



**EL PASO HISTORIC LANDMARK COMMISSION MINUTES  
APRIL 5, 2010  
4:00 P.M.**

The El Paso Historic Landmark Commission held a public hearing in Council Chambers, 2<sup>nd</sup> Floor, City Hall Building, April 5, 2010 4:00 p.m., with the following members present:

**Commission Members Present:**

Joseph Riccillo, Chair  
Hugo Gardea, Vice-Chair (4:25)  
Rick Suarez  
Joel Guzman  
Randy Brock  
Ricardo Gonzalez  
Jim Booher

**Others Present:**

Tony De La Cruz, Planner  
Cynthia Osborn, Assistant City Attorney

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

**AGENDA**

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

There was none.

**CHANGES TO THE AGENDA**

**Item 1. HPC10-00054**

Due to a previous appointment, Mr. De La Cruz explained, the applicant may be late or may not be present for the meeting. Mr. De La Cruz suggested Commissioners move HPC10-00054 to the end of the agenda.

**MOTION:**

Motion made by Chair Riccillo, seconded by Commissioner Suarez and unanimously carried **TO APPROVE THE AGENDA AS POSTED.**

Chair Riccillo asked Commissioners if there was any further discussion.

No further discussion from Commissioners. The vote was taken.

**AYES:** Commissioners Suarez, Guzman, Brock, Gonzalez and Booher

**NAYS:** N/A

Motion passed. (5-0)

## II. REGULAR AGENDA – DISCUSSION AND ACTION

### Certificate of Appropriateness

1. **HPC10-00054** Block 9, Lot 3 and East 5 ft of 2 & W 15 ft of 4, Manhattan Heights Addition, City of El Paso, El Paso County, Texas
- Location: 2902 Aurora  
Historic District: Manhattan Heights  
Property Owner: Refugio Contreras  
Representative: Daniel Medina  
Representative District: #2  
Existing Zoning: R-3/H (Residential/Historic)  
Year Built: 1918  
Historic Status: Contributing  
Request: Applicant is appealing the revocation of an administrative review application for the installation of a curb cut.
- Application Filed: 3/15/2010  
45 Day Expiration: 4/29/2010

*Moved to the end of the agenda.*

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. April 5, 2010 deadline for HLC members to request for agenda items to be scheduled for the April 19, 2010 meeting. April 19, 2010 deadline for HLC members to request for agenda items to be scheduled for the May 3, 2010 meeting.

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

At this point, Mr. De La Cruz explained, a contractor is still pending and no permits have been issued. Staff will notify Commissioners of any change in status.

- B. 1701 North Stanton Street (every two weeks)

Mr. De La Cruz gave a PowerPoint presentation and explained the structure is currently owned by Franklin Investments and located within the Neighborhood Conservancy Overlay. The address was posted on the March 31, 2010 Building and Standards Commission agenda for basically board and secure and demolition of the existing pergola. Some of the pergola towers are beginning to split open, explaining why the Building and Standards Commissioners are recommending demolition.

Ms. Osborn responded she is also the attorney for the Building and Standards Commission. At that March 31<sup>st</sup> meeting, the property owner advocated against demolishing the pergola. Commissioners moved to grant the property owner 30 days to obtain an engineer's report to determine whether or not the pergola could be saved. Additionally, Commissioners moved to grant the property owner 60 days to repair and/or demolish the pergola.

Mr. De La Cruz noted the structure is currently vacant. Several names are associated with the current owners, Franklin Investment, to include Mr. William Abraham, as part owner.

Ms. Osborn confirmed Mr. Abraham, representing the property owners, was present at the March 31<sup>st</sup> Building and Standards Commission meeting.

Commissioner Gonzalez understood 1701 North Stanton Street was a Trost home.

Mr. De La Cruz responded he would research and inform Commissioners at the next HLC meeting.

Commissioner Gonzalez wondered if 1701 North Stanton Street would come before Commissioners every two weeks, as shown on the agenda. Commissioner Gonzalez has requested Staff place *Magoffin Villas at 915, 917, 1001 Magoffin Avenue and 1000, 1008 and 1010 Myrtle Avenue* on all HLC agendas.

Chair Riccillo responded Commissioners have requested Staff continue to post the addresses shown on the agenda on all future HLC agendas.

