



**HISTORIC LANDMARK COMMISSION MEETING MINUTES  
2<sup>ND</sup> FLOOR, CITY COUNCIL CHAMBERS  
CITY HALL BUILDING, TWO CIVIC CENTER PLAZA  
NOVEMBER 19, 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, November 19, 2012, 4:00 p.m.

The following commissioners were present:

Vice-Chairman David Berchelmann  
Commissioner Cesar Gomez  
Commissioner Stephanie Fernandez  
Commissioner Joel Guzman  
Commissioner Randy Brock  
Commissioner Beatriz Lucero  
Commissioner Ricardo Fernandez

The following City staff members were present:

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

Vice-Chairman Berchelmann called the meeting to order at 4:00 p.m., quorum present.

**CHANGES TO THE AGENDA**

*None.*

**INTRODUCTION – COMMISSIONER RICARDO FERNANDEZ**

Ms. Velázquez introduced recently appointed Commissioner Ricardo Fernandez.

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## I. CALL TO THE PUBLIC – PUBLIC COMMENT

Mr. Geoffrey Wright, representing *Save the Stacks*, explained that *Save the Stacks* is attempting to save the largest of the two ASARCO smoke stacks. The smoke stack is historically significant because it is unquestionably a landmark. The smoke stack was built in 1966, the tallest in the world at that time, 50% taller than the Washington Monument. A study conducted by *Project Navigator* indicated it would cost \$14 million to maintain the smoke stack for 50 years; however, *Save the Stacks* disputes that. Should the Trust take care of the remediation, as they are obligated to do, Mr. Wright estimated the cost of saving the larger smoke stack for 50 years would be approximately \$3 million. Should commissioners like to support the group or the cause, Mr. Wright asked that they contact their city representatives. He noted that Mayor Cook will be placing a resolution on the November 27<sup>th</sup> City Council agenda requesting that the City assume responsibility for both smoke stacks.

## II. REGULAR AGENDA – DISCUSSION AND ACTION

### 1. Reminder of Ethics Training

<http://home.elpasotexas.gov/city-attorney/ethics.php>

Ms. Velázquez reminded commissioners of the December 31<sup>st</sup> deadline to complete the mandatory Ethics Training for Board Members/Commissioners/Elected Officials. Ms. Velázquez asked commissioners to send her an email notifying her that they had indeed completed the ethics training. Should commissioners not complete the mandatory Ethics Training; the/those commissioners will be removed from the Historic Landmark Commission.

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**Certificate of Appropriateness**

2. PHDM12-0001:                    14 Mills 40.00 Ft On San Antonio X 66.00 Ft Beg 80,  
City of El Paso, El Paso, County, Texas
- Location:                            104-106 E. San Antonio
- Historic District:                    Downtown
- Property Owner:                    River Oaks Properties, Ltd.
- Representative:                    Geoffrey Wright
- Representative District:            8
- Existing Zoning:                    C-5/H
- Year Built:                            c. 1912
- Historic Status:                    Non-contributing
- Request:                             Certificate of Demolition
- Application Filed:                   11/5/12
- 45 Day Expiration:                12/20/12

Ms. Velázquez gave a presentation and reiterated the structure is listed as non-contributing.

**UNION BANK & TRUST**

Staff researched the structure and discovered it was designed by Trost & Trost and constructed in 1912 in the classical revival style. The bank was open for just a few years before going into default in 1920; the building was then altered for commercial and residential uses. The first two stories were commercial use, the third and fourth floors were used for residences. The following is a list of various, but not all, alterations that were made to the structure through the years:

1. The columns were removed;
2. The first and second recessed entrance space was filled in mostly likely to allow for additional commercial space;
3. The storefront was added;
4. The third and fourth stories are intact.

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**PARTY WALL**

The Union Bank & Trust and the First National Bank shared a party wall between them.

**STATE NATIONAL BANK**

Unfortunately, the First National Bank (abutting The Union Bank & Trust) recently caught fire and was burned to the ground. Ms. Velázquez noted the wall, opposite to the shared wall is still intact. Staff did not notice any signs of moisture/bowing, etc. Ms. Velázquez noted the First National Bank was a *contributing property*. Should a developer want to build on that site, the developer will have to file an application and appear before the Historic Landmark Commission.

