



HISTORIC LANDMARK COMMISSION MEETING MINUTES

CITY COUNCIL CHAMBERS – 2ND FLOOR

MARCH 28, 2011

4:00 P.M.

The El Paso Historic Landmark Commission held a public hearing in the City Council Chambers, 2nd Floor, City Hall Building, March 28, 2011, 4:00 p.m.

Chair Riccillo called the meeting to order at 4:05 p.m.

The following Commissioners were present:

Mr. Joe Riccillo, Chair
Mr. Hugo Gardea, Vice-Chair (4:24)
Ms. Stephanie Fernandez
Mr. Joel Guzman
Mr. Ricardo Gonzalez
Mr. Randy Brock (4:06)
Mr. Jim Booher (4:08)
Mr. David Berchelmann

The following City Staff were present:

Ms. Cynthia Osborn, City Attorney's Office, Assistant City Attorney
Ms. Providencia Velazquez, Planning and Economic Development, Historic Preservation Officer
Mr. Tony De La Cruz, Planning and Economic Development, Planner

I. CALL TO THE PUBLIC – PUBLIC COMMENT

None

CHANGES TO THE AGENDA

None

MOTION:

Motion made by Chair Riccillo, seconded by Commissioner Guzman and **UNANIMOUSLY CARRIED TO APPROVE THE AGENDA AS IT STANDS.**

Mayor
John F. Cook

City Council

District 1
Ann Morgan Lilly

District 2
Susannah M. Byrd

District 3
Emma Acosta

District 4
Carl L. Robinson

District 5
Rachel Quintana

District 6
Eddie Holguin Jr.

District 7
Steve Ortega

District 8
Beto O'Rourke

City Manager
Joyce A. Wilson



II. REGULAR AGENDA – DISCUSSION AND ACTION

Certificate of Appropriateness

- 1. **HPC11-00017** Being a portion of Portland St. ROW located within Block J, Alamo Subdivision and Block 38, Manhattan Heights, City of El Paso, El Paso County, Texas
 - Location: A vacated portion of Portland Avenue between Elm Street and Grant Avenue.
 - Historic District: Manhattan Heights
 - Property Owner: City of El Paso
 - Representative: City of El Paso
 - Representative District: #2
 - Existing Zoning: R-3/H (Residential/Historic)
 - Year Built: N/A
 - Historic Status: N/A
 - Request: Enhancement of a vacated portion of Portland Avenue between Elm Street and Grant Avenue.
 - Application Filed: 02/14/2011
 - 45 Day Expiration: 03/31/2011

This item has been withdrawn from the March 28, 2011 HLC agenda at the request of the Engineering and Construction Management Department.

INTRODUCTION OF DAVID BERCHELMANN, COMMISSIONER

At this time, Ms. Velazquez introduced Commissioner David Berchermann.

Commissioner Berchermann explained he has been an El Paso resident for three years and is a Real Estate Agent with Century 21 APD. When not selling real estate, Commissioner Berchermann is exploring every facet of El Paso, especially the historical aspect. Additionally, Commissioner Bercherman is a member of the El Paso Museum of History Advisory Board and the El Paso Museum of History Foundation Board.

- 2. **PHAP11-00003** Lots 11 & 12, Block 33, Manhattan Heights, City of El Paso, El Paso County, Texas
 - Location: 2812 Silver Avenue
 - Historic District: Manhattan Heights
 - Property Owner: Monica Ortiz
 - Representative: Monica Ortiz
 - Representative District: 2
 - Existing Zoning: R-3/H (Residential/Historic)
 - Year Built: 1940



Historic Status: Contributing
Request: Certificate of Appropriateness for the legalization of after-the-fact window replacement.
Application Filed: 3/14/2011
45 Day Expiration: 4/28/2011

Ms. Velazquez gave a PowerPoint presentation and explained the applicant is requesting a Certificate of Appropriateness for the legalization of after-the-fact window replacement. Photos in the PowerPoint presentation showed homes in the neighborhood with single pane picture windows. Additionally, the newly installed windows are vinyl. Staff recommends ***APPROVAL WITH A CONDITION, THE CONDITION BEING THE INSTALLATION OF APPLIED MUNTINS TO SIMULATE THE GRID PATTERN OF THE ORIGINAL WINDOWS,*** based on the following recommendations:

The Administrative Review Design Guidelines recommend the following:

- Installation of windows similar to the original in appearance and structural purpose, regardless of construction materials, is permitted.
- That replacement windows match the appearance, materials, design, color, texture and other visual qualities of existing windows.