**C. 906 N Mesa Street**

Mr. De La Cruz gave a PowerPoint presentation and explained the structure was constructed circa 1919-1920 and was originally named "*The Cordelia Apartments*". Later, a new property owner changed the name to "*The Ferndale Apartments*". The property has come before the Building and Standards Commission on previous occasions; however, Code Compliance Staff will again mail letters to the property owner(s) due to the structure being open and accessible. During the presentation photos of the structure's interior were shown. Mr. De La Cruz explained that without an engineer's report he would not be able to state how vast the interior damage really is.

**D. State National Bank lobby**

Mr. De La Cruz explained the authority to designate interiors was given to Historic Landmark Commissioners; however, he was unable to locate a specific ordinance stating that. In the 1980's, the code was undergoing a rewrite and as part of that rewrite Commissioners were given authority to review interiors. Unfortunately, the State National Bank lobby and previously reviewed interiors do not have a City ordinance in the file. A copy of Certificate #081558, executed May 7, 1992 was provided to Commissioners. Mr. De La Cruz explained the certificate was filed with the County via the City Planning Department; however, there is no evidence that this document went through the public hearing process.

In summary, Commissioners have the authority to nominate interiors that are historically significant. However to properly designate an interior it must go through the process in its entirety beginning with the Historic Landmark Commission, Development Coordinating Committee, City Plan Commission and finally, City Council.

At this time, Chair Riccillo noted April 5th is the deadline for HLC members to request items for the April 19<sup>th</sup> agenda and April 19<sup>th</sup> is the deadline to request items for the May 3<sup>rd</sup> meeting. Chair Riccillo stated Commissioners want all addresses on the agenda to continue to be posted on the agenda and if there is no status, Staff will state there is no status and continue to the next address. He asked Commissioners if they had any address requests for the April 19<sup>th</sup> HLC agenda. There were none.

Chair Riccillo asked Commissioners if the State National Bank lobby should/should not be posted on the next HLC agenda.

Commissioner Gonzalez responded if Staff was sure no further documentation could be found.

Mr. De La Cruz responded he had spoken with Mr. Jim Fraser. Mr. Fraser had worked with the Historic Preservation Coordinator at that time and could not recall the State National Bank lobby having gone through the public hearing process, no ordinance was issued.

Chair Riccillo confirmed Staff could remove the State National Bank lobby from future HLC agendas, unless and until a phone number for Mr. Al Tellez could be found.

### **HLC Staff Reports**

#### **3. Design Guidelines regarding Manhattan Heights and Old San Francisco Historic Districts**

##### **Design Guidelines**

Mr. De La Cruz thanked Commissioners who submitted their redlined copies of the proposed Design Guidelines to him. He noted the Manhattan Heights and Old San Francisco Historic District Design Guidelines were posted to the City's Historic Preservation website for public review and comment.

Chair Riccillo added Commissioners were requested to submit their comments to Mr. De La Cruz via email or hand-delivery. Commissioners will discuss the proposed Design Guidelines at the time no applicant cases are posted on the agenda.

Mr. De La Cruz concurred and noted in the interim he will compile a list of the Commissioner's comments/concerns. At the appropriate HLC meeting, Staff and Commissioners could then review the proposed Design Guidelines and list of comments/concerns one at a time.

##### **Administrative Review**

While driving through historic communities, Chair Riccillo explained, Commissioners have noticed structures/properties being modified. Chair Riccillo requested Staff prepare a report of structures/properties approved for modification(s) via Administrative Review.

Mr. De La Cruz would present that information at the April 19<sup>th</sup> HLC meeting.

### **Development Services Department Report**

#### **4. None**

### **Visionaries in Preservation Report**

#### **5. VIP Manager Presentation**

#### **6. Discussion and action regarding VIP issues**

Mr. De La Cruz stated at the March 9<sup>th</sup> City Council meeting he presented the El Paso Preservation Action Plan to City Council, Council voted unanimously to approve. The El Paso Preservation Plan will now be incorporated into the City's Comprehensive Plan. He explained the next step will be to meet with those Task Leaders that were designated to lead the specific Task Forces. The Task Leaders will then provide a monthly report to him regarding the status of their short, medium and long term goals. Mr. De La Cruz will then subsequently provide that information to the Commission.

### **Other Business**

#### **7. A. Discussion and action on recommending an Independent H-Overlay designation for Alamo Elementary School located at 500 South Hills Street.**

##### **Interim Chair**

Regarding the agenda item, Chair Riccillo explained he would recuse himself from the discussion and voting. He asked if any of the Commissioners would like to nominate themselves as Interim Chair. There will still be a quorum without Chair Riccillo present.

