

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



DEPARTMENT: Development Services Department

AGENDA DATE: November 3, 2009

CONTACT PERSON/PHONE: Tony De La Cruz, (915) 541-4329, delacruzja@elpasotexas.gov

DISTRICT(S) AFFECTED: District 8

SUBJECT:

Discussion and action on a resolution adopting the design guidelines for use by the Historic Preservation Officer within the areas of potential effect identified as the "Northeast Portion of the Historic Incentive District area" and the "South Portion of the Downtown Historic Incentive District area", in accordance with Section 20.20.080 of the El Paso City Code. Applicant: City of El Paso. (District 8)

BACKGROUND / DISCUSSION:

On June 3, 2008, the City Council adopted a resolution designating three areas of potential effect for tax relief purposes. The properties affected by this resolution are properties of a historic character or nature but do not carry a historical zoning designation and City Code Section 20.20.080 C provides that the City Council, by resolution, will adopt design guidelines for use by the Historic Preservation Officer (HPO) in implementing the provisions for the issuance of administrative certificate of appropriateness, as applicable to properties without "H-overlay" zoning located in the areas of potential effect.

The Downtown Historic District, Magoffin Historic District, and Chihuahueta Historic District design guidelines are intended to promote consistency and expediency in the administration and approval of Tax Exemption requests for the areas identified as the "Northeast Portion of the Historic Incentive District area" and the "South Portion of the Downtown Historic Incentive District area". When the preceding guidelines do not provide standards applicable to the project, then the design guidelines adopted by the National Park Service in the document titled The Secretary of the Interior's Standards for the Treatment of Historic Properties (36 CFR Part 68) shall apply.

PRIOR COUNCIL ACTION:

On May 30, 2006, the City Council voted 5-2 to approve Ordinance No. 16370 which was an ordinance amending Title 3 (Revenue and Finance), Chapter 3.04 (Property Taxes) of the El Paso City Code by adding Section 3.04.035 (Exemption - Historically Significant Sites) in order to provide an exemption from taxation of certain property taxes for renovations completed to historically significant property to encourage the preservation of such properties; and to create an application and approval process for such exemptions.

AMOUNT AND SOURCE OF FUNDING:

N/A

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

LEGAL: (if required) N/A

FINANCE: (if required) N/A

DIRECTOR: Victor Q. Torres
Director, Development Services Department

APPROVED FOR AGENDA:

CITY MANAGER: DATE:

Mayor
John F. Cook

City Council

District 1
Ann Morgan Lilly

District 2
Susannah M. Byrd

District 3
Emma Acosta

District 4
Melina Castro

District 5
Rachel Quintana

District 6
Eddie Holguin Jr.

District 7
Steve Ortega

District 8
Beto O'Rourke

City Manager
Joyce A. Wilson

RESOLUTION

WHEREAS, on June 3, 2008, the City Council adopted a resolution designating three areas of potential effect for tax relief purposes in conjunction with the provisions contained in City Code section 3.04.035, and

WHEREAS, the properties affected by this resolution are properties of a historic character or nature, but they do not carry a historical or “H-overlay” zoning; and

WHEREAS, City Code Section 20.20.080 C provides that the City Council, by resolution, will adopt design guidelines for use by the Historic Preservation Officer (HPO) in implementing the provisions under Chapter 20.20 and Section 3.04.035 for the issuance of administrative certificates of appropriateness, as applicable to properties without “H-overlay” zoning located in the areas of potential effect; and

WHEREAS, Section 20.20.080 C of the City Code also provides that for historic districts for which no guidelines have been adopted, the guidelines from the district most similar in character, design, materials, workmanship, time of construction shall apply, or as otherwise provided therein; and

WHEREAS, the design guidelines for the Union Plaza area have already been adopted, as set forth in Section 20.10.360 B of the City Code; and

WHEREAS, the City Council needs to provide for the relevant design guidelines for the areas of potential effect known as the “Northeast Portion of the Historic Incentive District area” and the “South Portion of the Downtown Historic Incentive District area”; and

WHEREAS, these two areas of potential effect are in close proximity to several historic districts for which the City Council has adopted design guidelines, and these areas of potential effect contain buildings that are similar in character and nature to buildings located within these historic districts, such that the HPO can readily determine the similarities and apply the grant of authority set forth in this resolution.

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

1. That the findings set out in the preamble to this Resolution are found to be true and correct, and that they are hereby adopted and made a part hereof for all purposes.
2. That the design guidelines adopted for use within the areas of potential effect identified as the “Northeast Portion of the Historic Incentive District area” and the “South Portion of the Downtown Historic Incentive District area” shall be applied as follows, and in conformity with the applicable guidance and principles established in the Downtown 2015 Plan, as amended:

- A. Within the area of potential effect identified as the “Northeast Portion of the Historic Incentive District area”, the design guidelines used shall be either the Downtown Historic District or the Magoffin Historic District guidelines, whichever most closely applies to a building that is of the same architectural style, character, design, materials, workmanship, and time of construction as the building under consideration within the area of potential effect.
- B. Within the area of potential effect identified as the “South Portion of the Historic Incentive District area”, the design guidelines used shall be either the Downtown Historic District or the Chihuahuita Historic District guidelines, whichever most closely applies to a building that is of the same architectural style, character, design, materials, workmanship, and time of construction as the building under consideration within the area of potential effect.

3. When the preceding does not provide guidelines applicable to the project, then the design guidelines adopted by the National Park Service in the document titled *The Secretary of the Interior’s Standards for the Treatment of Historic Properties*, (36 CFR Part 68) shall apply.

