

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

DEPARTMENT: Economic and International Development

AGENDA DATE: Regular Agenda; Public Hearing: May 20, 2014

CONTACT PERSON/PHONE: Mathew McElroy, (915)212-1550, McelroyMX@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 PHAP14-00007 at 109 N. Oregon Street, El Paso, Texas, on May 5, 2014 to deny a certificate of appropriateness application for the referenced property (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 PHAP14-00007 on May 5, 2014 and recommended denial by a vote of 6-2.

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

LEGAL: (if required) N/A

FINANCE: (if required) N/A

DEPARTMENT HEAD: Mathew McElroy _____
Director, City Development Department

APPROVED FOR AGENDA:

CITY MANAGER: _____ **DATE:** _____

ECONOMIC AND INTERNATIONAL DEVELOPMENT

MEMORANDUM

DATE: May 6, 2014

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

FROM: Mathew McElroy, Director, City Development Department

SUBJECT: Appeal of Historic Landmark Commission decision regarding PHAP14-00007

The Historic Landmark Commission (HLC), on May 5, 2014 voted 6-2 to **DENY** the certificate of appropriateness for the installation of a canopy at the restaurant entrance façade after-the-fact, for the building located at 109 N. Oregon Street within the Downtown Historic District.

The HLC found that the proposal does not comply with the historic guidelines regarding the installation of a canopy and that the request was brought before commissioners after the work had been completed. The Downtown Historic District guidelines recommend the following:

- Awnings and canopies should be placed at the top of openings, but they should not cover important architectural details/elements.
- Awnings and canopies should be of an appropriate size and scale in relation to the building's façade.
- Fixtures should not extend across the facades of several buildings. Instead, fixtures should fit within vertical elements such as columns.
- Awning should not cover more than one-third of the window opening. Un-proportioned awnings may appear awkward.
- Fixtures should always fit within their openings. Attempting to fit a square awning into a round opening (and vice-versa) should be avoided. Generally, the shape of an awning should respect the shape of the window.

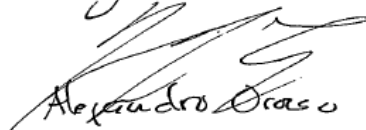
Attachments: Appeal Letter, Staff Report

APPEAL LETTER

To whom it may concern:

I would like to appeal the decision of the HLC on case PHAP 14-00007. I believe both the HLC decision and the opinion of the HPO are in error and do not consider all the facts. Please schedule the appeal at the earliest City Council meeting available.

