



**EL PASO HISTORIC LANDMARK COMMISSION MINUTES
OCTOBER 19, 2009
4:00 P.M.**

The El Paso Historic Landmark Commission held a public hearing in the City Council Chambers, 2nd Floor, City Hall Building, October 19, 2009, 4:00 p.m., with the following members present:

Commission Members Present:

Joseph Riccillo, Chair
Hugo Gardea, Vice-Chair
Dr. Nicholas C. Markovich
Randy Brock
Melissa C. Brandrup (4:13)
Elizabeth Leal
Jim Booher

Others Present:

Dr. Troy Ainsworth, Historic Preservation Officer
Tony De La Cruz, Planner
Cynthia Osborn, Assistant City Attorney

AGENDA

Chair Riccillo called the Historic Landmark Commission meeting to order at 4:08 p.m.

I. CALL TO THE PUBLIC – PUBLIC COMMENT

There was no public comment.

Chair Riccillo asked Staff if there were any changes to the agenda.

There being no changes, the agenda stands as presented.

MOTION:

Motion made by Commissioner Gardea, seconded by Commissioner Leal and unanimously carried **TO APPROVE THE AGENDA AS PRESENTED.**

No further discussion from the Commissioners. The vote was taken.

AYES: Commissioners Markovich, Brock, Gardea, Leal, and Booher

NOT PRESENT FOR THE VOTE: Commissioner Brandrup

NAYS: N/A

Motion passed. (5-0)

II. REGULAR AGENDA – DISCUSSION AND ACTION

Certificate of Appropriateness

1. **HPC09-00159** Lots 5 and 6, Block 75, Government Hill Addition, City of El Paso, El Paso County, Texas
Location: 4309 Trowbridge Avenue
Historic District: Austin Terrace
Property Owner: Reymundo Hernandez
Representative: Reymundo Hernandez
Representative District: #2
Existing Zoning: R-4/H (Residential/Historic)
Year Built: 1917
Historic Status: Contributing
Request: Certificate of Appropriateness for legalization of addition constructed by previous homeowner
Application Filed: 9/23/2009
45 Day Expiration: 11/06/2009

Mr. De La Cruz explained Commissioners postponed this case at the October 5th Historic Landmark Commission agenda. Mr. De La Cruz gave a PowerPoint presentation and explained the applicant was requesting a Certificate of Appropriateness to retain and legalize an addition which was constructed by the previous homeowner. An historic review was not conducted and building permits were not authorized for the illegal construction; additionally, the applicant has been issued several citations. The addition is located toward the rear of the property with some visibility from the street; an ivy covered fence conceals the bottom 2/3rds of the addition. Mr. De La Cruz commented on the rafters, the foundation, the fascia with soffit underneath and noted the rafter tails were not exposed, as on the original construction. He added the existing and new addition roof pitches are aligned and Staff recommends approval of the existing addition.

Chair Riccillo asked if there was any discussion.

POINT OF ORDER – Commissioner Leal requested Staff translate for Mr. Hernandez. Mr. De La Cruz translated for Mr. Hernandez and Commissioners.

There was considerable discussion regarding the potential danger of setting a precedent; additionally, had this project come before the Historic Landmark Commission prior to construction, as required of every application, it would have been reviewed, scrutinized, and recommendations would have been made to ensure historic accuracy.

1ST MOTION:

Motion made by Commissioner Markovich, and seconded by Commissioner Leal **TO APPROVE**.
No vote was taken.

1ST MOTION AMENDED:

Motion made by Commissioner Markovich, seconded by Commissioner Leal **THAT COMMISSIONERS RECOMMEND APPROVAL WITH THE VERIFICATION THAT:**

1. **THE ROOFLINES ADHERE/MATCH;**
2. **IF POSSIBLE, THE RAFTERS BE EXPOSED;**
3. **EXTERIOR COLORS BE REVIEWED ADMINISTRATIVELY WITH THE HISTORIC PRESERVATION OFFICER**

Chair Riccillo revised the previous amended motion:

FOR THE RECORD and to avoid setting precedent, had the application come before the Commission prior to construction, Commissioners may have found that the rafters be exposed and windows be installed in the back. There was no second.

