



Agenda

CITY CLERK'S OFFICE

DATE 8.7.14 TIME 4:50pmSERVED BY John M. CullyRECEIVED BY Carmelina Spears

HISTORIC DISTRICTS REVIEW BOARD FIELD TRIP

TUESDAY, August 26, 2014 at 12:00 NOON

HISTORIC PRESERVATION DIVISION, 2nd FLOOR CITY HALL

HISTORIC DISTRICTS REVIEW BOARD HEARING

TUESDAY, August 26, 2014 at 5:30 P.M.

CITY COUNCIL CHAMBERS

- A. CALL TO ORDER
- B. ROLL CALL
- C. APPROVAL OF AGENDA
- D. APPROVAL OF MINUTES: August 12, 2014
- E. FINDINGS OF FACT & CONCLUSIONS OF LAW

Case #H-12-103 421 Apodaca Hill
 Case #H-13-100 603 Garcia Street
 Case #H-14-059 331 Sanchez Street
 Case #H-14-061 241 Delgado Street
 Case #H-14-062 918-F Acequia Madre
 Case #H-14-064 522 Johnson Lane
 Case #H-14-065 200 West de Vargas Street

Case #H-14-067 14 Montoya Circle
 Case #H-14-068 525 ½ Palace Avenue
 Case #H-14-069 1005 East Alameda Street
 Case #H-14-070 644 Canyon Road #4
 Case #H-14-060 1212 ½ Canyon Road
 Case #H-14-063 1150 Camino Cacto
 Case #H-14-066 418 & 422 Abeyta Street

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

1. Case #H-14-032. 929 Canyon Road. Downtown & Eastside Historic District. Caliente Properties, agent for Dwight & Louise Gonzales, owners, proposes to construct a 3,306 sq. ft. single-family residence to a height of 16'6" where the maximum allowable height is 17' on a vacant lot. (David Rasch).
2. Case #H-14-048. 436 W. San Francisco Street. Westside-Guadalupe Historic District. Tim Curry/Design Solutions, agent for Rick Hardin, owner, proposes to remodel the courtyard of a significant commercial property including the construction of an 10' high pergola with a fireplace and a banco and altering and constructing yardwalls and fences. (David Rasch).
3. Case #H-11-105. 237 & 239 East de Vargas Street. Downtown & Eastside Historic District. Duty & Germanas Architects, agent for El Castillo Retirement Residence, owner, proposes to paint or screen roof-mounted mechanical equipment and to screen a hot box with a coyote fence and gate on a contributing commercial structure. An exception is requested to exceed the maximum allowable height to construct screening to block public view of rooftop appurtenances (Section 14-5.2(D)(9)). (David Rasch).

4. Case #H-14-030. 1049 and 1051 Camino San Acacio. Downtown & Eastside Historic District. Gabriel Browne, agent/owner, Proposes to remodel a non-contributing structure, including increasing the height to 21' on a sloping site where the maximum allowable height is 15'11". A height exception is requested (Section 14-5.2(D)(9)). (David Rasch).
5. Case #H-14-031. 607 Webber Street. Don Gaspar Area Historic District. Stephen Machen, agent for Stephen and Meredith Machen, owners, proposes to install solar panels on the pitched roof of a non-statused property. An exception is requested to install publicly-visible rooftop appurtenances (Section 14-5.2 (D)(3) and (H)(1)(C)). (David Rasch).
6. Case #H-14-073. 918 C Acequia Madre. Downtown and Eastside District. Martinez Architect Studio, agent for David Muck and Cole Martelli, owner, proposes to construct a 3,507 sq. ft. residence on a vacant lot to the maximum allowable height of 14- 10". (Section 14-5.2 (D)(9)) (Lisa Roach)
7. Case #H-14-074. 841 El Caminito. Downtown and Eastside District. Justin Young, agent for Ricardo Mazal, proposes to remodel an existing non-contributing residence by constructing two portals, raising the street facing yard wall to the maximum height of 6' and replacing two street facing pedestrian gates. (Section 14-5.2 (D)(9)). (Lisa Roach)
8. Case #H-14-072. 637 Garcia Street. Downtown and Eastside District. Doug McDowell agent for Helen and Bill Rogers, owners, proposes to construct a 4,015 sq. ft. residence to a height of 21' where the maximum height is 14'6". A height exception is requested (Section 14-5.2 (D)(9)). (Lisa Roach)

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.

SUMMARY INDEX
HISTORIC DISTRICTS REVIEW BOARD
August 26, 2014

ITEM	ACTION TAKEN	PAGE(S)
C. Approval of Agenda	Approved as amended	1-2
D. Approval of Minutes August 12, 2014	Approved as amended	2-3
E. Findings of Fact & Conclusions of Law	Approved as amended	3-4
F. Matters from the Floor	None	4
G. Action Items		
1. <u>Case #H-14-032</u> 929 Canyon Road	Approved with conditions	4-9
2. <u>Case #H-14-048</u> 436 W. San Francisco	Approved with conditions	9-11
3. <u>Case #H-11-105</u> 237 & 239 East DeVargas Street	Approved with conditions	35-48
4. <u>Case #H-14-030</u> 1049 & 1051 Camino San Acacio	Approved with conditions	12-17
5. <u>Case #H-14-031</u> 607 Webber Street	Approved with conditions	18-22
6. <u>Case #H-14-073</u> 918 C Acequia Madre	Approved with conditions	23-25
7. <u>Case #H-14-074</u> 841 El Caminito	Approved as presented	25-27
8. <u>Case #H-14-072</u> 637 Garcia Street	Approved with conditions	27-35
H. Communications	Policy Statement	48
I. Matters from the Board	Discussion	48
J. Adjournment	Adjourned at 8:50 p.m.	48

MINUTES OF THE
CITY OF SANTA FÉ
HISTORIC DISTRICTS REVIEW BOARD

August 26, 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
Mr. Bonifacio Armijo
Mr. Edmund Boniface
Mr. Frank Katz
Ms. Christine Mather

MEMBERS ABSENT:

Mr. William Powell [excused]
Ms. Cecilia Rios, Vice Chair [excused]

OTHERS PRESENT:

Mr. David Rasch, Historic Planner Supervisor
Mr. Zach Shandler, Asst. City Attorney
Ms. Lisa Roach, Senior Historic Planner
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. Mather moved to approve the agenda as presented. Mr. Boniface seconded the motion.

Mr. Armijo requested that Case #H-11-105 could be moved to be the last case.

Mr. Rasch asked that Case #H-14-065 Findings be deleted from the agenda. There were no findings for that case because there was no hearing on it and 237 & 239 E. DeVargas was to be moved to the last position.

In response to Chair Woods, Mr. Armijo said it was the Board's practice when things were not done according to the Board approvals that they would be heard later in the agenda. Mr. Rasch agreed.

Mr. Boniface made a substitute motion to approve the agenda as amended. Ms. Mather seconded the motion and it passed by unanimous voice vote.

D. APPROVAL OF MINUTES: August 12, 2014

Ms. Mather requested the following changes to the minutes of August 12, 2014:

On page 4, it should say that Ms. Mather asked if the stringers would be on the inside as opposed to ~~storm windows~~.

On page 5 it should say that she asked if the stone would match natural stone of the pilasters.

On page 7, in Action of the Board, it should say that the tops be very ~~much~~ irregular.

On page 8, in Questions to Staff, it should say, "Ms. Mather said when the Board was there ~~three~~ on the site visit."

On page 23 it should say, "Ms. Mather asked if the glass could be neon green" (not non-green) and was a failed joke.

On page 43, in Matters from the Board, it should say, "Ms. Mather said she would be absent from the meetings on September 23 and October 28."

Mr. Armijo requested a change on page 13 where it should say, "Mr. Armijo explained that he would abstain from voting because his father's property is adjacent to that property."

Ms. Roach requested a change on page 19 under Action of the Board where part of the motion should say, "...per staff recommendations with the condition that ~~clad windows and~~ shutters be more Territorial in style and that the gate be wrought iron ~~natural~~." And later in the motion, "with nothing publicly visible on the rooftop."

Mr. Boniface moved to approve the minutes of August 12, 2014 as amended. Ms. Mather seconded the motion and it passed by unanimous voice vote except that Mr. Katz abstained.

E. FINDINGS OF FACT & CONCLUSIONS OF LAW

- Case #H-12-103 421 Apodaca Hill**
- Case #H-13-100 603 Garcia Street**
- Case #H-14-059 331 Sanchez Street**
- Case #H-14-061 241 Delgado Street**
- Case #H-14-062 918-F Acequia Madre**
- Case #H-14-064 522 Johnson Lane**
- Case #H-14-065 ~~200 West de Vargas Street~~ [Deleted]**
- Case #H-14-067 14 Montoya Circle**
- Case #H-14-068 525 ½ Palace Avenue**
- Case #H-14-069 1005 East Alameda Street**
- Case #H-14-070 644 Canyon Road #4**
- Case #H-14-060 1212 ½ Canyon Road**
- Case #H-14-066 418 & 422 Abeyta Street**
- Case #H-14-063 1150 Camino Cacto**

Chair Woods said the Findings for Case #H-14-063 should include that Board's recommendation that the driveway be curved. That should have been shown in the motion. It was not required but it was a recommendation.

Mr. Shandler asked if it was the driveway or the wall.

Chair Woods said she meant to say wall, not driveway.

Chair Woods said on Case #H-12-103 at 421 Apodaca Hill, it said it was a stringer on the wall but should have said fence instead of wall. It should also be clear that no coyote post could exceed the

maximum height.

Mr. Shandler said on that particular case it was part of the option but if the Board wanted that as a standard practice he could always add that.

Chair Woods encouraged the Board to be consistent about that on coyote fences.

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

F. BUSINESS FROM THE FLOOR

There was no business from the floor.

G. ACTION ITEMS

1. **Case #H-14-032. 929 Canyon Road.** Downtown & Eastside Historic District. Caliente Properties, agent for Dwight & Louise Gonzales, owners, proposes to construct a 3,306 sq. ft. single-family residence to a height of 16'6" where the maximum allowable height is 17' on a vacant lot. (Lisa Roach).

Ms. Roach gave the staff report as follows:

BACKGROUND & SUMMARY:

929 Canyon Road is an 8,302 square foot vacant lot located behind a non-contributing residence with street frontage on Canyon Road in the Downtown and Eastside Historic District. On August 27, 2013 the Historic Districts Review Board (HDRB) approved an application to demolish a non-contributing garage on this property. On May 27, 2014, the HDRB postponed action on a proposal to construct a 3,306 square foot single-family residence in the Spanish-Pueblo Revival Style to a height of 16'6" where the maximum allowable height is 17'. On July 8, 2014, the HDRB postponed action on the same proposal, because the floorplan did not match the elevations.

Now, the applicant has submitted revised plans that incorporate the Board's advice and that include a floorplan that matches the elevations. The building will feature room-block massing with rounded corners and edges, a decorative wooden eyebrow over the garage door, and a covered porch with corbel-like brackets. The building will be stuccoed in a synthetic material of "Deer Skin" color with "Desert Sand" as the trim color. Light fixtures are stated as ceramic fixtures, but designs were not submitted.

Other site improvements include the replacement of a wire fence at the west lotline with a 6' high stuccoed yardwall, the construction of a 6' high stuccoed yardwall between the front and rear lots with a 20' sliding

vehicle gate of unknown material, and the relocation of vehicular access through the existing yardwall at the street-frontage of the existing residence to the east end of the yardwall for the purposes of a shared driveway with no gate. The existing driveway gate will be removed and the area infilled with stuccoed block wall. This yardwall will step down to 3' high at both sides of the new vehicular access to meet driveway visibility standards.

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 and Eastside Historic District.

Questions to Staff

Ms. Mather asked if Ms. Roach could give a description of the decorative wooden eyebrow.

Ms. Roach said the eyebrow was located on the east elevation and that it appeared to be an exposed wooden lintel above the garage door opening.

Ms. Mather noted on this building an instance of glass block and asked what the ordinance said about using glass block in this district.

Ms. Roach believed it said that traditional materials will be used.

Mr. Rasch quoted from the Recent Santa Fé Style code that it was intended to retain traditional style in material, proportion, colors and general detail.

Applicant's Presentation

Present and sworn was Mr. Avelino Moya, 5619 Mariola Place NE, Albuquerque, who said he had nothing to add to staff report.

Questions to the Applicant

Mr. Boniface asked Mr. Moya to describe the eyebrow over the garage door, including its material, dimensions, and how far out it extended.

Mr. Moya said it stuck out about 14." The point was to protect the garage door when it rains and for him to install some lights pointing down there at the garage door entrance in an unobtrusive manner. That was the point.

It would be stuccoed but with a board that appears to be a lintel but that will be hollow for the recessed

lighting. It was an effort to keep it in the style of southwestern architecture.