##### **MOTION:**

Chair Riccillo moved to nominate Commissioner Gonzalez as Interim Chair, seconded by Commissioner Suarez unanimously carried **TO APPOINT COMMISSIONER GONZALEZ INTERIM CHAIR.**

No further discussion from Commissioners. The vote was taken.

**AYES:** Commissioners Suarez, Guzman, Brock, Gonzalez and Booher  
**NAYS:** N/A

Motion passed. (5-0)

Interim Chair Gonzalez read the agenda item into the record.

Mr. De La Cruz gave a PowerPoint presentation which included a brief history and timeline of significant changes regarding Alamo Elementary School. Commissioners had requested Staff research and determine whether or not the school was eligible for an historic designation. Alamo Elementary School, previously known as Second Ward School, located at 500 South Hills Street was designed by Mr. Edward Kneezell and constructed in 1899. The original portion of the school was constructed on a 105 x 120 rectangular lot; the primary façade faced Fourth Street. Predominantly within a residential neighborhood, the only other non-residential structure being the African Methodist Church, located to the northeast. In 1908, the School District acquired an additional five lots, located to the north, the beginning of several additions to the school. From the design and research, Mr. Kneezell also designed the first addition. That addition subsequently increased the size of Alamo School to approximately 22,000 square feet; the primary façade now faced Hill Street. In the 1940's, Hill Street was vacated and the lots surrounding the school were acquired by the U. S. Housing Authority. Structures located on those lots became the Alamito Housing Project. Unfortunately, the Alamito Project was demolished approximately two years ago. By the 1950's, El Paso Independent School District (EPISD) had acquired all properties on Block 59 of the Magoffin Addition and due to additional space requirements, the second additions for Alamo Elementary School were constructed. The second additions were single-story and included a gym, auditorium, cafeteria, additional classrooms and custodial quarters.

Commissioner Suarez reiterated the gym was over 50 years old.

Mr. De La Cruz concurred and noted future additions, constructed in 1991, were added. In the backup material was a response letter from EPISD Superintendent, Lorenzo Garcia, Ed.D, which explained a breakdown of all additions to Alamo Elementary School throughout the years.

At this time, Mr. De La Cruz referred to **Chapter 20.20.050 Historic landmarks designation criteria.** of the code and explained Commissioners must base their decision whether or not Alamo Elementary School was eligible to be designated an historic landmark. Staff does feel the school is worthy of historic recognition based on Chapter 20.20.050, Sections C., D., I. and K.

*“C. Embodiment of distinguished characteristics of an architectural type or specimen”:*

Given that the 1951 and 1991 portions are non-contributing, Section C will focus primarily on the original five base 1899 – 1907 structure. The current primary façade faces west and is divided into the seven base. The school is a modest desalinate architecture design, embodied by the dental supporting a cornice and long narrow windows with step corbel arches over the windows. The majority of the windows are single-hung and equally spaced. The center and two side portions of the school slightly extrude with the last two wings recess in just a little. The school has retained a lot of its character although having undergone substantial modifications, specifically the north, south and center portions. Regarding the center portion, the dentals and cornices were removed at the time the roof was elevated, in an attempt to hide it. The stepped parapet was put in place rather than the original flat parapet. The cornice wraps around the entire center portion of the building; additionally, the same architectural detailing was incorporated at the rear. At that time, the school fronted an alley and some homes.

Dependent upon what EPISD has proposed for the school and although the school has undergone some modifications, Staff feels the structure has retained a lot of its historic integrity. If a sensitive reconstruction is proposed for the building, a majority of the original structure could be brought back to useable space.

"D. Identification as the work of an architect or master builder whose individual work has influences the development of the city";

Mr. Edward Kneezell, born 1855 in Gettysburg, Pennsylvania arrived in El Paso in 1882. In his 30 years of practicing architecture, Mr. Kneezell was directly responsible for the design of a variety of schools throughout El Paso, including Alamo and Sunset Elementary Schools and Morehead and San Hazienda Schools (currently an adult learning center). Although not as well known as Mr. Trost, it is Staff's belief that Mr. Kneezell along with Mr. George King and Mr. Ernest Crouse; exemplified the vision early pioneers of the city had regarding the future of El Paso. Were it not for these visionaries, the evolution of the city may not have occurred as quickly or in such a manner as we have now with the coming of future architects like Mr. Trost. Other buildings attributed to Mr. Kneezell are the Sheldon Hotel (demolished) and the El Paso Southwest Railroad Company. Built in 1907, the El Paso Southwest Railroad Company housed the first hydraulic elevator and was considered the first skyscraper using a steel skeleton framework. According to the El Paso Historical Society, The El Paso Southwest Railroad Company reflected the importance of El Paso as a major retail center. The El Paso Southwest Railroad Company is a recognized historic landmark by the Texas Historical Commission.

