

CITY OF EL PASO, TEXAS
AGENDA ITEM DEPARTMENT HEAD'S SUMMARY FORM

CITY CLERK DEPT.
08 APR 21 AM 11:55

DEPARTMENT: Museums and Cultural Affairs Department

AGENDA DATE: April 29, 2008, for Public Hearing

CONTACT PERSON/PHONE: Troy M. Ainsworth, Historic Preservation Officer, 541-4668

DISTRICT(S) AFFECTED: 2

SUBJECT:

Discussion and action on an appeal from property owners in the Austin Terrace Historic District regarding a decision rendered by the Historic Landmark Commission (HLC) on March 17, 2008, to approve the construction of a new residence at 19 Cumberland Circle. (HP07022, Austin Terrace Historic District, District #2)

BACKGROUND / DISCUSSION:

The HLC recommended approval of a Certificate of Appropriateness for the construction of a new residence at 19 Cumberland Circle in the Austin Terrace Historic District. Seven property owners in the historic district filed written appeals to the City Council, stating that the proposed construction adversely affects the historic district for reasons of materials, design, massing, and location on the site. Attached is a memorandum of notification to the Mayor, City Council, and City Manager with back-up documentation as outlined in the memo.

PRIOR COUNCIL ACTION:

N/A

AMOUNT AND SOURCE OF FUNDING:

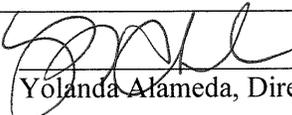
N/A

BOARD / COMMISSION ACTION:

Historic Landmark Commission (HLC) reviewed case HP07022 and recommended approval on March 17, 2008.

*****REQUIRED AUTHORIZATION*****

LEGAL: (if required) _____ **FINANCE:** (if required) _____

DEPARTMENT HEAD:  _____
Yolanda Alameda, Director, Museums and Cultural Affairs Department

APPROVED FOR AGENDA:

CITY MANAGER: _____

DATE: _____

JOHN COOK
MAYOR

JOYCE WILSON
CITY MANAGER

YOLANDA R. ALAMEDA
DIRECTOR

CITY CLERK DEPT.
08 APR 21 AM 11:55



CITY COUNCIL
ANN MORGAN LILLY, DISTRICT 1
SUSANNAH M. BYRD, DISTRICT 2
VACANT, DISTRICT 3
MELINA CASTRO, DISTRICT 4
RACHEL QUINTANA, DISTRICT 5
EDDIE HOLGUIN, JR., DISTRICT 6
STEVE ORTEGA, DISTRICT 7
BETO O'ROURKE, DISTRICT 8

MUSEUMS AND CULTURAL AFFAIRS DEPARTMENT

TO: The Honorable Mayor and City Council
Joyce A. Wilson, City Manager

FROM: Troy M. Ainsworth, Ph.D., Historic Preservation Officer

DATE: April 17, 2008

RE: Appeal of HLC ruling on construction at 19 Cumberland Circle

The Historic Landmark Commission (HLC), on March 17, 2008, voted to recommend approval of a Certificate of Appropriateness for the construction of new residence at 19 Cumberland Circle in the Austin Terrace Historic District. Seven property owners within the district have appealed the HLC's ruling pursuant to:

20.20.190 Appeal to the City Council

Any applicant or the owner of any property located within three hundred feet of any landmark, or the owner of any property within the same historic district as the subject of the appeal, who is aggrieved by a ruling of the HLC concerning that landmark under the provisions of this section, may within fifteen days after the ruling of the HLC, appeal to the City Council by filing written notice of such appeal with the City Clerk. Following a public hearing to be held within sixty days of the filing of such notice of appeal, the City Council may, by a simple majority vote, uphold or overturn any ruling of the HLC made pursuant to this chapter. (Ord. 16653 § 2 (part), 2007)

Attachments:

1. Staff Report provided to HLC
2. Copies of appeal letters
3. March 17, 2008, October 15, 2007, and September 4, 2007 HLC meeting minutes

APPEAL TO THE CITY COUNCIL

CITY CLERK DEPT.
08 APR 21 AM 11:55

DATE: March 25, 2008

HONORABLE MAYOR AND CITY COUNCIL
CITY OF EL PASO, TEXAS

DEAR MAYOR AND COUNCIL:

After a public hearing held on March 17th, 2008, the
Historic Landmark Commission ^{approved a} ~~denied my~~ request for
construction at properties at 19 Cumberland Circle and at
111 Pennsylvania

legally described as:

- 1. 102 Government Hills Lots 3 and 4
- 2. 99 Government Hills Lots 16 and 17

I hereby request the City Council to review the decision of the Historic
Landmark Commission AND CONSIDER MY REQUEST

SET OUT ABOVE. I AM ATTACHING A LETTER SETTING FORTH MY
REASONS FOR BELIEVING THEIR DECISION TO BE IN ERROR.

Michael M. Towne
APPLICANT

ADDRESS

TELEPHONE NUMBER

Two (2) copies filed in City Clerk's Office on: March 25, 2008

08 MAR 25 PM 12:06
CITY CLERK DEPT.

25 March, 2008

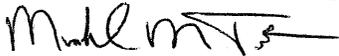
CITY CLERK DEPT.
08 APR 21 AM 11:54

To: City Clerk of the City of El Paso
From: Michael M. Towne

Subject: Title 20 (Zoning), Chapter 20 (Historic Designation) Section 190
regarding 19 Cumberland Circle

To Whom It May Concern:

I am formally submitting a written appeal concerning the Historic Landmark Commission's decision in regards to the property located at 19 Cumberland Circle, made on March 17th at the HLC meeting. I am a resident of the Austin-Terrace Historic District and I believe that the decision of the HLC is detrimental to the overall historic character of our neighborhood as established and defined when we were given historic district status in 1990. I believe I have a valid argument on why the decision of the commission should be overturned. I would appreciate the opportunity to speak to the council on this matter at a public hearing to be determined at a later date.



Michael M. Towne

CITY CLERK DEPT.
08 MAR 25 PM 12:06

25 March, 2008

CITY CLERK DEPT.
08 APR 21 AM 11:54

To: City Clerk of the City of El Paso
From: Michael M. Towne

Subject: Title 20 (Zoning), Chapter 20 (Historic Designation) Section 190
regarding 111 Pennsylvania

To Whom It May Concern:

I am formally submitting a written appeal concerning the Historic Landmark Commission's decision in regards to the property located at 111 Pennsylvania, made on March 17th at the HLC meeting. I am a resident of the Austin-Terrace Historic District and I believe that the decision of the HLC is detrimental to the overall historic character of our neighborhood as established and defined when we were given historic district status in 1990. I believe I have a valid argument on why the decision of the commission should be overturned. I would appreciate the opportunity to speak to the council on this matter at a public hearing to be determined at a later date.



Michael M. Towne

CITY CLERK DEPT.
08 MAR 25 PM 12:06

CITY CLERK DEPT.

APPEAL TO THE CITY COUNCIL

09 APR 21 AM 11:55

DATE: _____

CITY CLERK DEPT.
09 MAR 25 PM 4:58

HONORABLE MAYOR AND CITY COUNCIL
CITY OF EL PASO, TEXAS

DEAR MAYOR AND COUNCIL:

After a public hearing held on MARCH 17, 2008, the
LAND MARK COMMISSION approved the request for
BUILDING PERMITS FOR THE FOLLOWING TWO LOCATIONS.
111 PENNSYLVANIA & 19 CUMBERLAND CIRCLE

legally described as:

111 PENNSYLVANIA AVE., AUSTIN TERRACE, GOV. HILL 99, LOTS 16 & 17.
19 CUMBERLAND CIRCLE, AUSTIN TERRACE, 102 GOV. HILL LOTS 3 & 4

I hereby request the City Council to review the decision of the LAND MARK
COMMISSION AND CONSIDER MY REQUEST
SET OUT ABOVE. I AM ATTACHING A LETTER SETTING FORTH MY REASONS
FOR BELIEVING THEIR DECISION TO BE IN ERROR.

Quincy M. Hill
APPLICANT

ADDRESS

TELEPHONE

Two (2) copies filed in city Clerk's Office on: 3/25/08

CITY CLERK DEPT.

08 APR 21 AM 11:55

CITY CLERK DEPT.
08 MAR 25 PM 4:59

March 25, 2008

To: City Council

Regarding: Landmark Commission's March 17, 2008 decisions concerning 19
Cumberland Circle, Austin Terrace, 102 Government Hill, Lots 3 & 4.

Dear Council:

As a homeowner, former member of the Landmark Commission and one of the original organizers for the designation of the Austin Terrace Historical District, I Request that Council grant an Appeal to the neighborhood. I believe the Landmark Commission has ignored its mandate "to Preserve" the Austin Terrace historical district. The original intent and implementation of home size to lot size has been completely undermined. The character, ambience and tranquility, as well as the value and the History of this neighborhood is in jeopardy.

Sincerely,



Dorothy McGill

CITY CLERK DEPT.

APPEAL TO THE CITY COUNCIL

08 APR 21 AM 11:55

CITY CLERK DEPT.
08 MAR 25 PM 4:57

DATE: _____

HONORABLE MAYOR AND CITY COUNCIL
CITY OF EL PASO, TEXAS

DEAR MAYOR AND COUNCIL:

After a public hearing held on MARCH 17, 2008, the
LAND MARK COMMISSION approved the request for
BUILDING PERMITS FOR THE FOLLOWING TWO LOCATIONS.
111 PENNSYLVANIA & 19 CUMBERLAND CIRCLE

legally described as:

111 PENNSYLVANIA AVE., AUSTIN TERRACE, GOV. HILL 99, LOTS 16 & 17.
19 CUMBERLAND CIRCLE, AUSTIN TERRACE, 102 GOV. HILL LOTS 3 & 4

I hereby request the City Council to review the decision of the LAND MARK
COMMISSION AND CONSIDER MY REQUEST
SET OUT ABOVE. I AM ATTACHING A LETTER SETTING FORTH MY REASONS
FOR BELIEVING THEIR DECISION TO BE IN ERROR.

Quothy M. Hill
APPLICANT

ADDRESS

TELEPHONE

Two (2) copies filed in city Clerk's Office on: 3/25/08

CITY CLERK DEPT.
08 APR 21 AM 11:55

CITY CLERK DEPT.
08 MAR 25 PM 4:57

March 25, 2008

To: City Council

Regarding: Landmark Commission's March 17, 2008 decisions concerning 111
Pennsylvania Ave., Austin Terrace, 99 Government Hill, Lots 16 & 17.

Dear Council:

As a homeowner, former member of the Landmark Commission and one of the original organizers for the designation of the Austin Terrace Historical District, I request that Council grant an Appeal to the neighborhood. I believe the Landmark Commission has ignored its mandate "to Preserve" the Austin Terrace historical district. The original intent and implementation of home size to lot size has been completely undermined. The character, ambience and tranquility, as well as the value and the history of this neighborhood is in jeopardy.