**206 E SAN ANTONIO**

The property located at 206 E San Antonio is located outside the Downtown Historic District. Commissioners have no influence/authority regarding this property.

**REPORTS—hkn engineer (applicant)**

Ms. Velázquez explained the applicant hired *hkn engineers* to complete a *Structural Observations of Existing Building after Fire on Adjacent Structure*. Ms. Velázquez read portions of that report into the record (*copy of hkn engineers report on file*).

**REPORTS—Mr. Said Larbi-Cherif (HPO Staff)**

HPO staff contacted Mr. Said Larbi-Cherif, Structural Engineer, City of El Paso and requested that he inspect the site and submit a written report regarding his assessment to be presented to commissioners. Ms. Velázquez read portions of Mr. Larbi-Cherif's recommendations into the record (*copy of Mr. Larbi-Cherif's report on file*).

**STAFF RECOMMENDATION**

Due to Mr. Larbi-Cherif's report, which states the structure can be repaired, and the *hkn engineers* report, which states that it will be *expensive to repair but does not necessarily need to be demolished*; **STAFF IS RECOMMENDING DENIAL OF THE APPLICATION BASED ON THE FOLLOWING:**

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*The property has been altered but it is still the embodiment of distinguished characteristics of an architectural type or specimen; can still be identified as the work of an architect or master builder whose individual work has influenced the development of the city; and still embodies distinguished elements of architectural design, detail, materials or craftsmanship which represent a significant architectural innovation.*

*The property is non-contributing yet still has a relationship to other distinctive buildings, sites or areas which are eligible for preservation according to a plan based on architectural, historic or cultural motif.*

*The property can be identified with a person or persons who significantly contributed to the culture and development of the city, region, state or the United States.*

#### **PUBLIC COMMENT**

Mr. Morris Brown, local architect, former Chairman of the Historic Landmark Commission, Instructor – Texas Tech School of Architecture, Downtown Historic District Walking Tour Guide highlighting Trost & Trost architecture. Mr. Brown noted commissioners have already approved the demolition of a Trost & Trost structure. He explained that commissioners are charged with protecting the public's historic trust. Mr. Brown gave background information regarding Mr. Trost and the impact he made on architecture in El Paso and requested commissioners not take the Union Bank & Trust structure from El Paso just because it is expedient. Furthermore, he requested commissioners save the façade. It can be renovated and a new or secondary entry can be created. He commented on structures in New York and Washington, D.C. whereby the façade had been saved. To conclude, Mr. Brown urged commissioners to save what we have because this is a beautiful building.

Ms. Velázquez stated the party wall was damaged due to the fire; however, she has not had an opportunity to go inside and evaluate the extent of damage. She then showed a picture of the building as designed by Mr. Trost and a picture of how the building exists presently.

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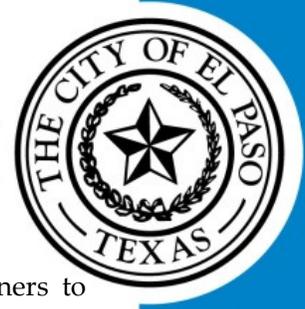
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Commissioner Guzman questioned if it is the responsibility of commissioners to protect these historic structures or can commissioners weigh the economic issues as well.

Mr. Geoffrey Wright, architect representing the applicant, former Historic Landmark Commissioner, read into the record the following portion of Section 20.20.120(A) Historic Landmark Preservation, Historic landmark demolition or removal:

*"The HLC shall consider the historic value, state of repair, reasonableness of the cost of restoration or repair, the existing and potential usefulness, including economic usefulness of the building, purposes behind preserving the structure as a historic landmark, neighborhood character, and all other factors it finds appropriate."*

Mr. Wright then gave a presentation regarding the history of the structure and explained the applicant is requesting a Certificate of Demolition as the building cannot be repaired. He clarified the building can be repaired; however, it is a question of costs. It cannot be repaired in a way that would contribute to the economic viability. Mr. Wright then explained in great detail why this structure should be demolished.