The Magoffin Historic District Design Guidelines recommend the following:

- Replacement windows should match the type, style, material and finish of the original

Ms. Monica Ortiz, property owner, explained this is the first time she has purchased a home and is very proud of her home. After she had replaced the windows, located in the rear of the home, someone submitted a complaint. She understood the new windows did not look like the old windows; however, there are other homes in her neighborhood with similar looking windows that are located in the front of the homes. She brought photos of homes with large picture windows in the front of the homes. She understood her option was to apply the false grids on her new windows; however, this would be an additional cost she had not budgeted for (in excess of \$300.00) and she did not want to obstruct the view she has via these new windows. To the Commissioners, Ms. Ortiz proposed the following; to approve the windows as they are with the understanding that, now that she is very familiar with the process, when it comes time to replace the other windows, they would be in compliance.

Ms. Julie Rutledge, Secretary, Manhattan Heights Neighborhood Association, explained the Neighborhood Association does not have an opinion on the new windows. However, personally and as a property owner in the neighborhood living just a block away from this home, she felt the windows stood out and did not match the other windows in the home. Ms. Rutledge was opposed to the snap on/glue on muntins as they do not provide the shadow lines like the original windows and the thickness of the trim around the window is prominent compared to the other casement windows in the home and inconsistent with the home itself.

Commissioner Booher was opposed to the notion of applying muntins on the windows.



Commissioner Guzman was inclined to support leaving the windows as is with the understanding that any future window replacements come in for historic review. He was opposed to the idea of plastic muntins; he felt this was contrary to proper aesthetics of this home.

Chair Riccillo explained the issue is Commissioners have not added language to the code that would eliminate the use of plastic muntins. That is something Commissioners should work on.

Commissioner Gonzalez stated Commissioners are tasked with preserving the historic character of the neighborhood when it came into being. He felt the new windows were inappropriate, not in keeping with the neighborhood; the use of the plastic muntins was as a solution albeit a poor one.

Regarding this property, Ms. Velazquez explained, the previous windows on the main and secondary façades were multi-light casements. Ms. Ortiz concurred. Ms. Velazquez read into the record portions of page 25, OPENINGS: Windows, of the Administrative Review Design Guidelines.

Chair Riccillo was not opposed to the picture frame window; however, he was opposed to the two vinyl windows on the side.

Commissioner Fernandez reiterated the windows were already installed; the guidelines only address the aesthetics; additionally, she did not want to set a precedent.

Ms. Ortiz explained those windows were particularly bad, especially during the winter storm, the wind and snow was coming in. She knew she would be living in a historic district; however, she did not know what that meant in relation to her home.

Commissioner Berchelmann asked if it was standard procedure for the Neighborhood Association to inform new residents of historic district requirements.

Ms. Rutledge responded there are no requirements that Neighborhood Associations inform new property owners of historic district standards. She noted, in the past, the Association has approached Realtors and the Greater El Paso Association of Realtors and found that they were not overly cooperative in communicating information to prospective homebuyers.

Commissioner Berchelmann responded he would work with the Neighborhood Association to remedy that.

Chair Riccillo reiterated muntins are permissible per the Administrative Review Design Guidelines as stated in the Code. Furthermore, Chair Riccillo felt that language should be reviewed.



Mr. De La Cruz and Commissioner Gonzalez discussed page 33, WINDOWS, of the Administrative Review Design Guidelines. First and foremost, Staff requests property owners maintain the original grid pattern of the windows. In this case, however, the property owner preferred to keep the windows as they exist now.

Ms. Velazquez reminded Commissioners the windows were located in the rear of the home.

Vice-Chair Gardea noted the east side window can be seen from Piedras Street, the more traveled street. Muntin bars may help; however, they may not be there a year from now.

1st MOTION:

Motion made by Commissioner Guzman **TO LEAVE ALL THREE WINDOWS AS IS.**

There was no second. The motion died.