Sincerely,



Dorothy McGill

APPEAL TO THE CITY COUNCIL

DATE: March 29, 2008

HONORABLE MAYOR AND CITY COUNCIL
CITY OF EL PASO, TEXAS

DEAR MAYOR AND COUNCIL:

After a public hearing held on _____, 20____, the
_____ ^{approved a} ~~denied~~ my request for

construction of properties at 19 Cumberland Circle and
at 111 Pennsylvania.

legally described as:

- 1. 102 Government Hills Lots 3 and 4
- 2. 99 Government Hills Lots 16 and 17

I hereby request the City Council to review the decision of the Architectural
Review Board AND CONSIDER MY REQUEST

SET OUT ABOVE. I AM ATTACHING A LETTER SETTING FORTH MY
REASONS FOR BELIEVING THEIR DECISION TO BE IN ERROR.

Paul Burgess
APPLICANT

ADDRESS

TELEPHONE NUMBER

Two (2) copies filed in City Clerk's Office on: March 31, 2008

215 Flr.

CITY CLERK DEPT.
08 MAR 31 AM 11:53

CITY CLERK DEPT.

08 APR 21 AM 11:56

March 29, 2008

To whom it may concern,

I am writing this letter asking for an appeal to the City Council regarding the approval of new construction at 19 Cumberland Circle and 111 Pennsylvania, legally described as:

- 1) 102 Government Hills Lots 3 and 4
- 2) 99 Government Hills Lots 16 and 17

I attended the meeting held by the Architectural Review Board in mid-March and disagree with their decision to allow continued construction of the above two properties for the following reasons:

The construction of the property on Pennsylvania Ave. is seriously out of proportion to the lot size that it is being constructed on. The 2.5 story home is not only too large in terms of it's footprint but also too tall for the space allotted. The narrow lot is typical of modest one-story homes in the Austin Terrace Historic District.

The construction that is currently under way is a typical suburban developer strategy to build as much home into as little space as possible. This would explain the 2-car garage being the foremost feature of the home as it is the closest part of the home to the street front. This is in complete opposition to the character and guidelines of our historic district. You will not find a home in our district with a garage being the foremost feature, as is the case with most new construction in newer neighborhood developments. Most garages in the Austin Terrace District are detached, recessed to the rear or non-existent.

The construction of the property on Cumberland Circle is also seriously out of proportion to the lot size that it is being constructed on. Our neighbor Michael Townes has a very valid point—piling on an extra floor over a foundation that was built to support only one story can have serious consequences for both the property under construction and the Townes property next door.

Thank you evaluating my concerns,


Jud Burgess

CITY CLERK DEPT.
08 MAR 31 AM 11:53

CITY CLERK DEPT.

08 APR 21 AM 11:56

CITY CLERK DEPT.
08 MAR 31 PM 4:42

March 31, 2008

RE: HLC Decision—19 Cumberland Cir.

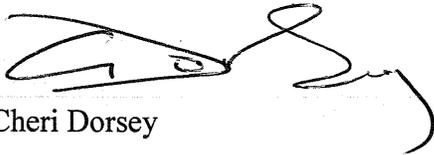
City of El Paso City Council
2 Civic Center Plaza
El Paso, TX 79901

Ladies and Gentlemen:

As a resident of the Austin Terrace Historic District I request that the City Council appeal the decision of the Historic Landmark Commission on March 17, 2008 to grant a Certificate of Appropriateness for the Construction of a New Residence on Existing Foundation at 19 Cumberland Circle, 102 Government Hill, Lots 3 & 4.

Per the Design Guidelines for El Paso's Historic Districts, all site development and new construction within the district should conform to the proportions of existing buildings, or the "streetscape". The plans for 19 Cumberland Circle are for a very large home on a small lot. If this new construction were to conform to the "proportion of existing buildings" on the same block, the home would have to be approximately 2000 sq. ft smaller than the proposed plan, or half of the current design.

Respectfully,



Cheri Dorsey

CITY CLERK DEPT. APPEAL TO THE CITY COUNCIL

08 APR 21 AM 11:56

DATE:

3/31/58

CITY CLERK DEPT.
08 MAR 31 PM 4:42

HONORABLE MAYOR AND CITY COUNCIL
CITY OF EL PASO, TEXAS

DEAR MAYOR AND COUNCIL:

After a public hearing held on 3/17, 2008, the

H. Stone Landmark Commission denied my request for ^{Approval}
Certificate of Appropriateness
19 Amberland Circle

legally described as:

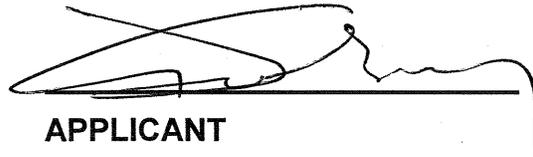
102 Governor Hill, Lots 3 of 4

I hereby request the City Council to review the decision of the H. Stone

Landmark Commission AND CONSIDER MY REQUEST

SET OUT ABOVE, I AM ATTACHING A LETTER SETTING FORTH MY

REASONS FOR BELIEVING THEIR DECISION TO BE IN ERROR.



APPLICANT

ADDRESS

TELEPHONE

Two (2) copies filed in city Clerk's Office on: _____



**EL PASO HISTORIC LANDMARK COMMISSION MINUTES
SECOND FLOOR CITY COUNCIL CHAMBERS**

March 17, 2008

4:00 P.M.

CORRECTED

The El Paso Historic Landmark Commission held a public hearing in City Council Chambers, second floor of the City Hall Building on Monday, March 17, 2008, at 4:00 p.m. with the following members present:

Commission Members Present:

Daphne Hamilton, Chair
Geoffrey Wright, Vice Chair
Ray Minjares
Melissa Brandrup
Dr. Nicholas Markovich
Hugo Gardea

Others Present:

Joseette Flores, Assistant City Attorney
Yolanda Alameda, MCAD Director
Troy Ainsworth, Historic Preservation Officer
Trenda Rocha, Acting Recording Secretary
Bill Stern, Chief Building Inspector
Larry Nichols, Interim Director, Development Services

Absent:

John Karr

Agenda

Chair Daphne Hamilton called the Historic Landmark Commission meeting to order at 4:05 p.m.

I. CALL TO THE PUBLIC – PUBLIC COMMENTS

Chair Hamilton asked if there were any members of the public who would like to address the Historic Landmark Commission. No public comments.

Chair Hamilton addressed the Commission about the passing of Commission Karr. John Karr died on the morning of Wednesday, March 12, 2008, and she asked for a moment of silence.

Chair Hamilton asked if there were any changes to the agenda. Dr. Ainsworth, Historic Preservation Officer, reported that the representative from the Planning Department asked to postpone the zoning case in the Chihuahueta Historic District and that Agenda Item Number 5 will be postponed, because the applicant did not resubmit new plans. The agenda was amended.

II. REGULAR AGENDA – DISCUSSION AND ACTION

Certificate of Appropriateness

- | | |
|--------------------------|----------------------------------|
| 1. HP08003 | 17 Mills southeast part of block |
| Location: | 303 N. Oregon (Mills Building) |
| Historic District: | Downtown |
| Property Owner: | Mills Plaza Properties |
| Representative: | Brent Harris |
| Existing Zoning: | C-5/H (Commercial/Historic) |
| Representative District: | #8 |

Year Built: 1910-1911, 1915-1916
Contributing Status: Landmark
Request: Restore exterior, historic lobby; renovate interior
Application Filed: 3/3/2008
45-Day Expiration: 4/17/2008

Dr. Troy Ainsworth, Historic Preservation Officer, reported on the scope of work that will be done to the Mills Building. He also said that Don Waters, who worked on the interior restoration of the Plaza Theatre, is contracted for similar work on the Mills Building.

Mr. Wayne Windle, of Mill Plaza Properties, attended on behalf of Mr. Brent Harris, and he answered questions from the Commissioners.

Commissioner Wright stated that the Historic Landmark Commission could not approve the Certificate of Appropriateness until they see samples and a set of drawings for the Mills Building. Commissioner Markovich also recommended that there needs to be plans on how the windows will be installed and the type of materials submitted for the replacement windows. He would like to see what the approach will be in replacing the windows.

Motion was made by Commissioner Wright to postpone the Certificate of Appropriateness approval until April 7, 2008 meeting. The motion was seconded. The motion passed.

AYES: Commissioners Markovich, Gardea, Wright, Minjarez, and Brandrup
NAYS: None
ABSTAINED: None

2. **HP08004** Block 38 Ysieta Grant, portion of Lot 7 and Track 18M
Location: 8754 Old County Drive
Historic District: Ysieta
Property Owner: Frank and Jennie Candelaria
Representative: Adam Torres
Existing Zoning: R-4/H (Residential/Historic)
Representative District: #7
Year Built: NA (property currently vacant)
Contributing Status: Non-Contributing
Request: Construction of a new single-family residence
Application Filed: 3/03/08
45-Day Expiration: 4/17/08

Dr. Ainsworth reported that half of current property will have a new single-family residence constructed on it.

Mr. Adam Torres answered questions from the Commissioners. The Commissioners advised that Mr. Torres reconsider the location of the front-facing garage.

There was discussion among the Commissioners.

Motion was made by Commissioner Wright to approve the Certificate of Appropriateness and asked that the garage be removed and that the applicants submit new plans for a garage or carport in a different location to Dr. Ainsworth for Administrative Review. The motion was seconded. The motion passed.

AYES: Commissioners Markovich, Gardea, Wright, Minjarez, and Brandrup
NAYS: None
ABSTAINED: None

3. **HP08005** 112 Government Hill Lots 14 and 15 and East 21.84 feet of Lot 16
 Location: 4721 Trowbridge Drive
 Historic District: Austin Terrace
 Property Owner: Mr. and Mrs. Victor Armendariz
 Representative: Luis Rico
 Existing Zoning: R-4/H (Residential/Historic)
 Representative District: #2
 Year Built: 1949
 Contributing Status: Contributing
 Request: Construction of an addition to the existing garage at the rear of property
 Application Filed: 2/27/08
 45-Day Expiration: 4/12/08

Dr. Ainsworth reported that there will be an addition to the existing garage at the rear of the property.

Mr. Luis Rico, building contractor, answered questions from the Commissioners. Mr. Rico assured the Commissioners that the existing hip roof will be extended to cover the new portion. He also stated that the roof extension will feature shingles identical in color and composition to the existing shingles.

Motion was made by Commissioner Markovich to approve the Certificate of Appropriateness. The motion was seconded. The motion passed.

AYES: Commissioners Markovich, Gardea, Wright, Minjarez, and Brandrup

NAYS: None

ABSTAINED: None

4. **HP08006** 99 Government Hill Lots 16 and 17
 Location: 111 Pennsylvania Avenue
 Historic District: Austin Terrace
 Property Owner: Jorge Valenzuela
 Representative: Jorge Valenzuela / Luis Lopez (Vista del Sol)
 Existing Zoning: R-4/H (Residential/Historic)
 Representative District: #2
 Year Built: NA (property currently vacant)
 Contributing Status: NA (property currently vacant)
 Request: Construction on a new residence
 Application Filed: 3/05/08
 45-Day Expiration: 4/19/08

Dr. Ainsworth reported that the applicant had received permits prior to historic review and had begun to build the new home. The parcel of land was not tagged in Tidemark with an H-overlay, and that administrative error subverted the historic review process prior to the issuance of permits and the beginning stages of construction. Building Permits and Inspections issued a Stop Work Order while a case was being prepared for a Certificate of Appropriateness. Dr. Ainsworth and Larry Nichols, Deputy Director of Development Services, are addressing the reasons an administrative error occurred.

