

(H. B. 593)

(No. 3)

(Approved March 15, 2005)

AN ACT

To declare the *Barrio* of Miramar and other adjacent sectors of the Capital City of San Juan as a historic zone, in order to protect its architectural and historic integrity and its urban identity, and for other purposes.

STATEMENT OF MOTIVES

Miramar is an urban sector of the Capital City of San Juan, located between the Condado Lagoon, the San Juan Bay and Cerra Street. The sector, originally called Alto del Olimpo or Monte del Olimpo due to the existence of a lot owned by a family with that last name, was a recreational area from 1850 to 1900, among other uses. The wealthy families of present day Old San Juan would go there for picnics on weekends and summers. At that time, grand summer houses were built, many of them following North American Victorian models, which bordered the Camino or Carretera Central, at present Ponce de León Avenue.

In 1902, the People's Cooperative Building Savings and Loan Association of Porto Rico was established with the purpose of "constructing houses to create a community." Said entity acquired a 19-hectare farm denominated as Miramar, in said area. In 1903, the farm was segregated into lots in order for it to be urbanized. The urban design included fourteen streets, whose original names were Avenida de Palma, (today Arecibo Street), Avenida Miramar, Avenida del Olimpo, Calle Central, Calle Unión, Calle del Estado, Calle del Naranja, Calle del Congreso (today Fernández

Juncos Avenue), Calle del Comercio (today José Martí Street, from Miramar Avenue to Union Street), Calle McKinley, Calle de la Laguna and Calle Elliot Place.

Thus, Miramar was the first planned residential suburb of San Juan. Important local and foreign families settled there. Most of the cement residences of the Miramar we know today were built between the twenties and the fifties of the recent past century. From the beginning of the century, the Fathers of the Redemptionist Order founded a chapel in Miramar dedicated to “Nuestra Señora del Perpetuo Socorro”, attached to the Puerta de Tierra parish. In 1921, the Redemptor Fathers established a separate community in Miramar and began giving classes in the sacristy and in the choir area of the church, thus establishing the foundations of the Perpetuo Socorro Academy, an academic institution that has been fundamental in the development of the community.

The area soon became an open environment to the designs of the most outstanding architects and engineers who worked in Puerto Rico during that time: don Pedro de Castro, who designed approximately forty structures; Nechodoma, Carmoega, O’Kelly, Ramírez de Arellano, Martínez Lázaro, Porrata Doria, Ferrero, Carrión, Pérez Pierret, Pons, Estéves, Fernández García, Sevillano and Fortuño. The short time in which this residential area was developed allowed it to establish a clear architectural personality which has survived in spite of the construction of modern high-rise buildings in the past decades and the conversion commercial use of many structures facing the main avenues. Many structures of great architectural value representing the styles in fashion on the Island in the 20th Century have been preserved. To mention a few: the building that was the residence of the former Chief Justice of the Supreme Court of Puerto Rico, don Emilio del Toro Cuebas,

nominated as historical building, which is one of the best examples of a multi-family dwelling, the multi-story “Spanish Renaissance” style building, designed by Architect O’Kelly; the Neo-Gothic chapel which is a work of Antonio Nechodoma, located on Miramar Avenue; the old *Instituto de Niñas*, which shall house the Conservatory of Music; the houses on Trigo Street, the old mansion of Don José Benítez on Ponce de León Avenue; the Casa Aboy, at present a Cultural Center; Villa Giralda, on Miramar Avenue; and so many other structures reminiscent of the lifestyle of an era and that today enable the endurance of a neighborhood with a sense of community. The General Library of the University of Puerto Rico preserves a collection of visual material on most of the structures built in this period.

This architectural legacy, however, is threatened by the strong pressure to allow the expansion of developments that alter its basic urban design. There is a risk that the characteristics of the sector will be lost as it has occurred in other parts of our Capital and other towns of our Island, and a vicious cycle of intrusion by developers, as well as the deterioration of the quality of life, moving of residents and a boom in developments by the private and public sectors will be created.

At present, Miramar constitutes a community with self-identity and a high sense of social integration which is made evident by it having an active Residents Association. The Miramar zone is a clearly delimited area characterized by relatively narrow streets that do not allow great vehicular density, and a volume and scale of most of its structures that gives it a homogenous atmosphere and enables a high quality of life.

For all of the above reasons, the Miramar zone is eligible to be declared a historic zone, and for special regulations to be applied to it.

BE IT ENACTED BY THE LEGISLATURE OF PUERTO RICO:

Section 1.- The urban area of the Capital City of San Juan historically known as Miramar and other adjacent sectors comprised in its perimeter that abuts, to the North, by Baldorioty de Castro Expressway and the Condado Lagoon; to the East, by Cerra Street, to the South, by Luis Muñoz Rivera Expressway, and to the West, the Luis Muñoz Rivera Expressway. The demarcation of this Zone shall be made official through a plot to be prepared by the Planning Board which shall clearly illustrate the lots and structures included in this designation, which shall occur not later than four (4) months after the approval of this Act.

Section 2.- The structures built after the second half of the past century shall be excluded from this designation, with the exception of those that are expressly included by the Planning Board, upon consultation with the Institute of Puerto Rican Culture, the owners of the affected structures, The Commonwealth Historic Conservation Office and the Municipality of San Juan. The Planning Board may likewise exclude structures built before the beginning of the second half of the past century, upon consultation with the Institute of Puerto Rican Culture, the Commonwealth Historic Conservation Office the owners of the affected structures, and the Municipality of San Juan.

Section 3.- The Puerto Rico Planning Board and the Institute of Puerto Rican Culture are hereby directed to develop in effective coordination with the Municipal Government of San Juan, the Commonwealth Historic Conservation Office, and any other pertinent body of the Central Government, a plan for the rescue, revitalization and valuation of the zone designated hereby as historic, taking into consideration the integrity of its urban ambiance and its sense of community. The Municipality of San Juan

may adopt planning and conservation standards for the urban area of Miramar that are in harmony with the regulations and the plans adopted by the Board and the Institute. The standards, as well as the plans shall be applicable to the structures included as well as to those excluded from the historic zone.

Section 4.- It is hereby provided that any urban development or improvement that has been projected or may be projected in the future for the historic zone provided in Section 1 of this Act, shall preserve its eminently residential nature and its architectural personality. Any law or regulation that is incompatible with this Act is hereby repealed; to the extent of said incompatibility.

Section 5.- Severability

If any part, subsection, sentence or Section of this Act is declared unconstitutional by a court of competent jurisdiction, the judgment rendered to such effect shall be limited to the part, subsection, Section or sentence declared unconstitutional, and shall not affect nor invalidate the remaining provisions of this Act.

Section 6.- This Act shall take effect immediately after its approval.

CERTIFICATION

I hereby certify to the Secretary of State that the following Act No. 3 (H.B. 593) of the 1st Session of the 15th Legislature of Puerto Rico:

AN ACT to declare the *Barrio* of Miramar and other adjacent sectors of the Capital City of San Juan as a historic zone, in order to protect its architectural and historic integrity and its urban identity, and for other purposes,

has been translated from Spanish to English and that the English version is correct.

In San Juan, Puerto Rico, today 10th of June of 2005.

Luis E. Fusté-Lacourt
Director