2nd MOTION:

Motion made by Chair Riccillo, seconded by Commissioner Berchelmann **AND CARRIED TO APPROVE THE CERTIFICATE OF APPROPRIATENESS WITH THE CONDITION THAT THE SIDE WINDOWS HAVE MUNTINS APPLIED TO THE EXTERIOR OF THE WINDOWS SO THAT THE SIDE WINDOWS WOULD MATCH THE APPEARANCE OF THE EXISTING WINDOWS AND THE BACK WINDOW WOULD REMAIN AS A PICTURE WINDOW.**

Chair Riccillo asked if Commissioners had any further comments and/or questions of Staff.

Regarding the motion language, Commissioner Gonzalez questioned why the picture window was excluded from the application of the muntins.

Chair Riccillo responded there may have been a picture window in the 1940s; although the existing window is not in keeping with what originally existed. He felt this was a reasonable compromise for the property owner.

Commissioner Gonzalez commented that although he did not see a major problem in compromising the two side windows with muntins, he disagreed and would not support the motion to leave the picture window without some type of treatment making it more in keeping with the neighborhood.

Prior to the vote, Chair Riccillo clarified the motion that reads that you leave the back window as it is and to place exterior muntins on the two side windows that would match the existing window.

AYES: Commissioners Guzman, Gardea, Brook and Berchelmann

NAYS: Commissioners Fernandez, Gonzalez and Booher

Motion passed 4-3.



After the vote

Ms. Ortiz asked Commissioners, regarding the muntins, will you be changing the code sometime in the future; additionally, to prevent another case like this, will there be some type of notification given to property owners purchasing homes in historic districts. She will have to pull a permit to install the heating and cooling system, do the muntins have to be installed prior to getting the HVAC permit.

Regarding changing the code language, Chair Riccillo explained, for consistency, Commissioners are discussing the material type for windows. Properties within historic districts are designated on the real estate listing; the primary responsibility does lie with the property owner. Regarding the HVAC permit and the installation of the muntins, Chair Riccillo responded, Staff will be able to assist you.

3. **PHAP11-00004** Being 90 Feet on Mesa Street x 131 Feet on Texas Street save and except 5 Feet by 36 Feet in the Northwest corner, Block 5, Mills Addition, City of El Paso, El Paso County, Texas.
- Location: 201 N. Mesa Street
Historic District: Downtown
Property Owner: River Oaks Properties LTD
Representative: Richard Williams
Representative District: 8
Existing Zoning: C-5/H (Commercial/Historic)
Year Built: C. 1915
Historic Status: Contributing
Request: The rehabilitation of a two story masonry commercial structure with second story infill and signage exceeding 30 square feet.
- Application Filed: 3/14/2011
45 Day Expiration: 4/28/2011

Ms. Velazquez explained the property owners have requested the item be postponed to the April 25th HLC meeting.

4. **PHAP11-00006** 2 Magoffin Homestead 1.521 Acres in NWC Of Blk, City of El Paso, El Paso County, Texas
- Location: 1120 Magoffin Avenue
Historic District: Magoffin
Property Owner: Texas Historical Commission
Representative: Leslie Bergloff
Representative District: 8
Existing Zoning: A-3/H (Apartment/Historic)
Year Built: 1875
Historic Status: Landmark
Request: Certificate of Appropriateness for the rehabilitation of the subject property.
- Application Filed: 3/14/2011
45 Day Expiration: 4/28/2011



Ms. Velazquez gave a PowerPoint presentation and explained the property owner is requesting a Certificate of Appropriateness for the rehabilitation of the subject property. She explained the Magoffin Home will be closed for one year due to the extensive restorative or restorative in nature work to be done. This includes grading and drainage, structural repairs to include stucco/adobe patching and/or repair, door/window repair and/or replacement to include shutters and sashes and extensive reroofing. Staff recommends **APPROVAL OF THE PROPOSED SCOPE OF WORK BASED ON THE FOLLOWING RECOMMENDATIONS:**

The Magoffin Historic District Design Guidelines recommend the following:

- *The plans maintain as much of the original building as possible.*
- *Exterior alternations and changes are kept to a minimum.*
- *The original building materials are maintained and restored.*
- *Architectural elements such as parapets, window and door openings, porches and roof lines are retained.*
- *The original architectural details are kept.*

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

- *The historic character of a property will be retained and preserved.*
- *Distinctive materials, features, finishes, and construction techniques or examples of craftsmanship that characterize a property will be preserved.*
- *Deteriorated features will be repaired rather than replaced.*
- *Exterior alterations will not destroy historic materials, features, and spatial relationships that characterize the property.*

Ms. Leslie Bergloff, Director, Magoffin Home, stated this project has been reviewed by the Texas Historical Commission and given an antiquities permit. She was very happy with the proposed plans and happy that the State of Texas was willing to spend monies to rehabilitate this historic facility. She noted that the furnishings/contents of the home will be moved out while the rehabilitation is going on.

