



**HISTORIC LANDMARK COMMISSION MEETING MINUTES
1st FLOOR, CITY COUNCIL CHAMBERS
CITY HALL BUILDING, 300 N. CAMPBELL
OCTOBER 7, 2013
4:00 P.M.**

The El Paso Historic Landmark Commission held a public hearing in the City Council Chambers, 1st Floor, City Hall Building, October 7, 2013, 4:00 p.m.

The following commissioners were present:

Vice-Chairman Edgar Lopez
Commissioner Beatriz Lucero
Commissioner Randy Brock
Commissioner Cesar Gomez
Commissioner William C. Helm II
Commissioner John L. Moses

The following commissioners were not present:

Chairman David Berchelmann
Commissioner Ricardo Fernandez

The following City staff members were present:

Ms. Providencia Velázquez, Historic Preservation Officer, City Development Department, Planning Division
Ms. Kristen Hamilton, Assistant City Attorney, City Attorney's Office

Vice-Chairman Lopez called the meeting to order at 4:12 p.m., quorum present.

CHANGES TO THE AGENDA

None.

I. CALL TO THE PUBLIC – PUBLIC COMMENT

None.

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Oscar Leeser

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II. REGULAR AGENDA – DISCUSSION AND ACTION

Certificate of Appropriateness

- 1. PHAP13-00025:** 109 Government Hill 19 to 21 (11,250 sq. ft.), City of El Paso, El Paso County, Texas
- Location: 2019 Crescent Circle
- Historic District: Austin Terrace
- Property Owner: Raymond Rohena
- Representative: Raymond Rohena
- Representative District: 2
- Existing Zoning: R-4/H (Residential/Historic)
- Year Built: 1925
- Historic Status: Contributing
- Request: Certificate of Appropriateness for the installation of new windows including sliders, double-hung, and single-hung.
- Application Filed: 09/23/13
- 45 Day Expiration: 10/24/13

Ms. Velázquez gave a presentation and noted the property owner sought approval for Certificate of Appropriateness for the installation of new windows including sliders, double-hung, and single-hung. She explained that the property owner would like to change out all the windows in the home and in the garage, as well.

Of greatest concern were the properties on the main façades, specifically the main front façade. Currently, the property owner has a tripartite window where the center window is fixed and the abutting windows are sash windows; however, he would like to replace that with a center-fixed window with sliders on either side. Furthermore, the property owner is requesting slider windows, towards the back, and for the garage. Ms. Velázquez elaborated on the existing window features and noted that the replacement windows consist of vinyl with an exterior applied three-dimensional muntin. In conclusion, Ms. Velázquez stated she would not be opposed to the installation of slider windows on the rear and secondary façades.

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STAFF RECOMMENDATION

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

The Design Guidelines for El Paso’s Historic Districts, Sites, and Properties recommend the following:

- *If windows are damaged beyond repair, replacement windows should match the type (such as double hung), style (for example six panes over six panes), and finish (paint).*
- *Doors and windows are considered important character-defining features because of significant detailing.*
- *Installation of windows similar to the original in appearance and structural purpose, regardless of construction materials is permitted.*
- *Windows in secondary façades shall be reviewed on a case by case basis.*

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

- *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.*

****The modifications are that the new windows on the main façade match the existing in terms of operation and configuration and that they be installed with three-dimensional exterior applied muntins.***

Vice-Chairman Lopez asked Ms. Velázquez what material the proposed windows would be composed of.

Ms. Velázquez responded vinyl, double-pane, three-dimensional applied muntins.

Vice-Chairman Lopez asked commissioners if they had any questions for the property owner or representative.

Commissioner Gomez asked Ms. Velázquez if the existing windows were the originals.