Sincerely,



Alejandro Orasco
416 N. Stanton FB
El Paso TX, 79961
(915) 351-6460

ao2020@restgroup.net

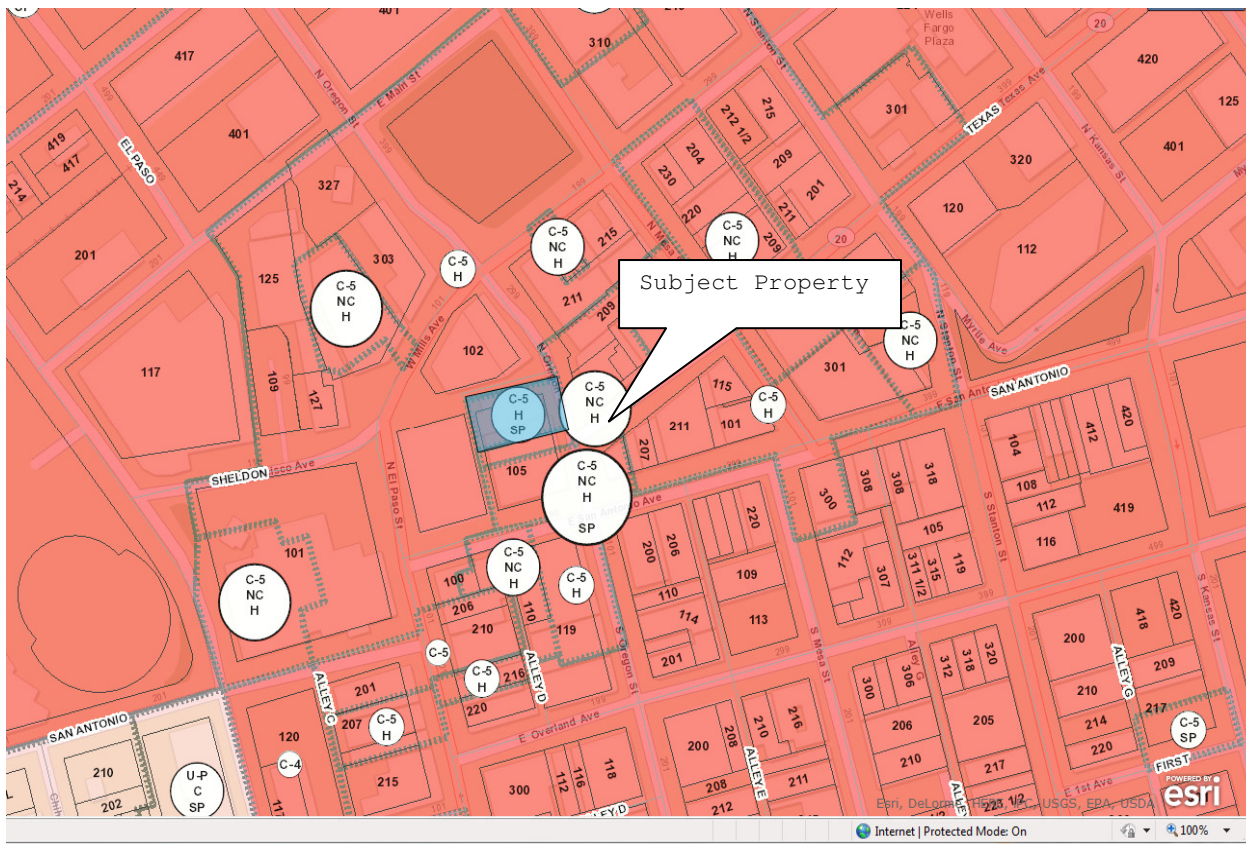
STAFF REPORT



PHAP14-00007

Date: April 21, 2014
Application Type: Certificate of Appropriateness
Property Owner: The Broker Co.
Representative: MariCarmen Ramos
Legal Description: Being Lot 6 Mills 54 Ft On Oregon X 120 Ft On Sheldon NEC, City of El Paso, El Paso County, Texas.
Historic District: Downtown
Location: 109 N. Oregon Street
Representative District: #8
Existing Zoning: C-5/H (Commercial/Historic)
Year Built: 1920
Historic Status: Landmark
Request: Certificate of appropriateness for the installation of a canopy at the restaurant entrance façade after-the-fact.
Application Filed: 4/7/2014
45 Day Expiration: 5/15/2014

ITEM #1



GENERAL INFORMATION:

The applicant seeks approval for:

Certificate of appropriateness for the installation of a canopy at the restaurant entrance façade after-the-fact.

STAFF RECOMMENDATION:

