

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

DEPARTMENT: Planning and Economic Development Department, Planning Division

AGENDA DATE: Introduction: November 16, 2010
Public Hearing: December 7, 2010

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

DISTRICT(S) AFFECTED: 8

SUBJECT:

An ordinance changing the zoning of Lots 11 to 20, Block 59, Magoffin Addition, City of El Paso, El Paso County, Texas, be changed from A-3 (Apartment) to A-3/H (Apartment/Historic). The penalty is as provided for in Chapter 20.24 of the El Paso City Code. Subject Property: 500 S. Hills Street. Applicant: City of El Paso, ZON10-00073 (**District 8**)

BACKGROUND / DISCUSSION:

N/A

PRIOR COUNCIL ACTION:

On June 29, 2010, the City Council, voted 6-1, to authorize the Historic Preservation Division, per a request by the Historic Landmark Commission, to proceed with a city-initiated rezoning application and the preparation of related documents to place a Historic overlay designation on the subject property.

AMOUNT AND SOURCE OF FUNDING:

N/A

BOARD / COMMISSION ACTION:

Development Coordinating Committee (DCC) – Reviewed
Historic Landmark Commission (HLC) – Unanimous Approval Recommendation (5-0)
City Plan Commission (CPC) – Unanimous Approval Recommendation (6-0)

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

LEGAL: (if required) N/A

FINANCE: (if required) N/A

DEPARTMENT HEAD: Mathew S. McElroy
Deputy Director, Planning and Economic Development Department

APPROVED FOR AGENDA:

CITY MANAGER: _____ **DATE:** _____

ORDINANCE NO. _____

AN ORDINANCE CHANGING THE ZONING OF LOTS 11 TO 20, BLOCK 59, MAGOFFIN ADDITION, CITY OF EL PASO, EL PASO COUNTY, TEXAS, BE CHANGED FROM A-3 (APARTMENT) TO A-3/H (APARTMENT/HISTORIC). THE PENALTY IS AS PROVIDED FOR IN CHAPTER 20.24 OF THE EL PASO CITY CODE.

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

That the zoning of *Lots 11 to 20, Block 59, Magoffin Addition, City of El Paso, El Paso County, Texas*, be changed from **A-3 (Apartment)** to **A-3/H (Apartment/Historic)**, within the meaning of the zoning ordinance, and that the zoning map of the City of El Paso be revised accordingly.

PASSED AND APPROVED this _____ day of _____, 2010.

THE CITY OF EL PASO

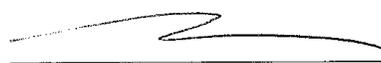
ATTEST:

John F. Cook
Mayor

Richarda Duffy Momsen, City Clerk

APPROVED AS TO FORM:

APPROVED AS TO CONTENT:



Lupe Cuellar
Assistant City Attorney

Mathew S. McElroy, Deputy Director
Planning and Economic Development
Department

ORDINANCE NO. _____

Zoning Case No. ZON10-00073

#60120 v2 - Planning/ORD/ZON10-00073/Rezoning/Historic Overlay

MEMORANDUM

DATE: November 8, 2010

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

FROM: Tony De La Cruz, Planner

SUBJECT: ZON10-00073

The City Plan Commission (CPC), on October 21, 2010, voted 6-0 to recommend **APPROVAL** of rezoning Parcel three of the subject property from A-3 (Apartment) to A-3/H (Apartment/Historic).

The City of El Paso is requesting to change the zoning of the subject property from A-3 (Apartment) to A-3/H (Apartment/Historic), in order to preserve the historic character of the existing school and the South El Paso area. The property is 0.9130 acres in size with a vacant school currently occupying the site. The landmark portions of the structure were built in 1899 and 1907.

The CPC found that the rezoning is in conformance with the Plan for El Paso. The CPC also determined that the rezoning protects the best interest, health, safety and welfare of the public in general; that the proposed use is compatible with adjacent land uses; and the rezoning will have no effect on the natural environment, social economic conditions, and property values in the vicinity and the city as a whole.

There were two speakers in **FAVOR** and two speakers in **OPPOSITION** to this request.

