

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

**DEPARTMENT:** Planning & Economic Development, Planning Division

**AGENDA DATE:** Public Hearing: August 30, 2011

**CONTACT PERSON/PHONE:** Providencia Velázquez, (915) 541-4027, VelazquezPX@elpasotexas.gov

**DISTRICT(S) AFFECTED:** 2

**SUBJECT:**

Discussion and action on an appeal by applicant regarding a decision rendered by the Historic Landmark Commission (HLC) in HLC case: PHAP11-00021; 4406 Trowbridge, El Paso, Texas, on July 25, 2011 to deny a certificate of appropriateness application for the referenced property, PHAP11-00021 (**District 2**).

**BACKGROUND / DISCUSSION:**

See attached report.

**PRIOR COUNCIL ACTION:**

N/A.

**AMOUNT AND SOURCE OF FUNDING:**

N/A

**BOARD / COMMISSION ACTION:**

Historic Landmark Commission reviewed case PHAP11-00021 on July 25, 2011 and recommended denial by a vote of 4-2.

\*\*\*\*\*REQUIRED AUTHORIZATION\*\*\*\*\*

**LEGAL:** (if required) N/A

**FINANCE:** (if required) N/A

**DEPARTMENT HEAD:** Mathew S. McElroy \_\_\_\_\_  
Deputy Director- Planning & Economic Development

\*\*\*\*\*

**APPROVED FOR AGENDA:**

**CITY MANAGER:** \_\_\_\_\_ **DATE:** \_\_\_\_\_

**PLANNING & ECONOMIC DEVELOPMENT  
PLANNING DIVISION**

**MEMORANDUM**

**DATE:** August 9, 2011

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

**FROM:** Providencia Velázquez, Historic Preservation Officer

**SUBJECT:** Appeal of Historic Landmark Commission decision regarding PHAP11-00021

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The Historic Landmark Commission (HLC), on July 25, 2011, voted 4-2 to **DENY** the certificate of appropriateness application for the legalization of a circular driveway, built without permits, for the home located at 4406 Trowbridge Drive within the Austin Terrace Historic District.

The HLC found that the proposal does not comply not comply with the historic guidelines regarding driveways, especially for this type of house and that the request was brought before Commissioners after construction; therefore, Commissioners were not allowed to comment on the design prior to the installation of the driveway. Based on the administrative review guidelines:

- A circular driveway may be appropriate for a large lot or one several feet above street level.
- Grass and sod may be removed from front yards, side yards on a corner and parkways provided that no more than 50% of the area is covered with gravel or other masonry.

**Attachments:** Appeal Letter, Staff Report

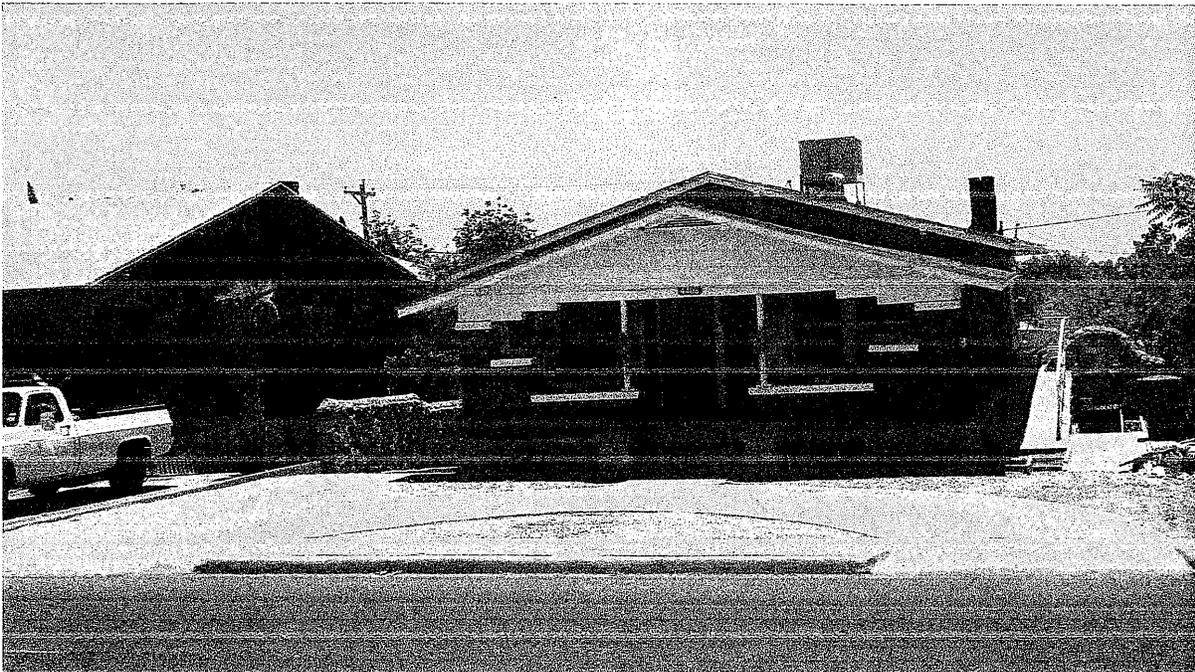
**APPEAL LETTER**

CITY CLERK DEPT.  
2011 AUG -3 AM 10:55

**Address : 4406 Trowbridge**

**APPEAL – Circular Driveway Permit**

**To: EL PASO CITY COUNCIL**



**From: Herlinda Montano  
4406 Trowbridge  
El Paso, Texas 79903  
915 565 3914**

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**APPEAL LETTER CONTINUED**

CITY CLERK DEPT.

