

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

DEPARTMENT: City Development Department, Planning Division

AGENDA DATE: Public Hearing: November 6, 2012

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

DISTRICT(S) AFFECTED: 8

SUBJECT:

Discussion and action on an appeal by applicant regarding a decision rendered by the Historic Landmark Commission (HLC) in HLC case PHAP12-00040 at 218-222 N. Mesa and 230 N. Mesa, El Paso, Texas, on October 22, 2012 to deny a certificate of demolition application for the referenced property against staff recommendation of approval (**District 8**).

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 PHAP12-00040 on October 22, 2012 and recommended denial by a vote of 5-0.

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

LEGAL: (if required) N/A

FINANCE: (if required) N/A

DEPARTMENT HEAD: Carlos Gallinar _____
Deputy Director- City Development

APPROVED FOR AGENDA:

CITY MANAGER: _____ **DATE:** _____

**PLANNING & ECONOMIC DEVELOPMENT
PLANNING DIVISION**

MEMORANDUM

DATE: October 25, 2012

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 PHAP12-00040

The Historic Landmark Commission (HLC), on October 22, 2012 voted 5-0 to **DENY** the certificate of demolition application for the demolition of the properties located at 218-222 N. Mesa and 230 N. Mesa, within the Downtown Historic District.

The HLC found that the proposal to demolish a Henry Trost building in order to clear and grade the lot in preparation for redevelopment with landscaping and/or aesthetic amenities on the sidewalks and/or periphery of the site pending redevelopment plans is inappropriate. The Historic Landmark Commission denied the application based on the following:

- The building was designed by El Paso's best known and distinguished architect, Henry Trost.
- The building retains some original detail on the exterior.
- The applicant did not submit plans for future development of the site.
- Should the building be demolished, the site could remain vacant indefinitely.

The Historic Preservation Office recommends approval of the proposed scope of work based on the following recommendations:

- The properties are not Recorded Texas Historic Landmarks, National Historic Landmarks, or listed in the National Register of Historic Places.
- The properties have been so altered that they are no longer the embodiment of distinguished characteristics of an architectural type or specimen; can no longer be identified as the work of an architect or master builder whose individual work has influenced the development of the city; and no longer embody distinguished elements of architectural design, detail, materials or craftsmanship which represent a significant architectural innovation.
- The properties are non-contributing and have almost no relationship to other distinctive buildings, sites or areas which are eligible for preservation according to a plan based on architectural, historic or cultural motif.
- The properties no longer portray the environment of a group of people in an area of history characterized by a distinctive architectural style.

Attachments: Appeal Letter, Staff Report

PHAP12-00040

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November 6, 2012

APPEAL LETTER

CITY CLERK DEPT.

2012 OCT 23 PM 3:46

ScottHulse PC
ATTORNEYS AT LAW

RICHARD H. FEUILLE
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BERNARD D. FELSEN
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R. GLENN DAVIS *
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DIANA M. VALDEZ
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OFFICES IN EL PASO AND LAS CRUCES

October 23, 2012

City Council of El Paso
City of El Paso
2 Civic Center Plaza, 10th Floor
El Paso, TX 79901

RE: Appeal of Historic Landmark Commission Ruling Regarding PHAP12-00024 (218-222 North Mesa and 230 North Mesa)

Dear City Council Members:

This letter shall serve as formal appeal of the Historic Landmark Commission ("HLC") ruling denying a permit for the demolition of properties located at 218-222 North Mesa and 230 North Mesa.

The undersigned submitted an Application for Certificate of Demolition for the above referenced properties on behalf of the owners referenced therein on October 1, 2012. The hearing before the HLC was held on October 22, 2012 and was referenced as Item 3, PHAP12-00040 on the Agenda for the El Paso Historic Landmark Commission. The HLC voted to deny the Application for Certificate of Demolition. The undersigned, on behalf of the owners of the above referenced properties, hereby requests that the City Council of El Paso approve the Application for Certificate of Demolition as filed.

