



Agenda

CITY CLERK'S OFFICE

DATE 6-4-14 TIME 8:00 am

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HISTORIC DISTRICTS REVIEW BOARD FIELD TRIP

TUESDAY, June 10, 2014 at 12:00 NOON

HISTORIC PRESERVATION DIVISION, 2nd FLOOR CITY HALL

HISTORIC DISTRICTS REVIEW BOARD HEARING

TUESDAY, June 10, 2014 at 5:30 P.M.

CITY COUNCIL CHAMBERS

(AMENDED)

- A. CALL TO ORDER
- B. ROLL CALL
- C. APPROVAL OF AGENDA
- D. APPROVAL OF MINUTES: May 27, 2014
- E. FINDINGS OF FACT & CONCLUSIONS OF LAW

Case #H-07-041	1209 Canyon Road	Case #H-12-061	846 Old Santa Fe Trail
Case #H-13-063B	1224 ½ Cerro Gordo Road	Case #H-14-036	125 E. Palace Avenue
Case #H-14-026	511 E. Palace Avenue	Case #H-14-038	507 Camino del Monte Sol
Case #H-14-020A&B	125 W. Santa Fe Avenue	Case #H-14-037	119 Park Avenue

- F. BUSINESS FROM THE FLOOR
- G. ACTION ITEMS

1. Case #H-14-024. 350 Delgado Street. Downtown & Eastside Historic District. Eric Montoya, agent for Elizabeth Travis ETM Inc., owner, proposes to construct approximately 1,500 sq. ft. of additions, install mechanical units on the ground on the north and south side of the building and screen them with coyote fences, install stuccoed screens on the rooftop to a height of 14'6" where the maximum allowable height is 14'7", and to remodel the front yardwalls where the maximum allowable heights are 60" on Acequia Madre and 58" on Delgado Street on a non-contributing property. (David Rasch).
2. Case #H-14-039. 801 Abeyta Street. Downtown & Eastside Historic District. Jay Jay Shapiro, agent Vigil/Yablon, owners, proposes to remodel a non-contributing residential structure and a non-stateded structure by increasing the parapets to the maximum allowable height of 15'11" and construct yardwalls and gates to the maximum allowable heights. (David Rasch).
3. Case #H-14-040. 1230 Cerro Gordo Road, Lots 4 & 5. Downtown & Eastside Historic District. Trey Jordan Architecture, agent for Delores Leyba, owner, requests an historic status review of a non-contributing residential structure and a non-stateded free-standing shed. (David Rasch).
4. Case #H-14-041. 1111 Paseo de Peralta. Downtown & Eastside Historic District. Thomas E. Lechner, agent for Marguerite Gordon, owner, proposes to remodel a non-contributing commercial property. An exception is requested to install divided-lites that exceed the 30" rule (Section 14-5.2(E)(1)(c)). (David Rasch).

5. Case #H-14-042. 335 Magdalena Street. Downtown & Eastside Historic District. Jay Jay Shapiro, agent for Susanna Mudge, owner, proposes to remodel a non-contributing residential property. (David Rasch).
6. Case #H-14-043. 337 Magdalena Street. Downtown & Eastside Historic District. Jay Jay Shapiro, agent for Beca Mudge, owner, proposes to remodel a non-contributing residential property and requests a height exception from the maximum allowable height of 19'11" to 25'9" (Section 14-5.2(D)(9)). (David Rasch).
7. Case#H-14-033. 359 Garcia Street. Downtown & Eastside Historic District. Will McDonald, agent for Jenny French, owners, proposes to construct a 50 sq. ft. arbor to a height of 8' and install a brown cloth awning on the south elevation of a contributing residential structure. (David Rasch).
8. Case #H-14-035. 557 San Antonio Street. Downtown & Eastside Historic District. Anne Gallagher, agent for Farquar Holdings, LLC, owners, proposes to replace a wire fence with a 5' and 6' tall coyote fence on the east and south lotlines and a 4'6" tall coyote fence and coyote vehicle gate on the west side of a non-contributing property. (David Rasch).

H. COMMUNICATIONS

I. MATTERS FROM THE BOARD

J. ADJOURNMENT

Cases on this agenda may be postponed to a later date by the Historic Districts Review Board at the noticed meeting. Please contact the Historic Preservation Division at 955-6605 for more information regarding cases on this agenda.



Agenda

DATE 5/22/14 TIME 4:15 pm.SERVED BY Camille VignRECEIVED BY P. Ortiz

HISTORIC DISTRICTS REVIEW BOARD FIELD TRIP

TUESDAY, June 10, 2014 at 12:00 NOON

HISTORIC PRESERVATION DIVISION, 2nd FLOOR CITY HALL

HISTORIC DISTRICTS REVIEW BOARD HEARING

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CITY COUNCIL CHAMBERS

- A. CALL TO ORDER
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- E. FINDINGS OF FACT & CONCLUSIONS OF LAW

Case #H-07-041	1209 Canyon Road	Case #H-14-033	359 Garcia Street
Case #H-12-061	846 Old Santa Fe Trail	Case #H-14-034	511 Paseo de Peralta
Case #H-13-063B	1224 ½ Cerro Gordo Road	Case #H-14-036	125 E. Palace Avenue
Case #H-14-026	511 E. Palace Avenue	Case #H-14-038	507 Camino del Monte Sol
Case #H-14-020A&B	125 W. Santa Fe Avenue	Case #H-14-035	557 San Antonio
Case #H-14-032	929 Canyon Road	Case #H-14-037	119 Park Avenue

- F. BUSINESS FROM THE FLOOR
- G. ACTION ITEMS

1. Case #H-13-095. 321, 325, 329 W. San Francisco Street. Downtown & Eastside Historic District. Lloyd & Associates Architects, agent for Columbus Capital dba 1640 Hospital Dr., LLC, owners, proposes an historic status review of 329 W. San Francisco and 109 N. Guadalupe, to demolish non-contributing structures, and requests a preliminary hearing to construct approximately 11,000 sq. ft. in four structures with a potential height exception above the maximum allowable height of 20'4". (David Rasch)
2. Case #H-14-024. 350 Delgado Street. Downtown & Eastside Historic District. Eric Montoya, agent for Elizabeth Travis ETM Inc., owner, proposes to construct approximately 1,500 sq. ft. of additions, install mechanical units on the ground on the north and south side of the building and screen them with coyote fences, install stuccoed screens on the rooftop to a height of 14'6" where the maximum allowable height is 14'7", and to remodel the front yardwalls where the maximum allowable heights are 60" on Acequia Madre and 58" on Delgado Street on a non-contributing property. (David Rasch).
3. Case #H-13-072. 123 E. Buena Vista Street. Don Gaspar Area Historic District. Craig Hoopes, agent for Jean Pierre Campbell, owner, request designation of primary elevation. (David Rasch).
4. Case #H-14-027A. 653 Don Gaspar Avenue. Don Gaspar Area Historic District. Mercedes Marchand, agent/owner, requests primary elevation(s) designation for two contributing residential structures. (David Rasch).

5. Case #H-14-039. 801 Abeyta Street. Downtown & Eastside Historic District. Jay Jay Shapiro, agent Vigil/Yablon, owners, proposes to remodel a non-contributing residential structure and a non-statused structure by increasing the parapets to the maximum allowable height of 15'11" and construct yardwalls and gates to the maximum allowable heights. (David Rasch).
6. Case #H-14-040. 1230 Cerro Gordo Road, Lots 4 & 5. Downtown & Eastside Historic District. Trey Jordan Architecture, agent for Delores Leyba, owner, requests an historic status review of a non-contributing residential structure and a non-statused free-standing shed. (David Rasch).
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8. Case #H-14-042. 335 Magdalena Street. Downtown & Eastside Historic District. Jay Jay Shapiro, agent for Susanna Mudge, owner, proposes to remodel a non-contributing residential property. (David Rasch).
9. Case #H-14-043. 337 Magdalena Street. Downtown & Eastside Historic District. Jay Jay Shapiro, agent for Beca Mudge, owner, proposes to remodel a non-contributing residential property and requests a height exception from the maximum allowable height of 19'11" to 25'9" (Section 14-5.2(D)(9)). (David Rasch).

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HISTORIC DISTRICTS REVIEW BOARD

June 10, 2014

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MINUTES OF THE
CITY OF SANTA FÉ
HISTORIC DISTRICTS REVIEW BOARD

June 10, 2014

A. CALL TO ORDER

A regular meeting of the City of Santa Fé Historic Districts Review Board was called to order by Chair Sharon Woods on the above date at approximately 5:30 p.m. in the City Council Chambers, City Hall, Santa Fé, New Mexico.

