



**HISTORIC LANDMARK COMMISSION MEETING MINUTES  
2<sup>ND</sup> FLOOR, CITY COUNCIL CHAMBERS  
CITY HALL BUILDING, TWO CIVIC CENTER PLAZA  
SEPTEMBER 10, 2012  
4:00 P.M.**

The El Paso Historic Landmark Commission held a public hearing in the City Council Chambers, 2<sup>nd</sup> Floor, City Hall Building, September 10, 2012, 4:00 p.m.

The following commissioners were present:

Commissioner Jim Booher, Chairman  
Commissioner David Berchermann, Vice-Chairman  
Commissioner Stephanie Fernandez  
Commissioner Joel Guzman (*left meeting at 4:26 p.m. during PHAP12-0031 discussion*)  
Commissioner Randy Brock  
Commissioner Cesar Gomez  
Commissioner Beatriz Lucero

The following City staff members 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

Chairman Booher called the meeting to order.

**CHANGES TO THE AGENDA**

*None.*

**I. CALL TO THE PUBLIC – PUBLIC COMMENT**

*None.*

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## II. REGULAR AGENDA – DISCUSSION AND ACTION

Prior to the discussion, Ms. Velázquez introduced newly appointed Historic Landmark Commissioner, Ms. Beatriz Lucero.

### Certificate of Appropriateness

1. PHAP12-00031:                      Lots 3 to 17, Block 38, Manhattan Heights Addition, City of El Paso, El Paso County, Texas.
- Location:                                      1201 N. Piedras  
Historic District:                              Manhattan Heights  
Property Owner:                              Manhattan Presbyterian Church  
Representative:                              Katherine Norvell  
Representative District:                      #8  
Existing Zoning:                              R-3/H (Residential/Historic)  
Year Built:                                      1920 and C. 1953  
Historic Status:                              Contributing and Non-Contributing  
Request:                                        Certificate of appropriateness for the removal of memorial stained glass windows and replacement with clear glass.
- Application Filed:                              8/23/2012  
45 Day Expiration:                              10/7/2012

Ms. Velázquez gave a PowerPoint presentation and explained the applicant is seeking approval for the removal of memorial stained glass windows and replacement with clear glass.

The Historic Preservation Office recommends **DENIAL** of the proposed scope of work based on the following recommendations:

*The Administrative Review Design Guidelines* recommend the following:

- The repetition of windows in the façade of a building establishes a pattern which is sensed by a person observing a building.

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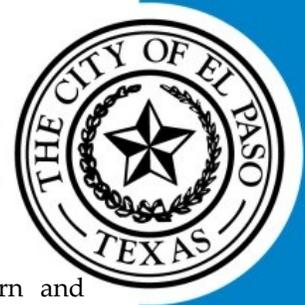
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- Architectural elements such as windows contribute to the pattern and rhythm of historic districts. New construction and additions should maintain and reinforce the existing pattern.
- Windows are important character defining features because of significant detailing as in decorative windows.
- The finish must be in character with the overall appearance of the structure and adequately complement its style.
- Installation of windows similar to the original in appearance and structural purpose, regardless of construction materials is permitted. Mirror or reflective film is not allowed.

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

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

Ms. Velázquez read into the record: *(copies of letters/emails on file)*

1. Letter – Proposed purchaser of property (Church of God) stating reasons why stained glass windows be removed;
2. Email – Ms. Julie Rutledge, property owner and board member, Manhattan Heights Neighborhood Association. *Ms. Rutledge urged commissioners to concur with the staff recommendation to deny the request; and*
3. Email – Mr. Craig Peters, representative of Manhattan Heights Historic District. *Mr. Peters states, ... "As far as I am concerned and also speaking on behalf of the neighborhood of Manhattan Height's we must abide by the guidelines that are set for Historic Districts and if one must see fit to replace said windows they must be windows that protect the historic integrity of the building and the neighborhood. Clear see through glass windows will not do so. ..."*
4. A portion of the Administrative Review Design Guidelines as follows:  
*"Installation of windows similar to the original in appearance and structural purpose, regardless of construction materials, is permitted."*

Chairman Booher asked if there were members of the audience who wished to speak in favor of or in opposition of the request.

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**MEMBERS OF THE PUBLIC IN FAVOR OF REMOVAL OF MEMORIAL STAINED GLASS WINDOWS AND REPLACEMENT WITH CLEAR GLASS.**

1. Katherine Norvell, Pastor, Manhattan Presbyterian Church
2. Doug Borrett, realtor, explained the property owner is not requesting to change the architectural nature or the exterior only the opportunity to put in clear glass and let in light.

*Vice-Chairman Berchermann recused himself from the discussion. (Affidavit on file)*

3. Barbara Hejtmanor, Elder, Manhattan Presbyterian Church – 30 year member, asked commissioners to consider the reasons why the Church of God is making the request to remove the stained glass windows and to consider how much commissioners would be limiting the church’s options.

Commissioners Fernandez, Lucero, and Chairman Booher commented and/or asked questions of staff and/or the realtor.

Chairman Booher felt the request was a significant/major amendment to this structure/property. He felt it would behoove the property owner to secure an architect to address these issues on their behalf.

Chairman Booher called for a motion to approve the Certificate of Appropriateness.

Mr. De La Cruz noted that was an additional member of the public who wished to address the commissioners.