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Commissioner Markovich withdrew his previous motion.

2ND AND FINAL MOTION:

Motion made by Commissioner Markovich, seconded by Commissioner Leal and carried **THAT COMMISSIONERS MADE THE FINDING THAT THIS CONSTRUCTION WAS COMPLETED PRIOR TO APPLICATION FOR APPROPRIATENESS. FOR THE RECORD, WHILE THE COMMISSION'S RULING MAY HAVE BEEN DIFFERENT IF THE APPLICATION HAD COME BEFORE THE COMMISSION PRIOR TO CONSTRUCTION, IT IS NOT INCONCEIVABLE THAT RENOVATIONS AS PRESENTED MAY HAVE BEEN GRANTED BY THE COMMISSION. MOTION TO APPROVE**

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No further discussion from the Commissioners. The vote was taken.

AYES: Commissioners Markovich, Brock, Brandrup, Leal, and Booher

NAY: Commissioner Gardea

Motion passed. (5-1)

After the vote, Mr. Hernandez thanked Commissioners for their approval.

RECOGNITION: Chair Riccillo explained this is Dr. Markovich's last meeting as a Commissioner of the Historic Landmark Commission. Chair Riccillo presented Dr. Markovich with a Certificate of Appreciation and noted Dr. Markovich would continue to support the Historic Landmark Commission.

Chair Riccillo read the following into the record:

Discussion on property announced at this meeting will take place during the next regularly scheduled meeting. October 19, 2009 deadline for HLC members to request for agenda items to be scheduled for the November 2, 2009 meeting. November 2, 2009 deadline for HLC members to request for agenda items to be scheduled for the November 16, 2009 meeting.

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. October 19, 2009 deadline for HLC members to request for agenda items to be scheduled for the November 2, 2009 meeting. November 2, 2009 deadline for HLC members to request for agenda items to be scheduled for the November 16, 2009 meeting.

A. 2731 Portland Avenue

Dr. Ainsworth gave a PowerPoint presentation and explained the roof is complete and the soffit has been repaired and restored. Preparation work has begun to enclose the rear portion. He noted the outlines indicating the placement of windows were drawn on the plywood.

B. Alamo Elementary School

Dr. Ainsworth stated there has been no new information/activity regarding Alamo Elementary School.

Commissioner Leal noted local newspapers have discussed the possible shutdown of Houston Elementary School; she wondered why there was no information regarding Alamo Elementary School.

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

Dr. Ainsworth explained the applicant has applied for a parking reduction Special Permit. The ordinance has been placed on the October 20th City Council agenda for introduction, the public hearing will heard at the November 10th City Council meeting.

Mr. De La Cruz responded the design has not changed; it is the same design **denied** by the Historic Landmark Commission **approved by City Council**. The applicant has added additional landscape; however, the trash containers have been moved 18 feet south from their original location to allow easier access from the alley. Regarding the Special Permit parking reduction ordinance, the applicant has requested a 38.7% parking reduction from the required 163 to 100 parking stalls. The applicant was aware the parking was insufficient; Staff had informed the applicant of this at the initial meeting. In the event the parking reduction is approved by City Council, all parking will be on-site. Street Department has proposed modifying Myrtle and Magoffin Avenues by removing one driving lane and creating angled parking, this would create an additional 180 parking stalls on both Avenues. The Traffic Engineer has recommended approval, Planning Staff based their approval on the Traffic Engineer.