Very truly yours,

ScottHulse PC



W. David Bernard
Agent for Applicants

WDB:slr

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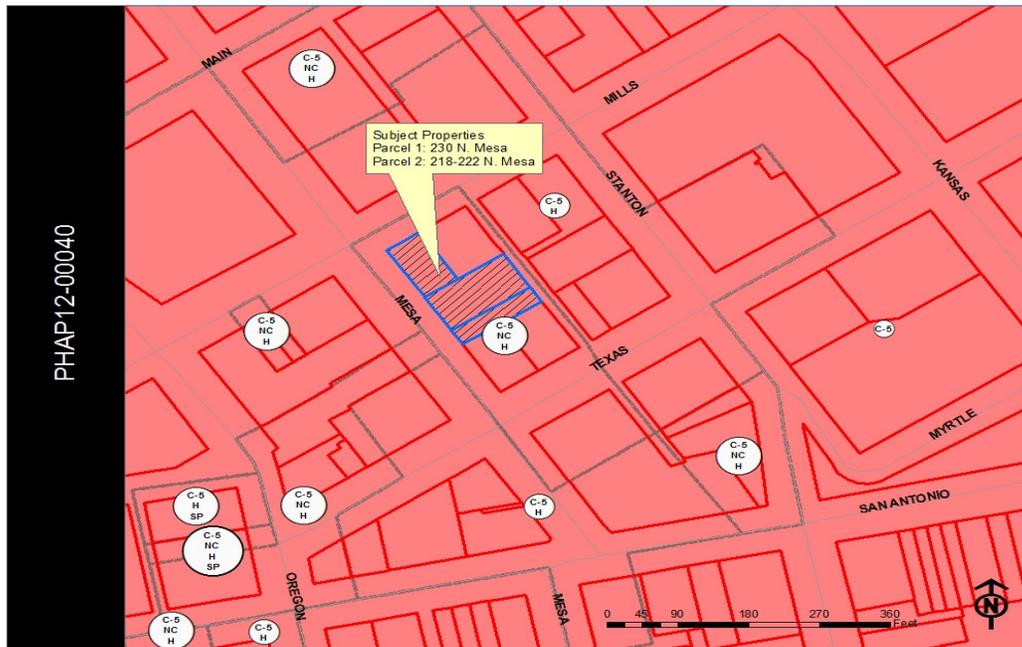
The Value of Commitment TM



PHAP12-00040

Date: October 22, 2012
Application Type: Certificate of Demolition
Property Owner: Parcel 1: Muir Kipp Trust Estate
Parcel 2: BCT Realty Operating Limited Partnership
Representative: W. David Bernard, ScottHulse PC
Legal Description: Parcel 1: The westerly 50.0 Feet of Lot 22, Block 4, Map of Anson Mills, City of El Paso, El Paso County, Texas.
Parcel 2: A Parcel of land being a portion of Block 4, Mills Map, El Paso County, Texas and also being those parcels recorded in book 4449, pages 266, 277, and 282 and described as the north 60 feet-8 inches of Lot 23 and in instrument #20060067064, described as the south 26 feet of Lot 23, El Paso County Clerks Records, both parcels together being all of Lot 23, Block 4, City of El Paso, El Paso County, Texas.
Historic District: Downtown
Location: Parcel 1: 230 N. Mesa
Parcel 2: 218-222 N. Mesa
Representative District: #8
Existing Zoning: C-5/H (Commercial/Historic)
Year Built: Parcel 1: C. 1915
Historic Status: Parcel 1: Non-Contributing
Parcel 2: Non-Contributing
Request: Certificate of demolition for all structures located on Parcel 1 and 2.
Application Filed: 10/01/2012
45 Day Expiration: 11/29/2012

ITEM #3



GENERAL INFORMATION:

The applicant seeks approval for:

The demolition of the existing structures located on Parcel 1 and Parcel 2. Following demolition the sites will be cleared and graded in preparation for redevelopment. Applicants will cooperate with the City of El Paso to provide landscaping and/or aesthetic amenities on the sidewalks and/or periphery of the site pending redevelopment plans.

STAFF RECOMMENDATION:

The Historic Preservation Office recommends approval of the proposed scope of work based on the following recommendations:

The properties are not Recorded Texas Historic Landmarks, National Historic Landmarks, or listed in the National Register of Historic Places.

The properties have been so altered that they are no longer the embodiment of distinguished characteristics of an architectural type or specimen; can no longer be identified as the work of an architect or master builder whose individual work has influenced the development of the city; and no longer embody distinguished elements of architectural design, detail, materials or craftsmanship which represent a significant architectural innovation.