#### **COMMISSIONER QUESTIONS FOR THE REPRESENTATIVE**

Vice-Chairman Berchelmann asked Mr. Wright if he had a dollar amount, square foot to rehab versus square foot to rebuild.

Mr. Wright did not have that information; however, he read into the record an excerpt from Section 20.20.120.B. *"If the HLC determines, based on the evidence presented, that the cost of restoration or repair would render the property incapable of earning a reasonable return, the HLC may recommend to city council, within ten days of the hearing before the HLC, or at the council's next regular meeting, that the property be acquired pursuant to Section 20.20.120(A)."* He explained if the HLC is serious in wanting to save this building, the solution is to have somebody else do that; however, the property owner does not think there is any economic value to saving the building.

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Commissioner Guzman commented on buildings in San Antonio, Texas.

Ms. Yolanda Giner, attorney, representing the owner, explained that at this time the property owner is dealing with the fire and trying to address the City's concern with cleaning up the site and what will be done with this building. The main concerns are safety, clearing out the adjacent site and addressing the structural engineer's report; therefore, not much time or attention has been given to what could or will be located at this site. She clarified that the property owner owns both the burned out site and the Union Bank Trust lot. The structural engineer could not assess a cost; the dollar amount to rehabilitate the building would be so expensive that the best recommendation would be to demolish the structure. In conclusion, she hoped commissioners would support the request to demolish the structure as quickly as possible.

Mr. Wright explained that should a developer wish to construct a taller building, new foundations would be required.

Commissioner Guzman clarified the lot with the burned down structure will have to come before the HLC because that structure was contributing. Additionally, should the Union Bank & Trust structure be demolished, any new design on that lot would not have to come before the HLC.

Ms. Velázquez agreed. Additionally, she explained that she has read the hkn engineers report several times. The report states that given the high cost of structural retrofit for size and adequacy, it is their opinion that the owner should consider replacement. Ms. Velázquez noted that there is an option here; commissioners could reinforce the structure at some considerable expense, or have the structure demolished.

Commissioner Guzman stated what clearly affects the fabric of the district is the façade. It was his opinion that the façade could be saved; however, convincing the owner might be difficult as their focus is more on safety than long-term architectural appeal. Commissioner Guzman added that adjacent to the burned out building, to the south, is an old saloon building, which is not within the Downtown Historic District.

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Ms. Velázquez responded yes, that is correct, the saloon building can be demolished. She asked commissioners to imagine how much historic fabric of this historic district will be lost forever should the saloon, the corner lot and the Union Bank & Trust be demolished.

Commissioner Gomez noted that this is a great opportunity for the property owner to show the city what can be done with the Union Bank & Trust and the burned out vacant lot.

Mr. Richard Williams, Director of Construction, River Oaks Properties, clarified how the burned out site and the Union Bank & Trust structure are tied together. He explained that the demolition contractor informed him that the adjacent building (Union Bank & Trust) may not be structurally sound once the side wall, basement slab and foundation walls of the burned out building were removed. Mr. Williams explained that River Oaks Properties was concerned that the Union Bank & Trust building could be compromised relative to the burned building. River Oaks called their insurance company who sent a specialist, consulting structural/civil engineer to review the building. In the report from the insurance engineer, he agreed that the Union Bank & Trust building should be demolished; it was impractical to reinforce or retrofit it in anyway. Mr. Williams noted of all the people who did not want to see the building demolished it was the insurance company that has a replacement value insurance policy on that building. However, they agreed with their consulting engineer's report that the only viable option was replacement. To conclude, Mr. Williams stated that if the Union Bank & Trust building is not demolished River Oaks could not continue the demolition of the burnt building.

Commissioner Guzman asked Mr. Williams if commissioners approve the request for demolition would he consider saving portions of the façade or cornice.

Mr. Williams responded after discussing the issue with the structural engineers and demolition contractor their response was that it would be impractical and unsafe to do so. He explained that there has not been any discussion regarding what development may be located on the site.