B. ROLL CALL

Roll Call indicated the presence of a quorum as follows:

MEMBERS PRESENT:

Ms. Sharon Woods, Chair
Ms. Cecilia Rios, Vice Chair
Mr. Bonifacio Armijo
Mr. Frank Katz
Ms. Christine Mather

MEMBERS ABSENT:

Mr. Edmund Boniface [excused]
One vacancy

OTHERS PRESENT:

Mr. David Rasch, Historic Planner Supervisor
Ms. Kelley Brennan, Interim City Attorney [arriving later]
Mr. Carl Boaz, Stenographer

NOTE: All items in the Committee packet for all agenda items are incorporated herewith by reference. The original Committee packet is on file in the Historic Planning Department.

C. APPROVAL OF AGENDA

Ms. Rios moved to approve the agenda as presented. Mr. Armijo seconded the motion and it passed by unanimous voice vote.

D. APPROVAL OF MINUTES: May 27, 2014

Ms. Rios requested the following changes to the minutes:

On page 6, 5th paragraph - Mr. Watson's first name was Alan.

On page 25, 2nd sentence add an s to say "setbacks."

On page 28, 8th paragraph, 2nd sentence should read, "She suggested putting up story poles and making a model of the project."

On page 40, sixth sentence should say, "Ms. Rios thought the coyote vehicular entry gate was fine as built."

Chair Woods requested the following changes to the minutes:

On page 16, second paragraph, it should say, "Chair Woods said this was a new feature. She would still keep it separate from the rest of the building. Where the vigas protrude she would roof on top of the vigas and decking and omit the parapet."

On page 18 it should say, "She would consider the south and possibly the east façades visible as well."

On page 19, last paragraph, it should say, "This was right in the historic east side."

Ms. Rios moved to approve the minutes of May 27, 2014 as amended. Mr. Katz seconded the motion and it passed by unanimous voice vote.

E. FINDINGS OF FACT & CONCLUSIONS OF LAW

Case #H-07-041	1209 Canyon Road
Case #H-12-061	846 Old Santa Fe Trail
Case #H-13-063B	1224 ½ Cerro Gordo Road
Case #H-14-026	511 E. Palace Avenue
Case #H-14-020A&B	125 W. Santa Fe Avenue

Case #H-14-038 507 Camino del Monte Sol

Case #H-14-037 119 Park Avenue

Case #H-14-036 125 E. Palace Avenue

Mr. Katz moved to approve the Findings of Fact and Conclusions of Law as presented. Ms. Mather seconded the motion and it passed by unanimous voice vote.

F. BUSINESS FROM THE FLOOR

There was no business from the floor.

G. ACTION ITEMS

1. **Case #H-14-024. 350 Delgado Street.** Downtown & Eastside Historic District. Eric Montoya, agent for Elizabeth Travis ETM Inc., owner, proposes to construct approximately 1,500 sq. ft. of additions, install mechanical units on the ground on the north and south side of the building and screen them with coyote fences, install stuccoed screens on the rooftop to a height of 14'6" where the maximum allowable height is 14'7", and to remodel the front yardwalls where the maximum allowable heights are 60" on Acequia Madre and 58" on Delgado Street on a non-contributing property. (David Rasch).

Mr. Rasch gave the staff report as follows:

BACKGROUND & SUMMARY:

350 Delgado Street is a single-family residence that was constructed in the Spanish-Pueblo revival style in the early 20th century with many alterations. The building is listed as non-contributing to the Downtown & Eastside Historic District.

On April 22, 2014, the HDRB postponed action on the application pending an historic status review of the residence and street-facing yardwalls and a redesign of both. Now, the applicant requests that the Board review the historic status of the property and proposes to remodel the property with the following five items.

The residence was originally constructed at approximately 1925. Later historic additions include a guesthouse and garage on the north elevation and portals on the east and west elevations. In 1998, major alterations occurred. There are sections of yardwall which are historic and sections which are not historic. It is unclear whether the yardwall at the character-defining gate is historic or not, as there may be overhead trees obscuring that section.

Mr. Rasch asked if the Board wanted to vote on the status before going to the remodel.

Chair Woods said they were doing two different votes; two different cases.

Mr. Rasch agreed.

STAFF RECOMMENDATION:

Staff recommends retaining the non-contributing historic status of the residence and designating the historic status of the historic sections of the yardwalls as contributing.

Questions to Staff

Ms. Mather went to the historical overview and the analysis and carefully looked at the photos from NMDOT. She had different takes on those from the applicant's conclusions.

She asked Mr. Rasch to either go through them with the Board to help them understand or if the applicant could do that.

Mr. Rasch felt the consultant could walk the Board through those.

Ms. Rios asked Mr. Rasch regarding the wall, how many portions he thought were non-historic.

Mr. Rasch said there were at least three sections.

Ms. Mather said regarding the wall, that her focus was on the Delgado and Acequia Madre street-facing portions.

Mr. Rasch said the driveway portions were most non-historic. He suggested they walk through it so they would have a better idea.

Chair Woods asked Ms. Brennan for her opinion on its status with those non-historic portions.

Ms. Brennan thought the Board could make a determination but she had not looked at it closely.

Ms. Rios asked if the residence footprint had changed. Mr. Rasch agreed.

Ms. Rios thought the character-defining elements had changed significantly.

Mr. Rasch agreed.

Applicant's Presentation

Present and sworn was Mr. John Murphey, 2502 Alamosa Place, who said when he met with Eric Montoya he thought it was clear that the house had potential but had lost all integrity with the 1998 additions and in looking at the wall, there was some doubt whether the entire wall retained enough integrity. He looked up photos and found this 1952 photo. There was a continuous wall along the radius and nothing was to scale it but he trusted it was there.

In 1978, 47 linear feet were removed at the corner to meet triangle visibility standards. The next aerial said 1965 and showed the wall in proportion to today at varying heights. A relative scale with a 3' picket fence was to the right. The Delgado wall was slightly higher and didn't agree with its height today. The opening of the pedestrian arch today was almost flat.

The first clear aerial he could find was the 1966 DOT aerial. It showed specifically a continuous wall going along the curve. They were pretty much too constant - with shadows - and looked at a continuous same height. So at that time it was 36" and none of it was along the driveway and none was at the radius of that entry. There were clean demarcations of shadow where the wall stopped. At the driveway there was a clean break.

The owner was an avid gardener and the front might have been part of her garden.

Moving back to the supposition of the north wall, one could see on the back side a horizontal line at 3' which corresponded with 340 Delgado. So sometime around that time, they added on top of it. So at 1978 it showed a contiguous wall going from north to where it was reduction on the curve to 3' height for sight visibility.

Probably there were four alterations in design, height and material. So format the extreme of Acequia on the west to Delgado on the north at the property line of 340, there was enough integrity lost to not consider the whole wall as contributing.

Questions to the Applicant

Ms. Mather said after the 1965 aerial the next one in 1966 showed part of that wall that no longer existed.

Mr. Murphey said that was the assumption when looking at it. It was a huge hypothesis but that might have been when they had to rework that corner. At that time, they might have changed the entry gate also.

Ms. Mather added that they had not head-on photo of the gate so they didn't know what it was made of.

Mr. Murphey agreed. He clarified that it was a Mission Revival topped gate.

Chair Woods asked how he knew these walls were at the same height. She was looking at the arch and the break.

Mr. Murphey said the lintel might be lower on the left almost below the line of the wall.

Chair Woods didn't think that was conclusive.

Mr. Murphey showed the change in wall height midway to the telephone pole. It was lower and seemed to be the same as the right side wall.

Ms. Mather asked if he talked with the Acequia Association.

Mr. Murphey said he did not.

Ms. Mather said Kevin Ryan was her neighbor and was a relative. She wondered if Phil Bové had to say about it. They hadn't talked about when the stone feature came in either.

Mr. Murphey said unfortunately, the photo was sub-par but it didn't have the same rock facing as it did today. Also a sidewalk system was also in place that may have altered that opening.

Ms. Rios asked if he said in 1966, the wall was the same as today.

Mr. Murphey said no. It was the same as in 1978.

Ms. Rios asked if the picket fence to the right was approximately the same size. She thought the wall was a lot taller.

Mr. Murphey said the measurements showed on the right was lower than the one on the left. Mr. Murphey said she was most comfortable saying the north and wing wall had definitely changed. On Delgado it changed but as to height, no one knew.

Public Comment.

Present and sworn was Mr. Raymond Herrera, 379 Hillside, who said he sort of disagreed with the report. He grew up in that neighborhood and his family used the acequia running through that property and maintained the acequias and that portion going through the wall had been there when he was a boy. He had lived on Hillside Avenue for 45 years and 60 years in the neighborhood and to his knowledge the wall had never changed. Their garden was unique and the size of the wall was important for privacy. It had always been at the present height and the archway and the small gate and stone archway had been there. The only part that changed was at the corner with sidewalks for safety there.