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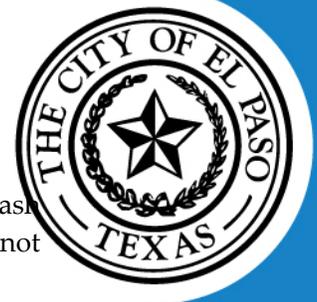
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Ms. Velázquez did not think so as most of the existing windows were metal sash windows. She suspected the original windows were probably casement (not sash) windows.

Commissioner Moses asked Ms. Velázquez if she had received any comments from the neighborhood association or neighbors.

Ms. Velázquez responded she did not receive any comments from the neighborhood association.

Commissioner Lucero asked Ms. Velázquez if the property owner had agreed to the modification.

Susie from Window World, representing the property owner, explained that the property owner would like to change three window type/styles.

While at the podium, Ms. Velázquez and Susie from Window World discussed possible window type/style changes and the Historic District Guidelines.

As long as all criteria are met, Ms. Velázquez clarified, she is requesting commissioners approve the Certificate of Appropriateness for the installation of new windows including sliders, double-hung, and single-hung windows, with the exception of the window on the main façade. That new window must copy the existing window as it is now, *without slider windows*. However, it is permissible to have slider windows on the secondary façade.

Vice-Chairman Lopez reiterated that the property owner will not deviate from what was originally submitted. Additionally the muntins will be on the outside wherever possible, except when they are sliders.

Ms. Velázquez responded yes and clarified, even on the slider windows. The property owner will have exterior, applied, three-dimensional muntins on the exterior leaf. Furthermore, the property owner will match the existing main façade windows.

MOTION:

Motion made by Vice-Chairman Lopez, seconded by Commissioner Lucero AND UNANIMOUSLY CARRIED TO APPROVE, AS SUBMITTED, WITH THE MODIFICATIONS.

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- 2. **PHAP13-00026:** 32 Manhattan Heights 17 to 19, City of El Paso, El Paso County, Texas
 - Location: 2734 Silver Avenue
 - Historic District: Manhattan Heights
 - Property Owner: Raymond and Julie Rutledge
 - Representative: Raymond and Julie Rutledge
 - Representative District: 2
 - Existing Zoning: R-3/H (Residential/Historic)
 - Year Built: 1917
 - Historic Status: Contributing
 - Request: Certificate of Appropriateness for the construction of a rock wall on the east property line.
 - Application Filed: 09/30/13
 - 45 Day Expiration: 11/7/13

Ms. Velázquez gave a presentation and noted the applicants sought approval for a Certificate of Appropriateness for the construction of a rock wall on the east property line. Ms. Velázquez explained that this case is unique due to the adjacent alley. Per the presentation photographs, Ms. Velázquez noted that the westerly rock wall, with the added green foliage growing over the top, is substantially high and provides a great deal of privacy.

Ms. Velázquez explained the proposed rock wall would exist in the same location as the hedge because the hedge died due to the freeze. This hedge provided a great deal of screening for the property owners, in addition to alerting alleyway pedestrians of the property boundary.

Due to the code and the Historic District Guidelines, the height of a solid rock wall is limited. The property owners would like to construct the proposed rock wall 30" from the front yard, starting 20' from the sidewalk and increasing in height to 42". The maximum height allowed by the code is 36". The proposed rock wall will not obscure or affect the property in any way. The intent of the rock wall is to replace the hedge and maintain privacy.

STAFF RECOMMENDATION

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

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The Design Guidelines for El Paso’s Historic Districts, Sites, and Properties recommend the following:

- Construction of new fences, stairs, or sidewalk rails and replacement of older existing fences is allowed on historic properties provided that the proposed site feature is of a compatible material and scale. Rock, brick, wood and wrought iron are acceptable materials but each case is decided individually.
- The height of the proposed fence should complement the structure (primarily as viewed from the street) and should not obstruct the public’s view of the building.
- Solid walls are appropriate for the side property lines while an open fencing material is more appropriate for the front portion of the property.
- Introduce new fences and walls compatible in material, design, scale, location, and size with original fences and walls in the historic district.
- The height of the proposed fence should complement the structure and should not obstruct the public’s view of the building. Any proposed fence higher than 32” solid or 48” open, measured from the ground level, at front property line or a side yard property line on a corner lot, shall be reviewed by the HLC.