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

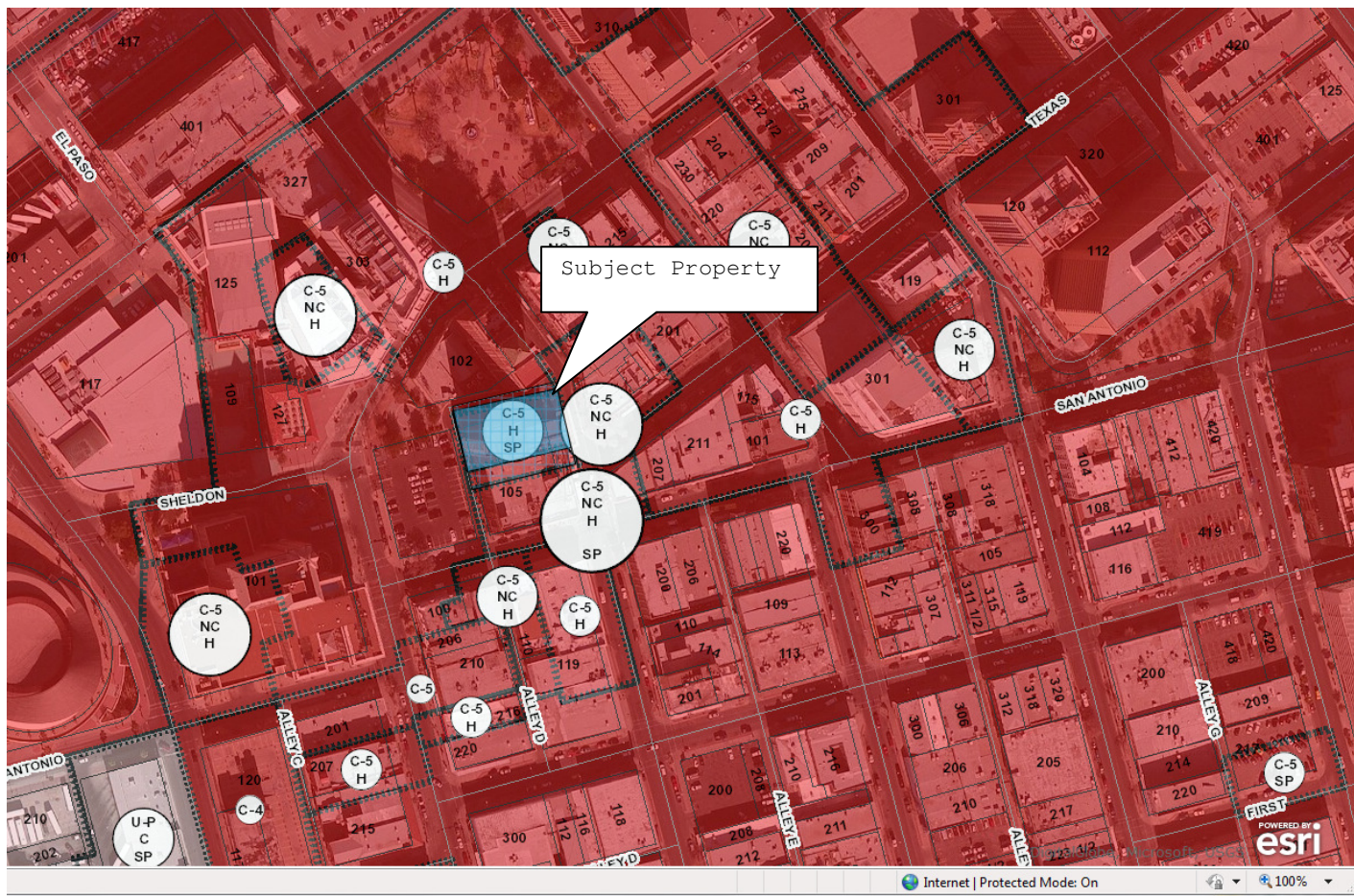
The Downtown Historic District Design Guidelines recommend the following:

- Awnings and canopies should be placed at the top of openings, but they should not cover important architectural details/elements.
- Awnings and canopies should be of an appropriate size and scale in relation to the building's façade.
- Fixtures should not extend across the facades of several buildings. Instead, fixtures should fit within vertical elements such as columns.
- Awning should not cover more than one-third of the window opening. Un-proportioned awnings may appear awkward.
- Fixtures should always fit within their openings. Attempting to fit a square awning into a round opening (and vice-versa) should be avoided. Generally, the shape of an awning should respect the shape of the window.