Chair Riccillo asked if Commissioners had any further questions of Staff. There being none.

MOTION:

Motion made by Commissioner Gonzalez, seconded by Chair Riccillo and **UNANIMOUSLY CARRIED TO APPROVE.**

5. **PHAP11-00007** Lots 11 & 13, Block 1, Castle Heights Subdivision, City of El Paso, El Paso County, Texas
Location: 2923 Silver Avenue
Historic District: Manhattan Heights
Property Owner: Jeffrey C. Brown
Representative: Jeffrey C. Brown
Representative District: 2
Existing Zoning: R-3/H (Residential/Historic)
Year Built: 1917



Historic Status: Contributing
Request: Applicant is requesting a Certificate of Appropriateness for the installation of 6' vinyl fence located at rear of home.
Application Filed: 3/14/2011
45 Day Expiration: 4/28/2011

Ms. Velazquez gave a PowerPoint presentation and explained the applicant is requesting a Certificate of Appropriateness for the installation of a 6' vinyl fence located at the rear of the home. Staff recommends **APPROVAL OF THE PROPOSED SCOPE OF WORK BASED ON THE FOLLOWING RECOMMENDATIONS:**

Due to existing site conditions of the property that limit the visibility of the fence through the use of existing landscape from the public right-of-way.

The Administrative Review Design Guidelines recommend the following:

- *If fencing is to be used it should be incorporated into the overall design.*
- *Construction of new fences should complement the building and the neighborhood.*
- *Cinder block and chain link are subject to the review and approval by the Historic Landmark Commission.*

The Magoffin Historic District Design Guidelines recommend the following:

- *Brick, stone and wrought iron are generally acceptable material but each case should be decided individually.*

Mr. Jeff Brown, property owner, explained the fence will be 6'; however, the caps will be 2" to 3" above that.

Vice-Chair Gardea asked if there were other vinyl fence patterns and explained the proposed fence is a colonial style; however, the home is Arts and Crafts type. He wondered if there were other homes in the neighborhood with this type of fencing, if not, this would set a precedent for everyone else.

Mr. Brown responded yes; however, he preferred this style of vinyl fencing. No other homes in the neighborhood have vinyl type fencing.

Chair Riccillo commented on the Manhattan Heights Historic District Guidelines, page 17, SITE DETAILS: Fencing and noted vinyl is not listed. He asked for input/comments from Commissioners. Chair Riccillo suggested an Administrative Review for a more appropriate application.

Commissioner Fernandez responded she had no issues with vinyl fencing; however, her concern was the aesthetic of the fence being compatible with the architectural character of the house.

Commissioner Gonzalez concurred.



Commissioner Guzman stated vinyl seems inappropriate in an historic district.

Mr. De La Cruz explained the Administrative Review Design Guidelines do not address vinyl fencing; therefore, Staff requested the application come before Commissioners.

PUBLIC COMMENT

Ms. Julie Rutledge, Secretary, Manhattan Heights Neighborhood Association, concurred with Commissioners Fernandez and Gonzalez in that the fencing should match the architecture of the home. Secondly, the fence would be visible on the eastside of the home. Finally, vinyl fencing will deteriorate quickly in this desert climate.

Mr. Brown chose the color white to match the house. He asked if the fence was constructed in wood, if there wouldn't be any objection; however, he preferred vinyl over wood.

Ms. Velazquez responded, yes, Staff would approve a wooden fence because wood is an approved material for the district.

Commissioner Gonzalez stated it is incumbent on Commissioners to follow the Guidelines regarding material and design.

Commissioner Guzman suggested Mr. Brown replace the finial cap with a classic pyramid shape; additionally, the lattice design is appropriate for the style of home.

Mr. Brown responded he would replace the caps. He brought samples of finial cap designs and asked Commissioners for their suggestions.

Chair Riccillo clarified Commissioners do not have an issue with the material but rather the design style matching the style of the home.