Commissioner Gardea asked if the applicant knew that the property is located in the Austin Terrace Historic District before he began to build.

Mr. Jorge Valenzuela, homeowner/contractor, said he knew he was in a historic district. He grew up in this neighborhood. He also mentioned that he thought that he went through all the processes to obtain the proper permits to build the new residence.

Commissioner Wright commented on the garage in the front of the house and the relationship of the new residence to the existing homes in the neighborhood. The new residence is not keeping with the characteristics of the neighborhood. The windows, front façade and the close proximity to the street are characteristics that are inconsistent with the neighborhood.

Mr. Valenzuela answered the questions of the Commissioners.

Chair Hamilton requested an Executive Session. Commissioners retired in Executive Session. At the end of Executive Session Chair Hamilton motioned to resume Historic Landmark Commission meeting. Motion was seconded and meeting continued.

Commissioner Wright read the text of El Paso City Ordinance 016367, 20.20.080.G—Historic Landmark Commission Review into the record. He reminded the assembly that the Historic Landmark Commission is responsible to maintain the historical aspects of the case and not the legal aspects.

The floor was open up to the public who wished to speak about the house at 111 Pennsylvania.

Mr. Morris Brown, 4601 Cumberland Circle, stated that he is not happy with what is happening with this new residence and that he is stunned and concerned that this new construction is happening.

Mr. Todd Southern, 117 Pennsylvania, lives next door to the new residence. He is not happy about what is being built, but the applicant has already received permits approving the construction, and he has no objection to the house being built. He feels that the applicant should not have to pay for the error that was made in approving permits without historic review.

Ms. Cheryl Dorsey, 4779 Cumberland, commented that the materials are not in compliance with the historical characteristics of the neighborhood and the dimensions of the lot in proportion to the house are not an appropriate size. The square footage of the house is too large for the lot.

Chair Hamilton asked Mr. Valenzuela if there was a Stop Work Order issued. Mr. Valenzuela said it was lifted the week before.

Mr. Valenzuela answered more questions from the Commissioners. He also stated that he is willing to work with Historic Landmark Commission on the revision of the plans for the house.

Commissioner Brandrup recommended that the garage door be changed to having two doors and that the large window in the master bedroom to be changed to smaller windows.

There was discussion among the Commissioners on the garage, elevations, windows, and overall proportion throughout the house.

Commissioner Brandrup recommended that the garage have two doors, smaller windows on the master bedroom to match the rest of the house, set the master bedroom back from the edge of the garage, and perhaps add a porch.

Motion was made by Commissioner Markovich to permit Mr. Valenzuela to continue the construction with the stipulation that a Stop Work Order will remain in effect on the garage and master bedroom. Mr. Valenzuela will submit new plans for the garage and master bedroom. The new plans will show the redesign while reducing the scale of the garage doors and the windows to an appropriate scale with the rest of the house. Mr. Valenzuela stated that he understood the motion. He will provide the HLC with revised plans at the April 7, 2008 meeting. The motion was seconded. The motion passed.

AYES: Commissioners Markovich, Wright, Minjarez, and Brandrup
NAYS: Commissioner Gardea,
ABSTAINED: None

Commissioner Wright asked Mr. Valenzuela if he understood what they were asking him to do and that there is a Stop Work Order on the garage and master bedroom. Mr. Valenzuela relied that he understood what the Commissioners were recommending and that he needed to come back with new plans.

5. **HP07023** 72 Government Hill Lots 27 to 28
Location: 4308 Hueco
Historic District: Austin Terrace
Property Owner: John H. Trien
Representative: Sam Romo
Existing Zoning: R-4/H (Residential/Historic)
Representative District: #2
Year Built: NA (property currently vacant)
Contributing Status: NA (property currently vacant)
Request: Construction on a new residence
Application Filed: 2/13/08
45-Day Expiration: 3/29/08

Case was postponed. The applicant has not provided revised plans.

6. **HP07018** 102 Government Hill Lots 3 and 4
Location: 19 Cumberland Circle
Historic District: Austin Terrace
Property Owner: Adam Baginski
Representative: Adam Baginski
Existing Zoning: R-4/H (Residential/Historic)
Representative District: #2
Year Built: 1954 (currently vacant)
Contributing Status: Non-Contributing
Request: Construction on a new residence on existing foundation
Application Filed: 2/1/08
45-Day Expiration: 3/17/08

Dr. Ainsworth reported that the lot became vacant last year when the house formerly on the site was demolished. The applicant had applied for a Certificate of Appropriateness in the previous year to construct a second story to the former house, but demolished the house instead.

Mr. Adam Baginski answered questions from the Commissioners and showed samples of the building materials he intends to use.

Chair Hamilton opened the floor to the public for comments about the proposed construction.

Mr. Morris Brown, 4601 Cumberland Circle, commented that Mr. Baginski has moved the garage back. He suggested to Mr. Baginski on how to soften the residence's overall appearance, which he considered a weakness in the first plan. Mr. Baginski adopted Mr. Brown's suggestions and also revised the right elevation. Mr. Brown is satisfied with the new plans that Mr. Baginski presented to him.

Mr. Mike Towne, 21 Cumberland Circle, expressed his concern about the size of the house. The new house will be too big for the lot and that it will stand very close to his house. The soil is largely composed of clay, which will affect the foundation of his house as rainwater drains off the new residence onto his property. He also noted that because the new residence would be very

close to his house and is at least as tall as his house, sunlight will not reach the space between both houses and the ground will not dry properly. He is also concerned about the weight of the house. He does not think the foundation will be able to hold all the weight of the new house. He wants the City to insure the two neighboring houses for damage if the new house is built. He is also unhappy that the proposed new construction is three times the size of the original house and that its construction will adversely change the character of the neighborhood.

Mr. Luis Gutierrez, 1701 Radford, is satisfied with what Mr. Baginski has presented for the new house. He does not think Mr. Baginski is trying to do anything negative.

Mr. Baginski says he has secured fifty-one signatures in approving the construction of his house. He also answered more questions from the Commissioners regarding drainage off the roof.

Motion was made by Commissioner Markovich to approve the Certificate of Appropriateness. The motion was seconded. The motion passed.

AYES: Commissioners Markovich, Minjarez, and Brandrup

NAYS: Commissioners Gardea, and Wright

ABSTAINED: None

Certificate of Demolition

7. **HP07022** 102 Government Hill Lots 3 and 4
Location: 19 Cumberland Circle
Historic District: Austin Terrace
Property Owner: Adam Baginski
Representative: Adam Baginski
Existing Zoning: R-4/H (Residential/Historic)
Representative District: #2
Year Built: 1954 (currently vacant)
Contributing Status: Non-Contributing
Request: Demolition of existing residence
Application Filed: 1/18/08
60-Day Expiration: 3/17/08

Dr. Ainsworth recommended approval of the Certificate of Demolition because the house was demolished in the previous year. He stated that construction was preferable to a vacant lot.

Motion was made by Commissioner Wright to approve the Certificate of Demolition. Motion was seconded. The motion passed.

AYES: Commissioners Markovich, Gardea, Wright, Minjarez, and Brandrup

NAYS: None

ABSTAINED: None

8. **HP08007** 43 Campbell Lot 5 and north 9 feet of Lot 4
Location: 1015 S. Santa Fe
Historic District: Chihuahuita
Property Owner: Luciana V. Lyon
Representative: Brenda Lyon
Existing Zoning: C-4/H (Commercial/Historic)
Representative District: #8
Year Built: 1950
Contributing Status: Contributing
Request: Demolition of existing structure
Application Filed: 1/18/08
60-Day Expiration: 3/17/08

Dr. Ainsworth reported the staff recommends approval for demolition. The building lacks structural stability and presents a number of safety issues.

Ms. Brenda Lyon answered questions from the Commissioners. She mentioned that trespassers have frequently entered the building and caused some fire damage and structural damage. She also noted that the structure is structurally unstable and requires many repairs. She stated that she was planning to build on the lot after the demolition, but did not know what sort of building would be constructed or when the construction would occur.

There was discussion among the Commissioners.

Chair Hamilton asked Ms. Lyon if she was planning to remove the abandoned cars in the adjacent lot. Ms. Lyon affirmatively replied and stated that the lot would figure into her plans when she rebuilds. Dr. Ainsworth assured the Commissioners that the overall plan will have to be in compliance with the Chihuahuita Historic District design guidelines.

Mr. Ali Boureslan, P.E., addressed the Commissioners about the structural instability of the building and noted that it is generally unsafe. He described how building's exterior is in better condition than the interior. He displayed on the overhead projector interior and exterior photographs of the building for the Commissioners' review. In his professional assessment, the building is fragile and it would cost too much to repair it.

There was discussion among the Commissioners.

Mr. Fred Morales addressed the Commissioners in the history of the Chihuahuita Historic District and agreed that the building should be demolished.

Motion was made by Commissioner Markovich to approve the Certificate of Demolition. He amended the motion to state that the new construction will adhere to the Chihuahuita Historic District Design Guidelines. The motion was seconded. The motion passed.

AYES: Commissioners Markovich, Gardea, Wright, Minjarez, and Brandrup

NAYS: None

ABSTAINED: None

Rezoning

9. ZON08-00007 Blocks I, J, X, W, Z, and Lots 5-10 and 16-22, Block H, Santa Fe Addition, and all of Block 62, Lots 1-15, Block 128, and all of Lots 1-18, and portions of Lots 19 and 20, and the alley in Block 43, and portions of Lots 4-10, Block 42, Campbell Addition, City of El Paso, El Paso County, Texas
- Location: West of Santa Fe Street and North of the US-Mexico border
- Request: From C-4 (Commercial), C-4/H (Commercial/Historic), C-4/H/SP (Commercial/Historic/Special Permit), and M-2 (Heavy Manufacturing) to GMU (General Mixed Use)
- Property Owners: Various
- Representative: City of El Paso
- Representative District: #8

Zoning case postponed. The property owners must be notified prior to a hearing.

Chair's Comments

10. A. April 21, 2008 deadline for HLC members to request for agenda items to be scheduled for the May 5, 2008 meeting

B. May 5, 2008 deadline for HLC members to request for agenda items to be scheduled for the May 19, 2008 meeting

11. Feedback from HLC members on compliance in the designated historic districts and independent historic structures. There were no comments from the HLC commissioners.