"I. Exemplification of the cultural, economic, social, ethic or historical heritage of the city, state or the United States;

Mr. De La Cruz explained EPISD, originally organized November 1892, followed the coming of the railroad in the 1880's. The City's population grew dramatically as documented in the 1883 and 1900 Sanborn maps the population increased from 4,000 to 24,000 within those years. Due to an increasing demand in school age population, the residents of the Second Ward, now Segundo Barrio; demanded a school for their children. Originally Second Ward School, Alamo Elementary, constructed in 1899, was designed primarily to cater to the Anglo population of the city. The school was a modest sized, two story brick structure located at the corner of Hills and Fourth Streets. From its earliest inception the school system in El Paso, like many throughout the country, was a segregated school system. Faced with a language barrier and refusal by the school board to teach non-English speaking students; only a small number of Mexican immigrants studied at the early schools. Due to the instability of the Mexican Government during the late 1880's and later the outbreak of the Mexican Revolution, a mass exodus of refugees possibly caused the population of El Paso to double by 1910. Because of strong family ties and proximity of South El Paso to Mexico the preponderance of the Mexican population was largely centered in the Second Ward. As the Mexican population increased in the area and Anglo families relocated to other areas of the city, Alamo, along with Franklin and Aoy Elementary Schools, saw a dramatic increase in Mexican population enrollment. One of the major contributing factors, which is still instilled in basically every family in the United States at this point, was brought to light by Mr. Mario T. Garcia, author, Desert Immigrants.

- “K. Identification with a person or persons who significantly contributed to the culture and development of the city, region, state or the United States.”*

The attitude of Mexican parents was changing, while they entered the United States with little or no education, they felt that providing their children with further education, their children would become more prominent and progress further in the United States. Subsequently, the school system being segregated, Mexican Americans realized and began to demand their place in American society. Prominent people like Bert Corona, civil rights and labor activist from the 1940's to his death in 1991, attended Alamo Elementary and Senator Paul Moreno, longest serving Hispanic elected official from 1967 to 2008. In conclusion, due to the loss of educational landmarks like Mesa, Sunset and Morehead Schools, Alamo Elementary holds the distinction of being the oldest extant school in El Paso.

Interim Chair Gonzalez asked if members of the audience wished to speak on the matter.

### **PUBLIC COMMENT**

1. Carmen Rodriguez, concerned citizen, stated her family's roots are in the Segundo Barrio. I taught at Alamo Elementary School in the early 1970's and support designating Alamo School as an historic building. Although I did not know much about the architecture or the building itself, I am aware of the 1,000's of children and families that went through that school in the last century, who learned about our educational system, actually the American system, by going to that school. I think it's a shame we have lost so many of our older schools and it's high time our historic leaders, which I consider this Commission the main forum for historic preservation, that we start looking at these old buildings that have meant so much to so many people. I want to approach this from the aspect of ethnic history that is in that school. I had the occasion, a couple of months ago, to do some research on historic preservation. I read President Obama's administration had recently directed the National Park Service to try to locate and identify as many historic places that belong to minority members. Turns out that, of all of the historic places, only 5% are connected to African Americans and you can well imagine that historic places connected to Mexican Americans was even less, if even detectable. So this is a beginning, in which we, as a predominately Mexican American community that we begin to honor our past and recognize the great significance that we have here in El Paso. I am curious to know what EPISD's response had been and I would think that, as an educational institution, they would want the children of El Paso to be proud of their heritage and to be proud that maybe their grandparents, who first came to this country, attended Alamo and that it would still be there for them to see and to take their children to. So as I promised I would be brief, I applaud you and hope that this is just the beginning of many more designations in the Segundo Barrio.

Commissioner Suarez stated he met with the Superintendent and the Superintendent had told Commissioner Suarez that in the past, rural areas outside of downtown received new schools Franklin, Hanks all those schools that were built, and Segundo Barrio was in a neglected area. The Superintendent's logic or comment was it was better to tear down the school and build a brand new school instead of to refurbish the school. He asked Ms. Rodriguez if her feeling is, it's not better to tear down the old school.