Mr. Boniface asked if the vehicle gate had openings to describe them and the color of the gate.

Mr. Moya asked his contractor to address the question.

Present and sworn was Mr. Jose Gonzales, 45 Calle Volver, who said it would be an iron slider gate with paint about 20' wide. He explained that the City required that the width be 20'.

Mr. Boniface asked about its color.

Mr. Gonzales said it would be a brown "copperish" color.

Chair Woods said the Board could not approve anything that was not shown in elevation and he would have to return for that.

Mr. Rasch showed an elevation with the vehicle gate at the end.

Mr. Moya said it was a baked powder coat and color was called "hammered copper" to give a rustic aged appearance.

Mr. Boniface asked if it was a dark color. Mr. Gonzales agreed.

Mr. Boniface said in the drawing it looked like it had vertical pickets.

Mr. Moya agreed. They were 2" square.

Mr. Boniface asked how far apart they would be placed.

Mr. Gonzales said they would 5" apart with a screen behind them.

Mr. Boniface asked how tall the gate would be.

Mr. Gonzales said it would be 6' tall and 20' long.

Mr. Rasch wanted to know about the screen.

Mr. Gonzales said it was an iron screen. He said he had the same gate at my home.

Mr. Moya said it was wire mesh at a quarter inch in diameter.

Mr. Boniface said the Board had a problem approving the things they couldn't see for details. He was at a point where if it was approved, the Board would want him to come back with drawings and more information on the gate.

Mr. Boniface asked if there was any rooftop mechanical equipment.

Mr. Moya said they would and it would be behind screen walls and not visible from the street.

Chair Woods asked where the screen walls were shown on the elevations and whether they were higher than the parapet.

Mr. Moya said the equipment was low profile and would stand up no more than 2' and protected by a screen wall and would not be visible from the street.

Chair Woods said he would have to show them on the elevations.

Mr. Moya didn't know if they were shown.

Mr. Rasch said they were not. The Board didn't have the roof plan.

Mr. Moya got the drawings for the roof plan but had no copies for the Board.

Mr. Rasch said the existing height was 16' 6" and the maximum height was 17'.

Chair Woods said this wasn't going to work. The Board needs to see an elevation of anything higher than the roof.

Mr. Moya said the parapet walls were higher at any elevation than the mechanical units they had. The parapet walls would block any view of mechanical equipment. And beyond that, he was going to put a screen wall around the units. So this was an accurate view of the house. He said the parapet will not be higher than the screen walls and the equipment would not be higher than the parapets.

Chair Woods asked then why he needed screen walls.

Ms. Roach asked if the equipment would be screened by the parapet walls.

Mr. Moya explained that the equipment would be in the middle of the building so he would put screen walls around it so that for people coming from higher elevation they would not see the equipment.

Chair Woods asked if the screen walls were higher than the parapet.

Mr. Moya said no and the screen walls would be stuccoed. The other reason for screen walls was to protect the units.

Mr. Armijo asked if on the portal there was exposed wood with a carved out pattern on the corbels, posts and beam and the same with the garage header.

Mr. Moya said they were solid wood with no pattern; no carvings.

Ms. Mather asked about the use of glass block. She thought she saw one entire window of glass block on the north elevation. She asked if the two little ones were also glass block.

Mr. Moya said it was a shower inside and he could delete it if necessary.

Ms. Mather said in this district it was not harmonious.

Chair Woods asked if there was any other glass block besides the north elevation.

Mr. Moya said there were some high up in the kitchen and he could delete those too. It was whatever the Board wanted him to do.

Ms. Mather said there were little light fixtures by the doors and wondered what was planned.

Mr. Moya said they would be ceramic scones stucco colored to match and with the light shining down.

Ms. Mather said the Board would probably ask that those be brought to staff.

Mr. Armijo asked what the stucco would be.

Mr. Moya said the stucco was Bar X, Deerskin. The sample was in the packet.

Mr. Gonzales clarified that the stucco was produced by El Rey and it was like STO.

Chair Woods had a concern with the 2x6 framing and wanted to know about the inset of the windows. She was concerned about that reveal since there was no trim and they were rolling the stucco in. She didn't know how big the jambs were with a 2x6 wall.

Mr. Moya asked if it was on the inside or outside.

Chair Woods said she was asking about outside.

Mr. Moya said the windows were thick but they framed the window opening with 2x4 so they would have some reveal and a recess of 2" into the building.

Mr. Rasch thought 2" was a good minimum.

Chair Woods suggested regarding the eyebrow on the garage to either bring it in from the sides with corbels so it looks like it has support or thicken the face and bring the garage door in. You are showing 14" out all the way across and it doesn't show the door recessed in.

She asked Mr. Moya if he would be willing to consider one of those options since it was like a cantilever now.

Mr. Moya acknowledged that the lintel and side pieces were sort of popped out from the building itself. The side pieces would go down at the same elevation of the door. He said they could put the wall up above it flush and recess the door.

Chair Woods said that would be okay.

Chair Woods reviewed the items discussed: Glass blocks, light fixtures to staff, screen wall not above parapets, garage door recessed into façade, and the concerns with gate design.

Public Comment

There were no public comments concerning this case.

Action of the Board

Ms. Mather moved to approve Case #H-14-032 at 929 Canyon Road with the following conditions:

- 1. That any light fixtures be brought to staff for review and approval;**
- 2. That the garage doors not have an eyebrow but be recessed;**
- 3. That the vehicle gate design be brought to staff with details for review and approval;**
- 4. That there be no visible rooftop appurtenances;**
- 5. That the screen walls not be higher than the parapet;**
- 6. That all glass block be deleted from the project.**

Mr. Armijo seconded the motion and asked for a friendly amendment:

- 7. That they recess the doors and windows a minimum of 2". Ms. Mather accepted the amendment as friendly and the motion passed by unanimous voice vote.**

- 2. Case #H-14-048, 436 W. San Francisco Street. Westside-Guadalupe Historic District. Tim Curry/Design Solutions, agent for Rick Hardin, owner, proposes to remodel the courtyard of a significant commercial property including the construction of a 10' high pergola with a fireplace and a banco and altering and constructing yardwalls and fences. (David Rasch).**

Mr. Rasch gave the staff report as follows:

BACKGROUND & SUMMARY:

436 West San Francisco Street is a commercial property that was constructed in a vernacular manner at approximately 1850. The building is listed as significant to the Westside-Guadalupe Historic District. Concrete block and stone walls were constructed at an unknown date.

On July, 8, 2014, the HDRB postponed action pending redesign that is simpler and smaller and incorporates suggestions from Board members who requested that the proposal should not overwhelm the site with the significant building. Now, the applicant proposes to remodel the property with the following six items.

1. A 938 (reduced from 1,350) square foot pergola will be constructed to 10' (reduced from 11') high in the southeast courtyard. The pergola will be constructed with an oiled wooden superstructure with bronze colored metal cladding carried on eleven stone bases.
2. A rock fireplace and banco will be constructed at the southeast corner of the pergola to a height of 11' 8" (Reduced from 15').
3. The 5' high north lotline yardwall will be stuccoed and an iron pedestrian gate will be installed in a larger wall opening.
4. The 5' high stuccoed east lotline yardwall will be increased in height to 6' where the maximum allowable height is 8'.
5. The concrete block south lotline wall will be stuccoed. The existing east side pedestrian opening will be flanked by stone pilasters. A new pedestrian gate and steps will be installed to enter the pergola area from the south.
6. Other hardscaping alterations include removing the steps to the south end of the portal, removing the steps near the east end of the stone wall, and constructing a banco on the south elevation of the building.

STAFF RECOMMENDATION:

Staff recommends approval of this application which complies with Section 14-5.2(D) General Design Standards, Height Pitch Scale and Massing and (I) Westside-Guadalupe Historic District.

Questions to Staff

Ms. Mather thought the fireplace was stuccoed and the base and banco were of river rock.

Mr. Rasch said the applicant could clarify that.

Ms. Mather asked if there was any concrete paving.

Mr. Rasch thought there might be. If so, that would come under number 6, hardscaping.

Applicant's Presentation

Present and sworn was Mr. Tim Curry, 1415 West Alameda, who wanted to clarify that the fireplace would be stuccoed and just a minor issue that the entry would be from the north side where there were two existing pilasters that he planned to raise 4".

Chair Woods thanked Mr. Curry for being responsive to the Board's concerns.

Mr. Curry said he appreciated the Board's comments and thought they had a better project now.

Questions to the Applicant

Mr. Boniface asked where he was putting the metal cladding on the superstructure.

Mr. Curry said at the top of the carrier beams there was a low profile bronze cladding to prevent deterioration and then the pergola's lattice on top with about a one-inch drop bronze cladding.

Mr. Boniface asked what the color of the iron gate would be.

Mr. Curry said it would be dark bronze.

Mr. Boniface asked if the window on the left in the photograph with white trim would be removed.

Mr. Curry said it would not.

Ms. Mather asked about the stucco color.

Mr. Curry said it would be the same as the existing color.

Ms. Mather asked if they would have any concrete walkways.

Mr. Curry said it would be flagstone and on the stairs as well - river rock for risers and flagstone for steps.

Public Comment

There were no speakers from the public regarding this case.

Action of the Board

Mr. Boniface moved to approve Case #H-14-048 at 436 W. San Francisco Street as presented with the condition that the paving and steps be flagstone. Ms. Mather seconded the motion and it passed by unanimous voice vote.

- 3. Case #H-11-105. 237 & 239 East de Vargas Street.** Downtown & Eastside Historic District. Duty & Germanas Architects, agent for El Castillo Retirement Residence, owner, proposes to paint or screen roof-mounted mechanical equipment and to screen a hot box with a coyote fence and gate on a contributing commercial structure. An exception is requested to exceed the maximum allowable height to construct screening to block public view of rooftop appurtenances (Section 14-5.2(D)(9)). (David Rasch).

The Board considered this case at the end.

- 4. Case #H-14-030. 1049 and 1051 Camino San Acacio.** Downtown & Eastside Historic District. Gabriel Browne, agent/owner, proposes to remodel a non-contributing structure, including increasing the height to 21' on a sloping site where the maximum allowable height is 15'11". A height exception is requested (Section 14-5.2(D)(9)). (David Rasch).

Mr. Rasch gave the staff report as follows:

BACKGROUND & SUMMARY:

1049 and 1051 Camino San Acacio is a duplex that is listed as contributing to the Downtown & Eastside Historic District. The building was originally constructed as an approximately 950 square foot "L"-shaped three-room adobe in the early 20th century. At approximately 1950, a one room addition was constructed on the north elevation. In the mid to late 1960s, a two-story addition was constructed on the north elevation of the 1950 addition. Finally, two portals were constructed on the front elevation of the original building at a non-historic date. On May 13, 2014, the HDRB downgraded the historic status of the building from contributing to non-contributing to the Downtown & Eastside Historic District.

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

1. The building will be increased in height and the roof will be changed from a flat roof to a pitched roof. There are more than 50% of the buildings with pitches in the streetscape, so a pitch is allowed. The proposed building will be 21' 6" high which exceeds the maximum allowable height of 15' 11" on a sloping site. The applicant requests 4 additional feet of height due to slope and requests a height exception for the approximately 1' 6" additional height proposed and the exception criteria responses are at the end of this

report. The pitch will be finished with rust-colored standing seam.

2. The two existing portals on the front elevations will be removed and replaced with a 47 square foot portal with a pitched roof.

3. New windows will be aluminum-clad, simulated divided-lite in a dark bronze color.

4. Foam insulation will be installed and the building will be restuccoed with El Rey cementitious "Madeira".

EXCEPTION TO EXCEED THE MAXIMUM ALLOWABLE HEIGHT

(I) Do not damage the character of the streetscape

The proposed design does not damage the character of the streetscape it enhances it by resolving the awkward and top-heavy proportions of the existing façade. Section 5.2 of Chapter 14 allows for a street facing façade 16' tall as proposed in this design, so this exception only allows, in this streetscape, what is already allowed by other sections of the code.

Staff response: Staff agrees with this statement.

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

Allowing the additional one foot of height simultaneously prevents a hardship to the applicant and an injury to the public welfare. The additional foot allows for a properly proportioned street façade, and also allows for the preservation of the historic walls, and vigas. If the roof form had to be lowered by one foot to meet the height requirement, this important historic material would have to be removed.

Staff response: Staff does not agree 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

The proposed design strengthens the unique heterogeneous character of the city by allowing a historically appropriate solution to the design problem.

Staff response: Staff does not agree 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

This property is about 125' deep and less than 16' wide at its narrowest point with about 15' of drop across the length of the property. The lot was created prior to the 1950's. The historic structure on the property is a long thin home running perpendicular to the contours. These specific circumstances and conditions are unique and peculiar to this property. Even though the proposed street façade on the 1049 Camino San Acacio property. Is only 9'-6" tall, the 11'-6" of drop across the property create a unique situation where an otherwise reasonable massing which steps down the hillside exceeds the 20' overall height limitation by one foot. A design solution which met the 20' height limitation would inflict permanent and lasting harm on important historic materials and qualities of the home.