Attachment: Staff Report



City of El Paso – City Plan Commission Staff Report

Case No: ZON10-00073
Application Type: Rezoning/Historic Overlay
CPC Hearing Date: October 21, 2010
Staff Planner: Tony De La Cruz, 915-541-4329, delacruzja@elpasotexas.gov

Location: 500 S. Hills Street
Legal Description: Parcel 1: Lots 1 to 7, Block 59, Magoffin Addition, City of El Paso, El Paso County, Texas.
Parcel 2: Lots 8 to 10, Block 59, Magoffin Addition, City of El Paso, El Paso County, Texas.
Parcel 3: Lots 11 to 20, Block 59, Magoffin Addition, City of El Paso, El Paso County, Texas.

Acreage: Parcel 1: 0.5723 acres
Parcel 2: 0.4788 acres
Parcel 3: 0.9130 acres
Total Acreage: 1.9653 acres

Rep District: 8
Existing Use: Vacant School
Request: Parcel 1: A-3 (Apartment) to A-3/H (Apartment/Historic)
Parcel 2: A-3 (Apartment) to A-3/H (Apartment/Historic)
Parcel 3: A-3 (Apartment) to A-3/H (Apartment/Historic)

Proposed Use: School

Property Owner: El Paso Independent School District
Representative: City of El Paso/Planning & Economic Development Department

SURROUNDING ZONING AND LAND USE

North: S-D/sp (Special Development/special permit) Residential
South: A-3 (Apartment) Community Center
East: S-D/sp (Special Development/special permit) Residential
West: S-D/sp (Special Development/special permit) Residential

THE PLAN FOR EL PASO DESIGNATION: Residential (Central Planning Area)

NEAREST PARK: Tula Irrobali Park (80 Feet)

NEAREST SCHOOL: Alamo Elementary (0 Feet)

NEIGHBORHOOD ASSOCIATIONS

El Paso Central Business Association
Southside Neighborhood Association

NEIGHBORHOOD INPUT

Notice of the public meeting was mailed out to all property owners within 300 feet of the subject property on September 30, 2010. The Planning Division has received one phone call in favor of the rezoning request as well as attendance from members of the community at HLC meeting expressing their support of the request.

CASE HISTORY

On June 29, 2010, the City Council, voted 6-1, to authorize the Historic Preservation Division, per a request by the Historic Landmark Commission, to proceed with a city-initiated rezoning application and the preparation of related documents to place a Historic overlay designation on the subject property.

The City Plan Commission (CPC), on May 6, 2010, voted 4-3 to recommend **approval** of the request by the Historic Landmark Commission to review the historical merits of Alamo school located at 500 S. Hills Street and to authorize a City-initiated rezoning.

APPLICATION DESCRIPTION

The City of El Paso is requesting to change the zoning of the property from A-3 (Apartment) to A-3/H (Apartment/Historic) in order to preserve the historic character of the school and the South El Paso District. The property is 1.9653 acres in size and is a vacant school. Alamo Elementary School (originally known as the Second Ward School) located at 500 S. Hills Street was originally constructed in 1899 and was designed by Edward Kneezell, who practiced architecture in El Paso from 1882 until 1912.

HISTORIC LANDMARK COMMISSION RECOMMENDATION

On October 11, 2010 the HLC recommended **approval** of the rezoning request from A-3 (Apartment) to A-3/H (Apartment/Historic).

DEVELOPMENT COORDINATING COMMITTEE REVIEW

The DCC reviewed and discussed the application for rezoning and offered no objections to Planning Staff's recommendation for approval.

PLANNING DIVISION RECOMMENDATION

The Planning Division recommends **approval** of the rezoning request from A-3 (Apartment) to A-3/H (Apartment/Historic).

The Plan for El Paso –City-wide Land Use Goals

All applications for rezoning shall demonstrate compliance with the following criteria:

- a. Goal: Preserve, protect and enhance the integrity, economic vitality and livability of the City's neighborhoods.
- b. Goal: Provide and enforce standards for providing decent, safe and sanitary housing for all El Pasoans in accordance with Federal, State and Local regulations.
- c. Goal: Promote preservation and conservation of historic districts and areas with a historic character by focusing these efforts in retaining the character and integrity of these areas and surrounding neighborhoods.