PUBLIC COMMENT

Ms. Jeanette Lewis, resident of Manhattan Heights, wondered if Commissioners would be setting a precedent by approving this fence made of vinyl. She felt vinyl was not an appropriate material for a historic district.

PUBLIC COMMENT

Mr. Jose Luis Salas, Architect, ARTchitecture, was opposed to cutting down trees for a fence.

In conclusion, Chair Riccillo pointed out Commissioners may be setting a precedent; however, since it is vinyl, it cannot be approved administratively and it must come before Commissioners. Each case is reviewed individually.

Chair Riccillo asked if Commissioners had any further questions of Staff. There being none.



1st MOTION:

Motion made by Vice-Chair Gardea, seconded by Commissioner Brock **TO APPROVE PHAP11-00007 WITH THE CONDITION THAT MR. BROWN CHANGE THE FINIAL TO A MORE APPROPRIATE ARTS AND CRAFT CAP, STAFF WILL ASSIST, AND WITH THE REQUIREMENT THAT HE MOVE THE FENCE IN AND PLANT SOMETHING THAT WOULD EVENTUALLY GROW AND PERHAPS COVER THE FENCE FROM THE EXTERIOR HAVING FULL VIEW FROM THE BACKYARD.**

No further discussion from Commissioners.

AYES: Commissioners Fernandez, Gardea and Brock

NAYS: Commissioners Guzman, Gonzalez, Booher and Berchelmann

Motion failed 3-4.

2nd MOTION:

Motion made by Commissioner Guzman, **IF AMENABLE TO THE OWNER, TO APPROVE A SIMILAR FENCE, IN A WOODEN STYLE, WITH A SIMILAR FINIAL.**

No further discussion from Commissioners.

There was no second. The motion died.

Ms. Osborn reminded Commissioners, and the applicant, if the request is denied the applicant cannot bring this request back to the HLC for one year.

Chair Riccillo explained Mr. Brown could either postpone his request to the next HLC meeting or withdraw his request.

Mr. Brown withdrew his request.

6. **PHAP11-00009** Lots 25 to 27, All of Blocks, Manhattan Heights Addition, City of El Paso, El Paso County, Texas.
- Location: 3200 Copper Avenue
- Historic District: Manhattan Heights
- Property Owner: City of El Paso
- Representative: Sam Rodriguez
- Representative District: 2
- Existing Zoning: R-3/H (Residential/Historic)
- Year Built: 1995
- Historic Status: Non-contributing
- Request: Applicant is requesting a Certificate of Appropriateness for the construction of additions to Memorial Park library.
- Application Filed: 3/21/2011
- 45 Day Expiration: 5/5/2011



Ms. Velazquez gave a PowerPoint presentation and explained this request was previously presented to Commissioners several weeks ago. Commissioners approved that request; however, an appeal of the HLC's decision was submitted to City Council which City Council approved. Engineering & Construction Management Staff met with the Neighborhood Association and came up with the new design which is presented to Commissioners today. Additionally, Ms. Velazquez noted, there was a change in the site plan, an additional window, in the rear of the building was added at the request of the Neighborhood Association. Staff distributed copies of the new site plan. The applicant is seeking approval for the construction of front and rear additions to Memorial Park library. Staff recommends **APPROVAL OF THE PROPOSED SCOPE OF WORK BASED ON THE FOLLOWING RECOMMENDATIONS:**

- Existing structure is a non-contributing property constructed in 1995 and located within the Manhattan Heights Historic District.
- The building does not possess any historically significant details that will be damaged or destroyed by the construction of the new additions.
- Proposed location of construction requires minimal disturbance of the terrain and landscaping.

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

- *Designing and constructing new additions to buildings when required by the use. New work should be compatible with the character of the setting in terms of size, scale design, material, color, and texture.*
- *Designing new exterior additions to buildings or adjacent new construction which is compatible with the historic character of the site and which preserves the historic relationship between the building or buildings and the landscape.*
- *Minimizing disturbance of terrain around buildings or elsewhere on the site, thus reducing the possibility of destroying or damaging important landscape features or archeological resources.*
- *Designing new work to be compatible in materials, size, scale, and texture.*

Commissioner Booher noted the spacing between the columns on the north and west sides were not symmetrical, very awkward. He thought the architect should be more sympathetic to the building.