Staff response: Staff does not agree with this statement.

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

The long, narrow and steep sloping site, the historic massing of the structure, and the location of the home on the site are all conditions of the land which date back to the 1950's or prior, and are not the result of actions of the applicant.

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)

A minimal 1' height exception will allow an awkward and ill proportioned building to come into line in a historically appropriate way, thus allowing the least negative impact to the overall purpose of section 14-5.2 as described in 14-5.2(A)(1).

Staff response: Staff does not agree with this statement.

STAFF RECOMMENDATION:

Staff finds that the height exception criteria have not been met and otherwise recommends approval of this application which complies with Section 14-5.2(E) Downtown & Eastside Historic District.

Questions to Staff

Ms. Mather asked if their exception request would then be to exceed the height if the Board gave them 4' for slope.

Mr. Rasch agreed. Their exception request was only for 1.5'.

Ms. Mather asked why he did not accept the criteria for an exception.

Mr. Rasch said he felt the pitched roof could be lowered. There were other solutions possible that wouldn't require that 1.5' more height.

Chair Woods asked about the roof material.

Mr. Rasch said it would be a rust colored standing seam roof.

Mr. Katz said on the added 4' discretionary height, the slope went from front to back so from the road, looking downhill makes it look substantially higher than it currently is. He asked if it didn't matter whether the slope was up hill or downhill.

Mr. Rasch agreed. The downhill side was where the exception was needed. It was almost like a height exception down, not up.

Mr. Katz asked what the height was at the upper portion.

Mr. Rasch said it was 15' feet and that was lower than maximum height of 15' 11". The downhill height proposed was 21' 6".

Applicant's Presentation

Present and sworn was Mr. Gabriel Browne, 1012 Marquez Place, #310-B, who said they had a number of issues.

For the height exception, he tried to maintain the original vigas and put the new pitched roof above them. He was not averse to lowering it but wanted to maintain the original material. Lowering it would require removing several courses of adobe and the original vigas in the structure.

The other issue was a little conflict at zoning and thought they would have resolved it. But at the last minute, Mr. Rasch asked him to prepare a revision and the Board now had that revision.

Mr. Browne visited with Mr. Vigil, who was a contractor and worked on both houses and still maintains the adjacent property. He wondered about the pitch of the roof. It was typical northern New Mexico style. But they had an 8" encroachment of the 14" overhang. Mr. Vigil was okay with it and signed off on the zero lot line affidavit which the Zoning Department wanted.

But then Mr. Vigil's son decided he was uncomfortable with that detail so Mr. Browne brought two alternative designs to the meeting that would not have an overhang on that property [attached to these minutes as Exhibit 1].

Chair Woods said he couldn't have an encroaching overhang and Zoning wouldn't approve that.

Mr. Browne agreed and he had agreed to take care of it if he got historic approval. Either way, the neighbor had the right to say that wasn't okay so he brought a new design.

He provided a Power Point that Mr. Rasch projected for Mr. Browne.

Questions to the Applicant

Mr. Boniface asked what the pitch was.

Mr. Browne said it was 9 and 12. He identified the overhang in the first design and showed it as cut off flush with an internal gutter in the alternate design. The second design didn't have a pitched roof on the front.

He explained that his intent was to make it look like one structure again. It was two different colors and chopped off so the strong roof form would tie it all together and have snow clips on the roof. But, if the Board preferred, he would eliminate pitched mass on the front.

Chair Woods was having a hard time seeing how it integrated. It didn't seem like it was working. She wondered if he had done this design too quickly.

Mr. Browne said he did this last week after hearing from the neighbor's son that his design was not acceptable. The proportions of the roof bring it down. He didn't want to make the front any shorter - it was 5' now and it would have less ceiling height.

He said he was open to the Board's thoughts or suggestions but if the Board are saying they didn't like it, he would respond accordingly.

Chair Woods said she wasn't saying that but just didn't understand the intersection of how it all would come together.

Mr. Browne was not sure how else to describe it. A roof plan would have helped. The L shaped roof was originally turned toward San Acacio and now goes the other way. It essentially becomes a hip at the corner.

Chair Woods understood it goes back but there was a vertical coming down.

Mr. Browne said this was the overhang beyond the wall so it goes from no overhang to a little overhang and looks like a vertical. He would slide it back until it hit the 45.

Mr. Katz asked what the neighbor thought of the hidden gutter.

Mr. Browne said he hadn't shared it with the neighbor.

Ms. Mather appreciated his desire to integrate it but saw that the original two-story part was not integrated into this design at all with a strange roofline and very different windows. It really looked like something that was just stuck onto the rear of this building. She was confused why he didn't take that into consideration.

Mr. Browne said he had budget and motivation to do 2/3 of his house and didn't know that to do with the 2-story part. He would be coming back to the Board at some time in the future and would try to at least make it more handsome. But now, he didn't have the time, or the budget or any idea about it.

Chair Woods said cutting the overhang off made it worse with a cut off pitch in the middle. She asked if he might want the Board to postpone this case to give him more time to consider it further. She also didn't know if the Board was comfortable with the contemporary detail.

Mr. Browne said that was only 30" high and maybe a coyote fence would hide it. This was the best solution that was possible without having to ask his neighbor. Right now he didn't hear another option. It really was nearly invisible and maintained all the massing that improves the building and makes it better.

Mr. Rasch said he could consider a flat roof.

Mr. Browne agreed but he felt the pitched roof really drew it all together.

Mr. Armijo said the Board had too many options to look at. He was not sure it was the Board's job to go through all those changes. And until Mr. Browne worked out a decision with the neighbor to resolve the zero lot line he couldn't resolve the design.

Mr. Browne said the zero lot line was resolved originally and now it wasn't and he had to scramble. The original scheme had a zoning agreement and he thought he had the neighbor's agreement. He apologized but he needed the Board's feedback. He just needed more guidance and was glad to do what needed to be done with this historic building.

Chair Woods asked if this was for the applicant's home. Mr. Browne agreed.

Mr. Katz was comfortable with the hidden gutter and didn't know if he had to consult with his neighbor.

Public Comment

There were no speakers from the public regarding this case.

Action of the Board

Mr. Katz moved to approve Case #H-14-030 at 1049 and 1051 Camino San Acacio, finding that the criteria for a height exception had been met and approved the preserving of historic materials and the 18" height exception was appropriate; on the condition that the applicant adopt the hidden gutter option. Mr. Boniface seconded the motion and it passed by unanimous voice vote.

- 5. Case #H-14-031. 607 Webber Street.** Don Gaspar Area Historic District. Stephen Machen, agent for Stephen and Meredith Machen, owners, proposes to install solar panels on the pitched roof of a non-statused property. An exception is requested to install publicly-visible rooftop appurtenances (Section 14-5.2 (D)(3) and (H)(1)(C)). (David Rasch).

Chair Woods recused herself and left the bench. Ms. Mather chaired for this case.

Mr. Rasch gave the staff report as follows:

BACKGROUND & SUMMARY:

607 Webber Street is a 3,000 square foot vacant lot in the Don Gaspar Area Historic District. On May 13, 2014, the HDRB granted an exception to construct a pitched roof on a proposed 925 square foot single-family residence/studio to a height of 17' where the maximum allowable height is 17' 10".

The building is designed in the Arts and Crafts style with wood trim around windows and doors that includes sills and cornices and with a pitched gable roof. The trim color will be white and the cementitious stucco will be "Buckskin". The roof will be finished with a green-colored simulated standing seam metal.

Now, the applicant proposes to amend the previous approval by installing solar panels on the pitched roof. The panels will be publicly-visible, in line with the south elevation pitch angle and opposite the pitch angle on the north elevation. An exception is requested to install publicly-visible rooftop appurtenances and the required exception criteria responses are at the end of this report.

RELEVANT CODE CITATION

14-5.2(H) Don Gaspar Area Historic District

(1) District Standards

Compliance with the following structural standards shall occur wherever those exterior features of buildings and other structures subject to public view from any public street, way, or other public place are erected, altered, or demolished:

(c) The use of solar and other energy collecting and conserving strategies is encouraged. The use of large glazed areas on south facing walls for trombe walls or other solar collectors, greenhouses, garden rooms, direct gain, or other energy collecting purposes is allowed. When in view from any public street, way, or other public place, solar equipment shall be screened by the following methods:

- (i) raising the parapet;
- (ii) setting back from the edge of the roof;
- (iii) framing the collector with wood;
- (iv) in the case of pitched roofs, by integrating the collector into the pitch;
- (v) in case of ground solar collectors by a wall or vegetation;
- (vi) in the case of wall collectors by enclosing by end or other walls;
- (vii) other means that screen the collector or integrate it into the overall structure. Non-glare materials shall be used in solar collectors.

EXCEPTION TO INSTALL PUBLICLY-VISIBLE ROOF-MOUNTED SOLAR PANELS

- (i) Do not damage the character of the district

The South Capitol District is a wonderful, architecturally diverse part of the city. As you know, we have private residences, apartments, condominiums, bed and breakfast establishments, and, nearby, one of the best primary schools in the city. Building styles include traditional adobes, territorial style houses, flat and pitched-roof brick houses, as well as arts and crafts bungalows, and other designs. There are also many solar panel installations in the neighborhood, some installed before Historic Styles ordinances were in effect, and others, such as those on our own house at 613, approved by the Historic Design Review Board five years ago. Regardless of whether or not these appurtenances were permitted under the current ordinance, however, they all undeniably add to the heterogeneous character of the neighborhood.

This studio/residence is on a private utility easement alley, no longer able to be used for trash pickup, with the new large trucks and automated pick-up. There is essentially *no* use of the alley—except for our own cars—beyond the guest house at 611 Webber (on the north side of the alley across from our house.) Our residence at 613 Webber, across from the new structure, is the only house on the lane that has *any* view of the new building—and then only when we are outside in the driveway. We have worked with our builder/designer to create a structure that—with a modified arts and crafts style—harmonizes with our house at 613. The only other view of the structure's south face—is at an angle from the upstairs deck of the

condominium owned by Sandy and Richard Snider at 625 Webber St. The Sniders view the new building across the east end of our own lot at 613. There is a letter in this packet from them indicating their approval of the addition of solar panels to the building.

Staff response: Staff agrees with this statement.

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

As electricity and gas prices continue to rise, and scarcity of resources becomes more and more of an issue, solar panels will 1) prevent an unreasonable extra expense for utilities, 2) increase the value of the property in the eyes of any potential future purchaser, and 3) help Santa Fe meet the challenges of increased energy usage in the coming decades.

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

As electricity and gas prices continue to rise, and scarcity of resources becomes more and more of an issue, solar panels will 1) prevent an unreasonable extra expense for utilities, 2) increase the value of the property in the eyes of any potential future purchaser, and 3) help Santa Fe meet the challenges of increased energy usage in the coming decades.

Staff response: Staff agrees with this statement.

STAFF RECOMMENDATION:

Staff recommends approval of the exception to install publicly-visible roof-mounted solar panels 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 (H) Don Gaspar Area Historic District.

Questions to Staff

There were no questions to staff.

Applicant's Presentation

Present and sworn was Mr. Stephen Machen, 13 Webber Street, who had a letter from a neighbor who was unable to be present and asked permission to read it.

The Board agreed to hear the letter.

Mr. Machen said the neighbor was to the north of his property and looked at the north face of their roof and the proposed solar collectors.

Mr. Machen read the letter from Mr. James Klebau, 220 E. Santa Fe Avenue, to the Board [attached to these minutes as Exhibit 2].

Mr. Machen showed a small model of the house. Ms. Roach passed it around.

Mr. Machen said they went to great lengths to make the panels as invisible as possible and satisfy the needs for PV and hydronic water heating for the house. They were only 2' high so they didn't stand up too much and they would paint the backs with the same color paint as the roof so they will disappear into the roof. As for the panels on the front, while it was a public way, since it was the end of the little land on which they lived, the only people who could see it was from his house.

Questions to the Applicant

Ms. Mather noted that as the Board was there today there was some question whether they could accommodate all of those panels on the front.

Mr. Machen said he couldn't because of the gable. There would not be enough room for the hydronic panels as well as the solar PV panels.

Mr. Boniface thought it looked like 3 panels would be on the rear and asked if they could use two panels instead of three. The reason was because if they carried them all the way out to the eaves, it would be visible from this angle and if they were held back, they would not be seen. He asked if they might use the two at the lower part of the roof and add one a little higher.

Mr. Machen asked that his expert witness address that.