HLC Staff Reports

3. Discussion and action regarding preservation of historic interiors

No new information

Development Services Department Report

4. None to report

Visionaries in Preservation Report

5. VIP Manager Presentation

Prior to the discussion, copies of the "Texas Historical Commission – El Paso Historic Preservation Action Plan" were distributed to Commissioners. Dr. Ainsworth the action plan is based on the Texas Historic Commission - Visionaries in Preservation public meeting beginning February, 2009 through October 8, 2009. On Tuesday, October 27th at 6:00 pm at the Magoffin Home Historic Site, the Texas Historical Commission Board of Directors will hold their quarterly meeting. Copies of the action plan will be formally presented to the City, after which the action plan will be presented to the Historic Landmark Commission, the City Plan Commission and ultimately the City Council for formal adoption. Per the Open Meetings Act, Staff will post an agenda for this meeting; additionally, Dr. Ainsworth encouraged Commissioners to attend.

Regarding the Texas Historical Commission meetings planned for the week of October 26th through October 30th. Dr. Ainsworth explained Commissioners from the State of Texas along with Texas Historical Commission Staff and others will be arriving on Monday and will be attending meetings

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Deleted: The following is added to the City Council Agenda of Tuesday, October 20, 2009, at 8:30 a.m.:

REGULAR AGENDA - INTRODUCTIONS

INTRODUCTION OF ORDINANCES PURSUANT TO SECTION 3.9 OF THE EL PASO CITY CHARTER:

Public comment typically is not taken during the introduction of ordinances. Public comments are invited at the date of the scheduled public hearing.

An Ordinance granting Special Permit No. ZON09-00040 to allow for a 38.7% parking reduction on the property described as Lots 1 thru 6, the west 15 feet of Lot 7, Lots 17, 18 and 19, Block 1, Franklin Heights Addition, an Addition to the City of El Paso, El Paso County, Texas; Lots 7 thru 20, Block 214, Campbell Addition, an Addition to the City of El Paso, El Paso County, Texas; a portion of Ange Street closed by Ordinance No. 017061 lying between Block 1, Franklin Heights Addition and Block 214, Campbell Addition, City of El Paso, El Paso County, Texas; a portion of a 20-foot wide alley closed by Ordinance No. 017062 lying between Lots 11 thru 14, and Lots 7 thru 10, Block 214, Campbell Addition and a portion of a 18-foot wide alley between Lots 1 thru 3, and 17 thru 19, Block 1, Franklin Heights Addition, City of El Paso, El Paso County, Texas, pursuant to Section 20.14.070 (Parking Reduction) of the El Paso City Code. The penalty being as provided in Chapter 20.24 of the El Paso City Code. Subject property: 900 Myrtle Avenue; 1000, 1008, & 1010 Myrtle Avenue; 915 & 917 Magoffin Avenue; and 1001 Magoffin Avenue. Property Owner: Centro de Salud Familiar La Fe, Inc. ZON09-00040 (District 8) [Development Services/Planning, Tony De La Cruz, (915) 541-4329]

PUBLIC HEARING WILL BE HELD ON NOVEMBER 10, 2009, FOR THE ITEM

Public Hearings will be held as part of the regular City Council meeting that begins at approximately 9:00 a.m. [1]

Tuesday through Friday. This is an excellent opportunity for El Paso to make a strong presence so that colleagues around the State will know what El Paso is doing for historic preservation.

6. Discussion and action regarding VIP issues

Chair Riccillo stated, as discussed at the October 8th Visionaries in Preservation meeting, Visionaries in Preservation would become a recurring item on the Historic Landmark Commission agenda so that Commissioners can monitor and review the progress of the program and how it carries out.

Dr. Ainsworth concurred and explained following the October 27th Texas Historical Commission Board of Directors meeting and adoption by the City Council, Visionaries in Preservation would become a standing item on the Historic Landmark Commission agenda.

No action was taken; however, Dr. Ainsworth recommended Commissioners acknowledge receipt and that there be a standing Visionaries in Preservation agenda item for forthcoming HLC meetings.

