ensure that the rock veneer will maintain the consistent look with the neighborhood, parks;
- c. Would prefer EPISD specify what the stone veneer will look like; (photos in backup information are not clear)
- d. No chain link fence, not appropriate for a historic district;
- e. She noted that there is wrought iron around the Reserve Center, outdoor area and the swimming pool. She requested that EPISD maintain the consistent look of the wrought iron.
- f. She noted that EPISD has not maintained the elementary school's landscaping over the years.

Mr. Anderson stated EPISD did not have a Certificate of Appropriateness for the Multipurpose Building.

Ms. Rutledge noted the Manhattan Heights Neighborhood Association received the Certificate of Appropriateness for the Multipurpose Building in 2009.

2. Mr. Ray Rutledge, Manhattan Heights Neighborhood Association, made the following comments:
 - a. He requested that the stone veneer be required to match precisely and, regarding the re-mortar joints, that there be larger stones on the bottom.
 - b. Furthermore, Mr. Rutledge strongly encouraged commissioners to consider:
 - i. Never to allow over 200 linear feet of chain link in new construction;
 - ii. As this is new construction, he strongly encouraged commissioners to consider an alternative other than chain link fencing;
 - iii. He explained renderings show the Multipurpose Building to be constructed in the southeast corner, not the approved location. However, if the Multipurpose

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Building is being desired for relocation, that relocation issue should be presented to the Historic Landmark Commission.

In response, Mr. Anderson explained chain link fencing is posted all around the school, for safety purposes. However, EPISD is willing to put wrought iron fencing around the school. Regarding the stone veneer with visible mortar, Mr. Anderson explained EPISD will be constructing a veneer that looks like a typical random rubble stone wall, as seen all around El Paso; specifically, the peanut brittle look with a lot of mortar.

Mr. Corona added EPISD would like to move forward with this project; furthermore, this project has been in discussions for over three years.

Chair Booher suggested the motion language could reflect having a texture and form identical or very similar to the typical rock wall here in El Paso.

1ST MOTION:

Motion made by Commissioner Guzman, seconded by Commissioner Gomez TO APPROVE WITH WROUGHT IRON INSTEAD OF CHAIN LINK AND WITH MORTARED STONE VENEER.

Chair Booher clarified the motion language "to approve the field stone veneer covered reinforced concrete wall with the wrought iron condition at the top."

Chair Booher asked if there was any further discussion.

Commissioner Fernandez had concerns regarding the vast area that would require wrought iron, to include the playground situation. She added the wrought iron may alter the appearance of the retaining wall; furthermore, the dominant feature should be the retaining wall, not the wrought iron fence, as the retaining wall is the historic component.

Chair Booher noted that was a good point and commented on the uprights integral with that to be compliant with the City Code.

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Ms. Rutledge and commissioners discussed wrought iron fencing on YISD campuses, viewing the wrought iron from different angles, the possible adverse effect of chain link to the wall.

Mr. Anderson explained the chain link fence is 10' in height and will project two feet above grade, the same as it is now.

1ST MOTION AMENDED:

Motion made by Commissioner Guzman, seconded by Commissioner Gomez TO APPROVE THE ROCK WALL WITH THE WROUGHT IRON CONDITION AND THE MORTAR TO MIMIC THE EXISTING ROCK WALL CONDITION.

AYES: Commissioners Guzman, Gomez, and Chair Booher

NAYS: Commissioners Fernandez and Berchelmann

(Motion passed, 3-2)

5. 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. June 11, 2012 deadline for HLC members to request for agenda items to be scheduled for the June 25, 2012 meeting. June 25, 2012 deadline for HLC members to request for agenda items to be scheduled for the July 9, 2012 meeting.

- A. A. B. Fall Mansion at 1725 Arizona Avenue

Ms. Velázquez noted construction is not yet completed; as of today, it is approximately 97% completed. She was unsure whether or not the potential tenant has signed a lease. Furthermore, the graffiti on the retaining wall will be painted over once construction is completed.

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HLC Staff Report

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

MOTION:

Motion made by Commissioner Guzman, seconded by Commissioner Berchelmann AND UNANIMOUSLY CARRIED TO APPROVE THE HLC STAFF REPORT AS SUBMITTED.

Planning & Economic Development Department Reports

7. None.

Visionaries in Preservation Report

8. None.

COMMISSIONER GUZMAN LEFT THE MEETING

Commissioner Guzman apologized to Commissioners and explained that he had to leave the meeting at this time.

Other Business

9. A. Approval of Regular Meeting Minutes for May 7 and May 21, 2012.

MOTION:

Motion made by Commissioner Berchelmann, seconded by Commissioner Fernandez AND UNANIMOUSLY CARRIED TO APPROVE THE REGULAR MEETING MINUTES FOR MAY 7, 2012.