Present and sworn was Mr. Peter Page, 190 Sanchez Road, Corrales, said that would work. They could separate them. But it would raise the third panel up approximately 3.5' if they took one off the end, center the two bottom panels and move the third on top. It had to be about 1.5 times the height or approximately 4' maximum.

Mr. Boniface changed the model to reflect that proposed change and moved the panel up. It didn't appear it would be visible from the road with that configuration.

Mr. Machen asked if that panel would not shade the others.

Mr. Page didn't think so.

Public Comment

Present and sworn was Ms. Debbie Shapiro, 619 Camino Santa Ana, who pointed out that where the picture was taken was actually on the Machens' property and not in a public way. They own the end of the road there. So the actual public way was up to the corner of the property and about a foot that overlaps. It was only about a thousand feet away that one could even see the panels. It was a strange little lane because the end belonged to the Machens.

Mr. Rasch clarified that if the public could go there without trespassing it was a public way.

Mr. Katz asked if there was any resident that had access beyond that.

Mr. Machen said there was a ROW for access to the next property to the east. Although it was deeded to them, it had a ROW easement so she (the neighbor) had access to the back of her property.

Present and sworn was Mr. Doug McDowell, 1317B Cerro Gordo, said he had worked in this area doing LEEDS-certified homes, green homes, and solar assisted homes. He was glad that they lived in a city that claimed to be a green city. It was a historic period now with more people wanting to do sustainable homes and use renewable sources. As they get less noticeable, solar panels fit into the architecture and we should encourage it and find ways to bring it in. It adds to a new historical part as well.

Present and sworn was Ms. Sandy Snyder, 625 Webber Street, and Mr. Machen's neighbor adjoining his property, who said it was a great idea what he was doing. She could see it but was not bothered by it.

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

Action of the Board

Mr. Boniface moved to approve Case #H-14-031 at 607 Webber Street as presented with one condition that the three hydronic panels on north side be separated into two panels on the lower end of the sloped roof and a single panel be 3.5 to 4' up from that location, all centered and noting that the exception has been met. Mr. Katz seconded the motion and it passed by unanimous voice vote (including Ms. Mather).

Chair Woods returned to the bench after the vote was taken.

- 6. Case #H-14-073. 918 C Acequia Madre.** Downtown and Eastside District. Martínez Architect Studio, agent for David Muck and Cole Martelli, owner, proposes to construct a 3,507 sq. ft.

residence on a vacant lot to the maximum allowable height of 14- 10". (Section 14-5.2 (D)(9)) (Lisa Roach)

Ms. Roach gave the staff report as follows:

BACKGROUND & SUMMARY:

918-C Acequia Madre is a 0.237-acre vacant lot located south of Acequia Madre and between Camino del Monte Sol and Camino Don Miguel. The lot is located in the Downtown and Eastside Historic District and is reached through a private lane heading south from Acequia Madre approximately 190 feet.

The applicant proposes to construct a 3,507 square foot single-family residence in the Territorial Revival Style to a height of 14'10" where the maximum allowable height is 14'10". Included in the total square footage are 2,522 heated square feet, and 985 square feet of garage and portals. The residence will feature the following:

- 1) El Rey cementitious stucco in the "Buckskin" color;
- 2) Reddish-brown brick coping;
- 3) Painted wood trim and window surrounds (color not specified)
- 4) Square painted wooden portal posts and railings (color not specified)
- 5) A bay window on the north elevation, with metal copper-colored roofing;
- 6) A stuccoed masonry yard wall surrounding a portion of the yard on the north end of the property and continuing along the north and east lot lines, with pedestrian gates on the north and south elevations, flanked by pilasters with brick coping.

All publicly visible windows on the west, east and north elevations are depicted with divided lites, but the type of divides are not indicated. All non-divided lite windows shown on the east elevation are not publicly visible.

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 and Eastside Historic District, with the

condition that all divided lite windows shall have true or simulated divided lites.

Questions for Staff

Mr. Armijo noted this location had an existing house that got demolished and asked if there was anything in the code about what had to get replaced there.

Mr. Rasch replied that on a recent case, even though the Board might approve demotion, the Board could determine if there were characteristics in neighborhood that needed to be re-established at the site of the demolition. But when the Board approved this demolition, it didn't specify any requirements so this was a start over.

Mr. Armijo asked then if nothing needed to be re-established here.

Mr. Rasch agreed.

Applicant's Presentation

Present and sworn was Mr. Richard Martínez, 1524 Paseo de Peralta, who said this was a long lot and was taken up mostly by the driveway in front. The drive was slated to be made 20' wide, even though the entrance was 15' wide. So it was a long house. He tried to break up the mass of the house and it was basically one room wide. It was Territorial with brick coping and white trim to emphasis the various pieces of the house and to have different elements on the front façade.

Questions to Applicant

Ms. Mather asked if there were gates on the front entryway.

Mr. Martínez agreed. There were gates there and another one next to the garage. The gates will have pilasters and have painted white wood gates.

Ms. Mather asked if it would have any exterior lighting.

Mr. Martínez agreed but didn't have designs yet.

Ms. Mather asked about any rooftop appurtenances.

Mr. Martínez said there would be but none that would be above the parapets.

Mr. Armijo said the Board had to be careful when demotions were approved. There were three casitas in a compound at this location for 80 years and now the compound has been destroyed. This was a 3,000 sq. ft. building where at one time there were three 800 sq. ft. structures.

Ms. Roach wondered what the finish on the portal would be.

Mr. Martínez said it was all exposed wood on the outside and would be painted white.

Ms. Roach asked for the type of divided windows.

Mr. Martínez said it would be simulated divided in the architectural series.

Public Comment

There were no speakers from the public regarding this case.

Action of the Board

Mr. Katz moved to approve Case #H-14-073 at 918 C Acequia Madre with the condition that the exterior lighting be brought to staff for review and approval, and with no visible rooftop appurtenances. Mr. Boniface seconded the motion and it passed by unanimous voice vote.

7. **Case #H-14-074. 841 El Caminito.** Downtown and Eastside District. Justin Young, agent for Ricardo Mazal, proposes to remodel an existing non-contributing residence by constructing two portals, raising the street facing yard wall to the maximum height of 6' and replacing two street facing pedestrian gates. (Section 14-5.2 (D)(9)). (Lisa Roach)

Ms. Roach gave the staff report as follows:

BACKGROUND & SUMMARY:

841 El Caminito is a two-story, single-family residence constructed in the Spanish-Pueblo Revival Style. The structure is listed as non-contributing to the Downtown and Eastside Historic District. The residence

was originally two separate structures, one constructed in c.1944 (841 El Caminito) and the other constructed c.1957 (845 El Caminito). The two residences may have originally been housing for workers employed at the Applegate House (831 El Caminito) but were combined in c.1970, when a gallery across the south elevation and addition to the west were also constructed. One additional major remodeling episode occurred in 2004, when a second story was added to the home.

The applicant proposes to remodel the residence with the following items:

- 7) Construct a 50 square foot portal to height of 9'6" over the front door on the south side of the residence, featuring structural wooden posts and wooden vigas stained to match the existing wood trim on the home (color not specified) and a stuccoed masonry banco (color not specified);
- 8) Construct a 300 square foot portal on the east elevation of the residence, featuring an outdoor fireplace and chimney stuccoed to match the existing residence (color not specified), structural wooden posts and vigas stained to match the existing wood trim on the home (color not specified), a 3' high stuccoed banco with flagstone cap around the perimeter of the portal;
- 9) Fill in a 6'-wide segment of a yardwall enclosing the south portal to a height of 3' to match existing; and
- 10) Raise the yardwall along El Caminito street frontage to the maximum allowable height of 6' and install two wooden pedestrian gates.

Stucco and wood stain colors were not provided, but both will match existing conditions.

STAFF RECOMMENDATION:

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

Questions to Staff

Ms. Mather said it didn't seem to have much public visibility, especially if they raise the yard wall.

Ms. Roach agreed.

Applicant's Presentation

Present and sworn was Ms. Paige Young, 3957 Agua Fria Street, who agreed it was basically not visible to the public.

Questions to the Applicant

Mr. Armijo asked if on the north elevation the post was wood or concrete.

Ms. Young said the posts would all be wood, stained to match existing.

Mr. Armijo asked if the vigas would also.

Ms. Young agreed.

Public Comment

There were no speakers from the public regarding this case.

Action of the Board

Mr. Boniface moved to approve Case #H-14-074 at 841 El Caminito as presented, finding it has met the design standards of the District. Ms. Mather seconded the motion and it passed by unanimous voice vote.

8. **Case #H-14-072. 637 Garcia Street.** Downtown and Eastside District. Doug McDowell agent for Helen and Bill Rogers, owners, proposes to construct a 4,015 sq. ft. residence to a height of 21' where the maximum height is 14'6". A height exception is requested (Section 14-5.2 (D)(9)). (Lisa Roach)

Ms. Roach gave the staff report as follows:

BACKGROUND & SUMMARY:

637 Garcia Street is a 0.312-acre vacant lot accessed via a private drive approximately 345 feet east of the Garcia Street frontage. The site is located in the Downtown and Eastside Historic District.

The applicant proposes to construct a 4,015 square foot single-family residence designed in the Spanish-Pueblo Revival Style. The total square footage includes 631 square feet of portal space, a 692 square foot garage, and a 56 square foot mechanical room. The home will feature the following:

1. Faswall ICF construction covered in "Adobe" cementitious stucco, with 2' rock wall bases at several locations;
2. Sierra Pacific "bronze" aluminum-clad wood casement, awning, and fixed windows with divided lites (type of divides not specified);
3. Wooden portal structural members, corbels, exposed lintels and canales with an iron oxide light brown finish;
4. Rooftop equipment to include six skylights, two evaporative cooling units, five photovoltaic panels, and three hedonic solar panels, all of which shall be screened from public visibility by parapets;
5. Masonry yardwalls measuring 5'6" high and finished in "Adobe" cementitious stucco, to include a retaining wall at the southwest lotline and courtyard walls with pedestrian gates (material and finish not specified);
6. Brick paving under the portals and in the front courtyard; and
7. Exterior lighting (design not specified).

The total proposed building height is 21' where the maximum allowable height is 14'6". The applicant is requesting an additional 4' in allowable height due to slope and has provided the necessary topographic information to support this request. Additionally, the applicant requests an exception to exceed the maximum allowable building height, and the required exception criteria responses are provided below.

RELEVANT CODE CITATION:

Section 14-5.2(D)(9)(c)(ii)(F): The board may increase the allowable height for proposed buildings and additions located on a sloping site where the difference in the natural grade along the structure's foundation exceeds two (2) feet. In no case shall the height of a façade exceed four (4) feet above the allowable height of the applicable streetscape measured from natural or finished grade, whichever is more restrictive. This increase in height shall be constructed only in the form of building stepbacks from the street.

EXCEPTION TO EXCEED THE MAXIMUM ALLOWABLE HEIGHT

Does not damage the character of the streetscape.

The streetscape of the proposed residence is the lowest part of the building and is the north and northwest corner of the building. It is below the heights allowed by historical review staff. The houses directly west and south of the proposed residence are within the same general heights or above due to grade conditions. From the public right all parts of the home are in keeping with the homes in the neighborhood. Tree plantings are proposed for this elevation that did not and do not exist at this time.

Staff Response: Staff agrees with this statement.

Prevent hardship to the applicant or injury to the public.

To meet the height as allowed by the Historical Review Staff it would require additional cutting of the south slope of the property which at present sits four feet below the property directly south of the property. In my opinion the additional earthwork is not necessary to meet the intent of the ordinance and it will create a depression on the landscape from the existing grades south, east and west of the property. This also creates an unwarranted drainage problem and in a 100 year rain could increase the likelihood of flooding.

Staff Response: Staff agrees with this statement.

Strengthen the unique heterogeneous character of the City providing a full range of design options to ensure the residents can continue to reside in the historic district.

Neighbors and neighborhood impact of projects have always been of primary concern to me. As a Designer/ Builder who has been working on this block on Garcia Street for the past six years I have become keenly aware of the concerns and character associated with the historic eastside neighborhoods and the people that reside within them. The proposed residence is constrained by the shape of the lot and is designed to allow planted open space where it is directly adjacent to a neighbor. There is ample parking and overall is set back from the streetscape to create a calming influence with the design. We have employed many proven historical design options with setbacks, massing and detailing in keeping with the pueblo revival period.

Staff Response: Staff agrees with this statement.

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 streetscape in this underlying neighborhood is varied and is the zoning is different on north side of the roadway than the south side of the roadway. The homes in general have a higher density and are close together on the north side and less dense on the south side. This lot is both long, narrow and has a continuous slope north to south of approximately thirteen feet. This necessitates a degree of cut situations in order to be responsive to the neighboring properties. We are not creating and fill conditions with our design and it is all one story. The size is approximately 2600 gross heated square footage which is the approximate size of neighboring homes overall. All neighboring homes are existing to the north, south and west and in keeping with this proposed residential design both in style and massing. I own the property to the east and was concerned that the home be designed to fit comfortably and naturally in to the site it sits on and my neighboring property.