APPROVED this 3rd day of November 2009.

THE CITY OF EL PASO:

ATTEST:

John F. Cook, Mayor

Richarda Duffy Momsen
City Clerk

APPROVED AS TO CONTENT:

APPROVED AS TO CONTENT:

Victor Q. Torres
Director, Development Services Department

Kathryn B. Dodson, Ph.D., Director
Economic Development Department

APPROVED AS TO FORM:

Elaine S. Hengen
Senior Assistant City Attorney

Location Map: Downtown Plan Historic Incentive District not in TIRZ

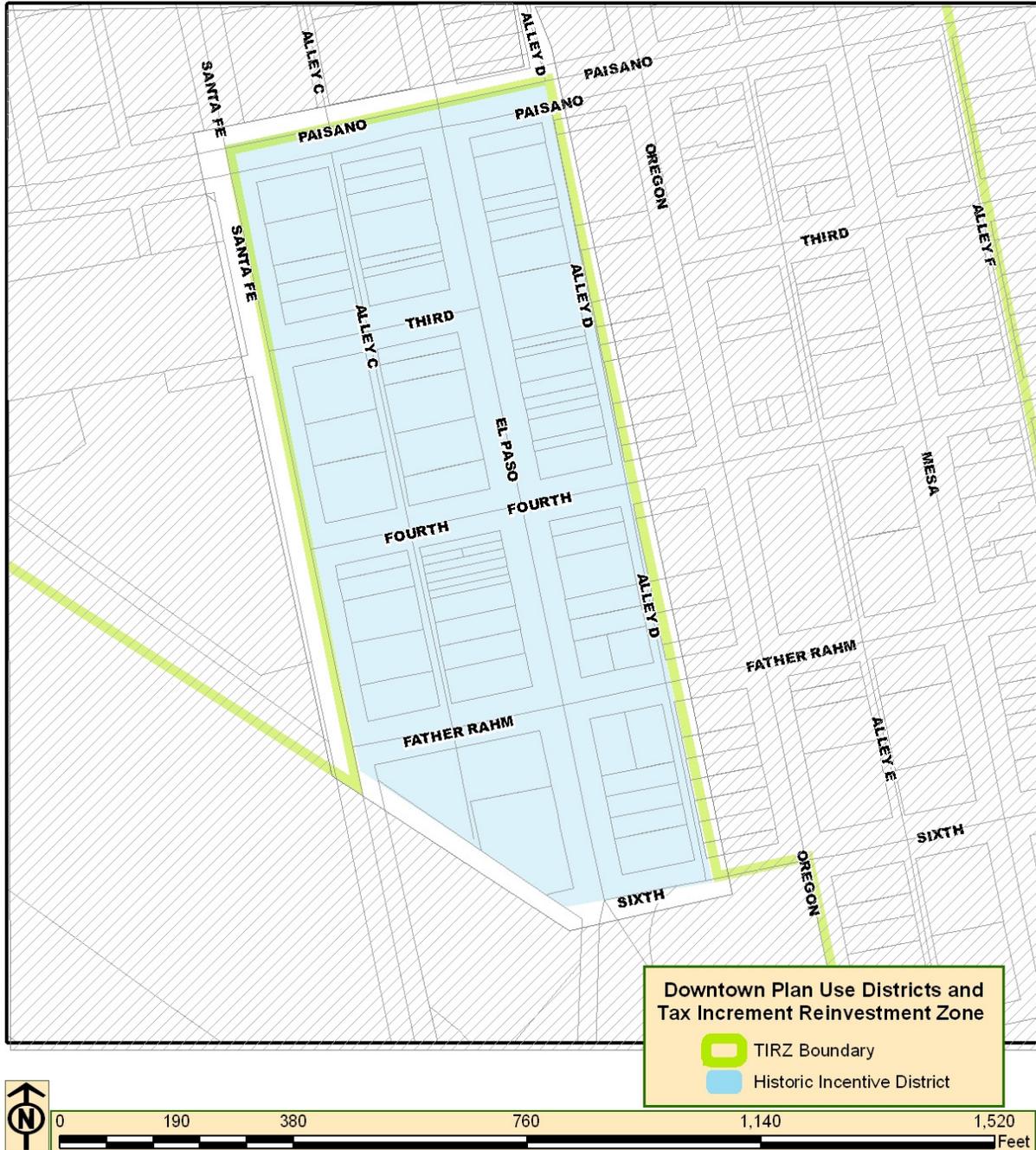
Northeast Portion of the Downtown Plan's Historic Incentive District area:

From the intersection of Campbell Avenue and Overland Avenue, east on Overland to Ochoa Avenue; north on Ochoa across San Antonio Avenue to Magoffin Avenue; northeast on Magoffin to Ochoa; northwest on Ochoa to Myrtle Avenue; northeast on Myrtle to Virginia Avenue; northwest on Virginia to Mills Avenue and extending northwest beyond Mills toward the railroad tracks; westerly along the railroad tracks to Campbell near the intersection with Main Avenue; and south on Campbell to Overland.



Location Map: South Portion of the Historic Incentive District:

From the intersection of Paisano Drive and Santa Fe Avenue, south on Santa Fe to the Santa Fe Railroad train yard; southeasterly on a line between the edge of the buildings on east side of Santa Fe Avenue and the adjacent parking lot to the intersection of Sixth Street; east on Sixth Street to the alley between El Paso Street and Oregon Street; north along the alley to Paisano Drive; and west on Paisano to Santa Fe Avenue.



April 8, 2008 V. Rosales-Soto