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To Ms. Velázquez, Vice-Chairman Berchermann explained one option she suggested was that the City acquire the property; additionally, the City would still have to determine whether or not to rehabilitate or replace the structure.

Ms. Velázquez responded it would be a first.

Mr. Said Larbi-Cherif, Director of International Bridges, professional structural engineer, asked:

1. Is it worth saving the building, is it historically significant, does it add to the fabric of downtown, if yes;
2. How do you handle the repairs?

He explained that in 2004 the City adopted the existing International Building Code, which is designed for this particular situation. He commented on seismic and wind stability and noted the City of El Paso has identified historic buildings as buildings built prior to 1955. He stated that to save the building, in an affordable manner, then the existing Building Code should be utilized.

### **DISCUSSION AMONGST COMMISSIONERS**

Commissioner Guzman commented on economic incentives, the Downtown Plan, and the Comprehensive Plan. He noted that he was leaning towards approving the demolition of the structure.

Commissioner Gomez noted the property owner did not provide any real true economic numbers, as far as replacement versus rehabilitation. He could not make a decision without sufficient information and felt that the property owner needed to show how this was going to impact their economic situation. He commented that there are structures all over the world that were left with only partial walls but were rehabilitated.

Commissioner Stephanie Fernandez felt that given the recent demolition of a Trost & Trost building she would hate to see another Trost building demolished. One key element of the Downtown is the number of Trost & Trost resources that we have. She interpreted this building as the anchor of the Downtown Historic District and demolishing this building would open the door to anything. She stated that she is on this commission to preserve historic structures.

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Commissioner Ricardo Fernandez asked what the value of the property was. He stated that from a developer's perspective it is impossible to try to rehabilitate damaged buildings. He felt it might be advantageous for the City to purchase the property.

Commissioner Lucero agreed with staff's recommendation to deny the request.

Commissioner Brock stated he was leaning towards demolition.

**1<sup>ST</sup> MOTION:**

*Motion made by Commissioner Guzman, seconded by Commissioner Brock **TO APPROVE THE DEMOLITION OF THIS BUILDING.***

**AYES:** Commissioners Guzman, Brock, and R. Fernandez

**NAYS:** Commissioners Gomez, S. Fernandez, Lucero and Vice-Chairman Berchelmann

The Motion failed (3-4).

After the vote, Vice-Chairman Berchelmann wished the property owner had provided numbers regarding the cost to replace versus cost to rehabilitate.

**2<sup>ND</sup> MOTION:**

*Motion made by Vice-Chairman Berchelmann, seconded by Commissioner Stephanie Fernandez to **DENY THE REQUEST.***

Prior to the vote, commissioners and staff discussed postponing the request to the December 3<sup>rd</sup> HLC meeting.

Ms. Velázquez explained the HLC has 45 days to approve/deny Certificates of Appropriateness. If the demolition is approved, the applicant must wait 60 days prior to demolishing the structure.

Vice-Chair Berchelmann asked Mr. Wright if it were possible for him to provide commissioners with numbers regarding the cost to rehabilitate versus cost to replace the structure.

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Mr. Wright responded yes; however, he would like to close the matter as soon as possible due to safety concerns.

Ms. Velázquez clarified commissioners can postpone the request to the December 3<sup>rd</sup> meeting; however, commissioners must make a decision immediately to allow staff time to process and verify the information.

Commissioner Guzman asked if the property owner supplied the cost analysis information would the other commissioners approve the request. Furthermore, should the property owner submit a reasonable plan, with the façade, would commissioners approve the request.

Commissioner Lucero clarified the request is to demolish the structure. She felt that commissioners should not postpone the request any further.

**3<sup>rd</sup> and FINAL MOTION:**

*Motion made by Commissioner Lucero, seconded by Commissioner Stephanie Fernandez TO APPROVE THE DENIAL OF DEMOLITION.*

**AYES:** Commissioners Gomez, S. Fernandez, Lucero and Vice-Chairman Berchelmann

**NAYS:** Commissioners Guzman, Brock, and R. Fernandez

The motion passed (4-3).