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

- New additions, exterior alterations, or related new construction will not destroy historic materials, features, and spatial relationships that characterize the property. The new work shall be differentiated from the old and will be compatible with the historic materials, features, size, scale and proportion, and massing to protect the integrity of the property and its environment.

Commissioner Moses wondered how much additional height the Virginia creeper foliage added to the height of the existing rock wall.

Ms. Julie Rutledge, property owner, responded the Virginia creeper adds approximately six to eight inches, depending on how flush it gets each year. For clarification, Ms. Rutledge understood that with regard to the side property line, the height of the rock wall could be 42 inches. If possible, Ms. Rutledge would like to construct a 5’ 5” rock wall, three feet from the sidewalk beginning at the point adjacent to the small garden rock wall. She noted that the hedge had grown to approximately eight feet in height.

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Ms. Rutledge explained that, per the code, a 5' 5" rock wall must be constructed to the front property line, to include a 15' setback between the front and rear yards. Due to her 30' rear setback, that would equal a 20' front yard setback. Furthermore, per the code, she could have a 42" rock wall, located from the sidewalk back 20 feet, with the remaining rock wall at 5'5" feet. *Ms. Rutledge preferred constructing a 5'5" rock wall, three feet from the sidewalk.*

Ms. Rutledge stated it was her understanding that she could apply for a waiver with the City Development Department, Zoning Division to construct the 5'5" rock wall, three feet from the sidewalk. She was not sure if she should come before the Historic Landmark Commission prior to submitting documents to the Zoning Division or vice versa. Ms. Rutledge asked if commissioners might approve both the Certificate of Appropriateness and a Zoning Division waiver should the Zoning Division not approve raising the rock wall to 5'5" feet, the length of her property adjacent the alley. Otherwise, she would construct the rock wall up to the 42" then see how well that height provides screening and security from alleyway pedestrians.

Ms. Velázquez clarified, if Zoning allows, the property owner is requesting constructing the rock wall at the 5'5" height, three feet from the sidewalk. If not, she would like commissioners to approve up to 42".

Vice-Chairman Lopez noted the house is elevated which would not obstruct the proposed 42" rock wall. At this time, commissioners can only approve or deny the request for a 42" rock wall, unless and until, the Zoning Division approves the waiver. He wondered if the property owners would install an open fence above the proposed 42" rock wall.

Ms. Rutledge responded, in this area, there are no wrought iron fences; all fences are rock. She explained that her objective was to plant the Virginia creeper as a cover.

Commissioner Moses asked Ms. Rutledge if the walls along her rear property line were 5'6".

Ms. Rutledge responded yes, at the eastern part of the alley; at the southern property line the rock wall is 10' to 12'; at the neighboring property line there is approximately a 6' retaining wall with another 5' rock wall on top of the

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retaining wall. Ms. Rutledge noted that the neighboring property is at a much higher elevation than her back yard.

Mr. Ray Rutledge, property owner, noted his property is fairly, severely sloped, and located at the lower end of the property line. He explained that the proposed 5'5" rock wall would actually be the lowest wall elevation of any other walls in the neighborhood. The prevalent fence material within the historic district was rock, so for consistency, a rock wall to the 5'5" to continue the consistent height from the backyard all along that east exposure was the best compromise and will provide the least amount of alteration.

Ms. Hamilton clarified commissioners can approve the 5'2" or 42" rock wall pending approval by the Zoning Division.

Commissioner Helm asked Ms. Velázquez if she would clarify the city code language regarding rock walls height, setbacks, etc.