2011 AUG -3 AM 10:56

**Salud Y Vida, P.A.** 8030 North Loop Dr. (915) 591-2704  
El Paso, TX 79915 (915) 598-3946

June 15, 2011

Rafael Armendariz, D.O.  
8030 North Loop  
El Paso, TX 79915

**Re: Patient Name: Elisabet Montano  
Date of Birth: 03/13/1921**

To Whom It May Concern:

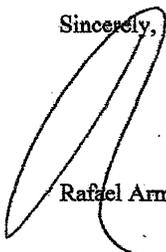
At the request of the above-referenced patient, I am writing this official letter as his primary care provider to inform you of her current health status, and request your assistance in accommodating her with handicap access for her apartment.

Ms. Montano has been treated and diagnosed with the following: Diabetes Mellitus-II, Osteo-Arthritis, Hypercholesterolemia, Post-Menopause, Gait Imbalance, Varicose Veins to Lower Extremities, Peripheral Vascular Disease, Macular Degeneration, Urinary Incontinence, Diabetic Neuropathy, and Bilateral Hearing Loss.

Due to her medical conditions, Ms. Montano requires the use of a walker as an assistive device, and she would therefore greatly benefit from handicap access to her apartment to facilitate her every day activity.

If you should have any further questions or concerns regarding this patient, please do not hesitate to call (915) 591-2704, or fax (915) 598-3946.

Sincerely,

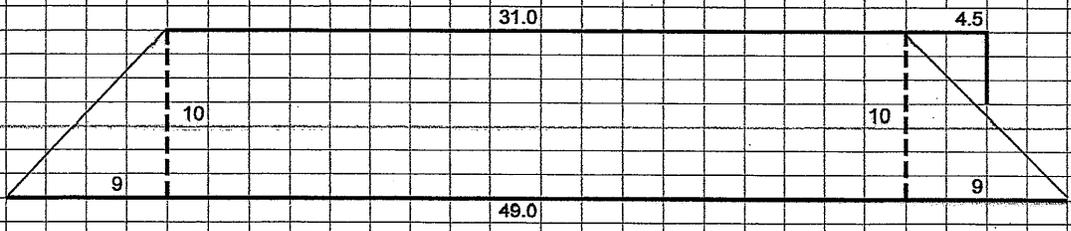
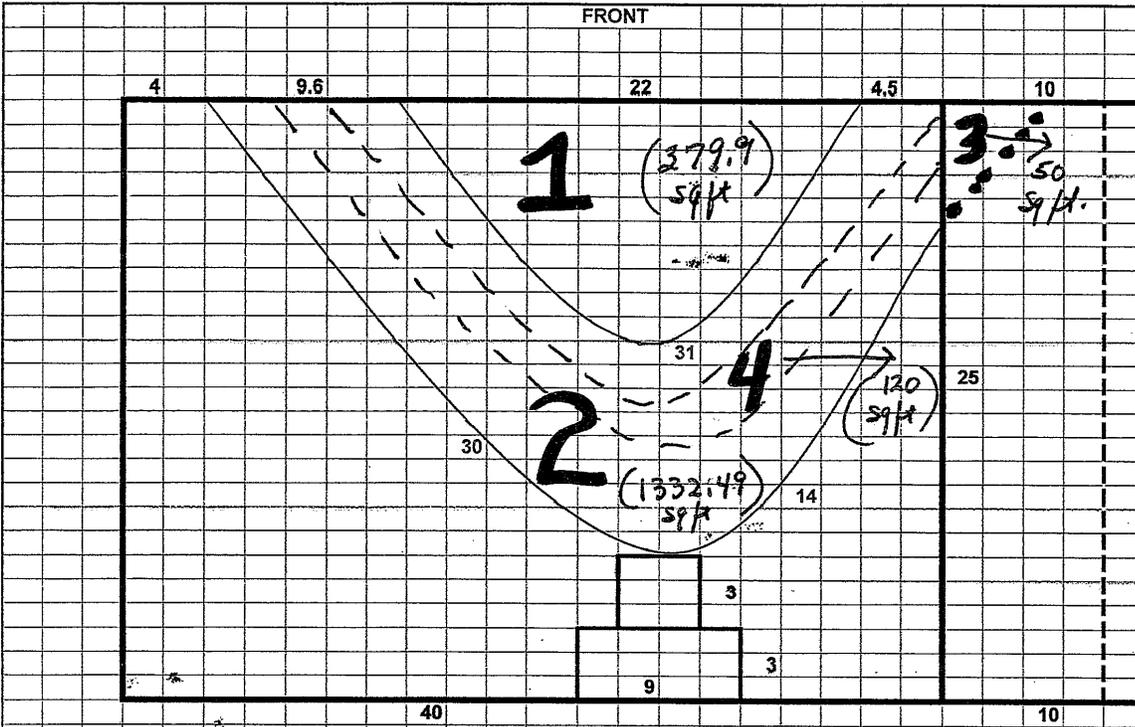


Rafael Armendariz, D.O.

**APPEAL LETTER CONTINUED**

CITY CLERK DEPT.