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Other Business

7. A. Discussion and action regarding historic designation medallions

National Trust for Historic Preservation meeting in Nashville, Tennessee

Dr. Ainsworth explained while he was in Nashville he picked up literature from a foundry that was present at the meeting. He stated the foundry can design any size, shape, lettering, etc. for medallions. He suggested Commissioners begin a process, according to the ordinance, to accept nominations for buildings that are eligible for a local historic medallion, review the nominations, select three and install the medallions that we have currently, gather funding for additional medallions, have new medallions cast and continue the process. Dr. Ainsworth suggested generating funding via grant monies for additional medallion purchases.

Commissioner Leal would like to continue the current medallion design. She suggested Staff provide Commissioners a list of eligible properties so that eligibility notification letters could be mailed.

Dr. Ainsworth responded there are approximately 3,500 to 4,000 historic properties in the City of El Paso.

Chair Riccillo suggested Staff attend Neighborhood Historic Association meetings and distribute the nomination forms.

Dr. Ainsworth read into the record portions of **Section 20.20.070 Historic landmark recognition**. He explained, as part of public outreach, Staff regularly attends Historic Neighborhood Association meetings.

Ms. Osborn advised Commissioners will make a recommendation to City Council for approval. Additionally, creating a nomination form and HLC Subcommittee are required. Commissioners would want to notify recipients of the nomination as they are required to display the award per the Code.

Chair Riccillo suggested creating the Subcommittee at a later date, as the deadline approaches. In the meantime, Staff will generate a nomination form and conduct public outreach.

B. Discussion and action regarding the 2010 Historic Landmark Commission meeting calendar

Dr. Ainsworth recommended Historic Landmark Commission meetings be held on the first and third Wednesdays of the month at 4:00 pm.

MOTION:

Motion made by Commissioner Leal, seconded by Commissioner Booher and unanimously carried **TO CHANGE HISTORIC LANDMARK COMMITTEE MEETINGS TO THE FIRST AND THIRD WEDNESDAYS OF THE MONTH, AT 4:00 PM, BEGINNING JANUARY 2010.**

AYES: Commissioners Markovich, Brock, Brandrup, Gardea, Leal, and Booher

NAYS: N/A

Motion passed. (6-0)

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C. Approval of Historic Landmark Commission Meeting Minutes.

1. September 21, 2009 (corrected)
2. October 5, 2009

MOTION:

Motion made by Commissioner Brock, seconded by Commissioner Markovich and unanimously carried **TO APPROVE THE MEETING MINUTES OF SEPTEMBER 21, 2009, AS CORRECTED.**

AYES: Commissioners Markovich, Brock, Brandrup, and Booher

NAYS: N/A

ABSTAIN: Commissioners Gardea, and Leal

Motion passed. (4-0)

Chair Riccillo asked if Commissioners had corrections/revisions for the October 5, 2009 minutes

MOTION:

Motion made by Commissioner Riccillo, seconded by Commissioner Brock and unanimously carried **TO APPROVE THE MEETING MINUTES OF OCTOBER 5, 2009.**

AYES: Commissioners Markovich, Brock, Gardea, Leal, and Booher

NAYS: N/A

ABSTAIN Commissioner Brandrup

Motion passed. (5-0)

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Chair Riccillo asked if there was any further discussion. There being none.

MOTION:

Motion made by Commissioner Riccillo, seconded by Commissioner Brock and unanimously carried **TO ADJOURN THE MEETING AT 5:18 P.M.**

No further discussion from the Commissioners. The vote was taken.

AYES: Commissioners Markovich, Brock, Brandrup, Gardea, Leal, and Booher

NAYS: N/A

Motion passed. (6-0)

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[\(Attachment\)](#)

PUBLIC HEARING WILL BE HELD ON NOVEMBER 10, 2009, FOR THE ITEM

Public Hearings will be held as part of the regular City Council meeting that begins at approximately 9:00 a.m. All interested persons present shall have an opportunity to be heard at that time. After the public hearings, Council may also delay taking action on Ordinances; no requirement is made by Section 3.9B of the El Paso City Charter to publish any further notice. Copies of all Ordinances are available for review in the City Clerk's office, 2 Civic Center Plaza, Monday through Friday, 8:00 a.m. to 5:00 p.m.