Ms. Velázquez stated that, in this case, the issue is the adjacent alley way and vehicular or pedestrian visibility. She then read into the record Section 20.16.030 Permitted walls A. from the code. "... *A screening wall or fence not in excess of forty-two inches high may be erected in that part of a lot in front of the front line of the main building, except that no screening wall or fence may be more than thirty-six inches high within twenty feet of a street intersection or where visibility of vehicles or pedestrian traffic might be impeded as specified in Section 20.16.060 of this chapter.*

Ms. Velázquez noted that the STAFF RECOMMENDATION for APROVAL does include both height options for the fence.

Ms. Rutledge noted the distance from the street to the property line is 20 feet, to include the curb line.

Vice-Chairman Lopez was not opposed to commissioners approving the 5'6" rock wall, especially with the 20 feet visibility of vehicles or pedestrian traffic and pending approval from the Zoning Division.

MOTION:

Motion made by Vice-Chairman Lopez, seconded by Commissioner Moses AND UNANIMOUSLY CARRIED TO APPROVE THE CONSTRUCTION OF THE SIDE WALL ROCK WALL TO 5'6" PENDING THE APPROVAL OF ZONING.

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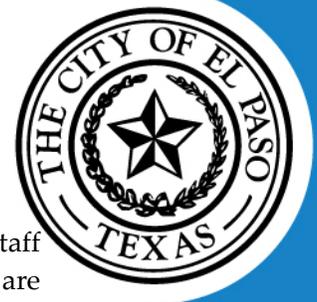
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3. Addresses of property HLC commissioners have requested that HLC staff review or investigate and provide a report to the HLC. If no addresses are submitted in advance and listed under this agenda item, commissioners may announce such addresses under this agenda item. Discussion on property announced at this meeting will take place during the next regularly scheduled meeting. October 7, 2013 deadline for HLC members to request for agenda items to be scheduled for the October 21, 2013 meeting. October 21, 2013 deadline for HLC members to request for agenda items to be scheduled for the November 4, 2013 meeting.

Vice-Chairman Lopez asked if commissioners had any addresses they would like staff to review or investigate.

Commissioner Gomez asked Ms. Velázquez what the status was regarding property located at 1016 Upton Drive.

Ms. Velázquez responded that she had recently driven by the property and taken photographs of the half way painted steps. She then sent an email to Code Enforcement staff regarding the property and should receive a reply from Code Enforcement sometime tomorrow.

HLC Staff Report

4. Update on Administrative Review Cases since the last HLC meeting for the properties listed on the attachment posted with this agenda.

Vice-Chairman Lopez asked if commissioners had any comments and/or questions for staff.

Commissioner Moses confirmed that the Historic Preservation Office was not opposed to approving vinyl shutters.

Ms. Velázquez responded, no.

MOTION:

Motion made by Commissioner Lucero, seconded by Commissioner Gomez AND UNANIMOUSLY CARRIED TO APPROVE THE ADMINISTRATIVE REVIEW STAFF REPORT.

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Other Business

5. Approval of Regular Meeting Minutes for September 23, 2013.

Vice-Chairman Lopez asked commissioners if they had any additions/corrections/revisions.

PAGE 3 OF 14, MID PAGE, PARAGRAPH

Commissioner Moses requested staff revise the following sentence as follows
"Ms. Velázquez noted her former **assistance**, **assistant**, Mr. Tony De La Cruz, ...

MOTION:

*Motion made by Vice-Chairman Lopez, seconded by Commissioner Gomez and
**UNANIMOUSLY CARRIED TO APPROVE THE REGULAR MEETING
MINUTES FROM SEPTEMBER 23, 2013, AS REVISED.***

ABSTAIN: *Vice-Chairman Lopez and Commissioner Helm*

MOTION:

*Motion made by Vice-Chairman Lopez **AND UNANIMOUSLY CARRIED TO
ADJOURN THE MEETING AT 4:47 P.M.***

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