Museums and Cultural Affairs Department Report

12. Dr. Ainsworth reported on proposed cell tower replacement at 109 N. Oregon Street (First National Building, built in 1920-1921). Verizon Wireless has requested a permit to replace the existing antennae. The First National Building is listed on the National Register of Historic Places. They have not provided drawings and have not requested historic review.

Motion was made by Commissioner Wright to not approve the replacement of the antennae until Verizon Wireless applies for historic review. The motion was seconded. The motion passed.

AYES: Commissioners Markovich, Gardea, Wright, Minjarez, and Brandrup

NAYS: None

ABSTAINED: None

Other Business

13. Approval of March 3, 2008 Historic Landmark Commission Meeting Minutes

Minutes approved as written.

14. Dr. Ainsworth reported that Mr. Bill Stern, Chief Building Inspector, had some information on the Caples Building. Mr. Stern reported that he has attempted to contact the property owner by phone and certified letter. He is aware that the certified letter has been received, as the sender's receipt has been returned by the U.S. Post Office. Legal notified Mr. Stern that only City Employees can enter the building for inspection. Therefore, Mr. Bill Stern, Mr. Larry Nichols, Tom Maguire, and Dr. Troy Ainsworth will inspect the building's interior when approval is permitted.

Dr. Ainsworth notified the Commissioners that Commissioner John Karr's appointment will remain vacant until after the election to fill the District #3 seat on the El Paso City Council.

Meeting adjourned at 7:25 p.m.

The Historic Landmark Commission may retire into Executive Session pursuant to Section 3.5 of the El Paso City Charter and the Texas Government Code, Sections 551.071-551.076 to discuss an item on this Agenda.

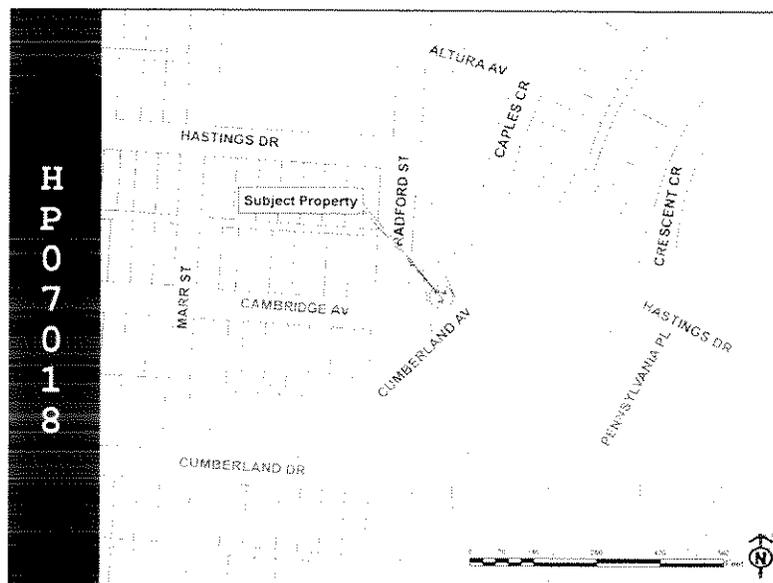
Trenda Rocha
Recording Secretary



HP07018

Application Type: Certificate of Demolition
Property Owner(s): Adam Baginski
Representative(s): Adam Baginski
Legal Description: 102 Government Hill Lots 3 and 4
Austin Terrace
Location: 19 Cumberland Circle
Representative District: #2
Present Zoning: R-4/H (Residential/Historic)
Present Use: (currently vacant)
Year Built: Currently vacant (1954)
Contributing Status: Non-Contributing (vacant lot)
Request: Demolition of existing residence
Planning Area: Central
Application Filed: 2/01/08
45-Day Expiration: 3/17/08

ITEM #6



HLC Case: HP07018

19 Cumberland Circle

GENERAL INFORMATION:

The applicant seeks approval to:

Demolish the existing residence

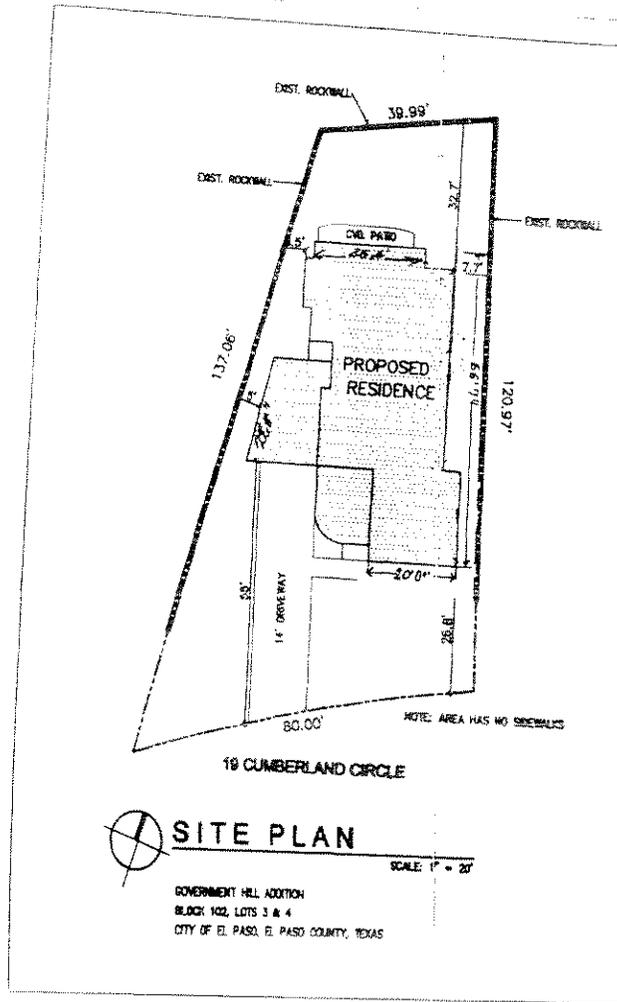
STAFF RECOMMENDATION:

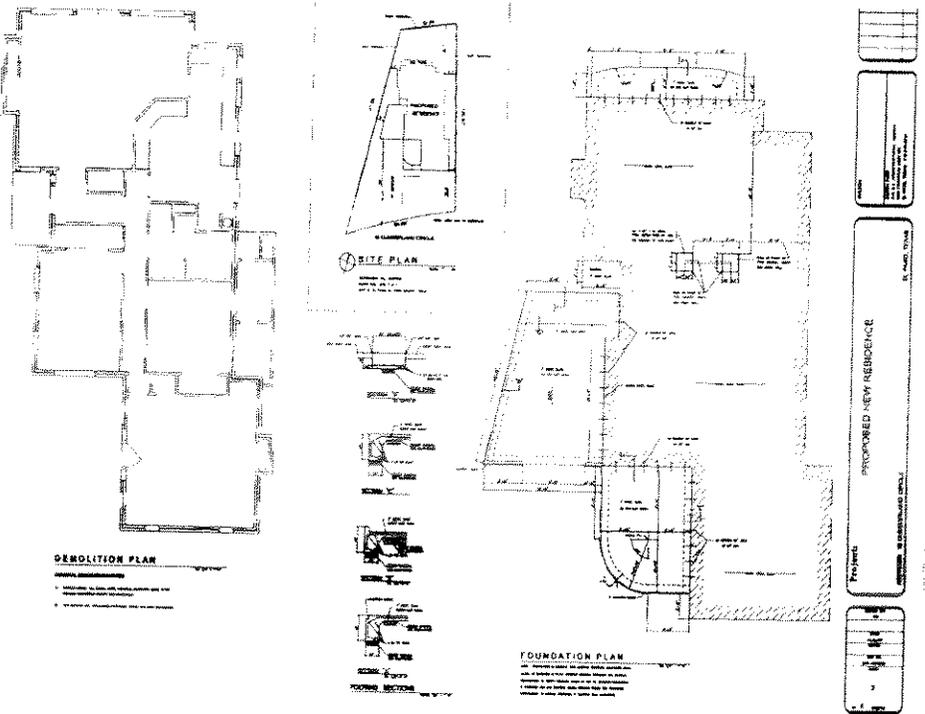
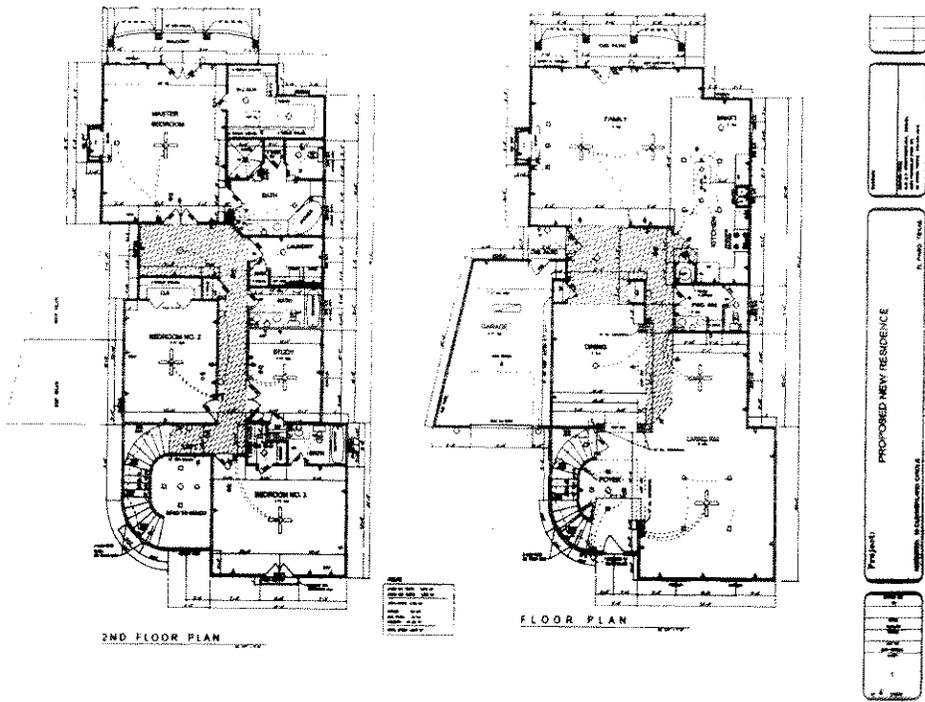
- The Historic Preservation Officer recommends APPROVAL of the demolition of the existing residence based on the following points:
- The home at 19 Cumberland Circle has already been demolished.
- The loss of the residence, although irrevocable and irreplaceable, does not justify retaining the site as a vacant lot.
- Sympathetic infill construction adds value to a historic district that cannot be attained by vacant, unmaintained lots.