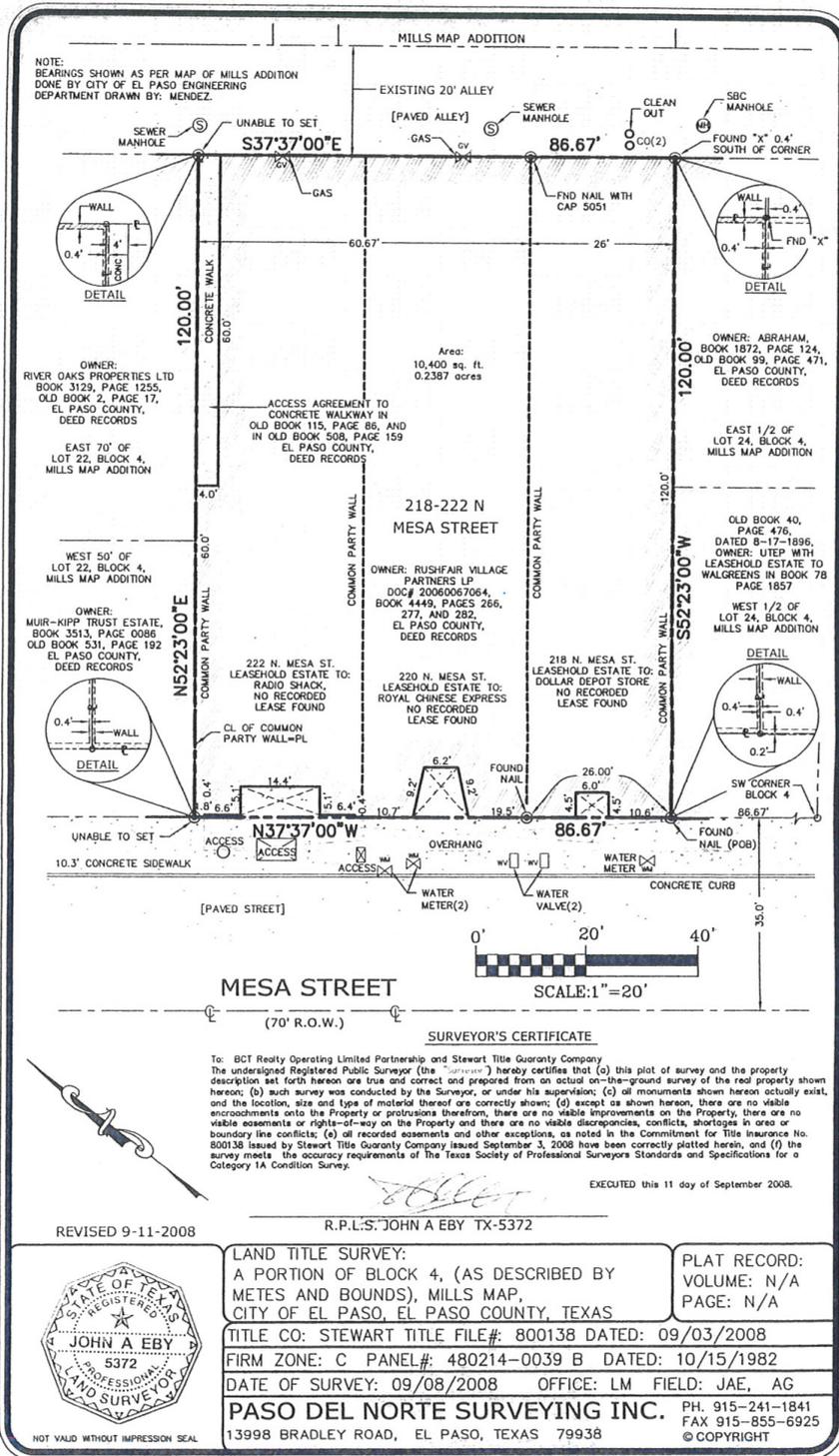
The properties are non-contributing and have almost no relationship to other distinctive buildings, sites or areas which are eligible for preservation according to a plan based on architectural, historic or cultural motif.

The properties no longer portray the environment of a group of people in an area of history characterized by a distinctive architectural style.

AERIAL MAP



SITE PLAN: PARCEL 2



Parcel 2

Parcel 1 – 230 N. Mesa



Parcel 2: 218 – 222 Mesa



November 6, 2012

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PHAP12-00040

Letters of Opposition



August 29, 2012

Ms. Providencia Velazquez
Historic Preservation Coordinator
2 Civic Center Plaza
El Paso, TX 79901

Dear Ms. Velazquez:

The mission of our organization is dedicated to preserve architecturally significant structures and to revitalize historic neighborhoods with particular emphasis on El Paso's designated historic districts. We feel that the block of buildings from 218 to 230 N. Mesa Street falls into this category; especially 230 N. Mesa, as it was designed by El Paso's own Henry Trost. We are very disturbed to learn of plans for demolition in this block of buildings.