The application is in compliance with the Plan for El Paso – City-wide Land Use Goals. The purpose of the A-3/H (Apartment/Historic) is to safeguard the city's historic and cultural heritage, as embodied and reflected in such historic landmarks by appropriate regulations. It is intended to prevent the uprooting of architectural products of distinct periods, which may occur without regard to the feasibility of preserving and continuing the use of such landmarks, and without consideration of the irreplaceable loss to the people of the city of the cultural, historic and aesthetic values represented by such landmarks.

Planning & Economic Development Department – Historic Preservation Division:

Historic Preservation Section: Recommends **APPROVAL** of the rezoning request from A-3 (Apartment) to A-3/H (Apartment/Historic) based on the following criteria.

Criteria C: Embodiment of distinguished characteristics of an architectural type or specimen

Designed in an excellent example of an Italianate style, Alamo School is a two story, five bay, red brick building with a rubble stone foundation and a partial basement. The school features equally spaced 4/4 single hung windows with segmented tops and semi-circular corbelled brick arches around the perimeter, as well as the original dentil blocks and cornice which wraps around the building. While the 1950's and 1990's additions resulted in significant alterations to Alamo Elementary, the 1899 and 1907 portions of the building retain a significant amount of architectural integrity and is readily identifiable as an early 20th century educational facility.

Criteria D: Identification as the work of an architect or master builder whose individual work has influenced the development of the city;

Edward Kneezell (1855-1926) first arrived in the City of El Paso, originally known as Franklin in 1882, nine years after the city became an incorporated municipality. In his thirty years of practicing architecture in El Paso, Mr. Kneezell was directly responsible for the design of a variety of schools throughout El Paso which include Alamo Elementary (1899), Sunset Elementary, Morehead Elementary (1901) and San Jacinto (1904) Elementary. While not as well know or as highly regarded by some Mr. Kneezell garnered his highest recognition in the year of 1907 as an associate member of the American Institute of Architects for his design of the seven story "Skyscraper" built to house the offices of the El Paso and Southwestern railroad located at the corner of Franklin and Stanton Streets. This structure was recognized by the Texas Historical Commission in 1981 as a building that "reflects the importance of El Paso as a major retail center" and was the first building in El Paso to be built by the use of a steel framework and housed the first hydraulic elevators in the city.

Criteria I. Exemplification of the cultural, economic, social, ethnic or historical heritage of the city, state or the United States

From its early inception the school system in El Paso, like many throughout the country, was a segregated system. Faced with a language barrier and the refusal by the school board to teach non-English speaking children, only a small number of Mexicans studied at the early schools. Due to the instability of the Mexican government during the late 1800's and later the outbreak of the Mexican Revolution, a mass exodus of refugees caused the population of the City of El Paso to nearly double by 1910. Because of the strong family ties and the proximity of South El Paso to Mexico, the large preponderance of the Mexican immigrant population was largely centered in the Second Ward of the city.

As the Mexican population increased in the area and Anglo families relocated to other sections of the city, Alamo School along with Franklin and Aoy Schools saw a dramatic increase in Mexican enrollment. One of the major contributing factors, as stated by the author Mario T. Garcia in his book *Desert Immigrants*, was the attitude of Mexican parents, that while they had little or no education through their support of the schools, their future generations would be better equipped to succeed. Alamo school played an important role in the early education of the children of Mexican immigrants and later Mexican Americans who as they grew began to demand their place in American society. These early schools eventually gave rise to the Mexican American fight for equality and produced from their ranks people like Bert Corona, a Mexican American civil and labor rights leader, and Representative Paul Moreno, the longest serving Hispanic elected official in country(1967-2008). Due to the loss of such early educational landmarks as Franklin School and Mesa School, Alamo School holds the distinction of being the oldest extant public school in El Paso.

Engineering & Construction Management Department - Building Permits and Inspections

No objections to proposed rezoning.