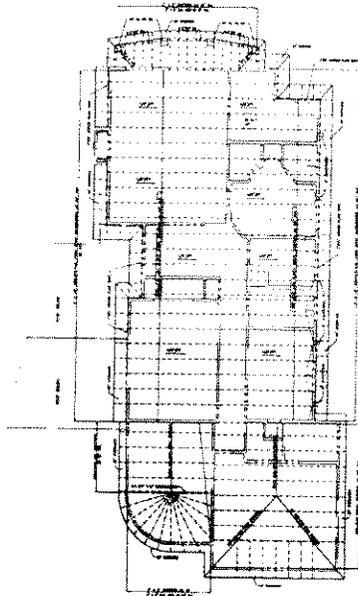
AERIAL MAP



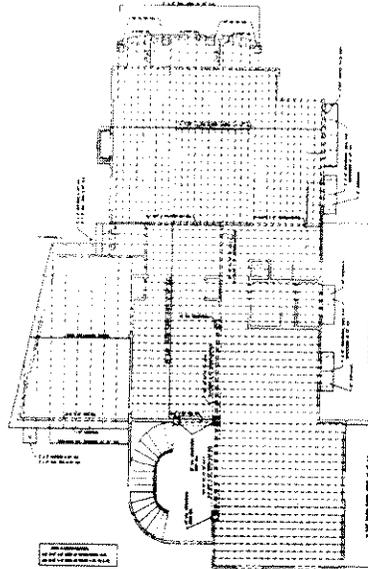
SITE PLAN





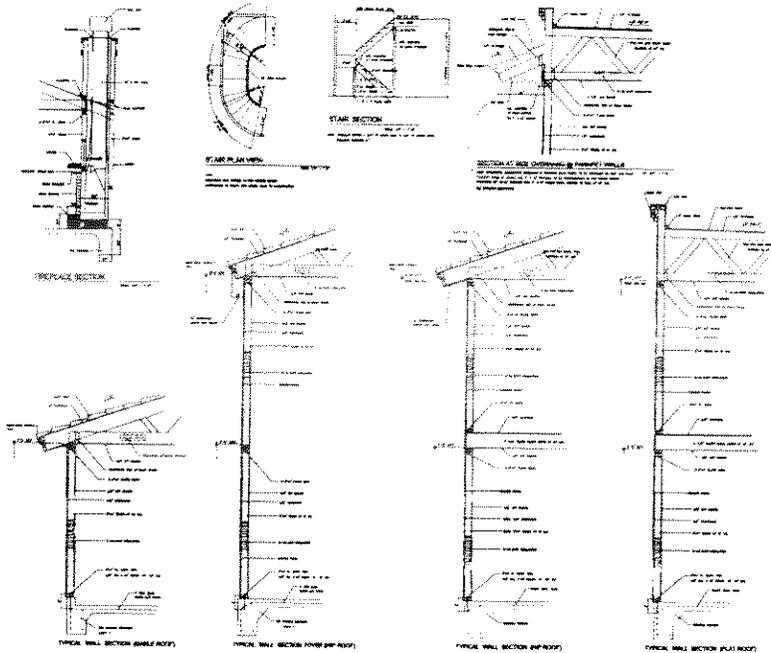


ROOF FRAMING PLAN
 ALL DIMENSIONS SHOWN UNLESS OTHERWISE NOTED.
 ALL DIMENSIONS ARE TO FACE UNLESS OTHERWISE NOTED.
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FLOOR JOIST - PARTIAL ROOF PLAN

Project:	PROPOSED NEW RESIDENCE
Client:	
Architect:	
Scale:	
Sheet No.:	



TYPICAL WALL SECTIONS

Project:	PROPOSED NEW RESIDENCE
Client:	
Architect:	
Scale:	
Sheet No.:	

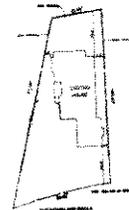
19 02 - 021213 12
 Government Hill
 Block 102 Lots 5 and 6
 Square Footage 1706



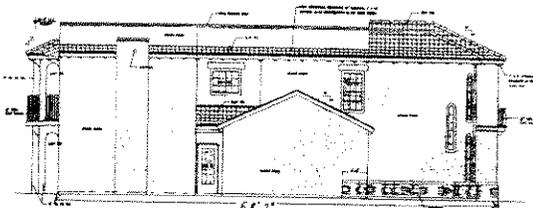
EXISTING HOUSE FLOOR PLAN LAYOUT



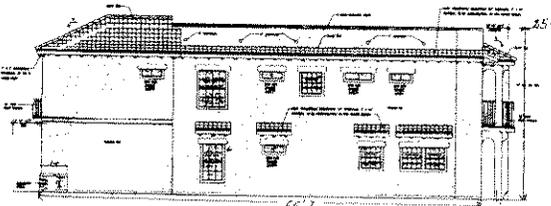
EXISTING HOUSE ELEVATION



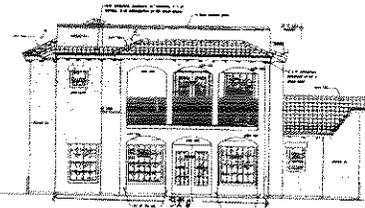
SITE PLAN



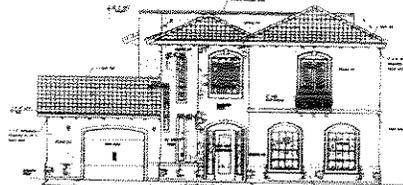
LEFT SIDE ELEVATION



RIGHT SIDE ELEVATION



BACK SIDE ELEVATION



FRONT ELEVATION

Project Name	
Project Address	
Project City	
Project State	
Project Zip	
Project Date	
Project Status	
Project Notes	

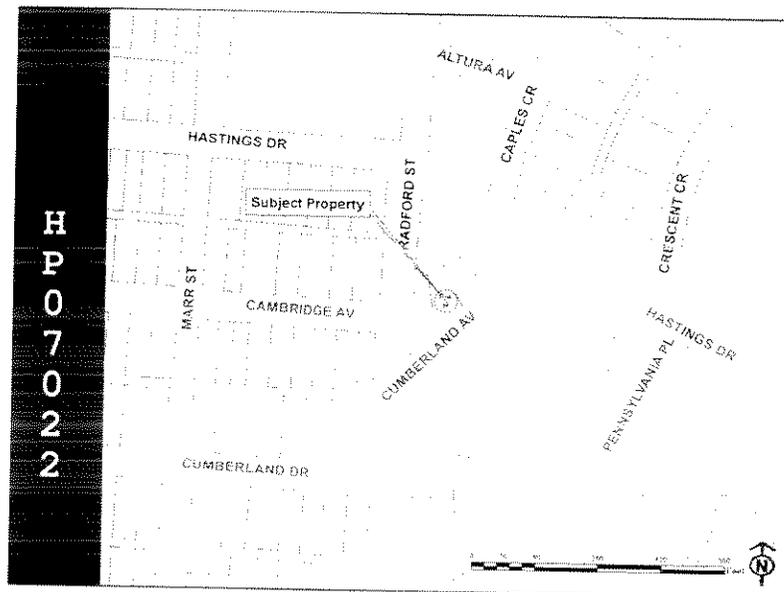
PROPOSED NEW RESIDENCE



HP07022

Application Type: Certificate of Appropriateness
Property Owner(s): Adam Baginski
Representative(s): Adam Baginski
Legal Description: 102 Government Hill Lots 3 and 4
Austin Terrace
19 Cumberland Circle
Location: 19 Cumberland Circle
Representative District: #2
Present Zoning: R-4/H (Residential/Historic)
Present Use: (currently vacant)
Year Built: Currently vacant (1954)
Contributing Status: Non-Contributing (vacant lot)
Request: Construction of a new residence on existing foundation
Planning Area: Central
Application Filed: 1/18/08
45-Day Expiration: 3/17/08

ITEM #7



HLC Case: HP07022

19 Cumberland Circle

GENERAL INFORMATION:

The applicant seeks approval to:

Construct a new residence on the existing foundation

STAFF RECOMMENDATION:

- The Historic Preservation Officer recommends APPROVAL of the proposed new construction based on the following recommendations:

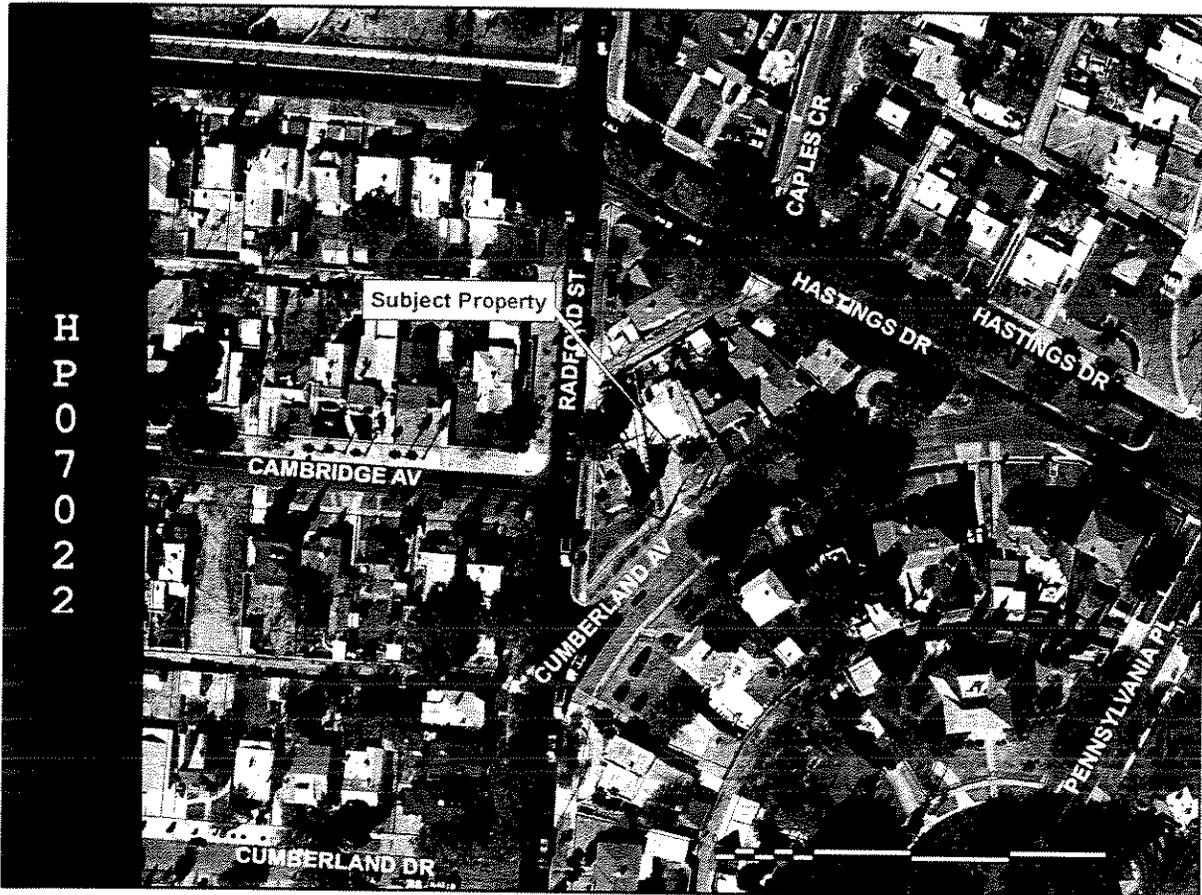
The Secretary of the Interior's Standards for Rehabilitation recommends the following:

- Each property shall be recognized as a physical record of its time, place, and use. Changes that create a false sense of historical development, such as adding conjectural features or architectural elements from other buildings, shall not be undertaken.
- New additions, exterior alterations, or related new construction shall not destroy historic materials that characterize the property. The new work shall be differentiated from the old and shall be compatible with the massing, size, scale, and architectural features to protect the historic integrity of the property and its environment.