Staff Response: Staff agrees with this statement.

Are due to special conditions which are not a result of actions by the applicant; and

The lot is as it existed when I purchased the property. The old house that was on the property has been removed but the topography remains the same. The thirteen foot rise in grade was not created by my actions.

Staff Response: Staff agrees with this statement.

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

I believe the design I have proposed for 637 Garcia Street to have taken all existing conditions and the neighborhood and neighbors in to account when developing the conceptual design. The proposed design both meet or exceed intent of the ordinance and meets or exceeds the underlying character of the existing neighborhood.

Staff Response: Staff agrees with this statement.

STAFF RECOMMENDATION:

Staff recommends approval of the exception to exceed the maximum allowable building height 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 and Eastside Historic District.

Questions to Staff

Chair Woods asked if anywhere along the perimeter of the building, the structure exceed the maximum height requirement, where the grade hit the building.

Ms. Roach said it did but only about six inches and at no point was it more than 15' high.

Mr. Armijo asked if a grading permit was issued.

Ms. Roach said there was a drainage and grading permit issued.

Mr. Rasch had thought there was also but right before the meeting was informed by Mr. O'Reilly that there was not a grading permit so at the least, it was unclear.

Ms. Roach agreed it appeared to be not clear whether that permit had been issued.

Mr. Armijo pointed out that if the site had been cut, the Board could not determine the grade. It appeared to be a three tier cut. He didn't see how the Board could allow it if it had already been cut.

Mr. Rasch responded that if this was a natural grade, and they did a cut, they were still reading the height of the building from the cut. There were steps and they were still reading from the cut grades which was the most restrictive on the property. So that would meet the code.

Chair Woods said if there was a demolition permit, that might help.

Applicant's Presentation

Present and previously sworn was Mr. Doug McDowell, 1317B Cerro Gordo, who said there was not a grading permit per se. The demolition permit, which he had with him, showed the direction of the water to a collection area to deal with flooding or runoff after the demolition. The demolition had five different levels within the existing one there, including a basement. And when that was excavated they excavated more toward the neighbor's property to use that dirt to fill in the basement area. The pads there represented where the grades were for the two rental houses that were there. When he called for the final inspection, the building inspectors came they required him to grade it further more for swales and a drainage collection pond which today were all full of water.

Mr. Armijo said he spent five years on the Planning Commission and it was critical to establish topography. So without that it was anybody's guess about the approvable heights. A grading permit should

be required before anything else. He was not sure how to proceed without a topo by a surveyor.

Mr. McDowell appreciated that and the topographic situation there now was in keeping with the original topographical survey that showed the grades outside of the building that was demolished.

Mr. Armijo said it needed a surveyor to certify the topography.

Mr. McDowell said this lot sloped naturally 13' top to bottom. There were different shelves set up for the house they tore down and adjacent to the walls as you move along it the proposed construction wouldn't exceed 15'. At the highest elevation they were at 13' for the height. They used the cuts there before and extended them further, maybe without permission. The site responds to the topography that was there and also on his own property that was next to it - measuring from those points and the final grading. Measuring from those grades, he added or subtracted with the story poles that were there to allow for cut or fill that still had to be done. The site had not been graded for construction but only for stormwater retention after demolition. His intent was to step it up and down as the grade changed for a nice classic pueblo style.

From the north it looked a little monolithic but trees would be planted all along as it steps up. He thought it was very much in character with the area, using classic pueblo style detailing and being harmonious in that neighborhood and keeping the parapets as low as possible. There were heights as high as 16' 5" right next door. Their only problem was dealing with the 13' grade and trying to stay within 21' at the bottom to the top.

Questions to the Applicant

Chair Woods asked Mr. Rasch, "If you could take the bottom cross section and explain to the Board how you determined this and why there was an exception. Because there was a dichotomy between the height over the building from grade and then how we was actually measure and what the rule is. I almost understood this, having gone through one that we are building over on Santander."

Mr. Rasch pointed out the cut grade with fill. There was additional fill at the very lowest grade and that would increase the height exception. Staff reads it from the lowest to the highest point of the building, using the cut grade. So there was a little excess fill at the lowest level. We read from the most restrictive grade by code.

Mr. McDowell said that as a contributor to the writing of the escarpment overlay ordinance, the idea was that you measure from the hillside as you move up or down the hillside. It was well written in the Historic District and applies to 85% of the cases before the Board. In order to make the house work, it must step with the grade. Otherwise you end up with subterranean rooms.

Ms. Mather asked about the windows on the west and east elevations. On the east, she saw there was a large three-part windows and four little ones above. She questioned the need for those.

Mr. McDowell said there was not a need for them but it was an attempt to have a clerestory there.

Ms. Mather asked if he would consider removing those.

Mr. McDowell said he would.

Ms. Mather said on the west she saw the point behind the portal areas but there was another large window with three little windows.

Mr. McDowell had no issue with deleting that element. He said the silly window down below was a little out of scale. It was the mechanical room window and he was willing to get rid of it. It had a skylight there anyway.

Ms. Roach pointed out that in reading the plans originally and as drawn, they included an area of 1.5' of fill so it would be an additional 4' of exception because of topography.

Mr. Rasch agreed and read from the code, Section d (9), that "In no case shall it [height exception] exceed four feet and only done in setbacks from the street."

Mr. McDowell pointed out that this site sloped more than 13'.

Mr. Boniface saw on page 3, that the total height was 21' where the maximum was 14' 6" so the Board could grant 4' and with the additional 1.5' for fill they would have to grant 4' more.

Ms. Roach agreed.

Chair Woods said it didn't make sense to her to measure from underground. The Board should look at the intent of the law and how it reads from grade. It was a very difficult way to handle it.

Mr. Rasch said the one thing that did make sense to him when a site was graded to fit in ponds whether it towered over the rest of the neighborhood.

Mr. Boniface agreed. Outside of the Historic District, you go around the perimeter and measure at any point and it cannot exceed the maximum at those points. A secondary part was the overall height so with a long slope, all of a sudden you have a higher height. But he didn't like the way this was interpreted. It didn't

make sense and they should put that in the next code rewrite.

Mr. McDowell liked the word "intent" that Chair Woods used. In cases like this where it doesn't fit in the box, are we meeting the intent on the east side He thought they met the intent of the ordinance.

Chair Woods asked if without the clerestory windows, he would have room to lower it a little.

Mr. McDowell said, "Not really. All but living and kitchen rooms were at 9' 6".

Mr. Armijo reasoned that this would require an exception for height of 8'.

Mr. Rasch clarified that the City normally didn't post how much was an exception and since staff didn't know if the Board would grant the discretionary 4' for slope, it would need a 7.5' exception.

Ms. Mather asked if the windows were divided lite windows.

Mr. McDowell agreed they were - Sierra Pacific windows.

Ms. Mather asked if the gates were wood.

Mr. McDowell agreed. There were stained with lightning bolts an between now and when finished, he could show the stain and the lights but they were not decided yet and he would like to present them to staff before they are installed.

Public Comment

There were no speakers from the public regarding this case.

Action of the Board

Mr. Katz moved to approve Case #H-14-072 at 637 Garcia Street, finding that granting the extra four feet was appropriate because of grade change and accepting the exception responses to grant an additional 2.5 to 4' and with the following conditions:

- 1. That the small windows on east and west elevations be removed;**
- 2. That the color of wood stain be submitted to staff for review and approval.**

Mr. Boniface seconded the motion and requested a condition that the window at the mechanical

room be deleted. Mr. Katz accepted the amended condition as friendly and the motion passed by majority voice vote with all voting in favor except Mr. Armijo who voted against.

3. **Case #H-11-105. 237 & 239 East de Vargas Street.** Downtown & Eastside Historic District. Duty & Germanas Architects, agent for El Castillo Retirement Residence, owner, proposes to paint or screen roof-mounted mechanical equipment and to screen a hot box with a coyote fence and gate on a contributing commercial structure. An exception is requested to exceed the maximum allowable height to construct screening to block public view of rooftop appurtenances (Section 14-5.2(D)(9)). (David Rasch).

Mr. Rasch gave the staff report as follows:

BACKGROUND & SUMMARY:

237 and 239 East de Vargas Street are two historic structures that are separated by a common wall on one lot west of Brothers Lane. 237 was constructed in a vernacular manner before 1912 in an "L" shaped floorplan. 239 was constructed in approximately 1930 on the south end of the small leg of the "L" on 237 in a vernacular manner. The buildings are listed as contributing to the Downtown & Eastside Historic District and elevations 1-9 of 15 are designated as primary. Minutes of previous hearings to remodel the property from September 27, 2011, October 11, 2011, November 8, 2011, June 26, 2012, January 14, 2014, March 11, 2014, and July 8, 2014 are attached.

On July 8, 2014, the HDRB postponed action pending submittal of more complete proposal drawings and additional testimony from a mechanical engineer. Now, the applicant proposes to make the following final amendments regarding the roof-mounted mechanical equipment and the hot box.

1. A large hot box was installed in the front planter without HDRB or Land Use staff approval. The hot box will be screened with coyote fencing at approximately 5' 6" high with irregular latilla tops.

2. At the end of the hearing on June 26, 2012, the applicant stated that there will be mechanical equipment placed on the roof of the newly constructed addition behind the contributing structure at 237 after a friendly amendment was made that there shall be no visible rooftop appurtenances. That Board action was the final action and the applicant did not appeal that decision. Three roof-mounted condensers are visible from the public right-of-way on the addition.

The equipment will be screened from public view with stuccoed walls that will be 15' 6' high. The maximum allowable height for this property is 13' 10". An exception is requested to exceed the maximum

allowable height (Section 14-5.2(D)(9)).

EXCEPTION TO EXCEED MAXIMUM ALLOWABLE HEIGHT

(I) Do not damage the character of the streetscape

The streetscape is not damaged by this screen. The project has already enhanced the streetscape by removing the mechanical equipment which existed on the contributing structure. (Refer to Photo #1) The screening is set back 19 feet from the courtyard façade and 92 feet from the street. In addition, the new trees, as they mature, will substantially mask the screening.

Staff response: Staff agrees with this statement.

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

The rooftop is the only location for the condensers which allows good HVAC design, allows the approved building to be built as designed and approved, and prevents injury to the public welfare by not allowing a ground mount application. The only location on the ground which would technically work would be in the courtyard which could be injurious to the residents.

Staff response: Staff does not agree 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

This is perhaps the strongest characteristic of the design. This is an adaptive reuse of a contributing building into a unique residential option for people who suffer from memory loss. The design provides a strongly needed adjunct to the total residential opportunity for all the residents of El Castillo. Prior to the occupancy of this facility, residents who needed this kind of care had to move to other institutional facilities out of the downtown and away from other family members. All aspects of this design, including the placement of the rooftop condensers, were carefully orchestrated to allow the maximum residential occupancy for memory care in the downtown. The screening removes the last vestige of mechanical equipment visible from the street.

Staff response: Staff does not agree 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 conditions which are peculiar to this building and this design are that there is no place on the ground to mount the condensers safely. This site is fully utilized in achieving the design result. The only location possible for the condensers would have been in the courtyard where a hazard would exist for the residents, and which was therefore not included in the design as presented and approved. This site is surrounded by

structures which are much taller than the memory center, including the El Castillo (3 stories), and PERA building (3 stories). Only on the west is there a building the same height (lower than the calculated height allowable), the design was uniquely unable to extend parapet heights which would have screened the equipment. This is a requirement imposed on the design by the height ordinance which has clearly not been imposed on other buildings within the streetscape. The screening at the height required provides concealment of the equipment without impacting the existing contributing building height.

Staff response: Staff does not agree with this statement.

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

The design is a result of the actions of the applicant. However, there are special conditions and circumstances which affect this property which are not the result of the actions of the applicant. One such circumstance is the extreme limited site area in which to achieve the program for assisted living, and another limitation is the aforementioned height restriction uniquely applicable to this building. In addition, and in order to respect the existing building, the entire area in front of the primary façade was required to be left un-built on in order to not obscure the view of the façade. This is a great deal of land to sacrifice in achieving the design goal. The historical ordinance and the wishes of the HDRB required the new construction to be totally in the rear of the building. While this is a proper idea, it caused the extremely tight design response to the site conditions. The location of the equipment on the new roof, as proposed, was dictated by the site restrictions.