ABSTAIN: Commissioner Gomez

NOT PRESENT FOR THE VOTE: Commissioner Guzman

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MOTION:

Motion made by Commissioner Berchelmann, seconded by Commissioner Fernandez **AND UNANIMOUSLY CARRIED TO APPROVE THE REGULAR MEETING MINUTES FOR MAY 21, 2012.**

ABSTAIN: Chair Booher

NOT PRESENT FOR THE VOTE: Commissioner Guzman

STAFF REQUESTED COMMISSIONERS DISCUSS ITEMS 9. B. AND 9.C. CONCURRENTLY

B. Discussion on the Downtown Historic District Design Guidelines.

Ms. Velázquez apologized to commissioners regarding the delay in distributing copies of these guidelines. There are points of contention both inside and outside of City Hall; the downtown property owners did not want to make that change whereby all non-contributing properties must comply with the guidelines. Those non-contributing property owners are creating a list of reasons why they should not have to comply. Ms. Velázquez explained that one of the discussions was rather than changing the guidelines to reflect that all non-contributing properties have to comply, maybe we would like to go back and review the district to see which properties should be updated to contributing.

Chair Booher wondered, with the resources available, how long that would take.

Ms. Velázquez responded not a short time.

Commissioner Fernandez questioned, with this second approach, would new construction be reviewed.

Ms. Velázquez responded yes because the guidelines cover things like color and windows. However, the guidelines do not address demolition, for example. She noted that she had received a letter from the Downtown

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Management District Board Members in support of many of the staff changes; but they felt it was inappropriate to insist that non-contributing properties follow the guidelines as they felt it would create financial hardships. Therefore, one of the recommendations was to go back and review the district and instead of making all non-contributing properties comply with the guidelines, then perhaps we could update the properties to see if some may be actually contributing. She clarified non-contributing properties do not have to comply with the guidelines. She noted that the last time the properties in the Downtown Historic District were reviewed was in 1992.

Commissioner Berchermann would like specific properties to be assessed.

Chair Booher stated just an update on the assessment was a good idea; this would achieve the same means that commissioners were trying to facilitate previous to that. Commissioner Fernandez concurred.

Commissioner Gomez asked Ms. Velázquez to explain the process staff uses when a structure, located in the Downtown Historic District, is a non-contributing and/or contributing structure.

Mr. De La Cruz explained Mr. Bill Stern, Code Enforcement, Chief Building Official, could provide commissioners an in-depth explanation regarding the demolition of a home in Dallas that went all the way to the State of Texas Supreme Court.

Chair Booher was in favor of Ms. Velázquez's recommendation to update the Downtown Historic District property inventory.

Commissioner Fernandez remembered commissioners previously suggested using architectural student volunteers to assist in the inventory process.

- C. Discussion and action regarding contributing versus non-contributing properties in the Downtown Historic District.

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See above item for discussion.

NO ACTION WAS TAKEN.

- D. Discussion regarding scheduling of the Historic Landmark Commissioners drive through El Paso's historic districts.

Ms. Velázquez noted that Commissioner Guzman had requested staff place the item on the agenda. Commissioner Guzman had questioned why some properties are located within the boundaries of historic districts when they are not contributing, they are not historic, and they do not quite fall in with the period of significance. Ms. Velázquez explained she had spoken with the previous HPO and asked him about Austin Terrace Historic District, specifically the property located on King James. She asked him why those properties were included in the historic district. His response was that those properties were included at the request of the property owners at that time because they wanted protection for their properties against the encroaching development. Ms. Velázquez has stated many times that what is non-contributing today may be contributing tomorrow. In order to change a district, commissioners would have to repeat the process for creating a district and putting it in process.

Chair Booher requested staff leave the item on the next HLC agenda for Commissioner Guzman. Furthermore, this voluminous project depends on funds and staffing.

- E. Distribution of Design Guidelines for El Paso's Historic Districts.

To Commissioners, Ms. Velázquez stated a copy of the Consolidated Guidelines for Districts that are without guidelines (including Manhattan Heights, Austin Terrace, Sunset Heights and Old San Francisco) was included in their packets. She explained that the guideline language was repeated quite often; therefore, a decision was made to consolidate these ideas into one document that applies to almost all historic districts. Staff sent copies to the Sunset Heights Neighborhood Improvement Association, and they have already sent staff their reviews/comments. Staff will meet

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with Manhattan Heights next week to review the guidelines. Ms. Velázquez noted staff needs the commissioners' input as soon as possible. If commissioners have not submitted their comments before next HLC meeting, staff will assume commissioners are comfortable with the language.

Chair Booher encouraged commissioners to review and submit their comments in a timely manner.

Mr. De La Cruz reminded commissioners that these guidelines were distributed approximately one year ago; however, they were specific to the Manhattan Heights Historic District.

Ms. Velázquez stated commissioners can email their comments and bring hard copies to the next HLC meeting.

Ms. Hamilton clarified that commissioners must email their comments directly to Ms. Velázquez.

MOTION:

Motion made by Commissioner Berchelmann, seconded by Commissioner Fernandez AND UNANIMOUSLY CARRIED TO ADJOURN THE HISTORIC LANDMARK COMMISSION MEETING AT 5:45 P.M.

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