Chair Woods asked if the gate had always been there.

Mr. Herrera said as far as he could recall it was. It was deteriorating and had been there at least 50 years.

Chair Woods concluded that the gate and the wall had been there 50 years.

Mr. Herrera agreed. He said he lived there and after getting married, he moved to Hillside. He went through the property there practically every day.

Ms. Mather added that it was East Manhattan and now was Acequia Madre. Mr. Herrera agreed.

Ms. Rios asked if the portion on Delgado had always been like it was now. Mr. Herrera agreed.

Mr. Herrera said the character of the house was still the same and he couldn't understand why it wouldn't be contributing. They maintained the original structure of the house and all changes have blended in with the original.

Present and sworn was Ms. Stefanie Beninato, PO Box 1601, who said she could trace that property back to 1765 and the owner then was a land grantee. At the border was Acequia Analco and was used primarily in 1700s and 1800s with that acequia which could be very old.

She said the wall continued to be contributing and although people did change its height, it was still part of the same wall. So she thought there were plenty of reasons to keep it contributing. There was probably a one-room structure in the orchard space but she didn't know if it was part of the house. The streetscape should also be considered.

There were no other speakers from the public regarding this case.

Ms. Rios said she received a letter from Ms. Jane Farrar and read the letter to the Board. Ms. Farrar expressed her concern with 350 Delgado and been privileged to appreciate the gate and wall over the years. She appreciated the streetscape and she believed it was historic.

Chair Woods asked if the house and wall could be addressed in one motion.

Ms. Brennan preferred they make two motions.

Ms. Mather moved to maintain the non-contributing status of the house. Mr. Katz seconded the motion and it passed by 4-1 majority voice vote with Ms. Rios voting against.

Regarding the wall, **Ms. Mather moved to designate the wall on Delgado as Contributing. Ms. Rios seconded the motion.**

Mr. Katz asked if the motion included the portion north of driveway.

Ms. Mather clarified that her motion did not include the portion north of the driveway.

Chair Woods asked if she based her motion on the testimony.

Ms. Mather agreed and also the photographs.

Ms. Mather included in her motion “on the basis of the testimony of neighbors and the historic photographs.”

Chair Woods said the motion was on Delgado south of driveway.

Ms. Rios accepted the amendment as friendly and the motion passed by unanimous voice vote.

STAFF REPORT ON THE REMODEL

Mr. Rasch presented the staff report for the remodel of the house.

1. Additions proposed for the rear west elevation include a 933 square foot two car garage at a foot lower than the adjacent residence parapet, 323 square feet of storage rooms, and two portals at 65 and 329 square feet.
2. A 140 square foot addition on the front east elevation will match existing adjacent parapet height.
3. Several window and door changes are proposed including replacement of the pedimented French doors at the main entry with Gothic Revival arched doors and the installation of an odd-shaped specialty window that is not publicly-visible on the garage addition.
4. A mechanical system will be installed with ground mounted units at both the south and north elevations that will be screened with coyote fencing. Ductwork will be screened with stuccoed walls that appear like fireplace chimneys on the two elevations and then wrap over the parapets to continue along the roof as matching the tallest part of the building height. This item has been slightly revised.
5. The property will be entirely enclosed within 6' high stuccoed yardwalls and coyote fencing on the non-street frontage. The existing street-frontage yardwall will be redesigned new design elements and increased height where the maximum allowable heights are 60" on Acequia Madre and 58" on Delgado Street. The driveway entry will be shifted to the north side of the Delgado frontage and an arched bi-leaf vehicle gate will be installed. An arched pedestrian gate along Delgado Street will have a Mission bell with an undulating parapet above the entry. Other decorative elements in the yardwalls include river rock accents, planters, and a banco. This item has been slightly revised.

There may be other revisions in this packet as demonstrated in the proposal letter or drawings.

STAFF RECOMMENDATION:

Staff recommends approval of this application which complies with Section 14-5.2(D)(9) General

Design Standards, Height Pitch Scale and Massing and (E) Downtown & Eastside Historic District.

Mr. Rasch said reproductions were given in the packet. It showed where the original massing had been reduced. An exception would be required to change the wall since it was now contributing.

Chair Woods noted another exception for the chimney to exceed the maximum height but this was not really a chimney but an enclosure to hide ductwork so would it require an exception.

Mr. Rasch said 14' 7" was the maximum and Chair Woods was correct. Those appurtenances were not part of the height ordinance. If not truly chimneys, they would be part of the height and if they were higher than 14' 7" they would require an exception.

Mr. Katz understood these chimneys, looking at the west elevation, had the ductwork that went along the roof and that raised the parapet to shield it. Mr. Rasch agreed.

Mr. Rasch presumed it was within the maximum allowable height. He was looking at material given to the Board today.

Mr. Armijo knew sometimes people used chimneys for mechanical components and wondered how one pertained to the other.

Ms. Brennan said it was different from a chimney even if originally it was a chimney.

Mr. Rasch said the chimneys were 18' above the bottom of

Chair Woods clarified that because it required exceptions the Board couldn't consider it tonight.

Mr. Rasch agreed unless the Board could work with the applicant.

Chair Woods said she wouldn't feel comfortable since it took a right turn with doing that tonight.

Ms. Mather pointed out the arched door replacing the French door and noticed the garage doors had arched doors also and asked how that complied with the ordinance.

Mr. Rasch said arches were almost never used except over a niche or pedestrian gate and usually not structural when allowed. So structural arches were an exception. The arch at the Convention Center was just an accent but a colonnade of arches would need an exception.

Ms. Mather asked at what point they would be considered more than an accent.

Mr. Rasch pointed out one that was an accent and the garage doors were just decorative. The front door was his accent.

Ms. Mather asked about the little gothic door.

Mr. Rasch said that was the front door.

Ms. Mather said the wall was 60" on Acequia Madre and wondered if the corner would still exist.

Mr. Rasch agreed that it met zoning code.

Ms. Mather said the Board was given a plan view of Delgado and she presumed it was existing.

Mr. Rasch agreed.

Ms. Mather asked if it was the same for Acequia Madre.

Mr. Rasch said it was and it was past the corner visibility. He didn't know what existing was.

Ms. Rios asked what the public visibility in reference to Delgado Street wall.

Mr. Rasch pointed out on the site plan how the house was set back from Delgado and the wall was rather high. There was vegetation also but that could come down. It was quite visible in vignettes there.

Mr. Katz asked what blocked the specialty window.

Mr. Rasch said it was way back and the other property was in front of it. A house was there - a new house built around 2005.

Applicant's Presentation

Present and sworn was Mr. Joseph Cordova, El Duende New Mexico, who said in this layout of property, he knew the chimneys would require an exception. In the previous presentation they showed it flat with a parapet and the Board requested that the equipment be put in chimneys.

So they could bring it down to parapet height at 13' 6". And they could bring the flue at 14' 7" and that would give the cover needed.

Chair Woods didn't think they could redesign it here. Until the Board could see exactly what he would do, they couldn't approve it now. The double chimneys were way too high and Mr. Cordova might need to put the cooling somewhere else. It was impacting the house.

Mr. Cordova asked then if the chimneys were the only things holding it back.

Chair Woods suggested addressing that after the Board's questions.

Mr. Cordova asked if the Board could approve the rest of the wall.

Chair Woods said they would see what the board says.

Mr. Cordova said the specialty window was not visible. The gothic did add to the south face - It was original and we decided that door would look good and you have pictures of it.

Questions to the Applicant

Ms. Mather went back to the wall plans submitted. #5 was the Acequia Madre elevation as proposed, and it wasn't marked.

Mr. Cordova referred to the corner.

Ms. Mather said that was #4.

Ms. Mather asked what was there now.

Mr. Rasch said there was no wall there now.

Mr. Cordova said the traffic comes very close so the owner was willing to cut off the corner for safer pedestrian traffic and a banco for people to sit on.

Ms. Mather thought the maximum wall height was 60".

Mr. Rasch said it was within 20' and could have accents higher. More than 20' from the street would be a maximum of six feet.

Mr. Cordova thought it had character whereas the long linear wall on Delgado had no character.

Chair Woods said it had a stepped wall. There was a lot going on there and going up to 7'. For her, it felt like a lot was going on at the corner.

Mr. Cordova said right now it was a chain link fence and this incorporated a safer condition with a banquito in the center portion.

Chair Woods listed six things there: rock accents, banco, stepped up wall behind and two steps to 7' and then a window in the stepped up wall.