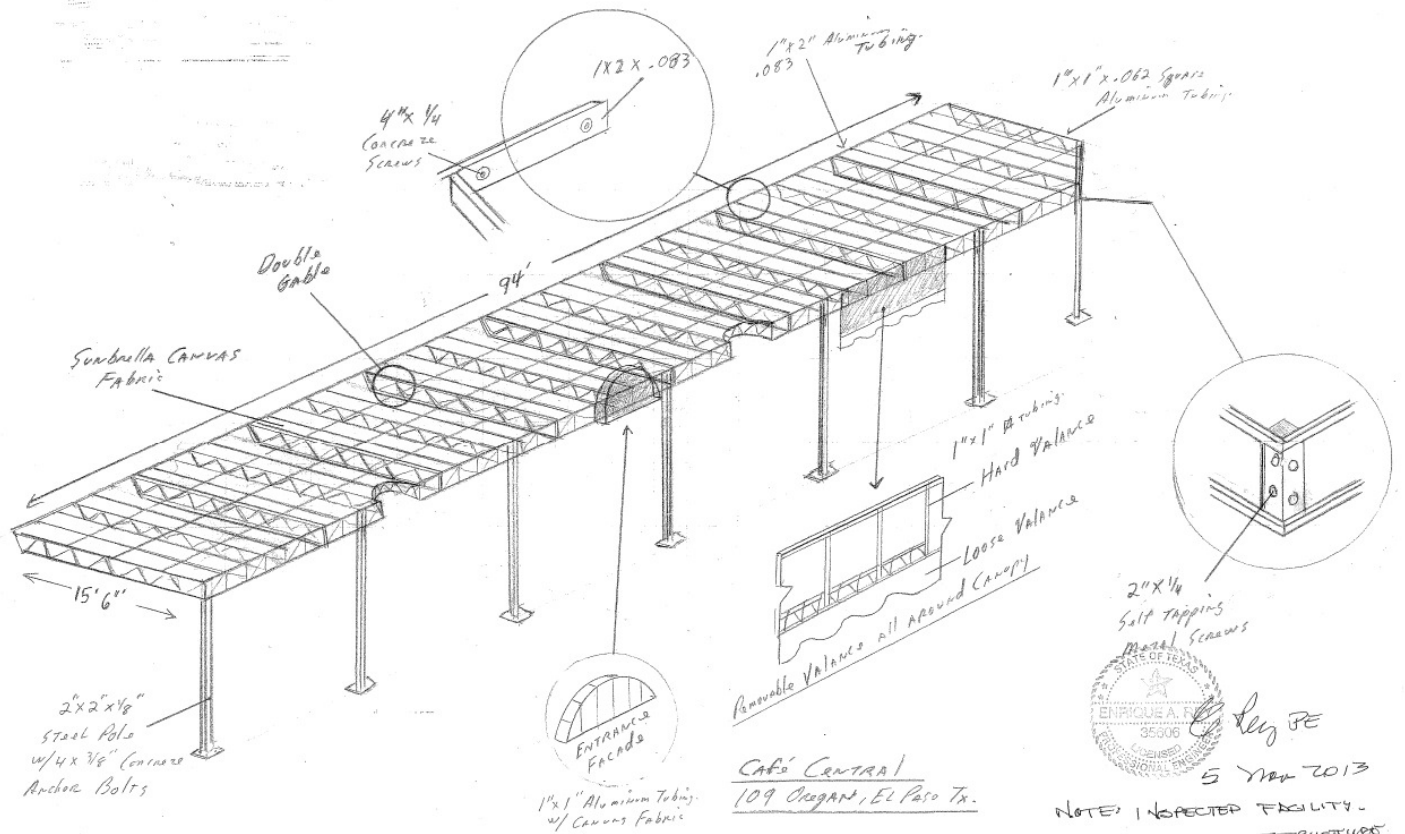
The Secretary of the Interior's Standards for Rehabilitation recommend the following:

- The historic character of a property will be retained and preserved. The removal of distinctive materials or alteration of features that characterize a property will be avoided.
- New additions, exterior alterations, or related new construction will not destroy historic materials, features, and spatial relationships that characterize the property. The new work will be compatible with the historic materials, features, size, scale and proportion, and massing to protect the integrity of the property and its environment.

