

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

DEPARTMENT: Development Services Department
AGENDA DATE: Public Hearing, June 24, 2008
CONTACT PERSON/PHONE: Victor Q. Torres, (915) 541-4145
DISTRICT(S) AFFECTED: District 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 111 Pennsylvania. (District 2) [Victor Q. Torres, (915) 541-4145]

BACKGROUND / DISCUSSION:

Regarding the residential construction project at 111 Pennsylvania in the Austin Terrace Historic District, the following actions occurred from January to March 2008. Development Services received an application for the project on January 7; the plans were reviewed and building permits were issued on January 29. The project was subject to review by the Historic Landmark Commission, but that procedural step was overlooked. Construction of the new residence began after January 29, and by March 3, when the Historic Preservation Officer was first aware that this project had been initiated without review by the Historic Landmark Commission, a Stop Work Order was issued. The following chronology pertains to the actions taken after March 3, 2008:

March 4, 2008: The property owner submitted a Certificate of Appropriateness application for the new construction.

March 17, 2008: The application was reviewed by the Historic Landmark Commission. The HLC approved the application with certain conditions

March 24-April 1, 2008: Seven property owners in the Austin Terrace Historic District filed written appeals with the City Clerk of the Historic Landmark Commission's decision on March 17. The appeals were filed in accordance to the El Paso Municipal Code Title 20 (Zoning), Chapter 20.20 (Historic Landmark Preservation), Section 190 (Appeal to the City Council).

April 29, 2008: The appeal was heard and upheld by the El Paso City Council.

May 2, 2008: Mayor Cook vetoed the City Council's action on item based upon the recommendation that additional alternatives be explored for the home design.

May 20, 2008: The item was placed on the City Council Regular Agenda. After deliberation, the motion was made to hire an architect to prepare studies of alternative plans; for the appellants and the applicants to mediate their differences and attempt to reach an agreement on a proposed design; and the City to remedy financial loss incurred by the applicant.

June 20, 2008: The item was placed on the Historic Landmark Commission agenda; four of the seven current members of the HLC were present. The four sets of modified plans submitted by the architect Mr. William Boyd were reviewed. The Commissioners found that these modified plans did not adhere to the architectural design standards adopted by the El Paso City Council in March 1981 and published in the *Guide to the Identification and Preservation of El Paso's Cultural, Historic, and Architectural Resources*. A motion was made to reject all of the submitted plans and the motion passed by a vote of 2-1.

PRIOR COUNCIL ACTION:

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AMOUNT AND SOURCE OF FUNDING:

N/A

BOARD / COMMISSION ACTION:

HLC recommendation pending.

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

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

DEPARTMENT HEAD: _____
Victor Torres, Director

APPROVED FOR AGENDA:

CITY MANAGER: _____ **DATE:** _____