Staff response: Staff does not agree 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)

This is an adaptive reuse of an historic building. It has long been residential (the home of former Mayor Valdez), and only in recent years utilized as a restaurant. The restaurant was without adequate parking, in disrepair, contained various violations of the historic ordinance (roof top equipment, non-approved sloped roof, unapproved window modification, and unapproved roofing material). This project not only avoids a negative impact with respect to the purpose of Section-5.2(A) 91), but, in fact, enhances the purpose as listed. The design does serve to continue the existence and beneficial use of this historic building through a thoughtful adaptive reuse. The project continues the construction of buildings in the historic style. Finally the general harmony of style, form, color, height, proportion, texture and material is rigorously retained. The provisions of Subsection 14-5.2(A)(1) are strongly met in this design.

Staff response: Staff does not agree with this statement.

STAFF RECOMMENDATION:

Staff recommends approval for coyote fence screening of the hot box and recommends denial of the exception request to exceed the maximum allowable height to screen the roof-mounted mechanical

equipment finding that the exception criteria have not been met.

Questions to Staff

Chair Woods asked why the criteria responses for the exception had not been met.

Mr. Rasch believed the criteria responses didn't provide the needed response to the questions. E.g. on #4 - the screening of the height required provides concealment of the equipment without impacting the existing contributing building height. The Board allowed the pergola to be built in the courtyard so he just thought that the equipment could be put in the courtyard also. So he just felt the criteria weren't met. However, the applicant could testify more to the Board about it. Each of the six criteria needed to be met.

Ms. Mather recalled that on this property the Board granted an exception to exceed the 50% rule for the building and at that time, the Board had no knowledge that the applicant would be putting the mechanical equipment on the roof.

Mr. Rasch said it was accepted as not publicly visible equipment. The Applicant said there would be roof equipment (after the vote was taken) but at that hearing the Board didn't open up the case again. That was a flaw at that hearing.

Ms. Mather pointed out that it was subsequent to granting the 50% rule so had the Board known there was not room on the ground for the equipment they might not have granted the 50% exception. The information came to the Board after the fact so it made their rulings unfortunate.

Mr. Rasch agreed and said that staff has learned a great deal from this case and now were aware of more questions that need answers before an application gets to the Board.

Ms. Mather referred to page 49 in the packet at the bottom regarding #4, yard walls, that at that time, the owner proposed "a wall that will feature two foot high planter in front of the wall, two windows with grills and shutters and steps and jogs in the wall to break up the massing and to conform to the wall and fence guidelines." So she wondered at what point that proposed detail disappeared. Now that wall has no walls, no grills. This was proposed by the applicant.

Mr. Rasch recalled that after all the design and the work at the property progressed was when the hot box issue hit. That was also a major learning curve for staff in this case. At that point when the Water Company required that hot box to be there where it now is, it was right in front of where those shutters were supposed to be. So he remembered the applicant coming to the Board at that first hearing after the work had been completed and the Board did allow those windows and shutters to be deleted from this proposal.

Ms. Mather thanked him for the information.

Ms. Mather referred to page 75 regarding the brick coping requirement, that was very clear in her

motion that if any brick coping was and could not be replaced in kind or repaired, the applicant needed to come back to the Board. She asked if that was ever done.

Mr. Rasch said it wasn't done. He went with the applicant on a site visit and saw about three feet of coping and at that point, they had a misunderstanding. Mr. Duty thought Mr. Rasch had released him from that requirement as not being enough coping. But Mr. Rasch thought it meant Mr. Duty would do the coping since they found evidence of coping there. Mr. Rasch had mentioned to the Board that he believed the coping should be re-established and the Board never voted that it not be re-established but the Board seemed to set it aside for larger issues.

Ms. Mather asked, given these changes and given the stuccoed screen wall that the Applicant was proposing, if this structure would be allowed to maintain its historic status.

Mr. Rasch said that was up to the Board. What he learned from the City Attorney was that if the Board granted exceptions, the status was preserved.

Chair Woods responded that such an interpretation didn't make any sense. She didn't want to take away the applicant's responsibility to present accurate elevations and to build what had been approved by this Board. That was the bottom line.

Applicant's Presentation

Present and sworn was Mr. Mike Duty, 404 Kiva Court, who said that Mr. Rasch summed it up when he said we have learned something from this case. The Board has worked diligently with us from the beginning and allowed something that has been of great benefit to Santa Fé. It was much needed and he was sincerely sorry for the miscommunication that took place. All along he believed he was working in conformance. It was true there was no conversation about the rooftop until time to vote and the Board stated unequivocally that no equipment should be visible. That was why he reacted, not because he felt that he was in violation but that he would be in conformance with screening to achieve non-visibility. So he spoke out in a desire for clarity and said that the equipment was on the back portion. If the Board had granted him the opportunity to bring that up during the discussion on the motion, they would have avoided some of this. But he wasn't allowed to speak and it didn't happen so his only response was to react after the vote.

Chair Woods said he had the right to appeal.

Mr. Duty disagreed and said he didn't need to appeal because he was in conformance with the Board's action. He had agreed to screen the equipment. That was very similar to other cases the Board had approved and of which he had pictures. There are a host of examples of rooftop equipment that were rendered non visible by screening. That included the building where the meeting was now. So he didn't think there was anything to appeal.

Chair Woods said he exceeded the height of the building.

Mr. Duty explained that at that moment he didn't know the height but knew he had an obligation to screen it. He didn't think it was a problem.

Last time, it was requested that he provide the exact dimensions on screening and he complied. He was asking for screening like others. He brought Mr. Robin Henderson, the contractor at Mechanical Concepts, to answer the Board's questions.

Present and sworn was Mr. Robin Henderson, 2921 Second Street, NW, Albuquerque, who stood for questions.

Questions to the Applicant

Mr. Katz asked what clearance was required for these units on the sides.

Mr. Henderson said in front a 36" clearance was required for electrical service and 36" for air flow on the back and preferred 36" for service and cleaning on the two ends.

Mr. Katz concluded it needed 3' all around.

Mr. Henderson agreed.

Mr. Katz asked about where it stood - on the ground or on a bracket off the wall or anything like that.

Mr. Henderson said they needed to be above the snow load so they wouldn't have snow sitting in the bottom of the unit. That was usually about 8" to 10" here in Santa Fé.

Mr. Boniface asked if these units were for heating and cooling or just cooling.

Mr. Henderson said they were for both heating and cooling and they needed very little ducting. It was referred to as a ductless system.

Mr. Boniface asked if the manufacturer was LG.

Mr. Henderson agreed.

Mr. Boniface understood the units were Generation 4.

Mr. Henderson thought so.

Mr. Boniface said the reason he asked was that he used these very same units recently in a

commercial project. He knew that LG was very proud of their condensers talked about their remote capability - as much as 220 meters or 656 feet of piping from the outdoor unit to the indoor unit and that an installation could have as much as 110 meters or 360' of vertical distance between the indoor unit and the outdoor unit. So that equipment seemed to have a lot of flexibility and he wondered if they could be located in the notches on the north side of this lot because it would have 3' feet around and would take care of two and the triangular space on the northeast side of the building that could take care of the third unit. It seemed like that would be a solution.

Mr. Henderson thought the footage sounded correct. If that would be enough, they could use piping in them but there was not enough room for servicing the units in those areas he just mentioned. And they couldn't get in there to service them except with a ladder on the side of the building and stepping it down.

Mr. Boniface thought on the back it looked like there was plenty of clearance.

Mr. Duty said it was about a foot clearance between the building and the property line.

Mr. Boniface thought he was looking at the setback. He pointed out that there were two dashed lines there.

Mr. Duty asked Mr. Rasch to show them on the survey.

He said the first dotted line was the property line and there was about nine feet laterally in the notches and about 4'x6' deep right outside the windows of the living units. So there was no physical access behind the building in that one foot dimension. And there was a coyote fence. He didn't know what the second dotted line was but the one closest to the building was the property line as shown in their survey they showed in the building permit.

The north-south dimension from the window to the property line was about 5.5' and the units were 4.5' so they would not fit north to south and the dimension left to right was about 9' and the units were about 2.5' wide with a three foot clearance on each side would possibly just fit laterally. But not north to south and there was no access. And the triangle was not nearly big enough for a unit and clearances required. It was not open property in back. There were walls on all sides or coyote fencing so there was no access back there so it was not big enough as he had testified before.

Mr. Henderson said with the two notches on the top, it would be more like a tunnel or a shaft and the units wouldn't get any air flow there to keep them operating.

Chair Woods said they wouldn't build the building one foot from the property line. She didn't think that would meet code.

Mr. Duty explained that there was no setback required in this district. Sometimes it was close to 2' and it was very close to the back property line and the west property line.

Mr. Rasch pointed out on the roof plan that there was only 1' to 1.5' clearance between the screen wall and the units as shown on it.

Mr. Boniface agreed and Mr. Duty just testified they needed 3' on all sides.

Mr. Duty showed on the plan that the dark line was where the screening would be place. He said maybe he should have brought pictures. They were working now on that roof with that set back and would continue to properly work with the screen wall but that cannot be said at the notches to the rear.

Mr. Katz asked why they would not work at the rear. He asked if they could be hung off the roof above the window just as it was in their drawing.

Mr. Duty said there were windows there and the lateral dimension was still not sufficient.

Mr. Katz thought that made no sense.

Mr. Henderson said off the parapet, that wall was only about 1.5' tall and the units were on a stand 12" high.

Mr. Katz said once again he was asking the Board to make a decision and providing a drawing that shows no reason why it couldn't be put in there with clearance in those notches.

Mr. Duty was not sure they could even fit there. And that was only for two of them and no place for a third one.

Mr. Katz said the Board could find a place for it. He asked if the drawing was incorrect.

Mr. Duty said the drawing was correct, as far as he could tell. The dimension drawing was about 9.5' wide and 4.5' deep. The unit was 4.5' and required 3' of clearance on the front and the back so that was almost 10.5' and we only have 5.5'. Turning it sideways would have the same problem because that would require 8.5' and we have only 5.5'. It wouldn't fit.

Mr. Katz countered that his screening wall was closer than three feet.

Mr. Duty said that was true and that part might be inaccurate. He had not gone on the roof to get the exact dimension off the wall. There was one side for service and three sides for air flow. The front leading edge was not as critical as the sides. That leading edge of the intake curves around so they could probably encroach a little on the end so there was not enough to put them into the notches.

Mr. Rasch said the dimension of the notches were 4.5' x 9.5' exactly.

Mr. Katz asked what the dotted line that was close to the building represented.

Mr. Duty said it was a property line and an old coyote fence on the neighboring property.

Mr. Henderson said if they were in the notches, they would not be able to find a maintenance person who would serve those. They wouldn't be able to put an extension ladder up where the coyote fence was.

Mr. Armijo asked Mr. Henderson if Mr. Duty asked him about putting them on the ground.

Mr. Henderson agreed. He was out there with Mr. Duty and another man 3-4 times trying to figure out if there was any other place to put them.

Mr. Armijo asked if they could put them in the courtyard under those canales where they had lots of room.

Mr. Henderson said physically they could but then they couldn't use the courtyard for anything else.

Mr. Armijo said it had already been said that they work with a one-foot set back away from the wall and nobody would be tripping over them.

Chair Woods said she would not want them in front of that historic façade.

Mr. Armijo said they could be screened right there.

Chair Woods asked how close to each other these units could be put.

Mr. Henderson asked if she meant end to end.

Chair Woods clarified that the screen wall went all the way across and she asked if they could be closer together.

Mr. Duty thought that was possible. They could possibly put them closer than six feet apart. Then the screening would be shorter and he didn't have any problem looking into that. Perhaps it would be reduced in that case.

Mr. Rasch said currently the units were 13' between two of them and 16' between the other two.

Chair Woods said it was not ideal but if there was a way to mitigate something that was so huge.

Mr. Katz asked what was on the west elevation.

Mr. Rasch said that was the return of the screen wall.

Public Comment

Chair Woods asked for public comment and then the Board would go back to looking at this.

Present and sworn was Mr. Brad Perkins, 3 Camino Pequeño, who said, in view of what he had seen, it seemed that the easiest way was for the Board to find that the units could not be on the roof. The applicant would then find a way to do it since he had to have the units. If you let him have them on the roof he will not give up on that.

In his sense of logic, he understood that the first drawings the Board approved did not show anything on the roof. He asked if that was correct. Mr. Boniface agreed.

Mr. Perkins said this architect was licensed in the State of New Mexico and had been in Santa Fé for many years. He knows what he must do according to code. The code clearly says there should not be anything on the roof and that was the case with the first drawings and it was his problem to solve, not the Board's.

Present and sworn was Mr. John Eddy, said he empathized with the Board and the architect. Probably it was more difficult that it should have been.

He asked if the units were oriented north to south or east to west. He thought if they squeezed them together and oriented them the other way, it might work better and further shorten the width of the screen.

His opinion was that this project has come to represent a train wreck for historic Santa Fé. What happened here was to take a most important significant building on east DeVargas Street - a beautiful property that we have enjoyed for many years; one that was maintained by a family for generations and a subsequent owner respected it in a great way and this was a completely inappropriate adaptive use of a historic building.