The Secretary of the Interior's Standards for Rehabilitation does not recommend the following:

- Duplicating the exact form, material, style, and detailing of the historic building in the new addition so that the new work appears to be part of the historic building.
- Designing and constructing new additions that result in the diminution or loss of the historic character of the resource, including its design, materials, workmanship, location, or setting.

AERIAL MAP



HISTORIC DISTRICT MAP





EL PASO HISTORIC LANDMARK COMMISSION MINUTES
2nd FLOOR CITY COUNCIL CHAMBERS
October 15, 2007
4:00 P.M.

The El Paso Historic Landmark Commission held a public hearing in City Council Chambers, 2nd floor of the City Hall Building on Monday, October 15, 2007, at 4:00 p.m. with the following members present:

Commission Members Present:

John Karr
Geoffrey Wright
Daniel Delahaye
Hector De Santiago
Daphne Hamilton
Hugo Gardea

Others Present:

Christina Valles, Lead Planner
Josette Flores, Assistant City Attorney
Armida Martinez, Recording Secretary
Troy Ainsworth, Historic Preservation Officer
Larry Nichols, Deputy Director, BPI
Bill Stern, Building Permits & Inspections

Absent:

Russell Sackett
Ray Minjarez

Agenda

Chair Daphne Hamilton called the Historic Landmark Commission meeting to order at 4:16 p.m.

Chair Hamilton asked if there were any changes to the agenda. Dr. Troy Ainsworth, Historic Preservation Officer, requested Item 9 approval of the October 1, 2007 minutes be deleted.

Chair Hamilton asked if Item 7 could be moved to the forefront.

Motion passed without objection.

- I. CALL TO THE PUBLIC – PUBLIC COMMENTS
- II. REGULAR AGENDA – DISCUSSION AND ACTION

Rezoning

1. **ZON07-00121:** Lots 1, 2 and 3, Block 107, Highland Park Addition. City of El Paso, El Paso County, Texas
Location: 2201 N. Piedras
Request: C-2 (Commercial) to C-2/H (Commercial/Historic)
Property Owner: City of El Paso
Representative: Museums & Cultural Affairs Department
Representative District: #2
Application Type: Rezoning
Staff Contact: Christina Valles, (915) 541-4930, vallesmc@elpasotexas.gov

Christina Valles gave a presentation on the rezoning request. The Commission was advised that the Planning Division recommended approval of the request for rezoning from C-2 (Commercial) to C-2/H (Commercial/Historic).

Dr. Ainsworth, representing Museums and Cultural Affairs Department responded to questions and/or comments of the Commission.

Motion made by Commissioner Wright and seconded by Commissioner De Santiago to approve the rezoning request.

AYES: Commissioners Karr, Wright, Delahaye, Gardea, De Santiago

NAYES: None

The motion passed.

After the discussion on Items 7 and 1, Commissioner Wright excused himself and stated that he had to leave. Time was 5:38 p.m.

Certificate of Appropriateness

2. **HP07019:** A portion of Lots 13 and 14, Block 101, Government Hill
Location: 4747 Cumberland Circle
Historic District: Austin Terrace
Property Owner: Rafael Gonzalez and Linda C. Gonzalez
Representative: Rafael Gonzalez
Existing Zoning: R-4/H (residential/Historic)
Representative District: #2
Year Built: 1925
Contributing Status: Contributing
Request: A 154 sq. ft. wood frame, open porch to the rear of the property.
Revised Application Filed: 9/25/07
45-Day Expiration: 11/9/07

Dr. Ainsworth gave a presentation on the request for Certificate of Appropriateness. The Commission was advised that the Planning Division recommended approval of the proposed open porch to the rear of the property.

Dr. Ainsworth responded to questions and/or comments of the Commission.

Christina, Mr. Rafael Gonzalez's daughter, responded to questions and/or comments of the Commission.

Motion made by Commissioner Karr and seconded by Commissioner Delahaye to approve the proposed addition.

AYES: Commissioners, Karr, Delahaye, Gardea, De Santiago

NAYES: None

The motion passed.

Chair's Comments

3. October 19, 2007 is the deadline for the HLC members to request for agenda items to be scheduled for the November 5, 2007 meeting.

Commission members were reminded of the deadline to submit agenda items for the November 5, 2007 meeting.

4. Feedback from HLC members on compliance in the designated historic districts and independent historic structures. There was no response

5. **Museum and Cultural Affairs Department Report**

Dr. Ainsworth announced that on November 5 and 6, 2007, Charles Flynn and Howard Deardorff, who have been contracted by the City of El Paso to prepare the Heritage Tourism Plan for the Camino Real de Tierra Adentro, would conduct their first research trip to the city. He also announced the hiring of a new Senior Office Assistant, Trendera Rocha.

6. **Development Services Department - Building Permits & Inspections Division Report**

There was no report.

Other Business

7. Discussion and action regarding recommendation that City Council pursue all relief specified in City Code Chapter 20.67.140, Penalty for demolition or alteration without a permit, in addition to any other remedies allowed, for unauthorized demolition of a structure located at 19 Cumberland Circle.

Dr. Ainsworth presented photographs of the property after demolition. He then provided a brief history of the request by the applicant for a Certificate of Appropriateness at the September 4th Historic Landmark Commission meeting for construction of a new addition to include a second story, garage, and front porch.

Adam Baginski and Mark Silva, homeowners, responded to questions and/or comments of the Commission.

Larry Nichols, Deputy Director of Building Permits and Inspections, presented to the Commission the current situation regarding the property. He stated:

- a. When meeting with Mr. Baginski, Mr. Baginski was listed as the contractor, was never told that a contractor had been hired.
- b. Scope of work and plans submitted to Commission for approval for Certificate of Appropriateness had not been followed.
- c. Demolition went beyond what had been approved by Commission.
- d. City Inspector found no termite infestation.
- e. Contacted BMC West contracting company that supplied materials indicated that a framing package and truss package was ordered with the intent that the existing house would be taken down to the slab and started anew.

Mr. Nichols then informed the Commission that a Stop Work Order as well as the following legal citations were issued. He further added that charges had been filed with the Prosecutor's Office.

- a. Building without a permit
- b. Demolition without a permit
- c. Storage of materials in a public right-of-way
- d. Building with no electrical permit

Mr. Nichols closed by stating that Mr. Baginski was willing to make right the things that been incorrectly pursued and would be submitting proposed plans for a project that would be in character and in harmony with Cumberland Street.

Dorothy McGill, Austin Terrace resident, suggested property owner be restricted to building a one-story brick home of equivalent square footage as the original house.

Morris Brown, Austin Terrace resident, encouraged the Commission "to do the right thing and get a good house." Recommended homeowner redesign plan.

Michael Towne, Austin Terrace resident, asked Commission to keep guidelines intact, sending a message to future homeowners that demolishing a historic property carries legal consequences and should be avoided.

Florence Toll, Austin Terrace resident, requested future protection by the Commission and ensure what is allowed to be constructed in a Historic District is correct according to design guidelines.

Dr. Ainsworth informed the Commission of their options.

Motion made by Commissioner Wright and seconded by Commissioner Karr to require property owner to resubmit plans for re-approval or reconsideration with a condition that no garage door be facing the street closer than twenty feet removed from the front façade of the building.

Commissioner De Santiago highly suggested that the property owner hire a professional architect.

Josette Flores, Assistant City Attorney, stated that the city is pursuing other prosecution against the applicant separate from the purview from the Historic Landmark Commission and that the legal department's pursuit to this end should have no bearing on the Commission's decision.

AYES: Commissioners Wright, Delahaye, Gardea

NAYES: Commissioners De Santiago

ABSTAIN: Commissioner Karr

The motion passed.

Commissioner Delahaye motioned and Commissioner De Santiago seconded action to pursue all relief specified in El Paso Municipal Code Chapter 20.67.140 Penalty for demolition or alteration without a permit.

AYES: Commissioners Wright, Delahaye, Gardea, De Santiago

NAYES:

ABSTAIN: Commissioner Karr

The motion passed.

8. Discussion and action on the role of the HLC with regard to Fort Bliss projects that may effect historic preservation and for the HLC to prepare a letter to Fort Bliss stating its interests.

Motion made by Commissioner Gardea and seconded by Commissioner De Santiago to postpone discussion and action on this item until the November 5th meeting.

AYES: Commissioners Karr, Delahaye, Gardea, De Santiago

NAYES: None

The motion passed.

9. Approval of Meeting Minutes:
 - a. September 17, 2007

Minutes were approved as written.

- b. October 1, 2007

This item was deleted.

Executive Session

The Historic Landmark Commission may retire into Executive Session pursuant to Section 3.5 of the El Paso City Charter and the Texas Government Code, Sections 551.071-551.076 to discuss an item on this Agenda.

Meeting Adjourned at 5:58 pm

Armida R. Martinez
Secretary



**EL PASO HISTORIC LANDMARK COMMISSION MINUTES
2nd FLOOR CITY COUNCIL CHAMBERS**

September 4, 2007
4:00 P.M.

The El Paso Historic Landmark Commission held a public hearing in City Council Chambers, 2nd floor of the City Hall Building on Monday, September 4, 2007, at 4:00 p.m. with the following members present:

Commission Members Present:

John Karr
Daphne Hamilton
Daniel Delahaye
Hector De Santiago
Russ Sackett
Ray Minjarez
Hugo Gardea

Others Present:

Christina Valles, Lead Planner
Josette Flores, Assistant City Attorney
Armida Martinez, Recording Secretary
Troy Ainsworth, Historic Preservation Officer
Tom Mcguire, Chief Building Inspector
Melissa Granado, Planning

Absent:

Geoffrey Wright

Agenda

Chair, Daphne Hamilton, called the Historic Landmark Commission meeting to order at 4:03 p.m.

I. CALL TO THE PUBLIC – PUBLIC COMMENTS

Chair Hamilton asked if there were any members of the public who would like to address the Historic Landmark Commission. There was no response.

Chair, Hamilton asked if there were any changes to the agenda. Dr. Troy Ainsworth, Historic Preservation Officer requested Item 15, location for the new swing set at Memorial Park and Item 17, the approval of the August 6, 2007 minutes be postponed until the next Historic Landmark Commission meeting on September 15, 2007.