Ms. Rodriguez responded if you don't have any regard for history and you're looking at modernizing your schools, that's the attitude you're going to have. But if you honor history and if you believe that is it of significance; then of course not, no. I think that modernization of the building could happen, but I would think that the main structure, the façade, the historical elements that were described by Mr. De La Cruz could be maintained. I would think that there would be a way to do that.

Commissioner Gonzalez thanked Ms. Rodriguez for her comments, we appreciate hearing from you. He asked that she continue to come to City Hall during the process that this case will go through. By no means is this the end of it, it is the beginning. He would be very appreciative if she would be here during the rest of the process.

2. Mr. Pete Duarte, retired, concerned citizen, stated he had worked for many years in South El Paso, at the beginning of La Fe clinic, and lived on Tays and Delta Streets for a couple of years. My first son was born and raised in South El Paso. I can tell you that the school, not only has architectural value, but it has a lot of symbolism for the people of South El Paso. The PTA at Alamo School composed of mainly immigrant women who were very forceful in terms of what kind of healthcare services La Fe Clinic was going to provide in the early days. And Mrs. Calderon, when I was the director at La Fe, kept giving me so much (expletive) because we weren't doing enough for the kids at Alamo School. I suspect that there are many, many thousands of Mexican American students that graduated from Alamo School that are very proud of their school and would like to see it remain as a site for cultural, historical preservation. I'm sure if the Superintendent had grown up in El Paso, not South El Paso, he would have a different view of the building and what it represents to the Mexican American community. I applaud the Staff and the work that they have done and the recommendation that they have given you. I applaud your interest in preserving this building. I had talked to a Board Member previously last year who informed me at that time that her recommendation to the Board would be that they appoint a Committee of concerned citizens, former residents of the Alamo area and school district people to come up with the best use for this facility and I hope that that's still in the works. Thank you very much and I'll answer whatever questions you might have. Thank you and have a great afternoon.

Interim Chair Gonzalez thanked Mr. Duarte. No comments and/or questions from Commissioners.

3. Distinguished members of this Commission, by way of introduction my name is Guillermina Garcia-Peña and I appeared before you on February 17<sup>th</sup>, 2010 at which time I appealed to you to not only preserve Alamo but all the historical buildings in the Segundo Barrio Revitalization Plan. I stand before you again and I remind you again that Mexicans and Mexican Americans played a powerful role in the history of El Paso. By declaring all the area historical not only are you keeping our history alive but you are also recognizing the contributions the Mexican American population has made to this community. I know and all of you know that these contributions are many. Thank you.

Interim Chair Gonzalez thanked Ms. Garcia-Peña.

4. Mr. Jesús Ochoa, good afternoon, I'm just going to give you a very brief summary of what has been going on since I last appeared before you. I think Troy was still working for the City. I speak today as a spokesman for something called Voces Del Pueblo. Pete, Minnie and Carmen belong to the group. But I need to tell you within the past week we have incorporated a non-profit corporation that has the name The Chicano Chicana Nation Central Cultural. Chicano Chicana because we are living in the time when you are witness to a progress in the linguistic approach, certain of a state. Back in the day when we were considered white by law, we were Mexican Americans and certainly after the Second World War we were Mexican Americans. And then some of the youth became awakened to their original nation roots, from both sides of the border. The Chicano word started coming up. I'm happy to tell you that this is now a matter of national recognition of who and what we are. The corporation sponsors a website which is already registered and trademarked it is called [www.Voces-Del-Pueblo.net](http://www.Voces-Del-Pueblo.net). It will be fully operative in about seven to 10 days. Right now we have seen the way the home page looks, it is beautiful. Unfortunately, if you'll click on what I just gave you, all you'll get is it's registered and under construction, but it'll be there. The reason for this is because even though we live in 2010 we still suffer from access to the media. We still suffer from a historical approach by most recognized El Paso historians