AERIAL MAP



AWNING

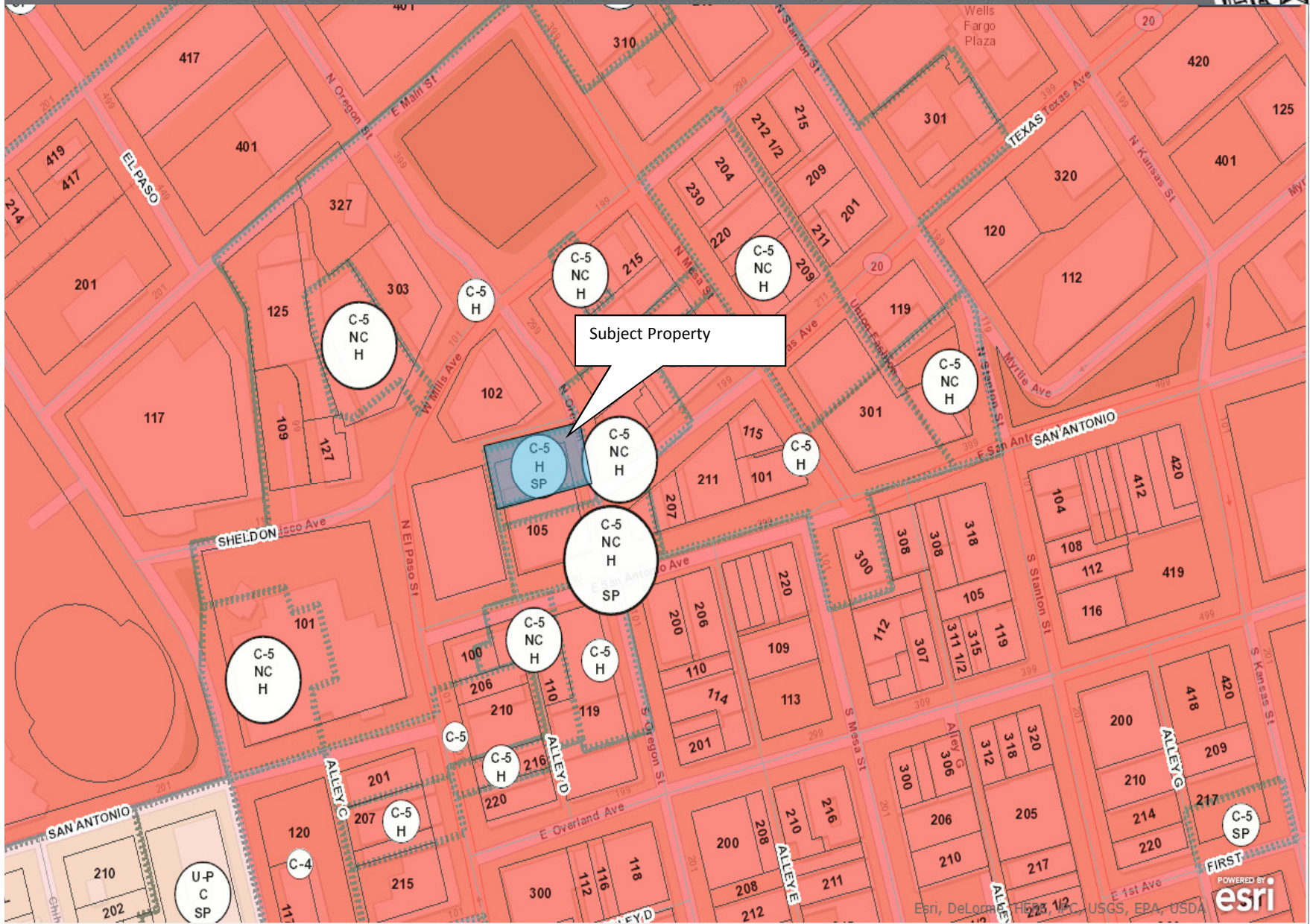


NOTE: INSPECTED FACILITY.
 IT IS A SOUND STRUCTURE
 (BLUM. TRUSS & METAL DECK
 STRUCTURAL STEEL COLUMNS)