2011 AUG -3 AM 10:55



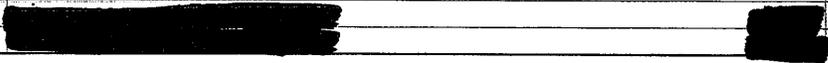
**50 X 25 = 1250 TOTAL SQ FT = Front Area**

Driveway = 10 x 25 = 250 sq ft

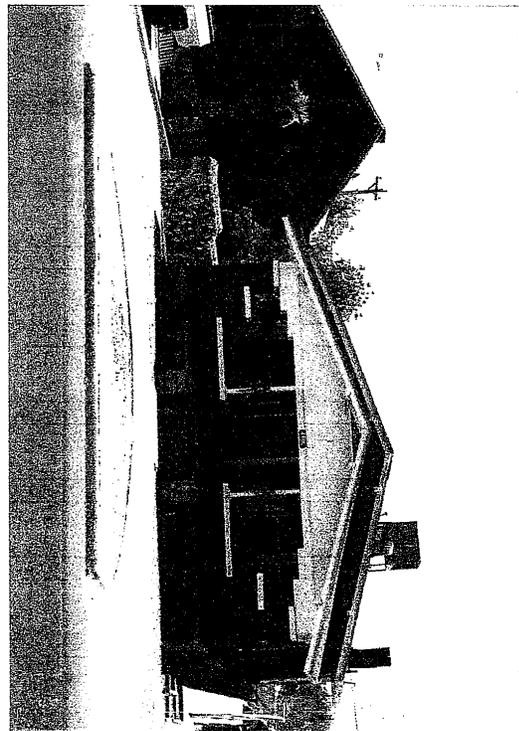
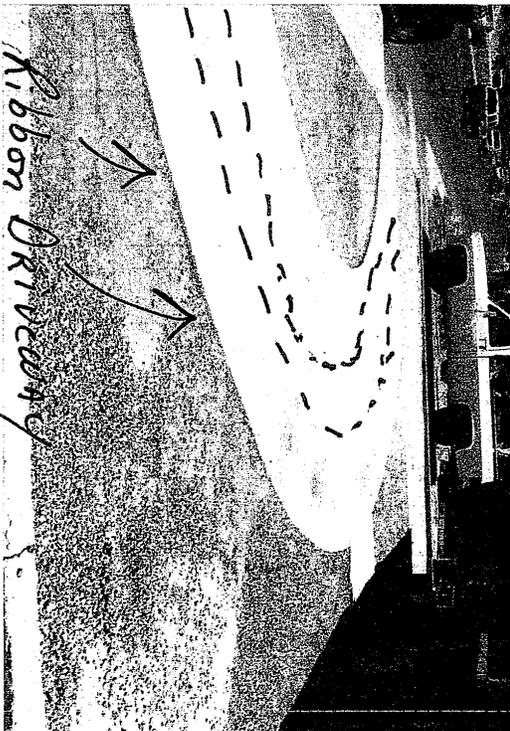
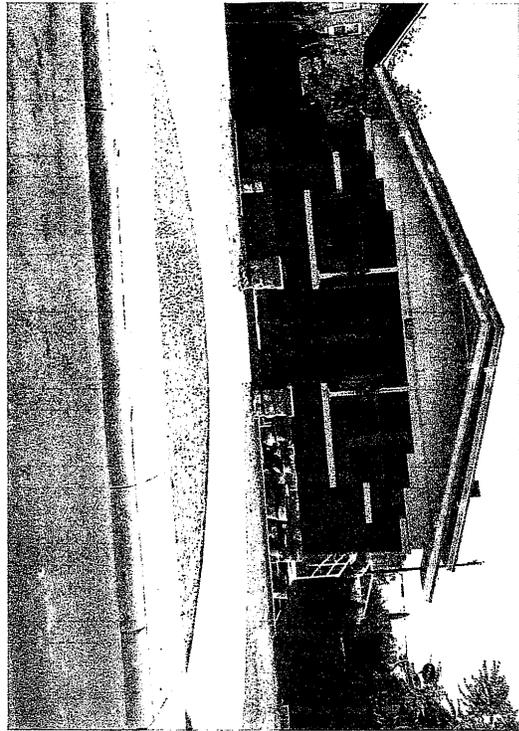
Steps = 9 x 3 = 27 sq ft      Walk - 5 x 3 = 15 Sq Ft

31 x 10 = 310 sq ft	310
Corners 45 sq ft x 2	90
Little Corner 4.5 x 5 / 2 =	10
Driveway 10 x 25 =	250
<b>Total</b>	<b>660</b>

660 / 1250 = 52.8%



APPEAL LETTER CONTINUED



**APPEAL LETTER CONTINUED**



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2011 AUG -3 AM 10:56

**CERTIFICATE OF APPROPRIATENESS**  
**Issued by the El Paso Historic Landmark Commission**

This is to certify that the El Paso Historic Landmark Commission at its regular meeting scheduled on July 25, 2011, *reviewed and denied plans submitted by:*

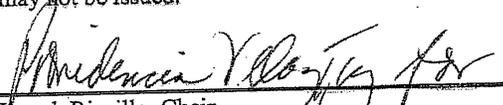
**Property Owner:** Herlinda Montano  
**Location:** 4406 Trowbridge  
**Legal Description:** Being 91 Government Hill 29 & 30 (7000 Sq. Ft.), City of El Paso, El Paso County, Texas

**For:**

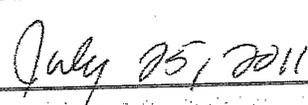
**The legalization of a circular driveway in the front yard.**

The Commission finds that the proposed scope of work will adversely affect the architectural or historical significance of the Austin Terrace Historic District, within which this site is located.