which paint our history, your city, your county and mine as being described, circumscribed by gun fighters, gamblers and prostitutes. We're kind of fed up with that approach and the speakers here who have told you about ethnic pride, yes, it's time, I think that Subsection I, should weigh heavily in your considerations. Let me tell you a little bit about the El Paso Independent School Board. For years, and I'm going back to the late 70's, the early 80's. We would petition, we would beseech, please some help for the South El Paso schools, always a deaf ear. I sued the District in 1983 and won a very significant case. Judge Hudspeth ordered single member districts established in the city. For the very first time, Mexicanos, Mexican Americans, got a shot at having equal representation. I then sued the Ysleta ISD and the College, they said now every unit of government in this city has that representation. Just like the Anglos before us, we elect crooks, sorry, but we do and we elect some really, really good people. It is a work in progress. And the last time I was here I told you about our concept of trying to get the entire Segundo Barrio named an historic district, to the end that it would be recognized and placed on the National Register of Historic Districts. It is interesting and as soon as the website is out we will be able to (inaudible tape flipped to Side B) support we're getting all over the country. I'm the President of the corporation and was elected for a period of 45 days; I don't think they trust me beyond that. But I have already received an email from a Bowie Bear in Paris who is trying to set up a Bear Alumni Association. You are dealing with a powerful groundswell. We welcome your support. I don't know what the city's up to with South El Paso, I know what we're up to and I'll think we're going to win and I think you're going to be proud of us. Thank You.

Interim Chair Gonzalez thanked Mr. Ochoa and asked if there was anyone else in the audience who wished to comment on this item. There were none. Interim Chair Gonzalez asked Commissioners if they had any questions and/or comments.

Commissioner Suarez requested Staff ensure that members of the audience receive a copy of EPISD's response letter; the letter was not read into the record. Commissioner Suarez would like them to receive a copy of the letter so they can understand what the school district's position is. He asked if Commissioners were ready to move the discussion to actually designate the school as an historic landmark.

At this point, Mr. De La Cruz explained, Commissioner would recommend the historic overlay. The next step will be to take this to the City Plan Commission (CPC) to get their recommendation, either for approval or denial; then we would take it City Council. Once we take it to City Council that is actually authorizing Staff to begin the process of a city initiated overlay, since at this point we haven't gotten EPISD to say yes they will support it, it would be actually a city initiated designation. If City Council allows Staff to proceed with that, then we would actually have to bring it back to the Historic Landmark Commission, back to CPC and back to City Council for the actual official H-Overlay. Right now, we are requesting authorization from City Council to authorize Staff to begin the process of a city initiated overlay. Mr. De La Cruz the H-overlay request would follow the same process as the city initiated overlay for 2630 Richmond.

Commissioner Suarez asked, in the meantime, what is to stop EPISD from demolishing the school, if they haven't already started to.

Mr. De La Cruz responded not much sir.

Commissioner Suarez stated that's where the public comes in, correct?

Mr. De La Cruz concurred and added that's where public participation and input to EPISD is crucial so that they may voice their concerns. Furthermore, this group of speakers is not the first who have voiced their concerns regarding the demolition of Alamo school.

Commissioner Guzman wondered they are actually working there, as we speak, day by day.

Mr. De La Cruz responded he had driven by the school the previous week and it did not appear that there was anybody at the site working. Per EPISD's response letter, the school district has been working on preliminary drawings that do not include retaining the historic portions of the school.

Commissioner Suarez noted he was told EPISD's drawings include tearing everything down, they do not plan on saving anything.

Interim Chair Gonzalez questioned why it was necessary that the City Plan Commission get involved in the H-Overlay request process.

Mr. De La Cruz responded this is the process the Planning Department has always followed; any recommendations, as far as the Planning Department goes, have typically been taken to the City Plan Commission.

Commissioner Guzman added this is a zoning change; zoning changes go through City Plan Commission then to City Council.

Interim Chair Gonzalez concurred and wondered why Commissioners have to go through the process twice; we vote today to recommend an H-Overlay, then it goes to City Plan Commission for their recommendation and City Council for authorization to proceed. If Council approves, it comes back to us, then to City Plan Commission, under the ordinance and state statute and finally, City Council.

Ms. Osborn explained because Staff needs authorization to expend the time and the resources to bring the H-Overlay request forward. Additionally, the code requires the Historic Landmark Commission hold a public hearing, this meeting is technically not the public hearing. Staff has not mailed notification letters to surrounding property owners and the agenda item was not posted as a public hearing, etc. However; before we ever get to that stage Staff needs authorization from City Council to expend the resources to pursue this, Council may say we are not going to pursue this and it would over. The code requires city-initiated requests come before the City Plan Commission on both occasions.

Interim Chair Gonzalez questioned whether or not the code required City Plan Commission's involvement in Staff getting permission to proceed.

Ms. Osborn referred to Section 20.20.040 Designation of historic landmarks and districts. and explained the code is not clear whether City Plan Commission is involved in that step; however, that is how Staff has proceeded for every city initiated historic overlay.

Commissioner Guzman added zoning changes, in a sense, are takings. We, as a government, are taking some of the value of that land and changing it. We take our requests to Council so the public, the citizens of El Paso ...