Appeal of PHAP14-00007
Certificate of Appropriateness
109 N. Oregon Street

SERVICE SOLUTIONS SUCCESS



SERVICE SOLUTIONS SUCCESS





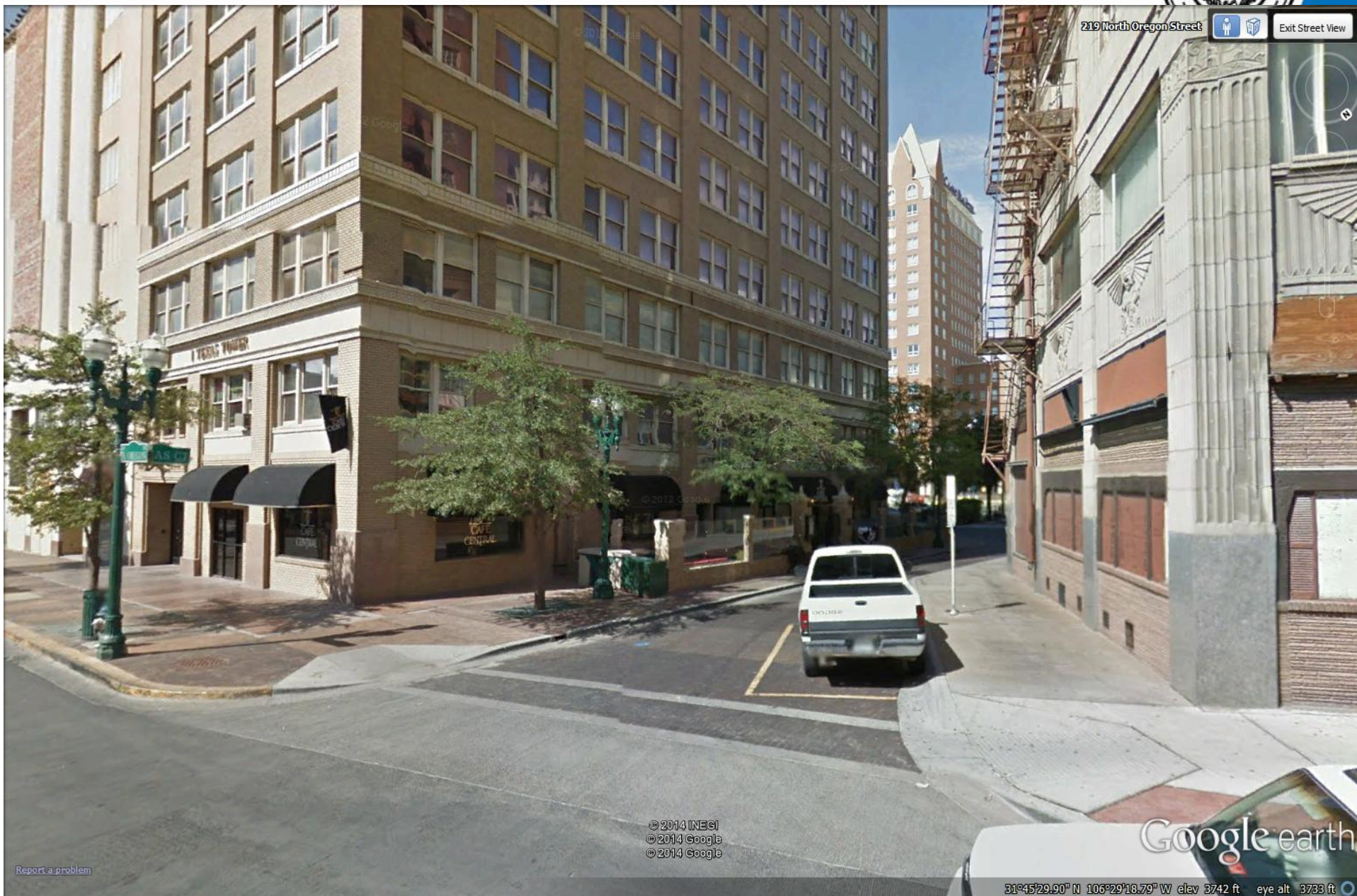
SERVICE SOLUTIONS SUCCESS



219 North Oregon Street



Exit Street View



© 2014 INEGI
© 2014 Google
© 2014 Google

[Report a problem](#)