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

Questions to the Applicant (continued)

Mr. Duty said they wanted to screen the hot box with coyote fence and screen the HVAC equipment with stucco screening. He would work with the owner and the engineer to bring them closer together. At the time, they would also look at anything to be gained by lowering the screen as much as six inches and maybe screen them without an exception. They are 90' back from the street. They are not like this one [he showed a picture] that was approved recently by the Board.

He appreciated the Board's efforts on this project. It has been good for El Castillo. He thought it was a great adaptive reuse and Luis Valdez who grew up in this house thinks it was great too.

He said he would be glad to report back to the Board about lowering, bringing them closer to each other and try to do it without an exception. His owner was opposed to moving them to the ground and he

would not agree to put them in the courtyard. The Alzheimer people can't function with those units out there. But he would work with the Board in any other way and space them better to reduce the screening. He was firmly convinced the screening was allowed.

Mr. Katz said concerning the hot box that a coyote fence "screams of screening." He asked that it be made to look more like an entry way.

Mr. Duty said there was no room for footings there and didn't want to do that. They wanted to screen it with coyote fencing.

Mr. Rasch said there was no talk about how far back it could be.

Action of the Board

Mr. Katz moved to postpone Case #H-11-105 at 237 & 239 East de Vargas Street for a new design with compact arrangement of the rooftop units to look at a possible different location. The motion died for lack of a second.

Mr. Duty pointed out that the roof was covered with solar collectors so he asked the Board to keep that in mind. The collectors were not publicly visible.

Mr. Armijo liked the recommendation of Mr. Perkins. The Board just needed to make a decision and stand by it.

Mr. Armijo moved to approve Case #H-11-105 at 237 & 239 East de Vargas Street with the condition that the HVAC units be lowered and let the applicant figure out where to put them on the ground, and with the condition that the hot box be screened to look like a gate entrance with stucco sides and a coyote gate. Ms. Mather seconded the motion.

Chair Woods asked that each board member speak to the motion.

Mr. Katz said he would support the motion and make a finding that the exceptions to the order to not allow visible rooftop equipment and the only way was to screen it and the criteria for a height exception have not been met.

Regarding the exception criteria, Mr. Katz didn't think it was a self-inflicted wound and they had maximized the absolute square footage of the lot so it was the result of actions of the Applicant and certainly not the least negative impact.

Chair Woods disagreed with both of them. This has gone on and on. The idea that if we entertain a motion to move them within 3 to 6 feet of the north parapet a screen wall would be almost invisible. She acknowledged that it was not ideal. But the fight would just keep going and going. Yes, we could stand on

principle. It has been flagrant and it has happened. Her suggestion was to really tell the applicant where he could put the units on the roof where the public wouldn't see them.

Mr. Boniface said he had been on the Board about one year and 9 months and when he read these dates from September, 2011, he agreed this has just gone on and on. He felt like he was overwhelmed with it. He thought the Board had bent over backwards and Mr. Duty had not reciprocated but did what he wished to do. Once he brought up the LG compressors and heard Mr. Duty say he couldn't do it that was wrong.

He favored moving the units to the north side of the building. They had solar collectors and skylights and he suggested that the applicant align them with the south face of the skylight there; put all three of them there to the east of the skylight and screen them. That wall that was part of the building and was extremely tall. He would move it there.

Ms. Mather said her concern was much more global for this building. The Board has granted any number of exceptions and evidently each of those allowed the building to maintain its status but she didn't believe that. The original building has been engulfed by every available inch of the building and she could not vote for any further exceptions on this building. The contributing building was in peril of losing its status. The Board cannot vote for anything that imperils its status. It was no longer visible. He may have served his client very well and the memory center patients very well but not the rest of the city.

She frankly didn't know what to do. It was not really there anymore.

Chair Woods asked if she didn't think it had historic status any more. Ms. Mather agreed.

Chair Woods said it was either already a done deal or this was not going to kill it. This wouldn't be the fatal blow.

The motion failed to pass on a 2-3 voice vote with Mr. Katz, Ms. Mather and Mr. Boniface voting against.

Mr. Boniface moved in Case #H-11-105 at 237 & 239 East de Vargas Street to approve it, including from the previous motion the condition that the hot box be screened to look like a gate entrance with stucco sides and a coyote gate, relocating the three rooftop units to the north side of the building and have them be located between the skylights on the northeastern portion east of the rectangular skylight, that the units be placed as close as possible together not to exceed six feet side to side, that the screen wall be as high as the units and enclosed on three sides and granting an exception for that height so the applicant has met the exception. Ms. Mather seconded the motion.

Chair Woods asked that the screen wall be stuccoed. She asked that the motion include saying "so that there is no public visibility of the equipment."

Mr. Boniface accepted the amendment as friendly to the maker of the motion.

Mr. Katz asked that it also say if the applicant couldn't comply with those conditions, he would come back again.

Mr. Boniface agreed to that amendment but say that the applicant would come back to staff because he didn't want to see him again at the Board.

Mr. Katz requested an amendment that the granting of a height exception was contingent on moving the units to this location.

Mr. Boniface agreed and added that the applicant cannot place the units in that specific location that he takes the application back to staff. Then it would be up to Mr. Rasch whether to bring it back to the Board if he didn't feel he could accept it.

Mr. Rasch agreed.

So the motion as amended is:

Mr. Boniface moved in Case #H-11-105 at 237 & 239 East de Vargas Street to approve with the following conditions:

- 1. That the hot box be screened to look like a gate entrance with stucco sides and a coyote gate;**
- 2. That the three rooftop units be relocated to the north side of the building between the skylights on the northeastern portion, east of the rectangular skylight;**
- 3. That the units be placed as close as possible together not to exceed six feet side to side;**
- 4. That the screen wall be stuccoed and as high as the units and enclosed on three sides so that there is no public visibility of the equipment;**
- 5. That granting an exception for that height is contingent on moving the units to the specified location;**
- 6. That if the applicant cannot comply with the conditions of this motion, that the application would come back to the staff and staff would determine if it needed to come back to the Board.**

Ms. Mather seconded the motion.

The motion passed by majority (4-1) voice vote with all voting in favor except Mr. Armijo, who voted against.

Mr. Duty said he would not come back. He said he was in favor of what the Board approved and he would either comply or if not, he would appeal the case.

H. COMMUNICATIONS

Mr. Rasch said the Board policy clearly says there would be no changes after the agenda was set. But recently he has had people asking to use City equipment (lap top and projector) and he cannot do that any

longer. So he intended to enforce the policy of no changes after the schedule was set.

Chair Woods said the Board could support that.

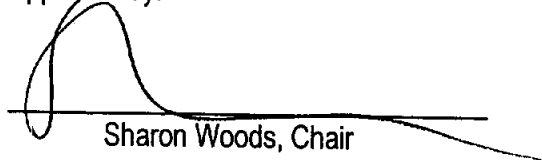
I. MATTERS FROM THE BOARD

Chair Woods announced the appointment of a new board member, William Powell, who will be at the next field trip and the next meeting.

J. ADJOURNMENT

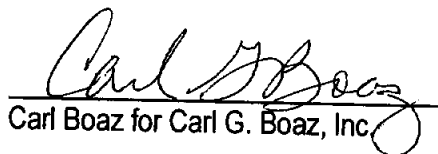
Having completed the agenda and with no further business to come before the Board, the meeting was adjourned at 8:50 p.m.

Approved by:



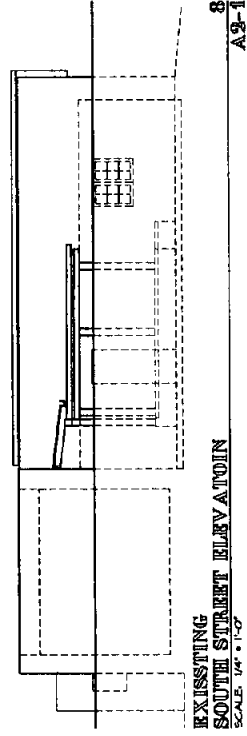
Sharon Woods, Chair

Submitted by:

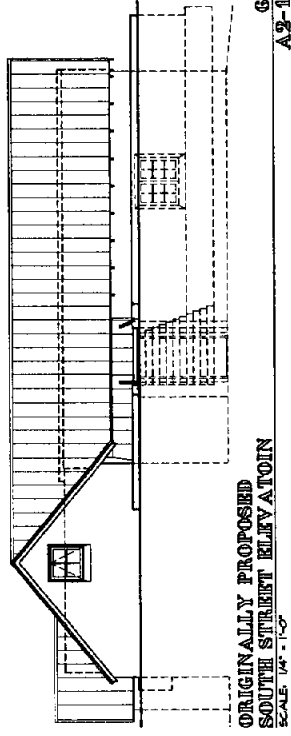


Carl Boaz for Carl G. Boaz, Inc.

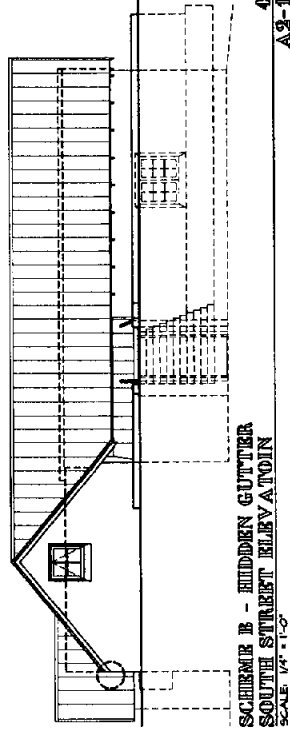
Historic Districts Review Board



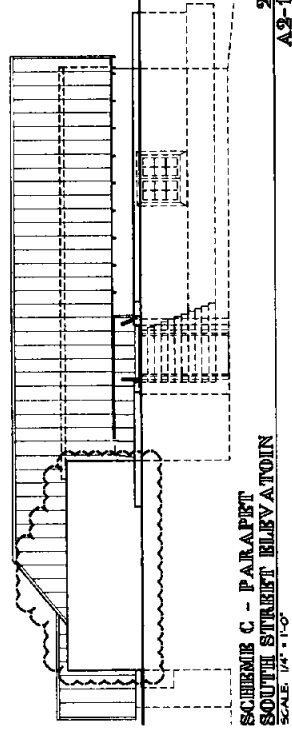
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A3-1



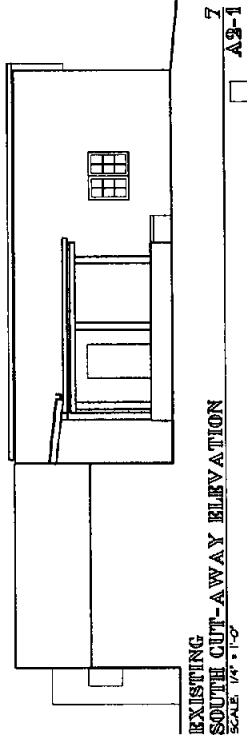
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A3-1



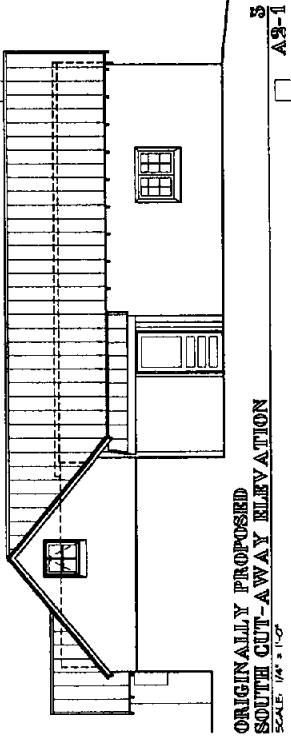
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A3-1



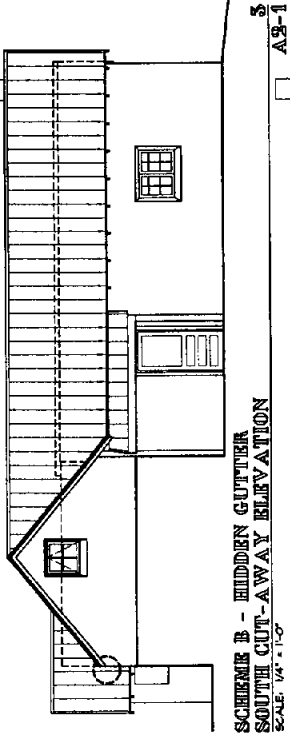
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A3-1