There is an expenditure of resources, Ms. Osborn explained and for Staff to pursue this on behalf of the Commission, it must be approved by Council. If Council approves, the policy is that the Historic Landmark Commission will hold a public hearing; then to the City Plan Commission and City Council.

Commissioner Suarez clarified City Council would have to agree to allow Staff to precede.

Ms. Osborn added Staff would begin processing the request to go through the zoning change process.

Commissioner Suarez requested members of the public and all anyone concerned should talk to their City Council representative.

Ms. Osborn explained a private property owner, wishing to designate their property H-Overlay, would come before HLC for a recommendation, then to City Plan Commission and City Council. But because is a city initiated, Staff must get Council approval to even pursue it. If Council approves Staff expending the resources to pursue this, the request will come back to Commissioners for a public hearing, then to City Plan Commission and Council for approval. This is the process the Planning Staff has followed and added 2630 Richmond went through the very same process. The code is not very clear, regarding designating historic landmarks; it kind of goes back and forth.

Mr. De La Cruz concurred and referred to the city initiated request designating the EMT station on Piedras.

Commissioner Gardea explained he had indicated to Mr. De La Cruz that a property does not exist in a vacuum; it exists within a context, not a physical context within an historical context and thought some of his comments had addressed that. If Council approves Staff initiating this request and because Commissioners agree the architectural style of the building meets one of the code requirements, I think we need to take a look at the building and identify which of those periods are contributing and which are not. Because the school was built over so many periods, I think we need to be careful in identifying which is contributing and which is not. Just as it goes for historic districts, this home is contributing, this one is not; I think the same needs to be done for this building because it was built over so many years. For example, this portion retains its integrity and should therefore be historic, the additions were built later and do not retain the integrity and/or contribute to the significance of the building and therefore are not contributing.

**MOTION:**

Motion made by Commissioner Gardea to direct Staff to take this to the City Plan Commission and City Council for a city initiated H-Overlay.

Commissioner Guzman added with the caveat of addressing the historical aspect.

Commissioner Booher added as part of the review process.

Commissioner Gardea responded he was unsure if the wording was sufficient.

At this time, Commissioner Booher seconded the motion.

Interim Chair Gonzalez stated, by way of discussion on this motion, would not recommend the motion say that we ask Staff to go to the City Plan Commission and City Council, Commissioners may not have any control over what Staff does. He recommended "That the City of El Paso proceed with the H-Overlay"; and not endorse this system of more bureaucratic action.

Ms. Osborn suggested "Commissioners direct Staff to proceed through the process."

Commissioner Booher added "in accordance with the regulations ascribed."

Interim Chair Gonzalez explained we have a motion and we can vote on it, but my suggestion would be that that we recommend that Staff proceed with an H-overlay designation on Alamo school. We should make our position and our views reflected what we do.

Ms. Cynthia Staff would then proceed through the process that they thought was proper.

Commissioner Booher rescinded his second to the previous motion for the amendment.

**AMENDED MOTION:**

Motion made by Commissioner Gardea, seconded by Commissioner Booher and unanimously carried to ask Staff to proceed with a city initiated H-Overlay on Alamo school.

Interim Chair Gonzalez asked Commissioners if there was any further discussion.

Commissioner Suarez responded we really do need the public support at both City Council and especially the school district levels since they are in the driver's seat, no matter what happens here.

Interim Chair Gonzalez added public support and participation would be absolutely critical to the success of this project.

Interim Chair Gonzalez asked if there was any further discussion. There was none.

**AYES:** Commissioners Suarez, Guzman, Brock, Gonzalez and Booher

**NAYS:** N/A

Motion passed. (5-0)

**FOR THE RECORD** – Let the record show Chair Riccillo returned.

Chair Riccillo requested those individuals who made public comment here today on any of the cases provide Staff their email address or contact information. He asked if Staff could distribute the minutes to them as well because of an issue that came up that we will address here in a minute.

**B.** Discussion and action regarding “Pictures for Preservation” photography project.

Chair Riccillo stated we may be losing one of our subcommittee members.

Commissioner Gonzalez noted the next meeting of the “El Paso Preservation Alliance will be a week from tomorrow.”

Chair Riccillo clarified the April 13<sup>th</sup> and added he would be attending; Commissioners will need their support because of obvious issues with City legal.

**Website**

Chair Riccillo understood there were several hundred pictures on the website and suggested Commissioner view them. If necessary, Chair Riccillo would email the website address to Mr. De La Cruz and he would distribute accordingly.