THEREFORE, appropriate Building Permits may not be issued.

  
\_\_\_\_\_  
Joseph Riccillo, Chair  
El Paso Historic Landmark Commission

Date

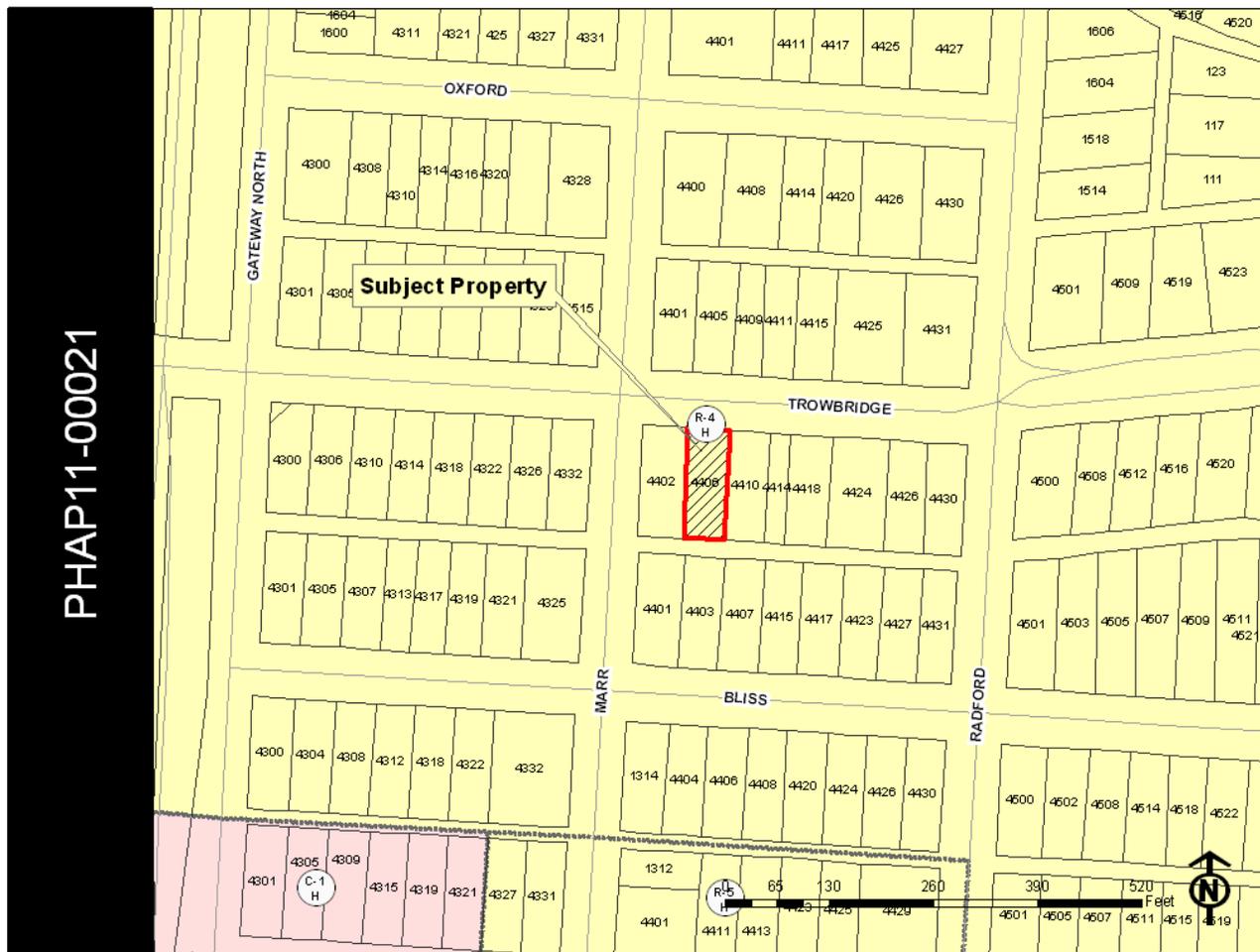
  
\_\_\_\_\_  
July 25, 2011



## PHAP11-00021

**Date:** July 25 2011  
**Application Type:** Certificate of Appropriateness  
**Property Owner:** Herlinda Montano  
**Representative:** Herlinda Montano  
**Legal Description:** Being 91 Government Hill 29 & 30 (7000 Sq Ft), City of El Paso, El Paso County, Texas  
**Historic District:** Austin Terrace  
**Location:** 4406 Trowbridge  
**Representative District:** #2  
**Existing Zoning:** R-4/H  
**Year Built:** 1918  
**Historic Status:** Contributing  
**Request:** Legalization of a circular driveway in the front yard.  
**Application Filed:** 6/15/2011  
**45 Day Expiration:** 7/30/2011

## ITEM #1



**GENERAL INFORMATION:**

The applicant seeks approval for:

The legalization of a circular driveway in the front yard.

**STAFF RECOMMENDATION:**

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

*The Administrative Design Guidelines* recommend the following:

- Driveways and walks may be widened or added as part of a landscaping plan.
- A circular driveway may be appropriate for a large lot or one several feet above the street level.
- Grass and sod may be removed from front yards, side yards on a corner and parkways provided that no more than 50% of the area is covered with gravel or other masonry.