Mr. Jose Luis Salas, Architect, ARTchitecture, explained he tried to match the column spacing on the west and north sides of the building; however, the original architect built the columns that way. Mr. Salas commented on adding a new window per the Neighborhood Association's request.

Vice-Chair Gardea wondered if the hip roof, on the corner, was removed to address the Neighborhood Association's comments.

Mr. Salas concurred and commented on the location of the existing windows as opposed to the location of the new window proposed by the Neighborhood Association.

Chair Riccillo asked if the Neighborhood Association had seen the final drawings.



Ms. Julie Rutledge, Secretary, Manhattan Heights Neighborhood Association, gave background information explaining why the Association had filed the appeal to City Council. Engineering & Construction Management Staff had informed the Association that prior to submission to the Historic Landmark Commission, the Association would be allowed to comment and make suggestions to the design of the library. Additionally, the new window will provide additional light during story time.

For Clarification

1. There will be windows on three sides of the building. Per the revised plans, Ms. Rutledge noted, the East Elevation plan shows a window; the floor plan Option 1, West Elevation, does not.
2. Ms. Rutledge asked if the mesh would be removed from the wrought iron. Ms. Velazquez explained the Proposed Elevations plan shows "wrought iron to match existing." Mr. Salas responded yes, the mesh will be removed; he will be placing additional bars between the wrought iron spaces.

Commissioner Gonzalez asked Ms. Rutledge if the Neighborhood Association were in favor of Floor Plan Option 1 with the window added on the east side of the building.

Ms. Rutledge responded yes and the proposed wrought iron, too.

Chair Riccillo asked if Commissioners had any further questions of Staff. There being none.

MOTION:

Motion made by Chair Riccillo, seconded by Vice-Chair Gardea and ***UNANIMOUSLY CARRIED TO APPROVE THE CERTIFICATE OF APPROPRIATENESS WITH THE CLARIFICATION THAT THE WROUGHT IRON IS TO BE PER CODE AND THAT THE EXISTING WROUGHT IRON HAVE THE MESH REMOVED AND THE ADDITIONAL BAR ADDED IN ESSENCE TO MATCH THE NEW.***

7. 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 28, 2011 deadline for HLC members to request for agenda items to be scheduled for the April 11, 2011 meeting. April 11, 2011 deadline for HLC members to request for agenda items to be scheduled for the April 25, 2011 meeting.

A. Magoffin Villas at 915, 917, 1001 Magoffin Avenue and 1000, 1008, 1010 Myrtle Avenue

At the last meeting, Commissioners requested an update regarding the status of the Magoffin Villas. Staff had presented information which Commissioners took exception to.

Ms. Velazquez explained she had telephoned the developer and informed him that the work, approved by the State, had to stop and that he must come before Commissioners to have the stucco approved. He is willing to do that; however, he also wanted to see what other options were available specifically the cost of putting in brick. As of last week, the



developer was unable to provide Ms. Velazquez that information. Additionally, due to the submittal of an incomplete application Staff could not place an item on this agenda, it is tentatively scheduled for the April 11th HLC agenda unless the developer removes the stucco and installs the brick. If the developer removes the stucco and installs the brick, he would have conformed with the proposal submitted to City Council and the issue would be moot.

On his way to today's meeting, Commissioner Gonzalez went by the site and noted the stucco had been placed in that area, that corner is completely covered in stucco.

Ms. Velazquez responded she would contact the contractor.

B. 1725 Arizona Avenue (Fall Mansion)

Ms. Velazquez explained pre-construction meetings will be held this week, actual construction would begin next week.

Chair Riccillo requested Staff add both items to the April 11th HLC agenda. He then asked Commissioners if they would like to add any addresses. There were none.

HLC Staff Report

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

Commissioners had no questions and/or comments.

Planning & Economic Development Department Reports

9. Staff report regarding the wording on re-zonings of designated buildings in other municipalities.

Via email, Ms. Velazquez explained, she had requested the re-zoning ordinance language from Dallas and Austin. She received and forwarded the information provided by the City of Dallas; however, the information from Austin was pending. She would forward that information to Commissioners immediately upon receipt.

Chair Riccillo requested Staff place the agenda item on the April 11th HLC agenda.

Visionaries in Preservation Report

10. Discussion and action regarding VIP issues.

Ms. Velazquez explained one of the issues facing Staff is preparing the National Register nomination documentation for the Magoffin Historic District. As part of the nomination process, a survey of all properties in the district must be completed. She had planned to speak with UTEP professors; perhaps they would like to use this as a class project. This would save the city a great deal of monies and would be a great experience for students.