3. PHAP12-00042:                    The east 15 feet of Lot 11 and of Lots 12, 13, and 14, Block 22, Manhattan Heights Addition, City of El Paso, El Paso County, Texas
- Location:                                2920 Federal
- Historic District:                        Manhattan Heights
- Property Owner:                        Stuart Leeds
- Representative:                        Stuart Leeds
- Representative District:                2
- Existing Zoning:                        R-4/H (Residential/Historic)
- Year Built:                                1938
- Historic Status:                         Contributing

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Request: Certificate of appropriateness for the installation of a metal roof.  
Application Filed: 11/05/12  
45 Day Expiration: 12/20/12

Ms. Velázquez gave a presentation and explained the applicant seeks approval for the installation of a metal roof. Staff did not receive any emails, letters or phone calls in favor of or opposition to the request. Furthermore, staff did not receive any communication from the Manhattan Heights Neighborhood Association. The Historic Preservation Office recommends **DENIAL** of the proposed scope of work based on the following recommendations:

*The Magoffin Historic District Design Guidelines recommend the following:*

- *If roofing is beyond repair, replacing materials should match the original as closely as possible.*
- *A roof and all roofing materials should be compatible with the structure.*

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

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

Ms. Teresa Caballero, attorney representing the applicant, provided copies of affidavits from six residents from the neighborhood who were in favor of the applicant installing a metal roof on his house and in favor of the proposed color and style of the roof. Additionally, Ms. Caballero read into the record excerpts of a letter from Ms. Wallie Halley, former Historic Landmark Commissioner and founding member of the El Paso Preservation Alliance. Ms. Halley requested commissioners approve the request (copies of affidavits on file). Ms. Caballero then named several El Paso structures with metal roofs.

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Commissioner Stephanie Fernandez clarified the argument is not that metal roofs are not historical but rather it is each individual structure and what the original materials were that were implemented or constructed. Roofs in a historic district should be replaced in-kind. Asphalt roofs are not original to the building but are considered compatible meaning, asphalt roofs do not take away from the aesthetic quality or the individual historic character. Yes, there are historic structures with metal roofs; however, the argument is whether the application of a metal roof for this particular structure is considered compatible and fitting with the historic district.

Ms. Caballero noted that this particular structure did not fit into any one architectural category or style; furthermore, it was her belief that a metal roof would not take away from it. Additionally, it was her finding that metal roofs are in fact historical and does not contradict this particular structure's style. She stated metal roofs are typically used on slanted roofs and are durable.

Commissioner Stephanie Fernandez asked Ms. Caballero why the applicant insisted on having a metal roof.

Ms. Caballero responded the roof was in dire need of replacement and the applicant considered the metal roof more attractive than asphalt shingled roof.

Ms. Velázquez clarified the Neighborhood Association did not respond to staff regarding this application. Furthermore, she would not infer not receiving a response from the Neighborhood Association would indicate that they were neither in favor of nor opposed to the request. Ms. Velázquez clarified that asphalt shingles are not original because wood shingles are not approved by the Fire Department; however, as an alternative staff does approve the use of asphalt shingles, preferably 3-D asphalt shingles, which do simulate the thickness of the asphalt shingles. Additionally, staff had asked the applicant to look at his roof and clarify what had been originally used on the roof and report back to staff. Staff has not received that

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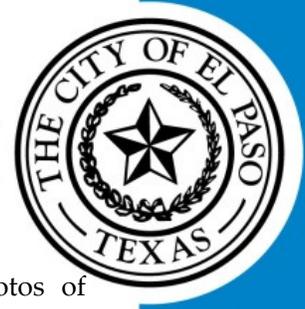
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information. Staff also requested that the applicant provide photos of buildings in the historic districts that show metal roofs. Staff did not receive that information. Although, Ms. Caballero did provide photos of structures with metal roofs, with the exception of Monticello, most of photos were of commercial properties. Lastly, the three townhouses on Franklin that Ms. Caballero used as an example have been altered; the windows are different and the roof is new. Therefore, Ms. Velázquez would not use that as an example of why metal roofing is a historically approved item.