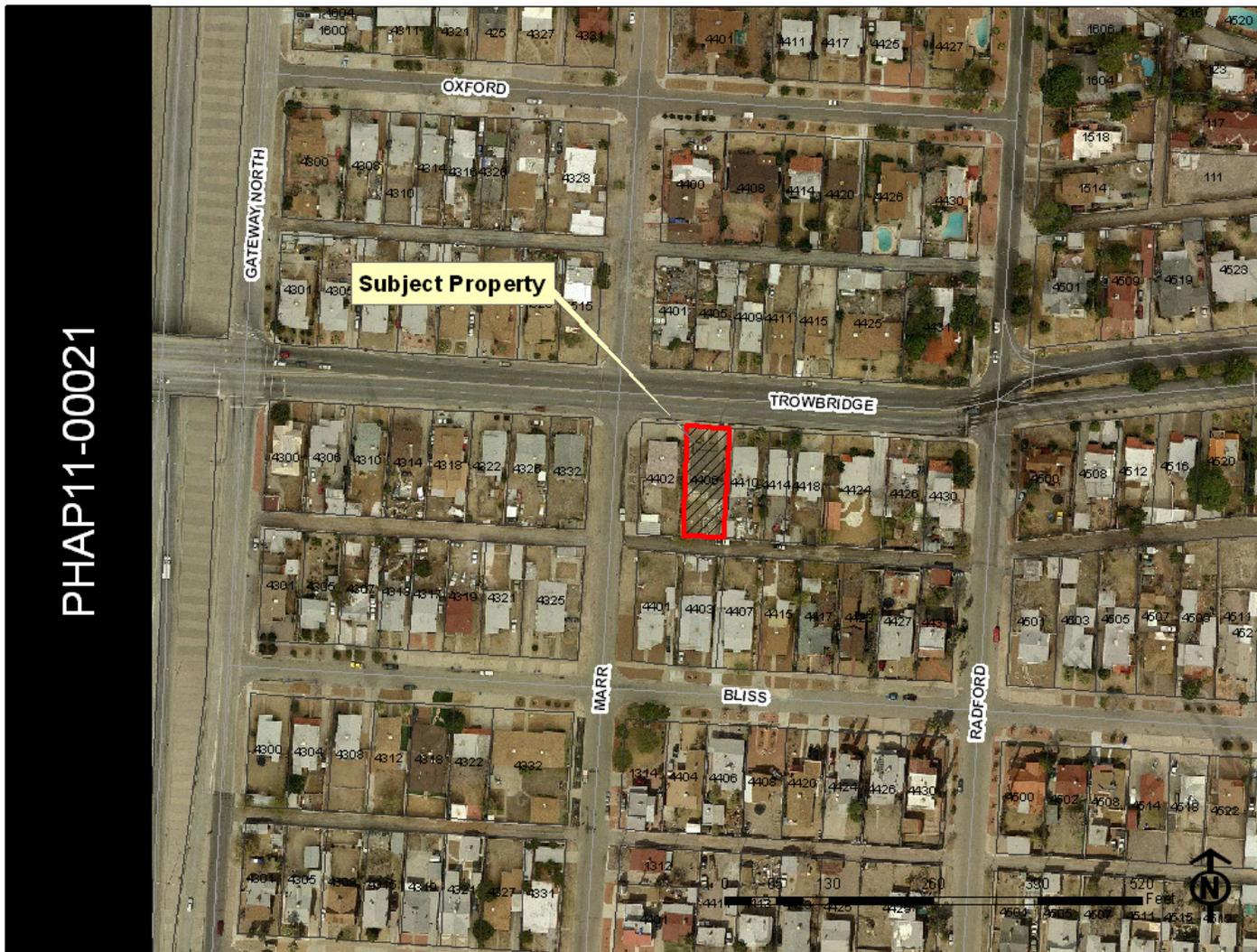
*The Magoffin Historic District Design Guidelines* recommend the following:

- Effort should be taken to maintain the use of the original parking area.
- When repair or replacement is required, the existing garage or driveway should be replaced in kind.
- Paved areas for driveways should be kept to a minimum.

Staff recommends that the proposal be modified to remove the circular driveway, construct a new driveway on the west side of the property leading up to the existing ramp, and that at least 50% of the front yard be covered with landscaping as per the guidelines.

# AERIAL MAP

PHAP11-00021





**PHOTOGRAPH OF MAIN FAÇADE AND DRIVEWAY**



August 4, 2011

Based on the El Paso Historic Landmark Commission's ruling to deny plans for the Legalization of a circular driveway in the front yard of 4406 Trowbridge, this letter is making an appeal to the El Paso City Council for the following reasons:

1. Based on the attached letter from Dr. Rafael Armendariz, Mrs. Elisabet Montano requires handicap access from her home. Mrs. Montano is 90 years old and her medical conditions require her numerous visits to Doctors and medical examinations. See attached Letter!
2. Trowbridge St. is a busy and dangerous street for parking on the street and loading and unloading passengers therefore Mrs. Montano would have better accessibility with her Circular driveway loading area. This circular structure will not be used to park vehicles, the standard driveway will be for the one vehicle at the house. See Pictures attached!
3. We apologize for not securing the permit prior but Mrs. Montano did not realize the urgency and ordered the construction to help her loading and unloading trips to the Doctor. The requirements for the area call for the total cemented coverage, for the yard, to be less than 50 %.
4. Measurements have been taken and using the City Planning Department guidelines on measuring these structures, the figures are as follows:

See Attached Pictures and measurement spreadsheet!