Ms. Mather said the reason the Board often asked for windows in high walls was so the public could see the property inside. With a banco there, people would have to stand on the banco to see in there which would be against the intent.

Mr. Armijo thought a little more simplicity would help. There were too many bells and whistles. To him, it should be simpler.

Ms. Rios asked how much further in the wall would be at the corner.

Mr. Cordova said to get the visibility from the center point of the corner was approximately 15-20 feet in.

Ms. Rios thought that wall on Delgado did have character. It was a beautiful simple wall and from the history heard tonight, that was why it was contributing. If he incorporated some things the Board had for him, the better it would be.

Chair Woods said the wall from the driveway to Delgado would require an exception to change the historic fabric.

Ms. Mather was concerned about inclusion of river rock as an added feature.

She was looking at the renovated wall along Delgado, there were portions designated as contributing that would stop where the new gate was proposed. So the river rock planter would be under discussion.

Mr. Rasch said she was referring to the wrong part.

Ms. Mather considered all of the river rock to be a conjectural feature that detracted from the streetscape.

Ms. Rios asked if he could describe the vehicle gate with materials and pilasters.

Mr. Cordova said it was a rustic gate and the detail was submitted. The width was 18' and height 6 feet to the center of the arch.

Mr. Armijo asked if the gate had open or solid panels.

Mr. Cordova said they were solid.

Ms. Mather asked if the submission was a photo or a drawing.

Mr. Cordova said it was a drawing and photos and were included in the previous packet.

Ms. Mather asked if it would have lights on the sides.

Mr. Cordova agreed.

Ms. Mather asked if he had submitted the lighting design. Mr. Cordova said no.

Mr. Rasch referred to page 49 in the packet.

Chair Woods asked if, since they had the status on the wall, they could make a motion separately on the wall.

Ms. Brennan agreed and the Board agreed.

Ms. Mather asked Chair Woods if she meant all of the wall. Chair Woods agreed.

Public Comment

Ms. Beninato (previously sworn) said she used that property and was doing research on it for the house fair as an example on the tour. She knew she could go over the wall on Acequia right now. It was not five feet high. They were talking about the northwest corner. It was chest high on her on street side of Acequia Madre.

There were no other speakers from the public regarding this case.

Chair Woods reviewed the concerns of the Board.

Ms. Mather mentioned the light fixtures and character of the gate.

Ms. Rios thought the portion of the wall where pilasters were should emulate the neighbor's wall.

Mr. Armijo was concerned that the river rock should match the existing rock around the corner.

Ms. Mather asked if the Board was comfortable making a motion with all the proposed changes without having a resubmitted drawing.

Mr. Katz said his sense was that if the applicant wanted to change the contributing portion that the board should ask him to come back and address the pilasters and the rock on the northern portion, and the gate. The Board had a lot of concerns.

Chair Woods asked Mr. Cordova, because the wall on Delgado would be left the way it was or seek an exception.

Mr. Cordova said he was seeking for the gates on the non-contributing portion if they could leave the walls on Delgado but improve it moving forward. It would help.

Chair Woods asked if he would be coming back.

Mr. Cordova said it was hard to say because the owner was not present. The owner would have to

make that decision. But if you could let us continue with the rest of the wall then we could go forward. They would come back to address the mechanical portion of the project.

Mr. Rasch added that there were additional wall proposals for the west wall and the interior walls. He didn't think staff had elevations for those.

Mr. Cordova said they had the existing wall on top and the rest would be the interior wall to the front façade of Acequia Madre.

Chair Woods asked if that wall was existing.

Mr. Cordova said there was not an existing wall there now.

Chair Woods asked if he had an elevation showing what they were building.

Mr. Cordova said he did submit those elevations previously to the Board.

It wasn't on Mr. Rasch's drawings.

Chair Woods asked Ms. Brennan about it.

Mr. Armijo asked if the existing elevation showed pilasters. He pointed out that the elevation shown had no pilasters.

Mr. Cordova said that was along Delgado. The interior wall would have pilasters at 25' but not along Delgado. The wall and pilasters would be 6' high.

Mr. Rasch said the pilasters were on the inside wall.

Chair Woods thought the Board needed elevations for the submittal. It was over a hundred feet of wall.

Ms. Brennan said the elevations were required.

Chair Woods explained to him that a description or cross section wasn't enough. The Board and the public needed to see an elevation of that wall design.

Ms. Brennan clarified it just needed a typical elevation, not the entire wall.

Mr. Cordova said elevation #4 showed it and between the pilasters at six feet high.

Mr. Armijo asked if that meant no step-ups and no window wells, no rock down below.

Mr. Cordova agreed - as a typical elevation.

Chair Woods asked if that was sufficient.

Ms. Brennan said it was up to the Board but seemed really descriptive to her.

Mr. Armijo said there was a lot of confusion about which walls were inside the property line that the Board would be improving. He Board would need to highlight what walls we were approving and where they would go.

Mr. Cordova agreed and would be willing to work with Mr. Rasch and provide a complete set of drawings that conformed to the Board's standards and segregate that from the contributing walls.

Action of the Board

Ms. Rios was not comfortable making a motion without proper drawings. And typically pilasters were not included on this portion on the east side. Most of the properties on the east side didn't have pilasters. The Board had discretion on that. The Board did want to work with Mr. Cordova but he needed to have the proper drawings to approve what he was requesting. The Board couldn't try to compose the drawings. And the Board had made suggestions at the corner.

Mr. Cordova said he was asking for approval on the interior walls. The pilasters were on interior portion of the wall and since they were going at six feet, they did need pilasters.

Mr. Katz moved in Case #H-14-024 to approve the portion of the wall that was not on any street-facing portions or the corner but just on the interior west from Delgado and north from Acequia Madre as described at six feet with pilasters included at 25 feet. Mr. Armijo seconded the motion and the remainder of the proposed walls brought back to the Board.

Mr. Rasch described the portion that would be approved on the site plan.

Ms. Rios asked if that would meet the wall and fence guidelines.

Mr. Rasch agreed and none would be on the streetscape. The ends were perpendicular to the street.

The motion passed by unanimous voice vote.

Chair Woods wanted to give the applicant some direction on the rest of the wall that would come back.

Ms. Mather thought the contributing portion should be kept the same and other portions should match as much as possible with the contributing wall including the rock, the banco and the window.

Ms. Rios gave direction on the gate. Normally the Board liked to have see-through gates so it invites toward the property.

Mr. Cordova asked if that was a requirement.

Chair Woods said it was not.

Mr. Armijo suggested he tone it down and make it quainter.

Chair Woods moved on to the house portion of the application.

Mr. Cordova wanted to make sure the application was approvable.

Chair Woods said the chimney was out.

Mr. Cordova asked if it would be at 14' 7".

Mr. Katz said he was not opposed to hearing an exception. They might want to consider seeking an exception.

Ms. Rios agreed with Mr. Katz. She thought hiding the ductwork was a good idea.

Mr. Armijo said the objection was with the four foot dominance over the parapet.

Mr. Cordova asked if the Board would be comfortable if he could that to 24" above the parapet. There were satellite dishes and other things in that area and they were trying to hide everything.

Mr. Armijo asked why they even needed even two feet above it.

Mr. Cordova said he was trying to make it look more like the existing chimney on the top elevation. The ducting would have gone through the parapet in the previous submittal.

Mr. Armijo asked if he could keep at 2' over the parapet.

Mr. Cordova agreed. He was basically trying to meet both criteria.

Chair Woods said he was raising parapets and that increased the forehead over the windows and that affected the façade. The last time it showed as a big stucco wrap. The more it could be in the middle of the roof, the more it would help. He was just trying to accommodate the A/C.

Mr. Cordova agreed. The locations of mechanical units were proposed. If you look at the elevations, although raised, the aesthetic of the building was not changing.

Chair Woods didn't agree. It increased the forehead. It all was controlled by the A/C. Ceilings could be much lower and accept the unit more in the middle. That would allow the A/C to be less obtrusive.

Mr. Cordova said this was an existing house and the Board was asking them to build a new ceiling.

Chair Woods listed all of the changes being made including the new portals. She made several comments on how to work out the new design.

Mr. Armijo suggested to the applicant to use 6x18 ducts rather than 12x12.

Public Comment.

Ms. Beninato (previously sworn) said this was a long discussion on the property. She thought the portals looked really out of proportion and the proposed chimney wouldn't ever look like a chimney. There were lots of additions going on, two windows offset were gone. She assumed the Board wouldn't be voting on it tonight. The project did need drawings. She agreed with Chair Woods that there were lots of different ways to do HVAC.