Chair Riccillo suggested Ms. Velazquez contact the Texas Tech College of Architecture professors (El Paso Community College). Chair Riccillo noted he would be meeting with an Associate Professor tomorrow and would bring this up for discussion.

Ms. Velazquez explained that as part of the survey, the survey will include a photograph and background information for each of the 170 properties in the district. Locally, the San Francisco, Sunset Heights and one other historic district are listed in the National Register.

Other Business

11. A. Approval of Historic Landmark Commission Meeting Minutes for March 14, 2011.

Chair Riccillo asked if Commissioners had any changes/corrections/revisions. There being none.

MOTION:

Motion made by Chair Riccillo, seconded by Commissioner Guzman and **UNANIMOUSLY CARRIED TO APPROVE THE MARCH 14, 2011 MINUTES.**

At this time, Chair Riccillo requested items B., C. and D. be postponed to the April 11th HLC meeting.

B. Discussion on application review regarding demolition changes.

C. Discussion and action on the Historic Landmark Commission recommendation/opinion on rezoning cases.

D. Discussion on amending the Administrative Review Guidelines for windows.

E. Discussion on the enhancement of a vacated portion of Portland Avenue between Elm Street and Grant Avenue.

Ms. Velazquez explained when Staff presented the item to Commissioners at a previous HLC meeting heated discussions ensued particularly whether or not Staff had approved the request correctly, via Administrative Review. Following the meeting, the Legal Department contacted Ms. Velazquez and requested she provide them with documentation explaining the Administrative Review process and why Staff had approved the request administratively. At this time, Ms. Velazquez read into the record **Section 20.20.080 – Alterations and changes to landmarks and H-Overlay properties**; which permits Staff to approve such requests administratively.



To the Commissioners, via the Legal Department, Ms. Velazquez explained this project does not need to be reviewed by the Historic Landmark Commission; this project met the criteria for administrative review by Staff, and there is no provision in the code for the appeal of an administrative review decision to the HLC except by the applicant. Therefore, this project has been withdrawn and is now a discussion item.

At the time Chair Riccillo requested items for the April 11, 2011 HLC agenda (see below).

Ms. Osborn explained the current code and how it does not apply to this particular project, specifically, there is no provision in the code whereby Historic Landmark Commissioners may appeal an administrative review decision.

Mr. Javier Reyes, Engineering Division Manager, Engineering & Construction Management, explained Staff met with Manhattan Heights Neighborhood Association Members, Thursday, March 24th, 4:30 p.m.

Following that meeting, City Staff and Neighborhood Association Members came to the following conclusions:

1. The kiosk will be removed;
2. Tree/shrub types to be decided by the Manhattan Heights Neighborhood Association;
3. The landscape area within the street right-of-way will be increased;
4. Coordinate with the Manhattan Heights Neighborhood Association regarding the benches;
5. All decisions must stay within the city budget for this project.

Mr. Reyes explained the Parks & Recreation Department will take ownership of the open space/street right-of-way project.

Commissioner Gonzalez was uncomfortable categorizing this project as an Administrative Review. He read a portion of the code into the record and stated the kiosk and street lights were not under the Administrative Review umbrella and should be presented to Commissioners. Ms. Osborn explained that the item was categorized as open space, met the definitions for administrative review and approval, and approved as landscaping of an open space.

Chair Riccillo asked if Commissioners had any further questions of Staff. There being none.

04.11.11 AGENDA ITEMS REQUESTED BY COMMISSIONERS:

Chair Riccillo requested:

1. Suggestions by Representative Byrd regarding the enhancement of a vacated portion of Portland Avenue between Elm Street and Grant Avenue:
 - a. Including Neighborhood Associations in the Public Improvement Project process
 - b. Trade some concrete for vegetation
 - c. Public Improvement Projects to come to Historic Landmark Commission meetings;



Vice-Chair Gardea asked if Staff would forward him information pertaining to vinyl fencing, to include designs, colors, etc.

MOTION:

Motion made by Chair Riccillo, seconded by Vice-Chair Gardea and **UNANIMOUSLY CARRIED TO ADJOURN THE MEETING AT 6:22 P.M.**