The El Paso Preservation Alliance strongly urges that this block of buildings be considered for adaptive reuse; in other words, keep the façades and remodel the interiors as needed for retail space, office space, or what ever is needed. Why does "redevelopment" have to mean "razing"? Many examples of adaptive reuse can be found throughout other cities; the National Trust has many of these on its website <PreservationNation.org>, search "adaptive reuse". Why can't El Paso be proud of its past architectural history, and preserve it? So much has already been lost, especially after the devastating fire to our most historic downtown building recently, the First National Bank Building.

We implore the Landmark Commission to halt the destruction of yet more downtown buildings.

Sincerely,

A handwritten signature in blue ink that reads "Ricardo Gonzalez". The signature is fluid and cursive.

Ricardo Gonzalez
Chairman of the Board, El Paso Preservation Alliance

TEXAS HISTORICAL COMMISSION
real places telling real stories

September 20, 2012

Mayor John Cook
City of El Paso
2 Civic Center
El Paso, TX 79901

Re: John T. Muir Building (Commercial National Bank), N. Mesa & Mills, El Paso

Dear Mayor Cook,

The Texas Historical Commission (THC) has been contacted by concerned members of the El Paso County Historical Commission and other citizens of El Paso and the Southwest regarding proposed demolition of the John T. Muir Building. This letter represents the comments of the State Historic Preservation Officer, the Executive Director of the THC.

According to newspaper articles (*El Paso Inc.*) and a powerpoint (*Proposed Demolition of 230 and 218/222 N Mesa Street: PowerPoint prepared by Max Grossman, Ph.D. August 21, 2012*), the Muir Building and two adjacent buildings will be demolished and the property cleared for unspecified future development.

The Muir Building was designed by architect Henry Trost and constructed in 1912-1914. The building has undergone major alterations over the years, but its grandeur is still visible at the third floor terra cotta facade. The basic form of the building remains. The building could be rehabilitated or restored to its former appearance. The original design was for a 14 story building. An engineering assessment would determine if the current structure could support additional floors. Perhaps more terra cotta still exists under the facade slip-cover.

There is hardly a more prominent architect in the Southwest than Henry Trost. Trost was responsible for large commercial and public buildings in Tucson, Albuquerque, and across the region. The firm of Trost & Trost was based in El Paso and was a major influence on the appearance of the city. In El Paso alone, the firm designed over 200 buildings and additions. At least 40 of those buildings are now gone. The recent rehabilitation of the nearby Mills Building proves how modern systems and tenants can fit in a Trost building 100 years after its construction. The Mills Building has become a showcase for El Paso architecture and the revitalization of downtown El Paso. Demolition of the Muir Building would be a significant loss.

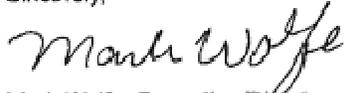
We are committed to helping preserve the built heritage of our state by providing technical guidance on appropriate preservation and rehabilitation practices and techniques. Our agency wishes to see Texans utilizing historic buildings, and firmly believes that sensitive rehabilitations of historic buildings help promote stable and sustainable communities across the state.



RICK PERRY, GOVERNOR • SHERI S. KRAUSE, CHAIRMAN • MARK WOLFE, EXECUTIVE DIRECTOR
P.O. BOX 12273 • AUSTIN, TEXAS • 78/11-22/6 • P 512.463.6100 • F 512.475.4872 • TDD 1.800.735.2989 • www.thc.state.tx.us

Thank you for your efforts to preserve the irreplaceable heritage of Texas. We look forward to further consultation with your office and hope to maintain a partnership that will foster effective historic preservation. **If you have any questions or if we can be of further assistance, please call Quana Childs at 512/463-9122.**

Sincerely,



Mark Wolfe, Executive Director

MW/qc

Cc: City Manager Joyce Wilson
City Council Representatives;
Cortney Niland
Susie Byrd
Steve Ortega
Michael Noe
Ann Morgan Lilly
Carl Robinson
Eddie Holguin
Emma Acosta

El Paso County Historical Commission Bernard Sargent
Provi Velasquez, Historic Preservation Officer, City of El Paso