Ms. Rios asked

Mr. Rasch said the new entry gate was shifting the Delgado street frontage. He didn't think the public would see the south chimney at all.

Chair Woods said on Mr. Rasch's page 3 was a list of changes and the Board's motion might address that list.

Mr. Rasch said 1 through 3 were other remodeling things, 4 was HVAC and 5 was the yardwall.

Mr. Katz moved in Case #H-14-024, at 350 Delgado, to approve #1, the proposed addition for the west elevation, the 2-car garage and storage rooms, to approve #2, the 140 sq. ft. master bedroom closet, and #3, the windows and door changes as proposed. And moved to postpone #4 and #5 as previously postponed. Mr. Armijo seconded the motion and it passed by unanimous voice vote.

2. **Case #H-14-039. 801 Abeyta Street.** Downtown & Eastside Historic District. Jay Jay Shapiro, agent for Vigil/Yablon, owners, proposes to remodel a non-contributing residential structure and a non-statused structure by increasing the parapets to the maximum allowable height of 15'11" and construct yardwalls and gates to the maximum allowable heights. (David Rasch).

Mr. Rasch gave the staff report as follows:

BACKGROUND & SUMMARY:

801 Abeyta Street was a single-family residence with a single room block that is attached to a neighboring structure. The single-family residence was constructed at approximately 1973 in a vernacular manner and it is listed as non-contributing to the Downtown & Eastside Historic District. The original

portion of this property consists of the room block. This room is in very bad condition and it has no designated historic status.

The applicant proposes to remodel the property with the following six items.

1. Both structures will be increased in height from 11' 6" and 9' 6" to the maximum allowable height of 15' 11".
2. All windows and doors will be removed and replaced with wood windows and doors that have 30" code-compliant lites and in altered opening locations and dimensions. Wood trim will be installed, but that detail was not submitted. A "Provincial" stain (medium brown) will be applied to the wood.
3. A wooden portal will be constructed at the primary front entrance with a patio that includes a barbecue,
4. A rear deck will be constructed with an iron railing.
5. A 5' 6" high wall will be constructed in the front yard to separate it from the parking area. The wall will have a flagstone cap and a bileaf wooden board pedestrian gate.
6. At the street frontage, a 4' 8" high wall will be constructed to create an entry courtyard with a pedestrian gate similar to the primary one.

STAFF RECOMMENDATION:

Staff recommends approval of this application which complies with Section 14-5.2(D)(9) General Design Standards, Height Pitch Scale and Massing and (E) Downtown & Eastside Historic District.

Mr. Rasch said he got an email from Ronnie and Jeff Thoreau at 3:38 p.m. who said they did a drive by on the Abeyta property and looked at it for the millionth time from their yard. They lived on de la Peña. "We want to point out two things. Number one, the windows shown on the north existing elevation drawing are not correct. Those windows are not at the same height. Further, they are drawn as more divided than they are currently. I also want to point out that because they are adding a window on the north facing, the streetscape is being changed on Calle la Peña and reduce our privacy. We are not objecting to that, however, just pointing it out. And number two, more importantly, the issue we came back to check on - the deck seems to still be an issue. We thought there was a ground-level deck and we said that would not be a problem. There is a ground level deck and that is fine. But there is also a roof deck. I think the roof deck is still labeled but it doesn't exist. It is being removed."

"So we were talking about their privacy on the roof deck. It was where the stairs were removed because it had a height exception but they didn't remove the label that said roof deck. And the note said there was something about it that was not visible on the drawing. So we thought number two could be left alone. It was not about the roof deck. Thanks for your help. We are trying to be reasonable. Ronnie and Jeff Thoreau."

Questions to Staff

Ms. Rios asked how close to the street the building on the right hand side was.

Mr. Rasch said it was far away from the street. He showed it on the site plan.

Ms. Rios said she was talking about the structure labeled as studio.

Mr. Rasch said that was within five feet of the street itself.

Ms. Rios asked him to describe the streetscape.

Mr. Rasch said this was a traditional narrow street with no sidewalks and buildings up to the lot line.

Ms. Mather asked if what was designated as a studio was going to be a kitchen. She asked if they had the parking spaces required for it. She thought if they were using it for a kitchen it needed two more spaces.

Mr. O'Reilly said the application was shown as a studio but the plans showed it as an accessory dwelling unit. The City would not allow it to be used as a guest house but they could use it as a true studio. It could have a bath or a kitchen but not both which would require 3 spaces on the property.

Chair Woods asked then if it didn't meet zoning what he recommended the Board should do with it.

Mr. O'Reilly said that in the packet, zoning staff prepared a preliminary zoning review. Staff were told the applicant was working to secure a legal lot of record. The requirement would also require the applicant to obtain a lot line affidavit from their neighbors allowing them to extend the building over 14' high. If those things were secured, the project could be approved as proposed.

This might be one of those projects where the only way a legal lot of record could be established was by having the legal lot of record of all surrounding properties. It wasn't a big deal but the height issue would require a lot line agreement from the neighbor. So it was the Board's choice whether to hear it or not.

Applicant's Presentation

Present and sworn was Mr. Jay Jay Shapiro, who said the building was not inhabitable at this time. The roof was caved in. His client would like to bring it back to be inhabitable within the guidelines. This was the best he could do.

Questions to the Applicant

Ms. Rios asked him to describe the architectural style.

Mr. Shapiro said the corners would be rounded. The building was attached to buildings on both sides and the wall on the left was rounded, built with concrete block and he would do away with the corner.

Ms. Rios asked to what height the interior on right would go up to.

Mr. Shapiro said the door way was 7' high and there was no door there. The vigas were about a foot above that to it probably had an 8' plate. It caved in. The whole property was less than 600 sq. ft. He just took it to the height suggested by staff.

Ms. Rios asked what the interior height was.

Mr. Shapiro said existing was 8'6" and the proposed was 9' 6". He would add a 2.5' parapet.

Chair Woods concluded that he could easily do it at 12' 6".

Mr. Shapiro said he was willing to have a height of 14'. The main structure in the back had the finished floor at 1.5 feet above grade. So if it was 13' at the front and 14' 11" on the back, it would work. He was measuring from grade.

Ms. Rios asked him to describe the windows.

Mr. Shapiro said they were traditional wood windows with true divided lights. And they would have divisions only if over 30".

Ms. Mather asked, with the state they were in, if he was going to continue using block for the back building.

Mr. Shapiro agreed and planned to foam for insulation and then stucco.

Ms. Mather asked about the studio walls.

Mr. Shapiro said he would put in a new bond beam and then a whole new roof and keep it adobe.

Public Comment

Ms. Beninato (previously sworn) said she visited this property recently and the one on the left needed a lot of work. This goes up a dirt road and looks like it ends but turns and keeps on going. That was a path before it became a street. The idea of keeping it lower was in keeping with houses there. It was a corner and would be noticeable if put at highest height.

She was concerned about lighting. The lights at Café Martin go into the sky. It was an appreciation of night sky and stars. She would just ask as a condition that lighting be directed down unless under a portal.

There were no other speakers from the public regarding this case.

Ms. Rios asked what the color of stucco and type would be.

Mr. Shapiro said it would be cementitious.

Mr. Rasch said the wood accents were stained medium brown with Adobe colored stucco.

Mr. Shapiro said he would match the stucco they were attached to which was La Luz or Adobe.

Ms. Rios asked about outdoor lighting.

Mr. Shapiro said they would just have one by the entry door and two on the yard wall for parking.

Ms. Rios asked that he work with staff on that.

Mr. Armijo asked on the north elevation how far the window was that from the corner.

Mr. Shapiro said it was definitely more than 3'.

Mr. Armijo asked what the purpose was for stacking those windows.

Mr. Shapiro said he wanted to get light and ventilation into the shower area with privacy.

Mr. Armijo asked about the same style at the entrance to the left.

Mr. Shapiro said it would be 3-light wood French doors and they wouldn't be seen.

Ms. Rios asked him to describe the pedestrian door.

Mr. Shapiro said it was 4' 2" high and wood stained dark brown.

Ms. Rios asked if anything on the roof would protrude.

Mr. Shapiro said there would be equipment but none would be seen because of a lowered ceiling there.

Chair Woods said the code called for general harmony with proportions and this was not long and low but high and recent Santa Fé style. She was glad he was willing to lower these buildings.

Mr. Shapiro agreed with the suggestions on scale.

Chair Woods asked if he still had the roof deck in the plans.

Mr. Shapiro said that was no longer in the plans.

Chair Woods asked if he proposed a kitchen and a bath in the studio.

Mr. Shapiro said he was taking out the kitchen.