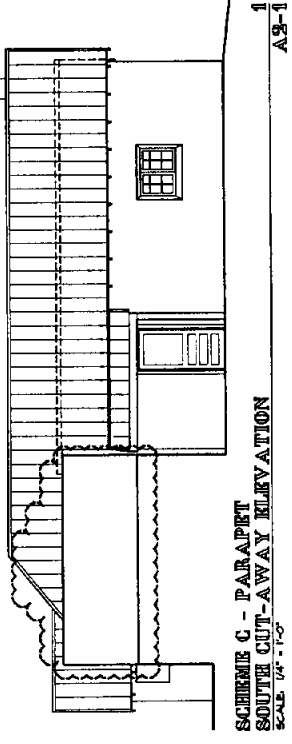
7
A3-1



3
A3-1

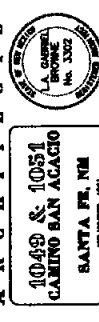


5
A3-1



1
A3-1

PRAXIS
ARCHITECTS

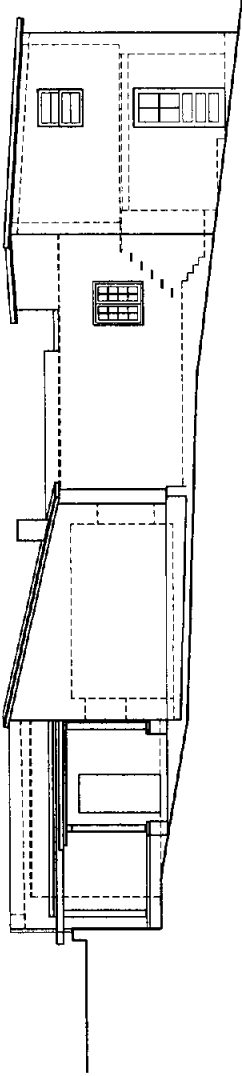


1049 S. 1051
CANTINO SAN AGACIO
SANTA FE, NM
87505-1001

HISTORIC COMPARISON
ELEVATIONS

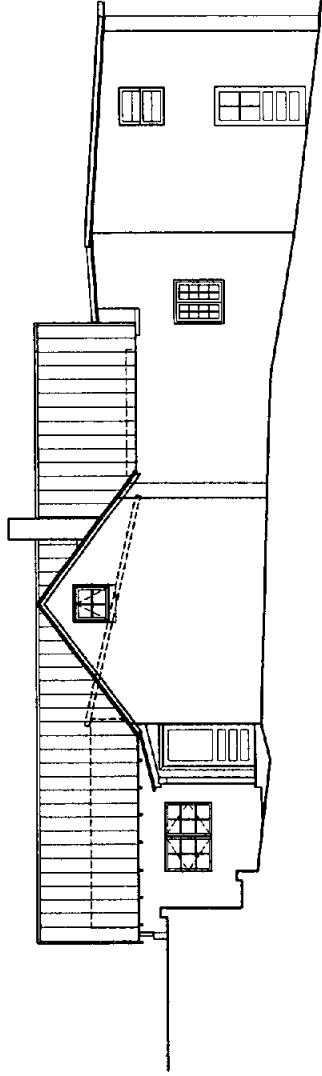
1192-1

EXHIBIT "1"



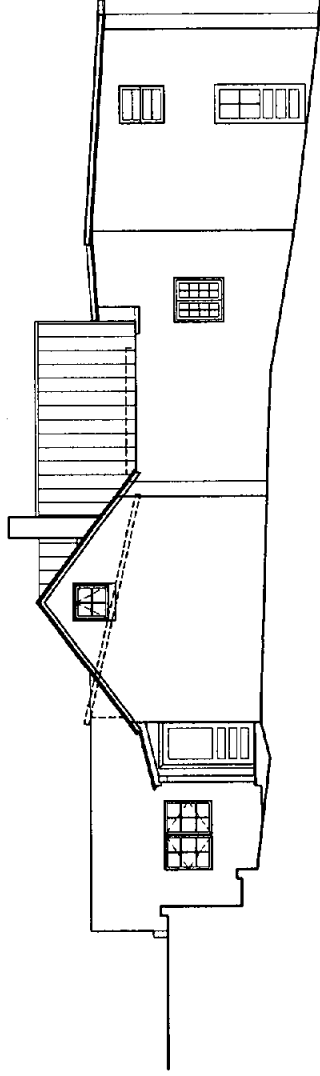
EXISTING
EAST ELEVATION
SCALE: 1/4" = 1'-0"

3
A2-2



ORIGINALLY PROPOSED AND SCHEME B - NO DIFFERENCE
EAST ELEVATION
SCALE: 1/4" = 1'-0"

2
A2-2



SCHEME C - PARAPET
EAST ELEVATION
SCALE: 1/4" = 1'-0"

1
A2-2

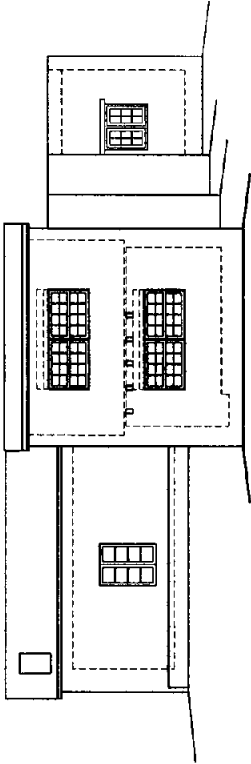
PRAXIS
ARCHITECTS
10449 & 10551
CAMINO SAN ACACIO
SANTA FE, NM
315.8320.1211

LA COUNTY
BROWNE
No. 3307

HISTORIC COMPARISON
ELEVATIONS

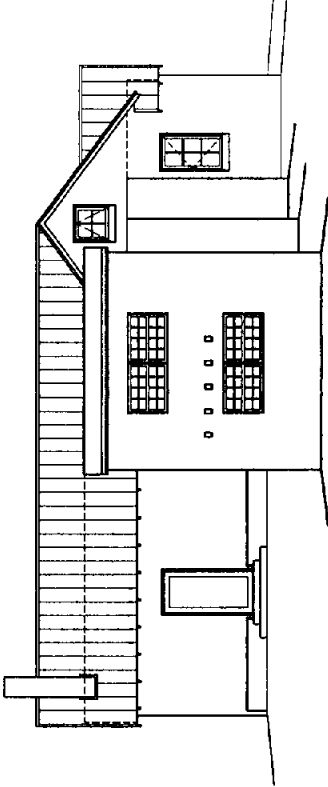
DATE: 08-11-11	FILE NO: 11-0000-0001
BY: J. BROWNE	DATE: 08-11-11
CHECKED: J. BROWNE	DATE: 08-11-11
APPROVED: J. BROWNE	DATE: 08-11-11

H102-2



EXISTING
NORTH ELEVATION
SCALE 1/4" = 1'-0"

2
A2-S



ORIGINALLY PROPOSED, SCHEME B & SCHEME C - ON DIFFERENCE
NORTH ELEVATION
SCALE 1/4" = 1'-0"

1
A2-S

PRAXIS
ARCHITECTS

1049 & 1051
CAMINO SAN ACACIO
SANTA FE, NM
315.468.1241

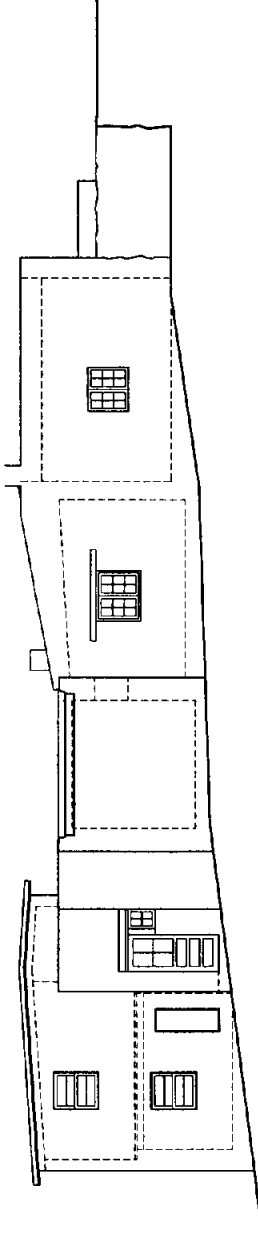


HISTORIC COMPARISON
ELEVATIONS

OWNER: PRAXIS
DATE: 10-1-2020
PROJECT: HISTORIC COMPARISON
ELEVATIONS

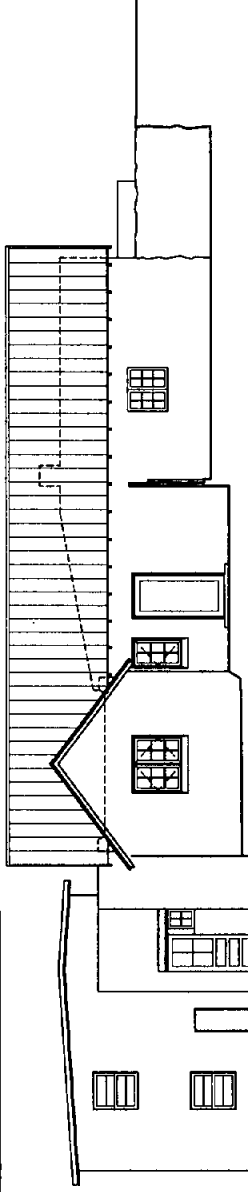
112-3

KEYED NOTES



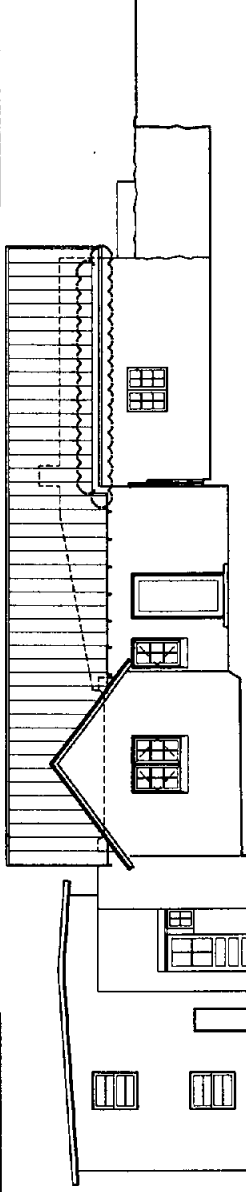
EXISTING
WEST ELEVATION
SCALE: 1/4" = 1'-0"

4
A2-4



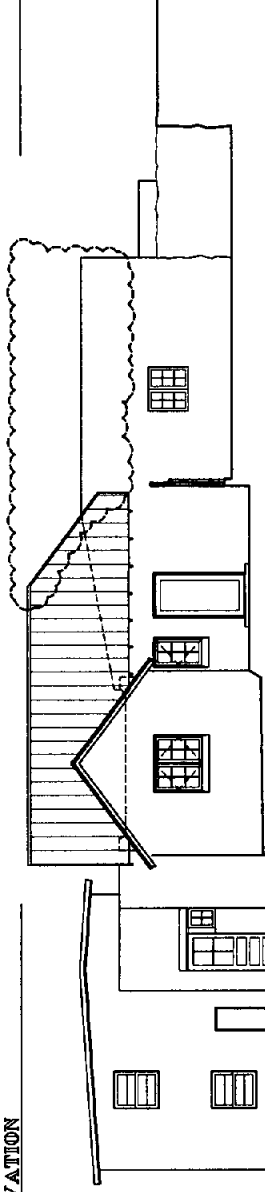
ORIGINALLY PROPOSED
WEST ELEVATION
SCALE: 1/4" = 1'-0"

3
A2-4



SCHEME B - HIDDEN GUTTER
WEST ELEVATION
SCALE: 1/4" = 1'-0"

3
A2-4

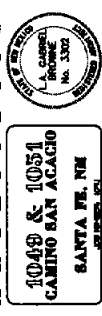


SCHEME C - PARAPET
WEST ELEVATION
SCALE: 1/4" = 1'-0"

1
A2-4

PRAXIS
ARCHITECTS

1049 & 1051
CAMINO SAN ACAGO
SANTA FE, NM
87505-2521



HISTORIC COMPARISON
ELEVATIONS

PROJECT NO.	24-152-1
DATE	10/2/2024
BY	PRAXIS
CHECKED BY	PRAXIS
DATE	10/2/2024

H12-4

August 26, 2014

RE: Case # H-14-031

To the Staff and Members of the Historic Design Review Board:

My name is James Klebau, and I am the owner of the property directly adjacent to 607 Webber St. on the north (Santa Fe Avenue) side. Because of my proximity to the project, I am the person most visually impacted by the proposed installation of solar panels on the north face of the roof at 607 Webber.

I had planned to make this presentation in person but am unable to make the meeting for health reasons. Nonetheless, I want to make clear my approval of this installation requested by Steve and Meredith Machen.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "James Klebau", with a stylized, flowing script.

James Klebau
220 E. Santa Fe Avenue
Santa Fe, NM 87505
Tel. (505)954-4777