**C.** Approval of Historic Landmark Commission Meeting Minutes.

February 17 (revised), March 3 and March 15, 2010

Chair Riccillo stated there had been a request for revision.

Mr. De La Cruz concurred, specifically, the February 17, 2010 minutes. He explained Staff had incorrectly transcribed the minutes regarding Ms. Pena’s comments. Staff had incorrectly transcribed the minutes and placed “I was born and raised in Segundo Barrio”. Ms. Pena provided Staff a letter explaining the errors; Staff corrected the minutes to read “I was born and raised in this community”. Additionally, the minutes previously stated “Therefore, I am asking you to preserve Alamo School”; Staff added the following language “not only Alamo School, but every historic building that is in this revitalization plan.”

Chair Riccillo asked if Commissioners had any corrections, comments and/or discussion regarding the March 3<sup>rd</sup> and/or March 15<sup>th</sup> meeting minutes. There were no comments.

**MOTION:**

Motion made by Chair Riccillo, seconded by Commissioner Gonzalez and unanimously carried to approve the March 3<sup>rd</sup> Historic Landmark Commission minutes and Revised February 17<sup>th</sup> minutes and that march 15<sup>th</sup> just be filed as there was no meeting.

Chair Riccillo asked Commissioners if there was any further discussion.

No further discussion from Commissioners. The vote was taken.

**AYES:** Commissioners Suarez, Guzman, Brock, Gonzalez and Booher

**NAYS:** N/A

Motion passed. (5-0)

**OTHER BUSINESS**

Chair Riccillo asked if there was anything else Commissioners would like to add or add to the next agenda.

Regarding the Certificate of Appropriateness, Commissioner Suarez asked, since the applicant is not here do we need to reschedule late.

**MOTION:** Suarez, riccillo to postpone to the next meeting.

Motion made by Commissioner Suarez, seconded by Chair Riccillo and unanimously carried to postpone the Certificate of Appropriateness to the next HLC meeting.

Chair Riccillo asked Commissioners if there was any further discussion.

No further discussion from Commissioners. The vote was taken.

**AYES:** Commissioners Suarez, Guzman, Brock, Gonzalez and Booher

**NAYS:** N/A

Motion passed. (5-0)

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Prior to adjourning, Commissioner Gardea referred to Section 20.20 and explained one of the requirements is that a designation needs to come to this commission on a form. He recommended Staff create a form as he was unsure if Commissioners had used one previously.

Ms. Osborn explained Staff will do now that you directed them to which is to proceed with this designation. Additionally, Staff will come back with the application on a form and the formal process to move forward, after they get approval from Council to proceed.

Mr. De La Cruz responded the form we have used in the past is basically a rezoning application, so we do have that form already available. If City Council approves, the person signing off on the application is typically the City Manager.

Ms. Osborn referred to Section 20.20. B. and explained the HLC shall review and forward any recommendation to the City Plan Commission within 45 days, to be forwarded to City Council for final action. It was her belief that Staff must request authorization from City Council to proceed, not to City Plan Commission; however, that is the process the Planning Department has followed. Ms. Osborn would get a legal opinion on that whether they need to go through City Plan Commission to get approval from City Council. She would confer with Staff to determine whether or not to bypass City Plan

Commission's approval to proceed. However if it is determined that, via the legal opinion, Staff go through the whole process twice, they will do that too.

Commissioner Gardea added the only reason I say a form is because we anticipate that this will be one that the property owner is not in favor of. I felt it important that the application establish why this building is significant, if that information is not on the city plan form that Staff previously referred to. Again, a historic building does not exist in a vacuum; it exists for a reason.

Ms. Osborn added if Council approves expending time and resources, the request will come back to the HLC as a formal public hearing with notices governed by the local government code.

Commissioner Guzman stated Commissioners have already voted on the matter.

Chair Riccillo explained Commissioners were addressing the process.

Ms. Osborn concluded Staff we will get a legal determination regarding the process.

Chair Riccillo asked if Commissioners had any further comment.

### **ADJOURNMENT**

#### **MOTION:**

Motion made by Chair Riccillo, seconded by Commissioner Gardea and unanimously carried **TO ADJOURN THE MEETING AT 5:25 P.M.**

No further discussion from Commissioners. The vote was taken.

**AYES:** Commissioners Suarez, Guzman, Brock, Gonzalez and Booher

**NAYS:** N/A

Motion passed. (5-0)