31°45'29.90" N 106°29'18.79" W elev 3742 ft eye alt 3733 ft

SERVICE SOLUTIONS SUCCESS



SERVICE SOLUTIONS SUCCESS



SERVICE SOLUTIONS SUCCESS



S E R V I C E S O L U T I O N S S U C C E S S



SERVICE SOLUTIONS SUCCESS



S E R V I C E S O L U T I O N S S U C C E S S

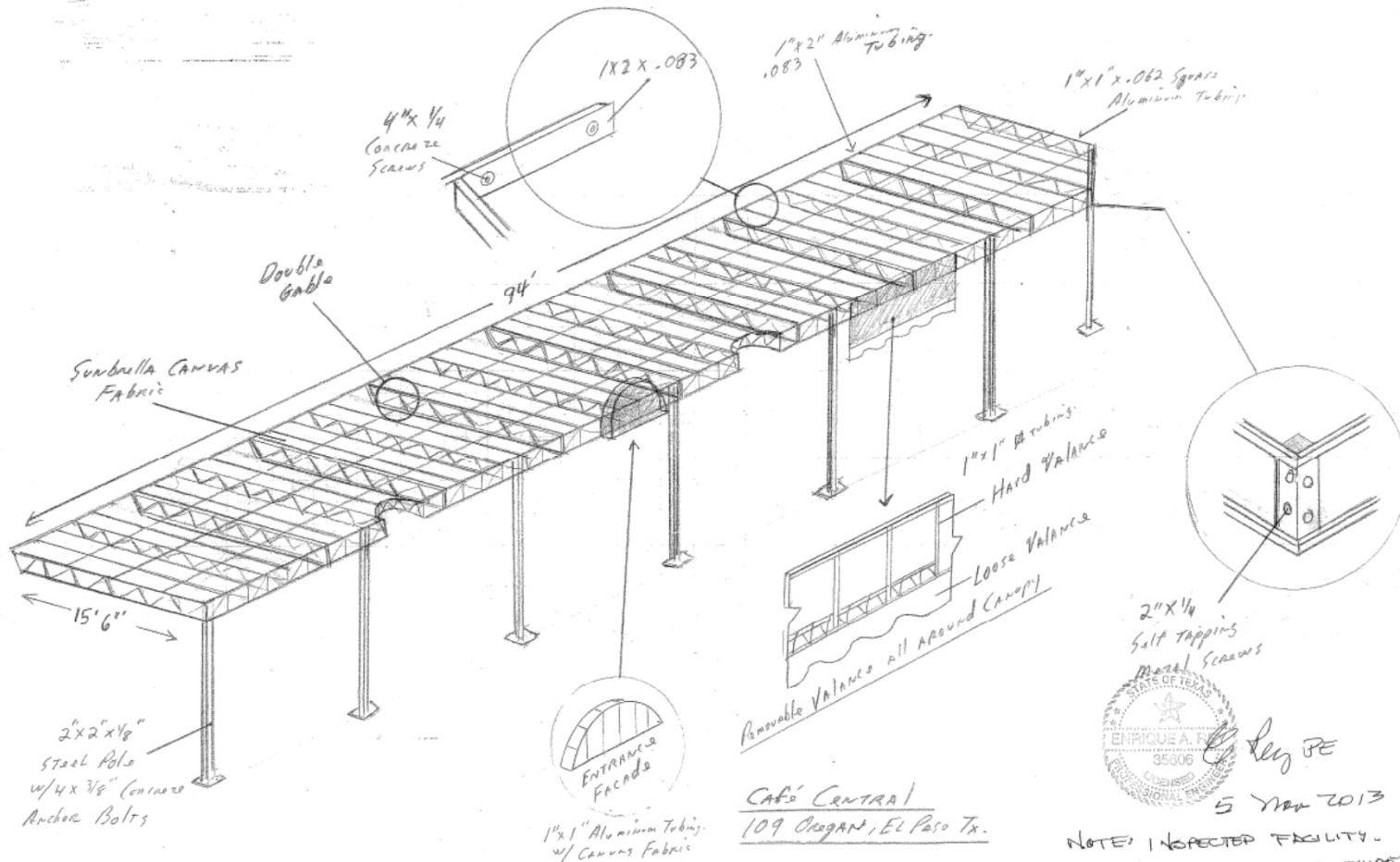


SERVICE SOLUTIONS SUCCESS





Awning



Cafe Central
 109 Oregon, El Paso Tx.