II. REGULAR AGENDA – DISCUSSION AND ACTION

Rezoning/Special Permit

1. **ZON07-00092** A portion of Tract 24, Block 38, Ysleta Grant, City of El Paso, El Paso County, Texas
Location: 8899 Alameda Avenue
Request: From R-4/H (Residential/Historic) to C-1/H (Commercial/Historic)
Property Owner: Cinco Properties, LP
Representative: Conde, Inc
Representative District: #7
Historic District: Ysleta
Contributing Status: Non-contributing
Application Type: Rezoning

Melissa Granado, Planning Division, gave a presentation on the rezoning request. The Commission was advised that the Development Coordinating Committee recommended approval of the rezoning from R-4/H to C-1/H request.

There was discussion among the Commission.

Conrad Conde, Conde Inc, representative, responded to questions and/or comments of the Commission.

1st Motion

Motion made by Commissioner Sackett and seconded by Commissioner Karr to table this item Until further study on the Ysleta Historic District boundary is conducted. **The Motion failed.**

AYES: Commissioners Sackett, Gardea,
NAYS: Commissioners Minjarez, De Santiago
ABSTAINED: Commissioner Karr

Chair Hamilton broke the tie, voting nay.

2nd Motion:

Motion was made by Commissioner De Santiago and seconded by Commissioner Minjarez to approve the rezoning as recommended by staff. **The motion passed.**

AYES: Commissioners, Minjarez, De Santiago
NAYS: Commissioners, Sackett, Gardea
ABSTAINED: Commissioner Karr

Chair Hamilton broke the tie, voting aye.

2. **ZON07-00095** Lots 28 and 29, and a portion of Lot 30, Block 6, Second Revised Map of Mundy Heights, City of El Paso, El Paso County, Texas
Location: 1509 Upson Drive
Request: From R-4/H (Residential/Historic) to A-2/H (Apartment/Historic)
Property Owner: Winton Custom Builders, Inc
Representative: Scott Winton
Representative District: #8
Historic District: Sunset Heights
Contributing Status: Non-contributing
Application Type: Rezoning

3. **ZON07-00071** Lots 28 and 29, and a portion of Lot 30, Block 6, Second Revised Map of Mundy Heights, City of El Paso, El Paso County, Texas
- Request: Special permit for infill development to reduce setbacks
Location: 1509 Upson Drive
Zone: R-4/H (Residential/Historic)
Proposed Use: Single-family residential
Property Owner: Winton Custom Builders, Inc
Representative: Scott Winton
Representative District: 8
Historic District: Sunset Heights
Contributing Status: Non-contributing
Application Type: Special Permit

Ms. Granado gave a presentation of the rezoning and special permit request and asked that both Item 2 and Item 3 be heard concurrently since they were related. The Commission was advised that Development Coordinating Committee recommends approval of the rezoning from R-4/H to A-2/H and special permit request for infill development.

Commissioner Delahaye read a letter of support submitted by the president of Sunset Heights Neighborhood Improvement Association and Co-Chairman of the Sunset Heights Association of Community and Friends that represent Sunset Heights Historic District into the record. He expressed the association's concern that if the zoning change is allowed, nothing might be built.

Scott Winton, Winton Custom Builders, representative, responded to questions and/or comments of the Commission.

Chair Hamilton asked if there were any members of the public who wanted to comment on this item. There were none.

Motion made by Commissioner Sackett and seconded by Commissioner De Santiago to approve Item 2, ZON07-00095 and Item 3, ZON07-00071.

AYES: Commissioners Sackett, Delahaye, Gardea, De Santiago, Minjarez

NAYS: None

ABSTAINED: Commissioner Karr

The Motion Passed.

Chair Hamilton introduced new Commissioner Member Hugo Gardea to the Commission.

Certificate of Demolition

4. **HP07015** Lot 15 & 16, Block 25. Alexander Addition
- Location: 1312 N. El Paso
Historic District: Sunset Heights
Property Owner: Omar Gonzales
Representative: LNS Construction
Existing Zoning: A-3/H (Apartment/Historic)
Representative District: #8
Year Built: 1900
Contributing Status: Non-Contributing
Request: Complete demolition of the existing structure and additions.
Application Filed: 6/13/07
90-Day Expiration: 9/11/07

Dr. Ainsworth gave a presentation on the request for demolition. The Commission was advised that the Planning Division recommends approval of the demolition.

There was discussion among the Commissioners.

Commissioner Delahaye wanted it on record that Mr. Bill Stern of Building Permits & Inspections was in agreement with the buyers advocate opinion at the July 2nd meeting.

Tom Maguire, Commercial Chief Building Inspector, stated that the complexity of repair is very high and not very cost effective.

Commissioner Minjarez informed the Commission that he went to inspect the building, and stated that the intent was to look at preservation, but was dismayed at the total destruction of the structure. Also agreed that it would be not be feasible to repair.

Dr. Ainsworth read an e-mail sent by Commissioner Wright who was not present at the meeting but had also gone out to inspect the building. He's recommendation was demolition and asked reconstruction of the building of similar material and proportions which will maintain the character of the neighborhood be allowed.

Chair Hamilton asked if there were any members of the public who wanted to comment on this item.

Ruben Urrutia, contractor, stated that the building was beyond repair and not feasible to repair.

Motion made by Commissioner Sackett and seconded by Commissioner De Santiago to approve the request for demolition of the entire structure. The Motion Passed.

AYES: Commissioners Sackett, Minjarez, De Santiago

NAYES: Commissioners Karr, Delahaye, Gardea

Chair Hamilton broke the tie, voting aye.

Certificate of Appropriateness

5.	HP07012	Lot 21 & 22, Block 7, Manhattan Heights
	Location:	2729 Wheeling
	Historic District:	Manhattan Heights
	Property Owner:	Luz Duran
	Representative:	Southwest Home Remodeling
	Existing Zoning:	R-3/H (residential/Historic)
	Representative District:	#2
	Year Built:	1929
	Contributing Status:	Contributing
	Request:	A one story addition to the rear of the property.
	Revised Application Filed:	8/2/07
	45-Day Expiration:	9/16/07

Dr. Ainsworth gave a presentation on the request for certificate of appropriateness. The Commission was advised that the Planning Division recommended approval of the proposed addition.

Leo Ramos, Southwest Home Remodeling, representing home owner Luz Duran, responded to questions and/or comments of the Commission.

Chair Hamilton asked if there were any members of the public who waned to comment on this item. There were none.

Motion made by Commission Karr and seconded by Commissioner De Santiago to approve the proposed Addition.

Commissioner De Santiago also mentioned that the Commission appreciated Mr. Ramos going back and revising the two floors plan to a single floor plan.

AYES: Commissioners Karr, Sackett, Delahaye, Gardea, Minjarez, De Santiago
NAYES: None

The motion passed.

6. **HP07017** Tract 8-A, Block 38, Ysleta Grant
Location: 8757 Old County Road
Historic District: Ysleta
Property Owner: Alberto and Esther Mata
Representative: Alberto Mata
Existing Zoning: R-4/H (Residential/Historic)
Representative District: #7
Year Built: 1991
Contributing Status: Non-Contributing
Request: Construction of a new 437 sq. ft. storage shed to the rear of the property.
Application Filed: 7/26/07
45-Day Expiration: 9/9/07

Dr. Ainsworth gave a presentation on the request for certificate of appropriateness. The Commission was advised that the Planning Division recommended approval of the proposed storage shed.

Mr. Alberto Mata, homeowner, responded to questions and/or comments of the Commission.

Motion made by Commissioner Karr and seconded by Commissioner Gardea to approve the proposed storage shed.

AYES: Commissioners Karr, Delahaye, Gardea, Minjarez,
NAYES: Sackett, De Santiago

The Motion passed.

7. **HP07018** Lots 3 & 4, Block 102, Government Hill
Location: 19 Cumberland Circle
Historic District: Austin Terrace
Property Owner: Adam Baginski
Representative: Adam Baginski
Existing Zoning: R-4/H (Residential/Historic)
Representative District: #2
Year Built: 1954
Contributing Status: Non-Contributing
Request: A new addition to include a second story, garage and front porch.
Application Filed: 7/30/07
45-Day Expiration: 9/13/07

Dr. Ainsworth gave a presentation on the request for certificate of appropriateness. The Commission was advised that the Planning Division recommended approval of the proposed addition.

Adam Baginski, homeowner, responded to questions and/or comments of the Commission.

There was discussion among the Commission.

Motion was made by Commissioner Karr and seconded by Commissioner Minjarez to approve the proposed addition.

AYES: Commissioners Karr, Sackett, Delahaye, Gardea, Minjarez, De Santiago

NAYES: None

The motion passed.

8. Administrative Review Report for August 2007

There was discussion on:

- a. 4319 Cambridge, material type of windows being replaced
- b. 3138 Wheeling, additional curb cut and driveway on the front
- c. 700 W. Yandell, window panes being replaced and not the sashes
- d. 908 W. Missouri, not same a/c unit case previously heard
- e. 2733 Gold, replacement of aluminum windows and their visibility from the street

Chair's Comments

- 9.** September 14, 2007 is the deadline for the HLC members to request for agenda items to be scheduled for the October 1, 2007.

Commission members were reminded of the deadline to submit agenda items for the October 1, 2007 meeting.

- 10.** Feedback from HLC members on compliance in the designated historic districts and independent historic structures.

There was no response.

11. Museum and Cultural Affairs Department Report

Dr. Ainsworth advised the Commission the Museums and Cultural Affairs department had a very successful summer of the Public Art's program for the City of El Paso.

12. Development Services Department -Planning Division Report

Ms. Valles informed the Commission that the Historic Preservation Program has completely moved to Museum Cultural Affairs Department and that this would be her last report, but would still be attending meetings as support staff. She also stated that the Development Services Department would still be providing customer service but would not be approving applications.

13. Development Services Department - Building Permits & Inspections Division Report

Tom Maguire, Chief Building Inspector, gave an update on the Fall Mansion.

Other Business

- 14.** Discussion and action on the proposed changes to Title 3, Chapter 3.04, Section 3.04.035 Exemption-Historically significant sites.

Veronica Rosales, Economic Development, gave presentation on the proposed changes to Title 3, Exemption-Historically significant sites.

There was discussion among the Commission.

Motion was made by Commissioner Sackett and seconded by Commissioner Minjarez to accept the draft ordinance with the recommended changes

AYES: Commissioners Sackett, Delahaye, Gardea, Minjarez, De Santiago

NAYES: Karr

The motion passed.

15. Discussion and action on the proposed location for a new swing set, enclosure and accessibility route at Memorial Park.

This item was postponed until the September 17th meeting.

16. Discussion and action on a proposed meeting schedule for 2008.

Motion was made by Commissioner Sackett and seconded by Commissioner Karr to accept the meeting schedule for 2008.

AYES: Commissioners Karr, Sackett, Delahaye, Gardea, Minjarez, De Santiago

NAYES: None

The motion passed.

17. Approval of August 6, 2007 Meeting Minutes.

This item was postponed until the September 17th meeting.