Circle 1 - Radius = 11  $A = \text{Pie } R^2$   $A = 3.14 \times 11^2 = 379.94$

Circle 2 - Radius = 20.6  $A = \text{Pie } R^2$   $A = 3.14 \times 20.6^2 = 1332.49$

$1332.49 / 2$  minus  $379.94 / 2 = 476.29$  less area  $3 (50) = 426.29$  sq ft

$426.29$  plus  $10 \times 25$  driveway area =  $676.29$

$676.29 / 1250$  sq ft (total area) =  $54.0 \%$

To help conform to El Paso City Guidelines of concrete coverage of under 50% , Mrs. Montano is proposing the transforming of the Circular Driveway to a Ribbon Driveway ( Section 4). Diagram On Spreadsheet! This reduction of concrete between the ribbon driveway ( 3' x 40 ') 120 Sq Ft will reduce the total concrete to a total % of 44.5% , easily within the qualifying range for the City of El Paso guidelines for a permit in this area.

This center cut area will be landscaped with green grass to enhance the landscaped architectural significance of the Austin Terrace District as well as making sure Mrs Elisabet Montano can access vehicles which pick her up and return her from Doctor visits . Mrs Elisabet Montano is 90 years old and partially disabled.

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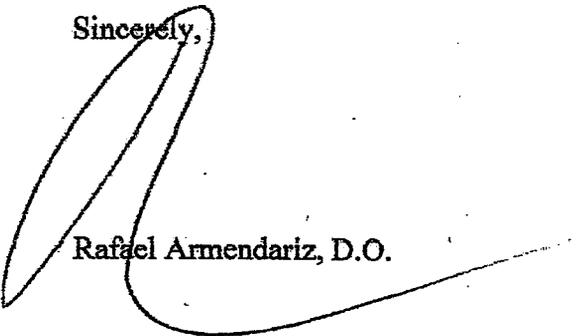
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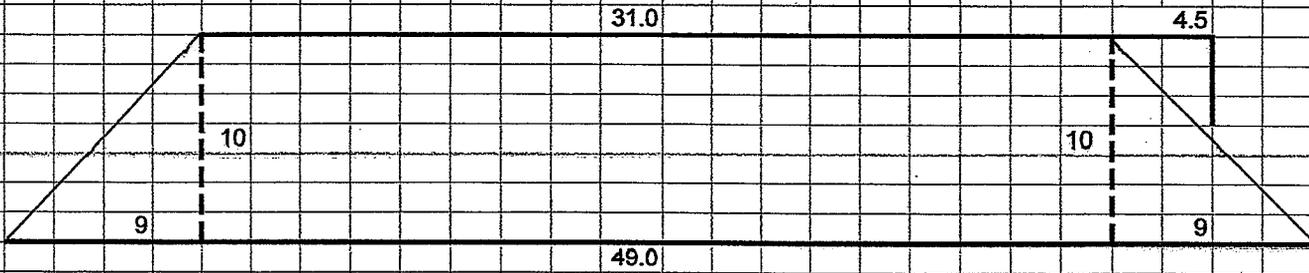