In response, Ms. Caballero stated that at the last HLC meeting the Assistant City Attorney said that she had notified the Neighborhood Association. Ms. Caballero stated that:

1. The Neighborhood Association had been notified and staff had not received any response from the Association.
2. Staff did not receive any letters in opposition to the request.
3. There was no one present in the audience opposed to the request.
4. The Fire Department concludes that wood shingles are not appropriate but yet approve a non-historic product over an historic product.
5. We did submit photos of homes with metal roofs with the exception of Nazareth Hall and the Bassett Tower

She asked commissioners to set a precedent and added that this is a beautiful material and indeed historic. She asked commissioners to be open to materials that are better than what we are working with. She noted the roofer had looked under the rafters and was present to speak to commissioners regarding that concern.

Mr. George Azcarate, IBG Metal Roofing, stated he had looked under the shingles and found nothing out of the ordinary just the usual wood slates and shingles there was no metal underneath that.

Regarding compatibility, Commissioner Guzman asked staff if commissioners could request that the metal roof be compatible with paint and color. The applicant could always remove the metal roof and replace it with asphalt shingles. Additionally, he noted, although this is a commercial structure, Vilas Elementary School has a metal roof.

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Commissioner Stephanie Fernandez explained that commissioners are looking for something with shadow and dimensions. With the exception of the seams, a metal roof is relatively flat. Additionally, the photos submitted by Ms. Caballero were of structures in Virginia not in El Paso. She asked commissioners to consider, should the request be approved, would this impact or promote other cases, would this set a good or bad precedent.

Commissioner Ricardo Fernandez asked Mr. Azcarate if a metal roof provided better insulation and if a metal roof was recommended over the regular shingled roof.

Mr. Azcarte responded that the metal roof provides a reflectivity value; the shingled roof retains the heat. He added the Camino Real Hotel downtown has had a metal roof for many years.

Mr. De La Cruz added that information is found in the Mueller Handbook that was given to commissioners.

Commissioner Gomez noted that there are products available, with shadow and dimension; that are superior to the shingle.

**PUBLIC COMMENT**

1. Ms. Marjorie Graham, resides across the street from the applicant, spoke in favor of the applicant's request for a metal roof or whatever type of roof he wanted. She stated she has resided in her home since 1958.
2. Mr. Geoffrey Wright referred to the Department of Interior Guidelines when replacing parts of a historic building; you should not mimic what was originally there because that would create a false history. He felt that replacing a wooden shingled roof with a metal roof was within and spoke directly to the Department of Interior Guidelines for Rehabilitation. He thought a metal roof was perfectly appropriate.

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Vice-Chairman Berchelmann felt it would be appropriate for the applicant to have a metal roof.

Commissioner Guzman concurred with Mr. Wright.

Commissioner Gomez stated the argument was not the attractiveness of the roof. He was concerned that by approving this request it would steer commissioners toward approving other details of a home, i.e., windows, doors, etc.

**MOTION:**

*Motion made by Vice-Chairman Berchelmann TO APPROVE THE APPLICANT'S DESIRE TO INSTALL THE METAL ROOF WITH THE SILVER COLOR.*

Prior to the vote, Vice-Chairman Berchelmann, Commissioner Guzman and Ms. Caballero discussed various color options for the proposed metal roof.

**MOTION REVISED:**

*Motion made by Vice-Chairman Berchelmann, seconded by Commissioner Guzman TO APPROVE THE ROOFING MATERIAL WITH TERRA COTTA COLOR*

**AYES:** Commissioners Guzman, Brock, Ricardo Fernandez and Vice-Chairman Berchelmann

**NAYS:** Commissioners Gomez, Stephanie Fernandez, Lucero

*Motion passed (4-3).*

- 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. November 19, 2012 deadline for HLC members to

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request for agenda items to be scheduled for the December 3, 2012 meeting. December 3, 2012 deadline for HLC members to request for agenda items to be scheduled for the December 17, 2012 meeting.

*No requests from commissioners.*

### **HLC Staff Report**

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

Ms. Velázquez explained staff approved the request to install a four (4) foot high black metal picket wrought iron fence for the empty lot next to the Martin Building.