Action of the Board

Ms. Rios moved to approve Case #H-14-039 at 801 Abeyta Street with conditions:

1. That the studio portion be at 12' 6" and the house at 14' height;
2. The stucco be cementitious in La Luz or Adobe;
3. That the windows be stained in brown;
4. That all window lights be true divided;
5. That it have no rooftop visible apprentice;
6. That it have no roof deck and,
7. That the corners would be rounded.

Ms. Mather seconded the motion and asked for a friendly amendment:

8. That the lighting proposed be submitted to staff for review and approval and
9. That the studio have a bath but no kitchen.

Ms. Rios accepted those amendments as friendly.

Mr. Armijo asked about the height requirement for an affidavit from the neighbor.

Mr. O'Reilly explained that because the height would be 14' or less, no affidavit would be required from a neighbor. And the setback would have been an additional 5'. The applicant would still be required to produce evidence that this was a legal lot of record.

The motion passed by unanimous voice vote.

3. **Case #H-14-040. 1230 Cerro Gordo Road, Lots 4 & 5.** Downtown & Eastside Historic District. Trey Jordan Architecture, agent for Dolores Leyba, owner, requests an historic status review of a non-contributing residential structure and a non-statused free-standing shed. (David Rasch).

Mr. Rasch gave the staff report as follows:

BACKGROUND & SUMMARY:

1230 Cerro Gordo Road Lots 4 and 5 contains a single-family residence that was constructed in 1948 and an associated free-standing shed that was constructed in the 1950s. The residence is listed as non-contributing to the Downtown & Eastside Historic District and the shed has no designated historic status.

As sworn in the owner's notarized affidavit, both buildings have undergone changes both during historic dates and non-historic dates. The 1960s changes, including the southwest portal and northeast addition to the residence and the relocation of the primary entrance to the shed, are unclear if they are historic changes. The non-historic changes, including the carport and the shed roofing, are minor changes, but changes none-the-less.

STAFF RECOMMENDATION:

Staff recommends maintaining the non-contributing status of the residence and recommends designating the shed as non-contributing.

Questions to Staff

There were no questions to Staff.

Applicant's Presentation

Present and sworn was Ms. Cashica Gauvus, 535 Camino Cabra, who said the windows had also been replaced and the size of the openings were changed.

Questions to the Applicant

There were no questions to the Applicant.

Public Comment

There were no speakers from the public regarding this case.

Action of the Board

Mr. Katz moved to maintain non-contributing status of house and shed in Case #H-14-040. 1230 Cerro Gordo Road, Lots 4 & 5. Mr. Armijo seconded the motion and it passed by unanimous voice vote.

- 4. Case #H-14-041. 1111 Paseo de Peralta. Downtown & Eastside Historic District. Thomas E. Lechner, agent for Marguerite Gordon, owner, proposes to remodel a non-contributing commercial property. An exception is requested to install divided-lites that exceed the 30" rule (Section 14-**

5.2(E)(1)(c)). (David Rasch).

Mr. Rasch gave the staff report as follows:

BACKGROUND & SUMMARY:

1111 Paseo de Peralta is a commercial structure that was constructed in the Spanish-Pueblo Revival style by combining two existing structures with additional square footage that almost doubled the massing on the west elevation between 1958 and 1966. The building is listed as non-contributing to the Downtown & Eastside Historic District.

The applicant proposes to remodel the property with the following five items.

1. All doors and windows will be removed and replaced with simulated divided-lite windows with some opening dimension and location changes. The new windows will be clad in "Polar White" a beige color and the lites will exceed the 30" rule (Section 14-5.2(E)(1)(c)) and the required exception responses are at the end of this report.
2. The slotted parapets and wood cornices with decorative headers will be removed and replaced with stuccoed parapet that continues adjacent heights.
3. Mechanical equipment with stuccoed screens that match existing height and non-publicly-visible skylights will be installed on the roof.
4. An ADA-compliant ramp and railing will be constructed at the northwest area of the building.
5. The existing wood fence at the west and south lotlines will be removed and replaced with a wrought iron fence with stuccoed pilasters to the maximum allowable height of 6'. An 11' wide bileaf vehicle gate will be installed with the same wrought iron design.

EXCEPTION TO EXCEED THE 30" GLAZING RULE

(i) Do not damage the character of the district

This exception will improve the scale of the building to the streetscape and show how this building once looked prior to the modifications done over the years.

Staff response: Staff agrees with this statement.

(ii) Are required to prevent a hardship to the applicant or an injury to the public welfare

This traditional window glass size shows how windows were enlarged as old adobes were improved with better daylighting and higher finish and continues with the character use of 2 over 2 double hung windows

with the vertical element being emphasized. By these windows with 2 over 2 configuration the traditional character would be reintroduced.

Staff response: Staff agrees that the 2-over-2 muntin pattern is traditional as historic design. However, this design element is more common on Territorial and Territorial Revival buildings than on Spanish-Pueblo Revival buildings, somewhat like this one.

(iii) Strengthen the unique heterogeneous character of the City by providing a full range of design options to ensure that residents can continue to reside within the historic districts

The hardship of the owner is being sensitive to the artistic deviation from the traditional proportions of the opening that once were and having to divide the vertical muntins with a horizontal muntins to bring the window into guideline requirements.

Staff response: Staff agrees with this statement.

STAFF RECOMMENDATION:

Staff recommends approval of the exception request to exceed the 30" rule for window glazing (Section 14-5.2(E)(1)(c)) and otherwise recommends approval of this application which complies with Section 14-5.2(D)(9) General Design Standards, Height Pitch Scale and Massing and (E) Downtown & Eastside Historic District.

Questions to Staff

Ms. Mather asked what the stucco color and type was.

Mr. Rasch said it was traditional cementitious in a Buckskin custom color.

Ms. Mather asked if the vehicle gate was an open design. She couldn't tell from the drawing.

Mr. Rasch agreed. It was a wrought iron gate.

Chair Woods asked about "Polar White" if it was not beige.

Mr. Rasch said he questioned that as well.

Applicant's Presentation

Present and sworn was Mr. Stephen Merdler who had nothing to add to staff report.

Questions to the Applicant

Chair Woods - was Polar White a beige color.

Mr. Merdler said it was a manufacturer's color designation. He didn't know what the color was.

Mr. Rasch showed a sample of the color.

Chair Woods accepted it.

Mr. Merdler thought the proposal was complete. He reviewed it with the owner and architect.

Ms. Rios asked if it would have anything on the roof.

Mr. Merdler said there would be HVAC equipment and would be no higher than the parapet on the north elevation. It was shown on the site plan. It was an interior parapet toward the left (northwest) side that would be new.

Ms. Mather commented that she was pleased that this building was being given a little love and the window at the back of the property. It would now have some style.

Regarding the fence she assumed one could see through the vehicular gate.

Mr. Merdler agreed.

Public Comment

Ms. Beninato (previously sworn) had a concern with the duct work on the roof. It was hard to see what direction it was going. One was facing the street and it would be unfortunate if the Board approved it. Also she thought the lighting should be down lighting and not just submitted to staff. Many people were violating the night sky ordinance there.

There were no speakers from the public regarding this case.

Chair Woods said in looking at the third and fourth elevation, there were stepped down walls on either side. She asked if that was new or existing.

Mr. Merdler said it was existing.

Ms. Rios asked if the rooftop screening was closer or further from the street.

Mr. Merdler said it was set back from the west side. The parapet would be stuccoed there.

Action of the Board

Ms. Mather moved to approve Case #H-14-041 at 1111 Paseo de Peralta per staff recommendations and the following conditions:

- 1. That the stucco be El Rey custom color,**
- 2. That the gate be wrought iron,**
- 3. That the windows be Polar White and**
- 4. That it have no visible rooftop appurtenances.**

Ms. Rios seconded and added that the exception was accepted.

Chair Woods asked for a friendly amendment that the color be Polar White or the color of the sample submitted.

Ms. Mather accepted the amendment as friendly and the motion passed by unanimous voice vote.

Mr. Rasch apologized that the label came loose and it said Poplar White.

- 5. Case #H-14-042. 335 Magdalena Street. Downtown & Eastside Historic District. Jay Jay Shapiro, agent for Susanna Mudge, owner, proposes to remodel a non-contributing residential property. (David Rasch).**

Mr. Rasch gave the staff report as follows:

BACKGROUND & SUMMARY:

335 Magdalena Street is a single-family residence in a compound that was constructed in the Spanish-Pueblo Revival style in the late 20th century. The building is listed as non-contributing to the Downtown & Eastside Historic District.

The applicant proposes to remodel the property with the following three items.