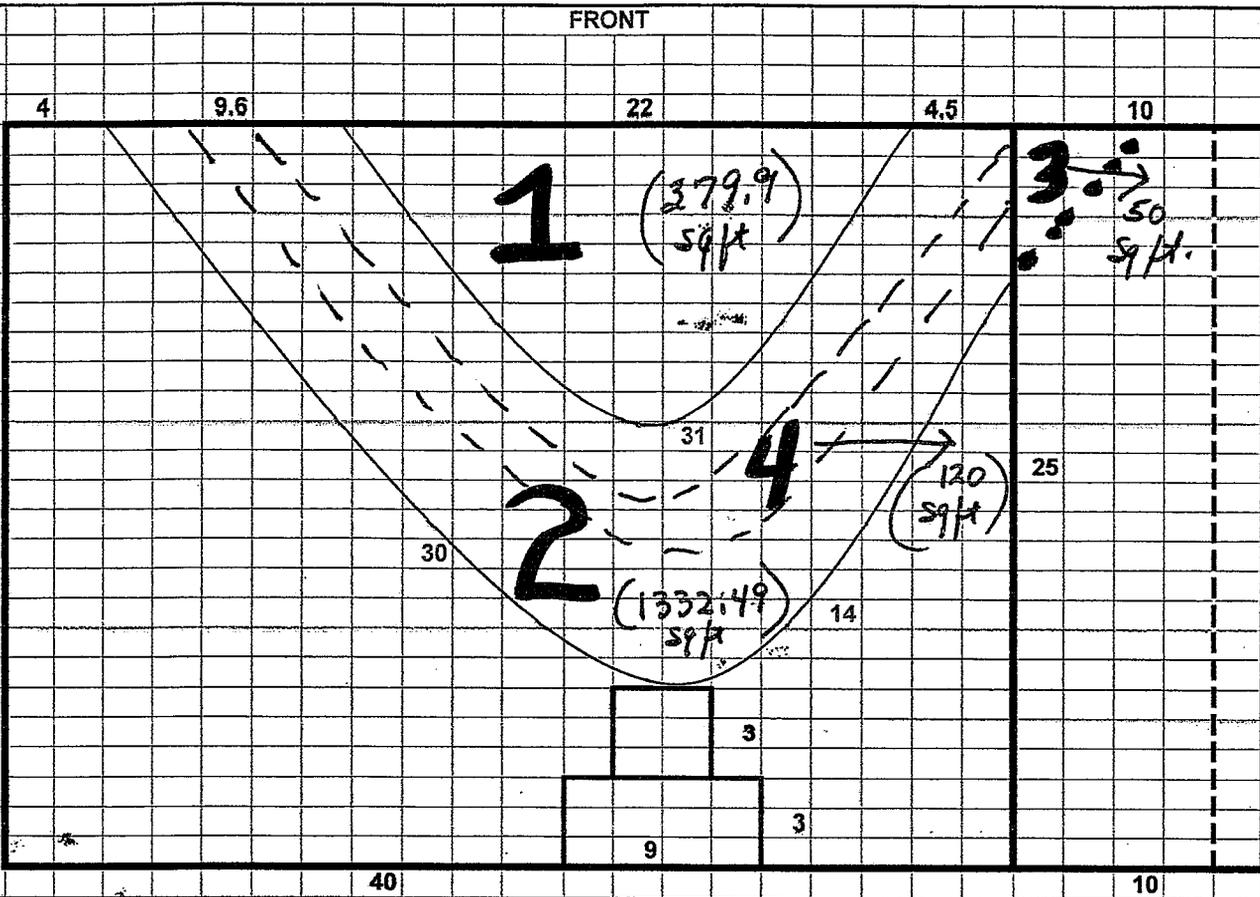
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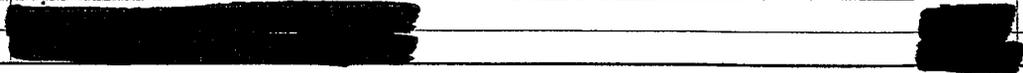
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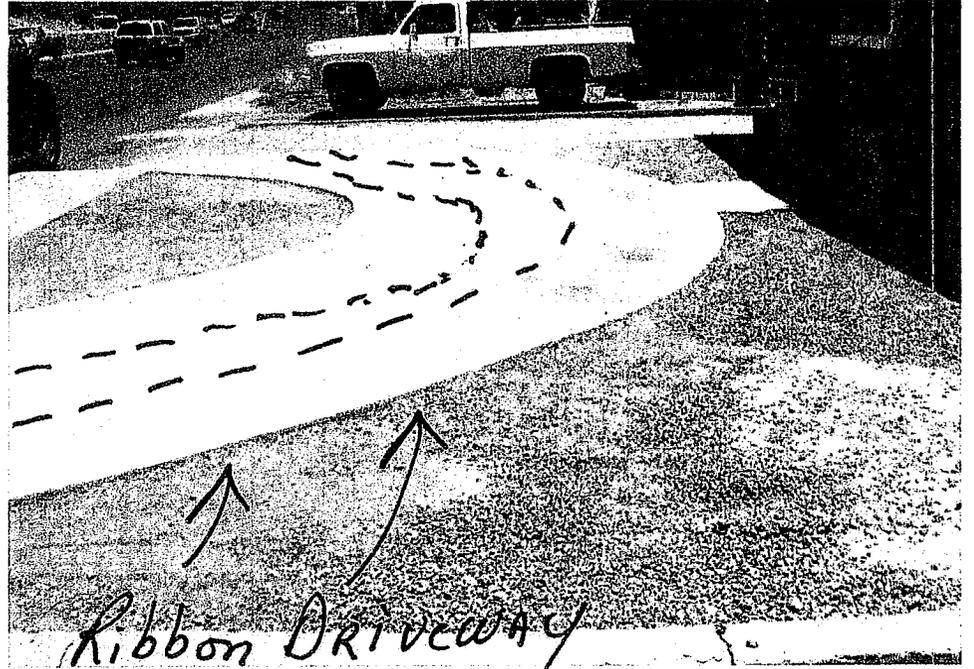
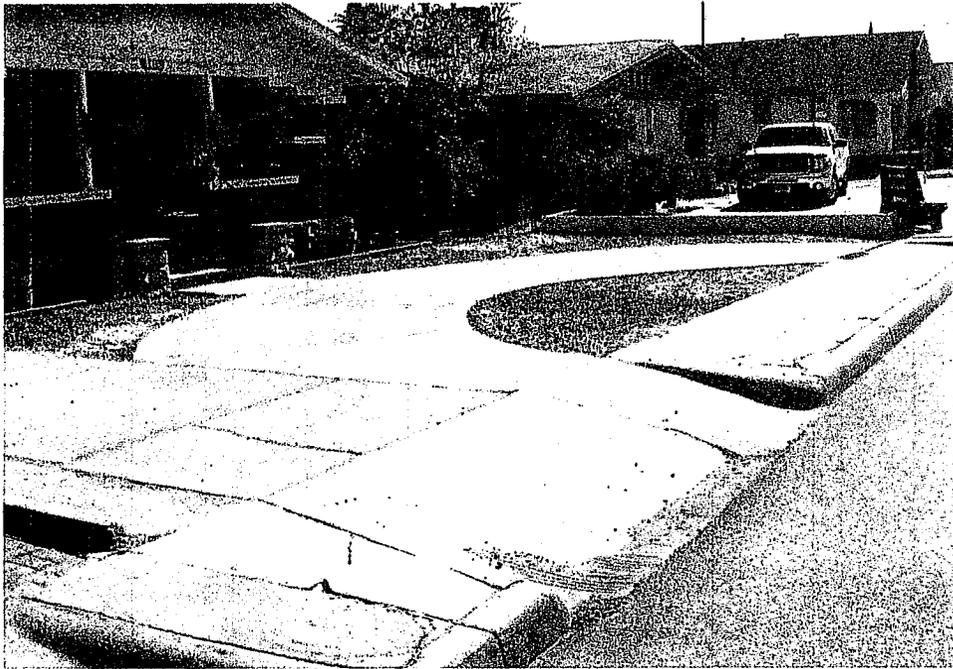
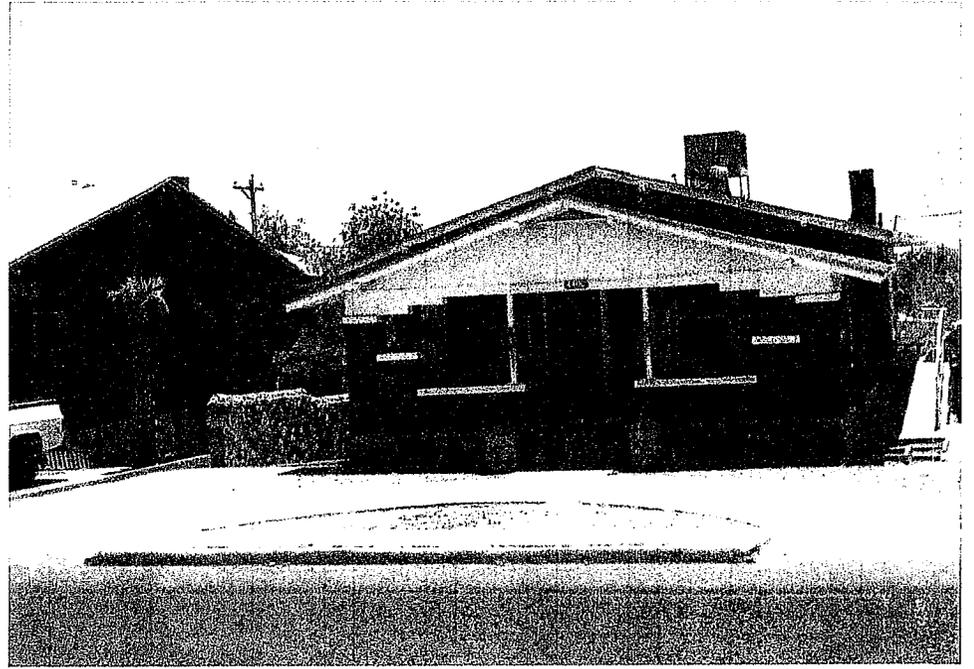
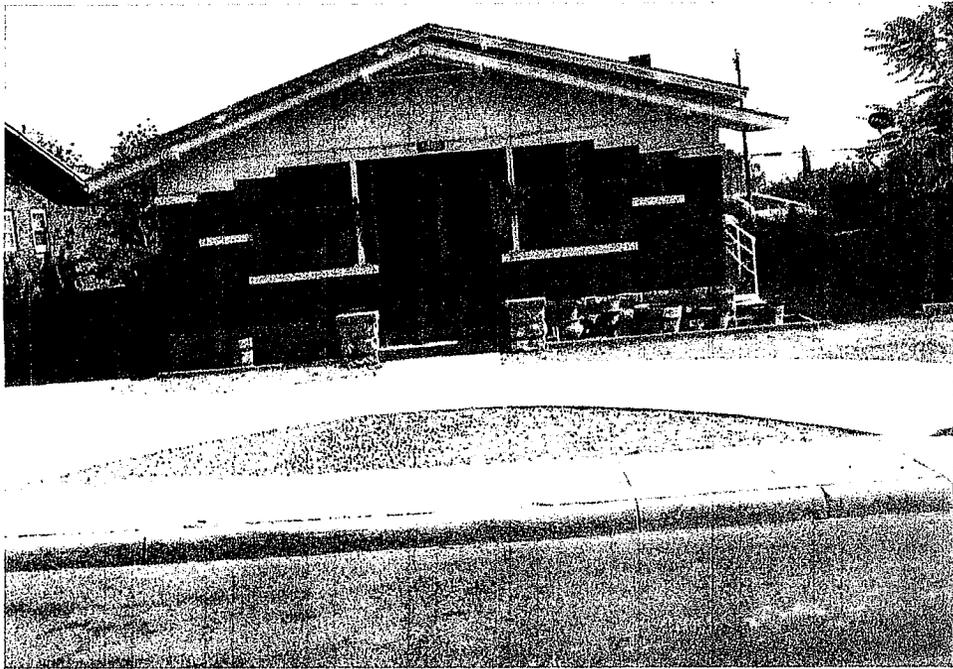


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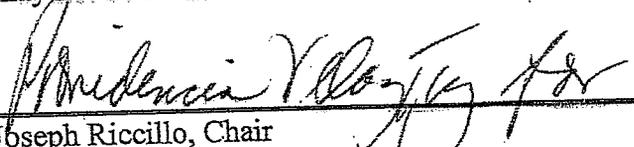
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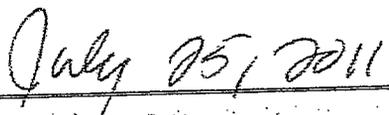
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