**MEMBER OF THE PUBLIC OPPOSED TO REMOVAL OF MEMORIAL STAINED GLASS WINDOWS AND REPLACEMENT WITH CLEAR GLASS.**

4. Jeanette Lewis, member of The El Paso Preservation Alliance and resident of Manhattan Heights. She stated that the goal of the El Paso Preservation Alliance, as an organization, is to preserve structures and educate the public. The Alliance’s stance is to maintain the windows as they currently exist. In her opinion, Ms. Lewis stated, removing the windows would be a desecration of the property. She hoped commissioners would vote against the request. Ms. Lewis asked Mr. Borrett questions including:
  - a. If the Manhattan Presbyterian Church would be taking the stained

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- glass windows with them;
- b. Does the church have a place to go with the windows; and
- c. Why is the church leaving Manhattan Heights?

Mr. Borrett responded:

1. That is the option he is looking for;
2. No, they do not have a place to go; and
3. The congregation is currently not sufficient to support the structure.

In conclusion, Ms. Velázquez explained the proposal is to remove the stained glass windows and replace with clear glass. Stained glass is an important character defining feature of this building.

Motion made by Chairman Booher to **APPROVE THIS REQUEST PLEASE DENOTE BY SAYING AYE**. There was no response from commissioners.

Motion made by Chairman Booher to **DENY THIS REQUEST PLEASE DENOTE BY SAYING AYE**.

**AYES:** Commissioners Fernandez, Brock, Gomez and Lucero

**NAYS:** None

**ABSTAIN:** Vice-Chairman Berchelmann

**NOT PRESENT FOR THE VOTE:** Commissioner Guzman

Motion passed (4-0) to **DENY** the Certificate of Appropriateness

*Following the vote, Vice-Chairman Berchelmann returned.*

2. 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. September 10, 2012 deadline for HLC members to request for agenda items to be scheduled for the September 24, 2012 meeting.

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September 24, 2012 deadline for HLC members to request for agenda items to be scheduled for the October 8, 2012 meeting.

Motion made by Vice-Chair Berchelmann, seconded by Commissioner Fernandez **AND UNANIMOUSLY CARRIED TO APPROVE.**

Motion passed. (5-0)

**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")

**Other Business**

4. **A.** Approval of Regular Meeting Minutes for August 20, 2012.

Motion made by Commissioner Fernandez, seconded by Vice-Chair Berchelmann and **UNANIMOUSLY CARRIED TO APPROVE THE REGULAR MEETING MINUTES FOR AUGUST 20, 2012**

**ABSTAIN:** Commissioners Gomez and Lucero

- B.** Discussion and Action of Design Guidelines for El Paso's Historic Districts and Sites.

Ms. Velázquez requested commissioners take formal action and recommend approval the Design Guidelines for El Paso's Historic Districts and Sites which will allow staff to forward the guidelines to the City Council.

Motion made by Vice-Chairman Berchelmann, seconded by Commissioner Fernandez and **UNANIMOUSLY CARRIED TO APPROVE THE DESIGN GUIDELINES FOR EL PASO'S HISTORIC DISTRICTS AND SITES.**

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C. PowerPoint presentation regarding Non-Contributing properties within the Downtown Historic District.

Ms. Velázquez gave a PowerPoint presentation regarding non-contributing buildings located within El Paso's Downtown Historic District. She stated the presentation was to educate those wondering which downtown buildings are considered contributing or non-contributing, the number of contributing and non-contributing buildings, and why are the non-contributing buildings not complying with the Design Guidelines for the Downtown Historic District. She stated that changing the non-contributing buildings to contributing would require a great deal of effort. She is often asked why non-contributing properties do not have to comply with the design guidelines and why a particular building is considered non-contributing. She read into the record the City definition of non-contributing properties – *"non-contributing properties are defined as a building, object, site or a structure in a historic district which does not contribute to the district's or cluster's historical significance through location, design, setting, material, workmanship, feeling and association, but due to its proximity to historic landmarks and contributing properties, has the potential to affect the character of the historic district or cluster that it is located within."* She clarified that non-contributing properties to not have to abide by the Design Guidelines for the Downtown Historic District; furthermore, this is the only historic district where this is true.

During the presentation, Ms. Velázquez responded to questions and/or comments from Vice-Chairman Berchermann, Commissioners Fernandez and Gomez, Chairman Booher and Commissioner Lucero.

To the commissioners, Mr. De La Cruz explained, in detail, the process to rezone the Downtown Historic District non-contributing properties with an H-Overlay designation. Additionally, the rezoning process may take up to one year to complete.

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Ms. Velázquez added that having spoken to the DMD (Downtown Management District) many property owners would vehemently object to the H-Overlay rezoning as they believe that the rezoning would cause them immense financial hardship in order to become compliant with the code.

Chairman Booher would not be opposed, in the future, to looking at ways to protect the Trost buildings. For the next HLC meeting, he asked staff to bring additional information to commissioners relative to staff's pending discussion with the department head regarding viable properties that may be reconsidered as contributing properties.

Ms. Hamilton gave legal guidance regarding placing an HLC item on the City Council agenda and working City Council meetings (Legislative Review Committee of the whole meetings).

Mr. De La Cruz added staff will have to confer with the City Development Department Director regarding placing an HLC item on the City Council agenda.

**NO ACTION WAS TAKEN.**

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**Other Business**

1. Chairman Booher requested staff place:
  - a. An item on the next HLC agenda regarding staff's discussion with the City Development Department Director regarding viable properties in the Downtown Historic District, currently non-contributing status, which may be reconsidered as a contributing property and placing an item on the City Council agenda regarding same; and
  - b. Item 4.C. on today's agenda to the next HLC agenda.

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Mr. De La Cruz clarified commissioners may request staff provide information and a direction that they would like staff to pursue; however, commissioners cannot direct staff to initiate any projects as that must come from the City Council.

**ADJOURNMENT**

Motion made by Chairman Booher, seconded by Commissioner Fernandez and **UNANIMOUSLY CARRIED TO ADJOURN THE MEETING AT 5:04 P.M.**

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