Planning & Economic Development – Planning Division

Current Planning: Recommends **APPROVAL** of the rezoning request from A-3 (Apartment) to A-3/H (Apartment/Historic).

Land Development: No objection to proposed rezoning but, did provide the following comments;

- The Subdivision is **within Flood Zone C** – “Areas of minimal flooding, (No shading).” – **Panel # 480214 0039B, dated October 15, 1982.**

Engineering Department - Traffic Division

No objection to proposed rezoning but did provide the following comments.

- Parking does not meet minimum requirements.
- Existing driveway does not comply with code requirements.

Fire Department

No objections to rezoning.

El Paso Water Utilities

EPWU does not object to this request.

Water

2. There are existing 6-inch diameter water mains along Hills Street and Tays Street. There is also an 8-inch diameter water main along Third Street.

Sanitary Sewer

3. There is an existing 8-inch diameter sanitary sewer main along Third Street. Also, there are existing 8-inch diameter stub-outs from this main towards the south that extend for 35-feet along Hills and Tays Streets.

General

4. EPWU records indicate two (2) active water meter connections for the subject property with 512 S. Hills and 521 Tays as the service addresses. The records also indicate a sewer connection to the sewer main along Third Street.
5. EPWU-PSB requires a new service application to provide additional services. The following items, if applicable, are required at the time of application: (1) hard copy of site plan with street names and addresses; (2) finalized set of improvement plans, including grading & drainage plans; (3) digital copy of site plan; (4) benchmark check; (5) construction schedule; and (6) a certificate of compliance. Service will be provided in accordance with the current El Paso Water Utilities – Public Service Board (EPWU-PSB) Rules and Regulations. The owner is responsible for the costs of any necessary on-site and off-site extensions, relocations or adjustments of water and sanitary sewer lines and appurtenances.

CITY PLAN COMMISSION OPTIONS

The City Plan Commission may consider the following options and additional options that it identifies when reviewing the rezoning application:

1. Recommend approval of the application finding that the rezoning is in conformance with the review criteria of The Plan for El Paso as reflected in CPC report or other criteria that the CPC identifies from the Plan
2. Recommend approval of the application with modifications to bring the rezoning into conformance with the review criteria in The Plan for El Paso as reflected in CPC report or other criteria from the Plan as identified by the CPC.
3. Deny the application finding that the rezoning does not conform to the review criteria in The Plan for El Paso as reflected in CPC report or other criteria identified from the Plan by the CPC.