Meeting adjourned at 6:20

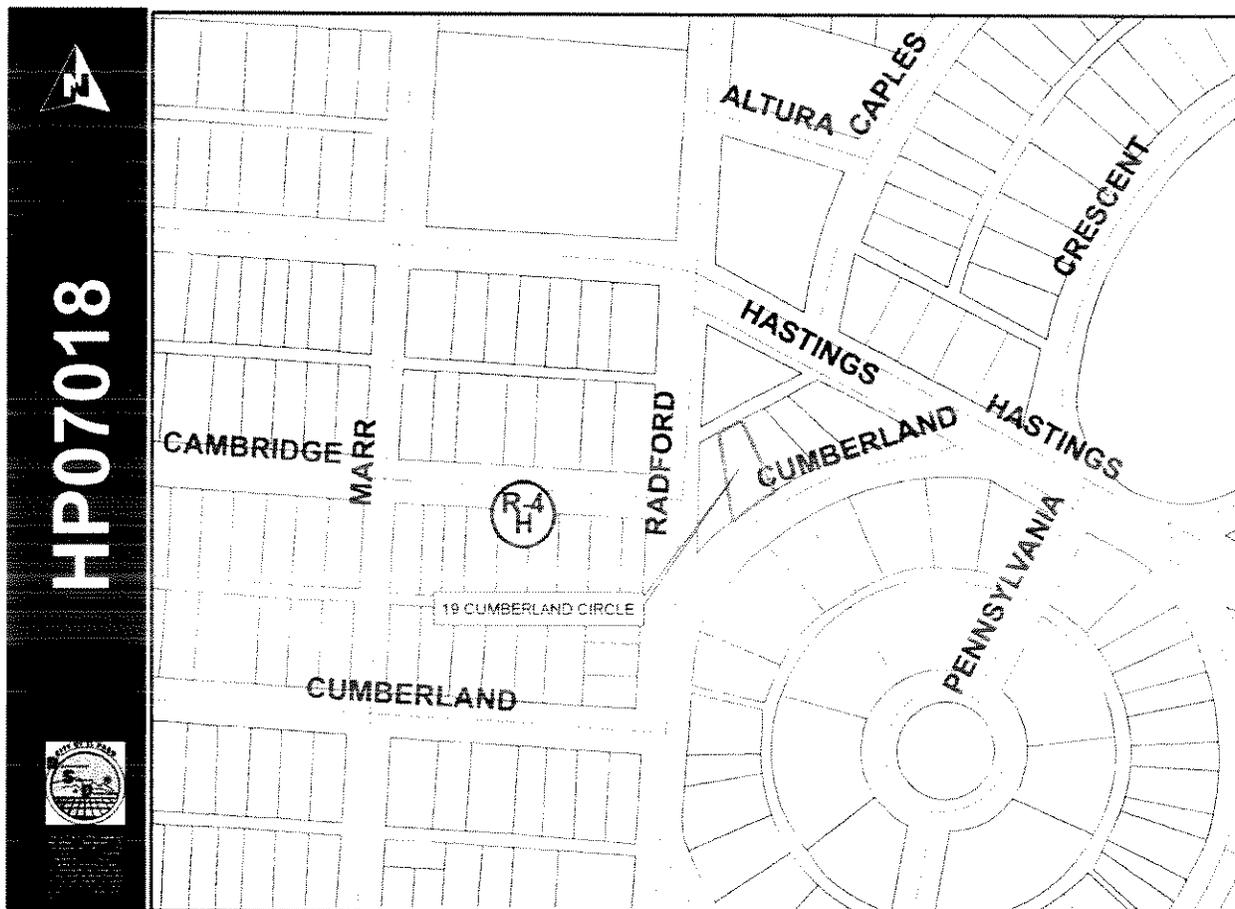
The Historic Landmark Commission may retire into Executive Session pursuant to Section 3.5 of the El Paso City Charter and the Texas Government Code, Sections 551.071-551.076 to discuss an item on this Agenda.

Armida R. Martinez
Secretary



HP07018

Application Type: Certificate of Appropriateness
Property Owner(s): Adam Baginski
Representative(s): Adam Baginski
Legal Description: Lots 3 & 4, Block 102, Government Hill
Location: 19 Cumberland Circle
Representative District: 2
Present Zoning: R-4/H (Residential/Historic)
Present Use: Residential
Year Built: 1954
Contributing Status: Non-Contributing
Request: Construction of a new addition to include a second story, garage, and front porch.
Planning Area: Central
Application Filed: 7/30/07
45-Day Expiration: 9/13/07



GENERAL INFORMATION:

The applicant seeks approval to:

Construct a second floor addition of brick veneer with stucco finish on the proposed foyer and at the roof line. New roof will be covered in clay tile. The front façade will include a foyer, garage, and balcony railings on the second-story fixed windows.

STAFF RECOMMENDATION:

The Planning Division recommends **APPROVAL** of the proposed addition. The recommendation is based on the following:

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

- Designing new additions in a manner that makes clear what is historic and what is new.
- Considering the attached exterior addition both in terms of the new use and the appearance of other buildings in the historic district or neighborhood. Design for the new work may be contemporary or may reference design motifs from the historic building.
- Designing additional stories, when required for the new use, that are set back from the wall plane and are as inconspicuous as possible when viewed from the street.

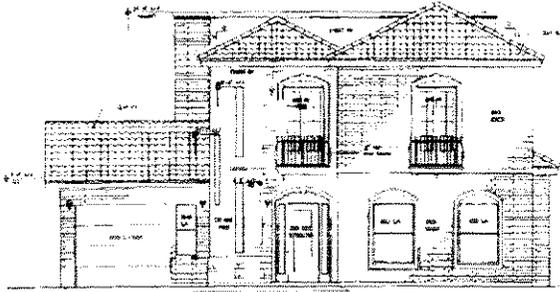
The Secretary of the Interior's Standards for Rehabilitation *does not recommend* the following:

- Designing a new addition so that its size and scale in relation to the historic building are out of proportion, thus diminishing the historic character.
- Constructing additional stories so that the historic appearance of the building is radically changed.
- Duplicating the exact form, material, style, and detailing of the historic building in the new addition so that the new work appears to be part of the historic building.

AERIAL MAP



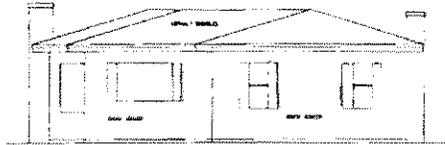
PLANS



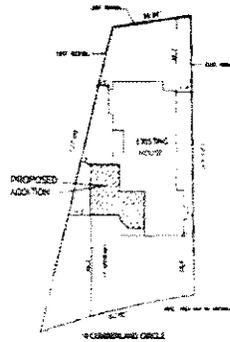
PROPOSED FRONT ELEVATION



EXISTING HOUSE FLOOR PLAN LAYOUT



EXISTING HOUSE ELEVATION



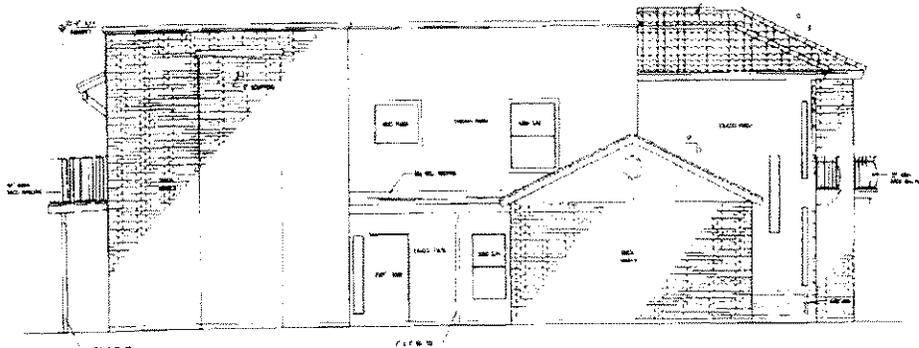
SITE PLAN

NO. 1	DATE
NO. 2	DATE
NO. 3	DATE
NO. 4	DATE

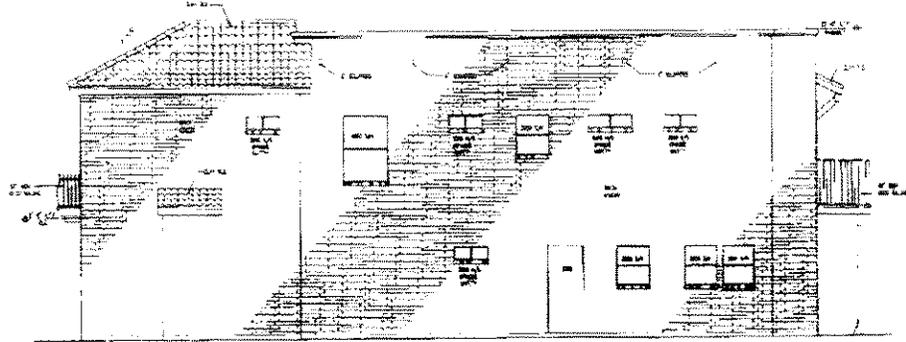
NO. 5	DATE
NO. 6	DATE
NO. 7	DATE
NO. 8	DATE

Project: INTERIOR RENOVATION AND PROPOSED ADDITION
 ADDRESS: 18 CLARIBETH AND ENCLAVE
 CITY: PEARLAND, TEXAS

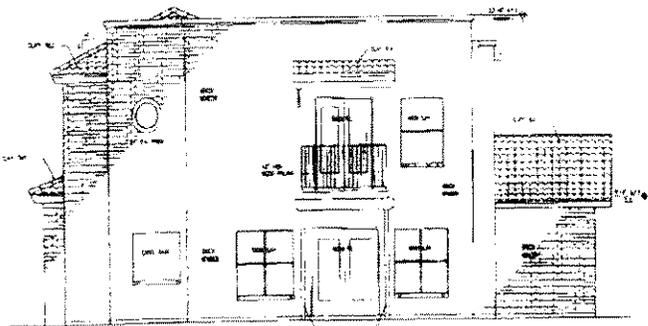
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NO. 10	DATE
NO. 11	DATE
NO. 12	DATE



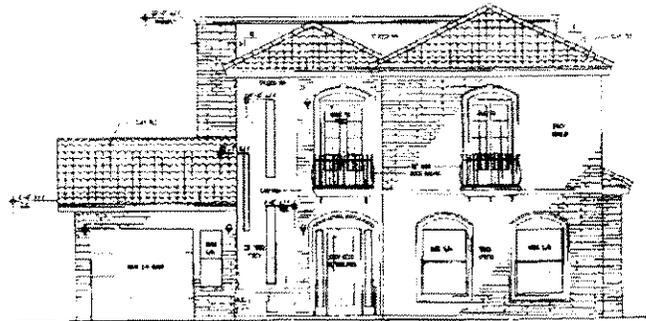
LEFT SIDE ELEVATION



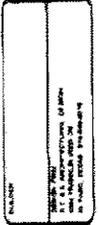
RIGHT SIDE ELEVATION



BACK SIDE ELEVATION



FRONT ELEVATION



EL PASO, TEXAS

Project:
 INTERIOR RENOVATION AND
 PROPOSED ADDITION

ADDRESS: 8 CLUBBER LN, SUITE 100
 EL PASO, TEXAS