1. The existing second floor roof deck will be accessed by two new entries, one as a staircase from the north courtyard attached to an existing fireplace and the other as a "walk over" from the northwest corner of the roof deck to the adjacent second floor expansion of 337 Magdalena.

2. The existing courtyard wall that separates 335 from 337 will be altered.

3. The existing courtyard entry gate in the east wall from the parking area will be infilled with wall and a bileaf pedestrian gate will be installed in the north wall. Design elevations are not submitted.

On the site plan he clarified the three items.

STAFF RECOMMENDATION:

Staff recommends approval of this application with the condition that the Board clarify the gate design and materials. Otherwise, this application complies with Section 14-5.2(D)(9) General Design Standards, Height Pitch Scale and Massing and (E) Downtown & Eastside Historic District.

Questions to Staff

Ms. Rios asked if she understood the walk over was from one second story to another second story.

Mr. Rasch agreed. 335 had two existing roof decks, one on top of the first floor and one on top of the second floor but this was from one second floor deck to the other second floor deck.

Ms. Rios asked what its length was.

Mr. Rasch was not sure but probably 10 -15 feet.

Ms. Mather asked where the elevations in the report were.

Mr. Rasch showed it on the proposed west elevation and the proposed east elevation.

Ms. Mather said she was just confused by the application.

Mr. Rasch explained that it was submitted as one case but he had to split them by address.

Applicant's Presentation

Present and previously sworn was Mr. Jay Jay Shapiro who said this project originally was a family compound and two sisters bought the units. So that was why they wanted it connected with a roof deck like one big house.

Questions to the Applicant

Chair Woods was confused with the east elevation that showed the stair case around the fireplace. She asked if it was being built out of wood or stuccoed, or what. She asked if it was built on something existing or by adding something below.

Mr. Shapiro said 335 had two roof decks on two different levels. The only way to do it was through the master bedroom and they wanted access without going through the bedroom so they added a stairway around the fireplace to get to the lower deck.

Mr. Shapiro it would be wooden stairs to match the existing wood.

Chair Woods said on the proposed west elevation she didn't see where the wooden rail was shown.

Mr. Rasch noticed that two pages were missing from the packet.

Chair Woods asked Mr. O'Reilly how close the wood stairs was to the chimney. She was concern about the safety there.

Mr. O'Reilly said the IBC code would be checked at the time of building permit and would require and make sure it had adequate separation.

Chair Woods looked at the pages not in the packet and saw a stairway from the second to the third story.

Mr. Rasch clarified that was existing.

Mr. Shapiro said it was a steep stairs like a ladder there now and they proposed to build a more conventional stairs there.

Mr. Rasch put the new page on the overhead projector.

Mr. Shapiro explained the stairs that was there and the new design.

Ms. Mather asked to see the courtyard gate.

Mr. Rasch showed it. It was part of 337.

Ms. Rios asked about visibility.

Ms. Rios thought it would be visible from the other side of Washington.

Mr. Shapiro said Washington was 30' below this property and the Scottish Rite Building would hide it.

Ms. Mather asked about the material of the stairs.

Mr. Shapiro said all would be wood and dark stained to match the rest of the house.

Public Comment

Ms. Beninato (previously sworn) said she couldn't see much difference in those two elevations except for the gate. She was also concerned about wood around the fireplace and IBC might make it look different than what the Board saw in the plan.

There was a big disconnect between building inspectors and HDRB so she asked for a condition for fireproofing it going to staff to see what was different that might have to come back to staff.

Present and sworn was Mr. Lorenzo Delgado, 4 Broken Rock Place, who clarified that the proposed north elevation effectively had two elevations. The first would show the entry gate from Magdalena Street where it descended about 8' and more down to Washington so he couldn't imagine that any of it would be

publicly visible. The proposed gate elevation showed you would see 335 looking south and the north elevation would take that wall away to reveal the courtyard and the stairway around the fireplace.

There were no other speakers from the public regarding this case.

Ms. Mather asked Mr. Rasch if they saw where the walk over was on the site visit.

Mr. Rasch said it connected the lower roof deck over behind the Spruce tree to a new roof deck. Where it connects was part of the next case. He thought it was stuccoed.

Mr. Shapiro said they would use the same railing detail which was heavy timber. All the railings were like on the proposed south elevation. Also look at existing on existing north elevation.

Ms. Mather noted it said it was a 42" stuccoed wall.

Mr. Shapiro apologized and said they would do 42" of it stuccoed. He would stick with the stucco.

Chair Woods said they were different on the missing pages.

Mr. Armijo agreed. It didn't match what was shown.

Chair Woods added that the staircase didn't show it as high as the handout showed. Something would have to change.

Mr. Shapiro believed He could make it so it would pass. He would make it out of masonry to match the fireplace if the Board would like.

Chair Woods pointed out that the two drawings were not consistent.

Mr. Shapiro thought photographs would help but the Board could table it if they preferred.

Mr. Shapiro pointed out the high roof deck on top in a photograph.

Mr. O'Reilly said if the Board decided to postpone, he could have the chief building inspector clarify it for the Board.

Action of the Board

Ms. Mather moved to postpone Case #H-14-042 at 335 Magdalena Street for drawings that were consistent and the opportunity to correct any possible violations. Ms. Rios seconded the motion and it passed by unanimous voice vote.

Mr. Armijo commented that the Board could approve it only with a full set of plans to review.

- 6. Case #H-14-043. 337 Magdalena Street.** Downtown & Eastside Historic District. Jay Jay Shapiro, agent for Beca Mudge, owner, proposes to remodel a non-contributing residential property and requests a height exception from the maximum allowable height of 19'11" to 25'9" (Section 14-5.2(D)(9)). (David Rasch).

Mr. Rasch gave the staff report as follows:

BACKGROUND & SUMMARY:

337 Magdalena Street is a single-family residence in a compound that was constructed in the Spanish-Pueblo Revival style in the late 20th century. The building is listed as non-contributing to the Downtown & Eastside Historic District.

The applicant proposes to remodel the property with the following three items.

1. A second-story addition with roof deck on the west elevation will be constructed to a height of 25' 9" where the maximum allowable height is 19' 11". The roof deck will; have a wooden balustrade. This deck will extend over the roof and connect to the adjacent "walk over" at 335 Magdalena. The addition will have setbacks from the first floor except for a small area on the south elevation which will not be publicly-visible.
2. A 3-bay carport will be constructed to a height of 10' on the east elevation, which will also give relief to the proposed second floor addition. The carport addition had low arched openings and an exception had not been requested to construct nonfunctional arches (Section 14-5.2(E)(1)(a)).
3. A small deck at grade on the west elevation will be surfaced with rock and a wooden balustrade along with a slight room expansion to the south area of this deck.

EXCEPTION TO EXCEED MAXIMUM ALLOWABLE HEIGHT

- (I) Do not damage the character of the streetscape

It will not damage the character of the streetscape, as there are several 2-story residences, directly adjacent to this structure. Further, the building in question, is considerably lower in elevation than the street elevation.

Staff response: Staff agrees with the first statement, due to the construction of these buildings before the historic districts height ordinance. But, staff believes that the building in question is considerably higher in elevation than Bishop's Lodge Road.

(ii) Prevent a hardship to the applicant or an injury to the public welfare

The addition that we are proposing wouldn't be consistent with the other residences in the compound, and building on the ground level would encroach upon the open space.

Staff response: Staff agrees with this statement.

(iii) Strengthen the unique heterogeneous character of the city by providing a full range of design options to ensure that residents can continue to reside within the historic districts

It is consistent with the majority of adjacent buildings, and will provide a more pueblo style look, as the structure is a single floor residence presently.

Staff response: Staff agrees with this statement.

(iv) Are due to special conditions and circumstances which are peculiar to the land or structure involved and which are not applicable to other lands or structures in the related streetscape

The existing structure is on a lot that has severe slopes, so it would be impossible to add the needed space. If an average grade was used, we would be well within the 19' 11" height limitation and would not need the exception.

Staff response: Staff agrees with the second statement, but we do not measure height of structures from average grade.

(v) Are due to special conditions and circumstances which are not a result of the actions of the applicant

The existing slope is original and not a condition created by the Owner.

Staff response: Staff agrees with this statement.

(vi) Provide the least negative impact with respect to the purpose of this section as set forth in Subsection 14-5.2(A)(1)

The exception is completely consistent with the general purposes of the historic district. The style will not change and is in total harmony with the preservation of historical areas, and historical style. We believe that this alteration will help to increase the historical harmony, regarding proportion and symmetry.

Staff response: Staff agrees with this statement.