#### ***MOTION:***

*Motion made by Commissioner Guzman, seconded by Commissioner Brock AND UNANIMOUSLY CARRIED TO APPROVE THE ADMINISTRATIVE REVIEW.*

### **Other Business**

6. A. Approval of Regular Meeting Minutes for October 22, 2012

Vice-Chairman Berchelmann asked commissioners if they had any additions/corrections/revisions. *There were none.*

Motion made by Commissioner Stephanie Fernandez, seconded by Commissioner Lucero and **UNANIMOUSLY CARRIED TO APPROVE THE REGULAR MEETING MINUTES FOR OCTOBER 22, 2012.**

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**B. Discussion of City Council's decision to overturn the HLC's denial to demolish the Muir Building**

Ms. Velázquez explained that the commissioners' decision to deny the demolition of the Muir Building was appealed by the applicant. The appeal was presented to City Council at the November 13<sup>th</sup> meeting. After much discussion, City Council decided to overturn the HLC's decision and allow the demolition of the non-contributing Trost building. At that meeting, the applicant did not present any plans for future construction. Ms. Velázquez reiterated commissioners are not allowed to see, review or comment on non-contributing properties. However, City Council members were alarmed when told that non-contributing properties do not have to comply. She recommended for the HLC's consideration, sending a suggestion to the City Council to overturn the ordinance whereby non-contributing properties do not have to comply with the Downtown Historic District Design Guidelines. She noted that this is the only historic district that states non-contributing properties do not have to comply with guidelines.

Commissioner Guzman noted that there are approximately 20 non-contributing properties within the Downtown Historic District. There are Trost designed buildings within the Downtown Historic District and other structures that merit protecting.

Commissioner Gomez asked Ms. Velázquez if staff had a list of non-contributing structures within the Downtown Historic District.

Ms. Velázquez responded no but she would prepare a list for commissioners. The item was not posted for *Action*; however, staff will place a "*Discussion and Action*" item on the next HLC agenda.

Commissioner Lucero felt it was time to re-evaluate the 1992 Non-Contributing Structures in the Downtown Historic District list. She

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also was taken aback regarding non-contributing structures not having to comply with guidelines.

Commissioner Guzman noted that Certificates of Demolition of non-contributing properties must come before commissioners.

Ms. Velázquez agreed with Commissioner Guzman. She explained that determining whether or not a structure may be demolished is the only decision commissioners can decide, that is all.

Commissioners asked staff to place this item for "Discussion and Action" on the next HLC agenda.

**C. Election of a new Chair for the HLC**

Commissioner Guzman moved to nominate Vice-Chairman Berchermann as Chairman of the Historic Landmark Commission.

Vice-Chairman Berchermann accepted the nomination.

Motion made by Commissioner Guzman, seconded by Commissioner Brock and **UNANIMOUSLY CARRIED TO APPOINT VICE-CHAIRMAN DAVID BERCHELMANN AS CHAIRMAN OF THE HISTORIC LANDMARK COMMISSION.**

Staff will place an item on the next HLC agenda to elect a new Vice-Chairman for the HLC

**D. Discussion of a workshop for HLC Commissioners.**

Ms. Velázquez explained staff would like to hold a workshop for commissioners to clarify the rules and duties, ordinances, resolutions, guidelines, etc.

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Chairman Berchelmann asked if it were possible to review the Comprehensive Plan, compare and contrast.

Commissioner Guzman would like staff to review the Downtown Plan, specifically the architectural standards. Additionally, could Staff go over the *Visionaries in Preservation Plan*.

Ms. Velázquez explained that the THC (Texas Historical Commission) no longer funds that program. She suggested holding the workshop on Monday, December 10<sup>th</sup>, from 4:00 p.m. to 6:00 p.m. Commissioners agreed. Ms. Velázquez will send a workshop meeting reminder email for commissioners. Additionally, as this will be a public meeting, staff will post an agenda per the Texas Open Meetings Act requirements.

Motion made by Commissioner Stephanie Fernandez, seconded by Commissioner Guzman **AND UNANIMOUSLY CARRIED TO ADJOURN THE MEETING AT 5:54 P.M.**

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