Enrique A. Lopez PE

5 May 2013

NOTE: INSPECTED FACILITY.
 IT IS A SOUND STRUCTURE
 (SLIM TRUSSES & METAL DECK
 STRUCTURAL STEEL COLUMNS)

SERVICE SOLUTIONS SUCCESS



SERVICE SOLUTIONS SUCCESS



SERVICE SOLUTIONS SUCCESS



SERVICE SOLUTIONS SUCCESS



SERVICE SOLUTIONS SUCCESS





S E R V I C E S O L U T I O N S S U C C E S S





The Downtown Historic District design guidelines recommend the following:

- Awnings and canopies should be placed at the top of openings, but they should not cover important architectural details/elements.
- Awnings and canopies should be of an appropriate size and scale in relation to the building's façade.
- Fixtures should not extend across the facades of several buildings. Instead, fixtures should fit within vertical elements such as columns.
- Awning should not cover more than one-third of the window opening. Un-proportioned awnings may appear awkward.
- Fixtures should always fit within their openings. Attempting to fit a square awning into a round opening (and vice-versa) should be avoided. Generally, the shape of an awning should respect the shape of the window.



H. Exceptions. The following activities, improvements, facilities, or uses on public right-of-way shall not require a license or permit as herein provided:

16. Arcades, awnings, canopies and galleries that comply with subsection I. (Awnings, Canopies, Galleries and Arcades) of this chapter.

I. Arcades, awnings, canopies and galleries.

1. Definitions.

- a. Arcade: A private frontage conventional for retail use wherein the façade is colonnade that overlaps the sidewalk, where the façade at the sidewalk level remains at the frontage line.
- b. Awning: A rooflike shelter of canvas or other material extending over a doorway, from the top of the doorway, from the top of a window.
- c. Canopy: An overhanging projection or covering, as a long awning stretching from the doorway of a building to the curb.
- d. Gallery: A private frontage conventional for retail use wherein the façade is aligned close to the frontage line with an attached cantilevered shed or lightweight colonnade overlapping the sidewalk.

2. Application:

- a. Scaled architectural drawing(s) showing front and side elevations must be in keeping with the original architectural design of the structure involved for historical correctness.
- b. An engineering certification on the structural design and wind loading capability based on the current edition of the adopted Building Code.

3. Location:

- a. Protection of healthy, mature street trees shall take precedence over providing awnings, canopies, galleries or arcades.
- b. Awnings and canopies shall be placed within window bays and must not cover piers or other architectural details of the principal building.**
- c. A minimum distance of eight feet between the sidewalk and the lowest portion of the structure of the awning, canopy, gallery or arcade.
- d. A minimum distance of seven feet between the sidewalk and the bottom edge of an awning's valence.
- e. A minimum setback of two feet between the face of the curb and the closest portion of the awning, canopy gallery or arcade.
- f. A minimum distance of three feet between the face of the building and the closest portion of the outside of the awning or canopy.
- g. A minimum clear area of two feet measured perpendicular to the curb face and five feet measured parallel to the curb face between the closest portion of a street element over seven feet in height, including tree branches, and the closest portion of the awning, canopy, gallery or arcade.
- h. Ten feet minimum between the interior walls of the gallery which shall be open at both ends and connected to the adjacent sidewalks.
- i. Twelve feet minimum between the interior walls of the arcade which shall be open at both ends and connected to the adjacent sidewalks.

4. Other standards.

- a. Awnings and canopies shall be constructed of durable materials such as canvas, metal and/or glass and shall be anchored in a manner to preserve the architectural integrity of the façade (anchoring into mortar joints).
- b. Galleries and arcades shall be constructed of materials similar to those used on the principal building.
- c. Lighting placed within the awnings, canopies, galleries and arcades shall be placed in a manner so as to be screened from view at the street.