STAFF RECOMMENDATION:

Staff recommends approval of the height exception request and recommends approval of the application which otherwise complies with Section 14-5.2(D)(9) General Design Standards, Height Pitch Scale and Massing and (E) Downtown & Eastside Historic District with the condition that the arches at the carport shall be redesigned with horizontal headers or an exception shall be requested for the arches.

Questions to Staff

Mr. Armijo asked if the applicant was notified to set up story poles.

Mr. Rasch said he wasn't.

Mr. Armijo said the Board decided that staff would ask for that on all requests for height exceptions.

Mr. Rasch apologized and said he forgot that they were doing that now.

Mr. Armijo said story poles would help the Board see what the height would look like.

Ms. Mather referred to page 10, #4 - proposed bedroom area, and asked if those were French doors.

Mr. Shapiro agreed they were French doors.

Mr. Rasch said for some reason this drawing didn't look like the final door design.

Mr. Shapiro said they made that revision and submitted it. It would meet the three feet rule.

Mr. Rasch said that was in the drawings that didn't make it into the packet.

Mr. Rasch found the drawing and shared it with the Board.

Applicant's Presentation

Mr. Shapiro had nothing more to present.

Questions to the Applicant

Chair Woods said there were no story poles at this time.

Mr. Rasch pointed out the bedroom addition no longer had four windows on it.

Mr. Armijo's concern was not having story poles.

Public Comment

There were no speakers from the public regarding this case.

Action of the Board

Mr. Armijo moved to postpone Case #H-14-043 at 337 Magdalena Street and request story poles and the proper packet with revised drawings. Mr. Katz seconded the motion.

Chair Woods said the Board would likely ask for elimination of the arches.

Ms. Mather said it either needed a new drawing or request for an exception. Mr. Armijo accepted that as friendly and the motion passed by unanimous voice vote.

Chair Woods would like to see if a computer could superimpose the stairway on a photograph.

Mr. Shapiro said he could do that.

Mr. Shapiro said they had no problem putting heavy timber instead of the arch to match the rest of the building.

Mr. Armijo recused himself from the next case and left the bench.

- 7. Case#H-14-033. 359 Garcia Street.** Downtown & Eastside Historic District. Will McDonald, agent for Jenny French, owners, proposes to construct a 50 sq. ft. arbor to a height of 8' and install a brown cloth awning on the south elevation of a contributing residential structure. (David Rasch).

Mr. Rasch gave the staff report as follows:

BACKGROUND & SUMMARY:

359 Garcia Street is a single-family residence that was constructed in the Spanish-Pueblo Revival style during the 1920. The building is listed as contributing to the Downtown & Eastside Historic District with the west and south elevations recommended as primary.

The applicant began to remodel the property without approval or a construction permit and now proposes to remodel the property with two items.

1. A steel-framed brown-canvas awning was installed over character-defining stained glass windows on the south elevation. The awning is an easily reversed treatment and should not be considered as an addition. Therefore, an exception is not needed for this request.
2. A 50 square foot x 8' tall arbor was installed in the front yard. It is simply constructed with wooden timbers and has a sloped pergola roof.

STAFF RECOMMENDATION:

Staff recommends approval of this application which complies with Section 14-5.2(C) Regulation of Contributing Structures, (D) General Design Standards, and (E) Downtown & Eastside Historic District.

Questions to Staff

Ms. Mather asked if there was any practical reason for the slope.

Mr. Rasch said there was none in his opinion.

Applicant's Presentation

Present and sworn was Mr. Will McDonald, 488 Arroyo Tenorio, who said his clients put on that arbor and they were told by Mr. Moquino that they would have to come to the Board. He didn't have anything to do with it. The slope on the arbor was to support the wisteria. He believed it was just to have it lower on the side to the driveway to make it less prominent.

Questions to the Applicant

There were no questions to the Applicant.

Public Comment

There were no speakers from the public regarding this case.

Action of the Board

Ms. Rios moved for approval of Case#H-14-033 at 359 Garcia Street as staff recommended. Ms. Mather seconded the motion and it passed by unanimous voice vote except for Mr. Armijo who had recused himself.

Mr. McDonald asked the Board to please get help for Mr. Rasch. He was overworked and that was why things come in the way they did. Maybe we could find a way to make that happen.

Mr. Armijo returned to the bench after the vote was taken.

- 8. Case #H-14-035. 557 San Antonio Street.** Downtown & Eastside Historic District. Anne Gallagher, agent for Farquar Holdings, LLC, owners, proposes to replace a wire fence with a 5' and 6' tall coyote fence on the east and south lotlines and a 4'6" tall coyote fence and coyote vehicle gate on the west side of a non-contributing property. (David Rasch).

Mr. Rasch gave the staff report as follows:

BACKGROUND & SUMMARY:

559 San Antonio Street is a single-family residence and free-standing guest house with carport that were constructed in 1977 in the Spanish-Pueblo Revival style. The buildings are listed as non-contributing to the Downtown & Eastside Historic District.

The applicant began construction of coyote fence elements without permission or a construction permit and now proposes to remodel the property with the following three items.

1. A 4' high square wire fence that encloses the south and east sides of the lot will be removed and replaced with irregular top coyote fencing at 6' high along the south and part of the east lotline and at the maximum allowable height of 5' along the San Pasqual Street frontage.
2. A 4.8' high x 12' wide vehicle gate was installed at the driveway. The latillas were cut-flat with an even height along the tops.
3. A 4.6' high x 9.3' wide coyote fence was installed on the west side of the property. The latillas are widely-spaced and have flat-cut tops are vary in height very slightly.

STAFF RECOMMENDATION:

Staff recommends approval of this application with the condition that the coyote fence vehicle gate shall have irregular top latillas in harmony with traditional design. Otherwise, this application complies with

Section 14-5.2(D)(9) General Design Standards, Height Pitch Scale and Massing and (E) Downtown & Eastside Historic District.

Questions to Staff

Ms. Mather asked on #3 if Mr. Rasch if the fence was okay if it didn't vary so much.

Mr. Rasch said the interior coyote fence was not a concern but the other one on the street was.

Applicant's Presentation

Present and sworn was Ms. Anne Gallagher, 557 San Antonio Street, who apologized. She said she had no idea she needed to come here. She also understood the concerns on the coyote fence.

Chair Woods said the fence was not Cedar but Spruce so to try to make it irregular would look kind of silly.

Questions to the Applicant

There were no questions to the Applicant.

Public Comment

There were no speakers from the public regarding this case.

Action of the Board

Ms. Mather moved to approve Case #H-14-035 at 557 San Antonio Street as proposed and as built. Mr. Katz seconded the motion and it passed by unanimous voice vote.

H. COMMUNICATIONS

There were no communications.

I. MATTERS FROM THE BOARD

Mr. Katz asked Mr. O'Reilly when the City would get Mr. Rasch some help.

Mr. O'Reilly said Mr. Rasch had help currently. The Land Use Director was in the HP Division and there were plans for a temporary UNM intern and a request for three additional staff was made to Council.

Staff recently conducted interviews for replacement of Mr. Murphey and they hoped to hire someone very soon. These actions were already underway long ago before anyone started writing letters or speaking publicly about it.

Chair Woods said Mr. Rasch had done a great job but it was time for him to have help.

Mr. Rasch said he had done better when they were more fully staffed.

Mr. O'Reilly added that the Land Use Department was also short staffed and not funded for more staff.

Mr. Armijo said he had been around City permitting for years and Mr. Rasch and Mr. O'Reilly were up against it. More staff would be greatly appreciated.

Chair Woods said money was generated from new buildings. So having vacancies for these departments was tough to understand.

Mr. O'Reilly said there were two types of departments. Some were enterprise funds and then there were departments funded by the General Fund. Land Use was one of those funded by General Fund.

The City allowed no earmarking for any revenue the Land Use Department brings in. All of those fees went into the General Fund. This was the first time staff were able to even suggest upgrades. The request for new software was denied and staff numbers had been cut every year since the recession.

So they cobbled things together. In HPD one staff member was scavenged from another department. We would see what happens and what the Governing body wants to do.

He didn't think this was a time to raise construction fees and it wouldn't come to this department anyway. Councilor Ives had tried to add more funds.

Chair Woods said for her last permit she had to pay \$23,000 for the permit. It wasn't peanuts.

Mr. O'Reilly said not all of that was the impact fee. There were fees for water and other things included. Our permit fees haven't been raised for six years. This was just a very difficult situation we find ourselves in and how the City allocated them was not related. He had never gotten what he asked for. This was the lowest staffing the department could handle. He hoped to get some excellent staff in HPD soon.

J. ADJOURNMENT

The meeting was adjourned at 8:42 p.m.

Approved by:


Sharon Woods, Chair

Submitted by:


Carl Boaz for Carl G. Boaz, Inc.