Attachments

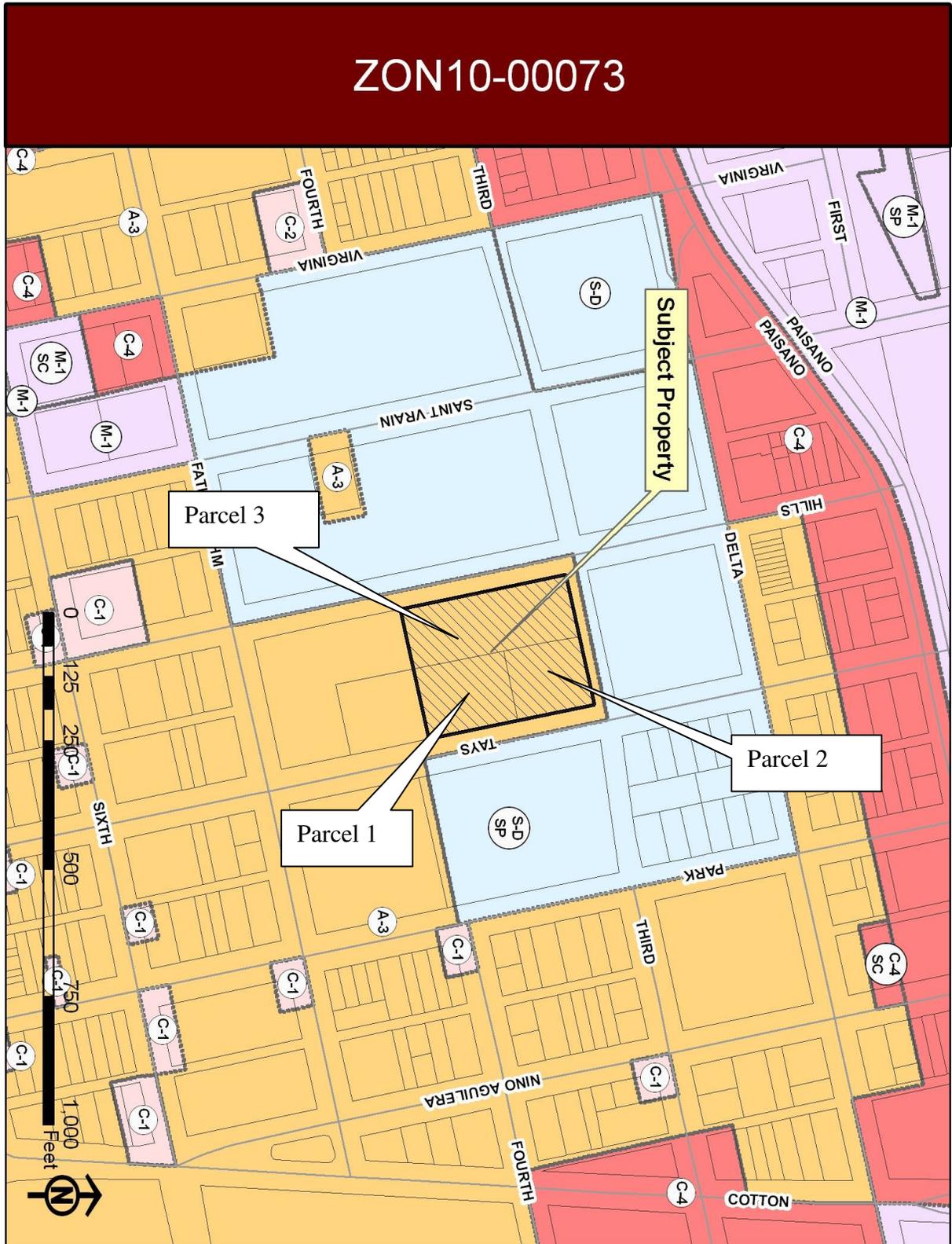
Attachment 1: Zoning Map

Attachment 2: Aerial Map

Attachment 3: Detailed Site Plan

Attachment 4: Texas Historical Commission Letter

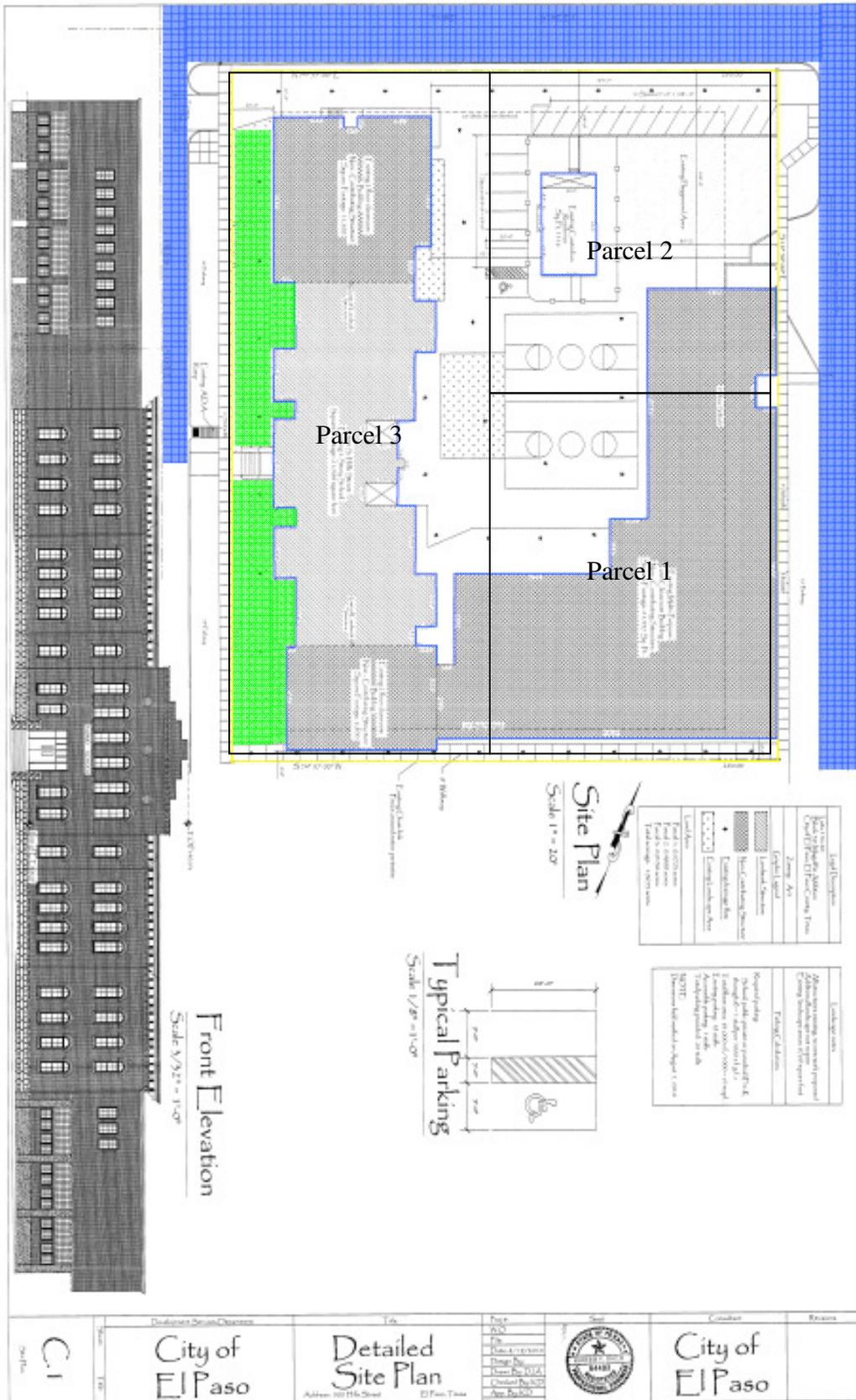
ATTACHMENT 1: ZONING MAP



ATTACHMENT 2: AERIAL MAP



ATTACHMENT 3: DETAILED SITE DEVELOPMENT PLAN



ATTACHMENT 4: TEXAS HISTORICAL COMMISSION LETTER

TEXAS HISTORICAL COMMISSION
real places telling real stories

March 30, 2010

Tony De La Cruz
Planner, Historic Preservation
Development Services Department
2 Civic Center Plaza - 5th Floor
El Paso, Texas 79901

RE: Alamo School, 500 S. Hills Street, El Paso, El Paso County, Texas

Dear Mr. De La Cruz:

Thank you for your interest in preserving the Alamo School in El Paso. The original portions of the building date to 1899 and 1907, forming the core the historic property, and after removal of nonhistoric additions (built in 1951 and 1991) would be eligible for listing in the National Register of Historic Places under Criterion A, in the area of Education, and Criterion C in the area of Architecture, at the local level of significance, as an excellent example of an Italianate Style institutional building, and also as a property that served a very important function in the education of the community's children. The Texas Historical Commission encourages the ISD and the City of El Paso to take steps to identify ways that the building could be put to productive use.

Although there are no state or federal restrictions inherent with National Register listing, recognition of a property's historic significance can often lead to its future preservation. National Register listing could qualify a building for a 20% investment tax credit if the property is rehabilitated for commercial use following the Secretary of the Interior's Standards for Rehabilitation. Additionally, our staff in the Division of Architecture could provide technical assistance for any work on the building.

We appreciate your efforts to document and preserve this historic property. If you have any questions, you may contact me at 512/463-6013 or by email at greg.smith@thc.state.tx.us. Thank you for your interest in the National Register and in preserving Texas' cultural heritage.

Sincerely,



Gregory W. Smith
National Register Coordinator



RIK PERRY, GOVERNOR • JON T. HANSEN, CHAIRMAN • MARK WOLFE, EXECUTIVE DIRECTOR
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