



Agenda

PREPARED BY

DATE

M. Kelly
L. Alberty

HISTORIC DISTRICTS REVIEW BOARD FIELD TRIP

TUESDAY, October 14, 2014 at 12:00 NOON

HISTORIC PRESERVATION DIVISION, 2nd FLOOR CITY HALL

HISTORIC DISTRICTS REVIEW BOARD HEARING

TUESDAY, October 14, 2014 at 5:30 P.M.

CITY COUNCIL CHAMBERS

****AMENDED****

- A. CALL TO ORDER
- B. ROLL CALL
- C. APPROVAL OF AGENDA
- D. APPROVAL OF MINUTES: September 23, 2014
- E. FINDINGS OF FACT & CONCLUSIONS OF LAW

Case #H-14-053. 309 W. San Francisco Street
Case #H-14-081. 616 (E) East Alameda.
Case #H-14-084. 492 West Water Street.

Case #H-14-078. 851 Camino Ranchitos.
Case #H-14-083. 208 ½ Polaco Street.
Case #H-14-085. 628 East Palace Avenue.

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

1. Case #H-13-074. 927 and 929 Canyon Road. Downtown & Eastside Historic District. Joseph Gonzales of Caliente Properties, agent for Joseph and Mary Gonzales, owners, proposes to alter yardwalls and fences and to construct a driveway with vehicle gate and retaining wall. (David Rasch).
2. Case #H-14-057. 505 Apodaca Hill. Downtown & Eastside Historic District. Gabriel Browne of Praxis Architects Inc., agent for Iscah Carey, owner, proposes, proposes to amend a previous approval to remodel a non-contributing guest house. (David Rasch).
3. Case #H-14-064. 522 Johnson Lane. Downtown & Eastside Historic District. Charles Ash, agent for Carl Palasota, proposes to remodel and to construct a 188.5 square foot addition on a 622 square foot non-contributing residence. (Lisa Roach).
4. Case #H-14-014. 426 Abeyta Street. Downtown & Eastside Historic District. Martinez Architecture Studio PC, agent, for Daniel Nossiter & Nancy Bookbinder, owners, proposes to amend a previous approval to remodel a non-contributing residential structure by enclosing an existing portal on the East side of the residence. (David Rasch).

5. Case #H-14-082. City of Santa Fe Historic Bridges. Downtown & Eastside Historic District. Historic Preservation Division staff requests a historic status review of (A) the Grant Avenue Bridge, (B) the Don Gaspar Avenue Bridge, and (C) the Delgado Street Bridge, all non-statused structures. (David Rasch).
6. Case #H-10-091. 526 Calle Corvo. Downtown & Eastside Historic District. Paul Trachtman, owner/agent proposes to amend a previous approval to remodel a non-contributing property by constructing a 6-foot high coyote fence at the southwest corner of the property. (David Rasch).
7. Case #H-13-103. 125 West Coronado Street. Don Gaspar Area Historic District. Aaron Cordova, agent for Candice Johnson, proposes to amend a previous approval to construct additions and remodel a non-contributing property (David Rasch).
8. Case #H-14-087. 524 & 525 ½ & 526 Canyon Road. Downtown & Eastside Historic District. Chris Sandoval, agent for Theresa Salazar, owner, requests a historic status review and primary elevation designation for this contributing commercial structure. (David Rasch).
9. Case #H-14-089. 106 Victoria Street. Downtown & Eastside Historic District. Rose Ortiz, agent/owner, requests a historic status review of a non-contributing residence. (Lisa Roach).
10. Case #H-14-091. 302 Sena Street. Don Gaspar Area Historic District. William Beck, agent for Julie and Mark Khano, owners, proposes to construct a 2,400 square foot single-family two-story residence on a vacant lot to a height of 14' 6" where the maximum allowable height is 15' 8". (Lisa Roach).
11. Case #H-14-094. 206 Closson Street. Westside-Guadalupe Historic District. Linda and John Buchser, agents/owners propose to construct a coyote fence to a maximum height of 6 feet at the south side lot line of a contributing property (Lisa Roach).
12. Case #H-14-088. 1328 Camino Corrales. Historic Review Historic District. Gayla Bechtol, agent for Karen and Carey Weiss, owners, proposes to raise the height of the street-facing yard wall to 6 feet and requests a height exception to exceed the maximum allowable yardwall height (Section 14-5.2(D)(9)). (David Rasch).
13. Case #H-14-092. 463 Camino de las Animas. Downtown & Eastside Historic District. Rad Acton, agent for Stonewall Jackson, owner, proposes to construct a new 4,000 square foot single-family residence adjacent to a significant structure and requests an exception to exceed the maximum allowable building height of 14' 11" (Section 14-5.2(D)(9)) and an exception to the Downtown and Eastside Architectural Design Standards (Section 14-5.2(E)). (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.



Agenda

CITY CLERK'S OFFICE

DATE 9/25/14 TIME 9:10a

PREPARED BY McCallay

APPROVED BY [Signature]

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HISTORIC PRESERVATION DIVISION, 2nd FLOOR CITY HALL

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Case #H-14-081. 616 (E) East Alameda.
Case #H-14-084. 492 West Water Street.
Case #H-14-082. City of Santa Fe Bridges.

Case #H-14-079. 310 Catron Street
Case #H-14-083. 208 ½ Polaco Street.
Case #H-14-085. 628 East Palace Avenue.

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

1. Case #H-13-074. 927 and 929 Canyon Road. Downtown & Eastside Historic District. Joseph Gonzales of Caliente Properties, agent for Joseph and Mary Gonzales, owners, proposes to alter yardwalls and fences and to construct a driveway with vehicle gate and retaining wall. (David Rasch).
2. Case #H-13-103. 125 West Coronado Street. Don Gaspar Area Historic District. Aaron Cordova, agent for Candice Johnson, proposes to amend a previous approval to construct additions and remodel a non-contributing property (David Rasch).
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5. Case #H-14-014. 426 Abeyta Street. Downtown & Eastside Historic District. Martinez Architecture Studio PC, agent, for Daniel Nossiter & Nancy Bookbinder, owners, proposes to amend a previous approval to remodel a non-contributing residential structure by enclosing an existing portal on the East side of the residence. (David Rasch).

6. Case #H-10-091. 526 Calle Corvo. Downtown & Eastside Historic District. Paul Trachtman, owner/agent proposes to amend a previous approval to remodel a non-contributing property by constructing a 6-foot high coyote fence at the southwest corner of the property. (David Rasch).
7. Case #H-14-082. City of Santa Fe Historic Bridges. Downtown & Eastside Historic District. Historic Preservation Division staff requests a historic status review of the Grant Avenue Bridge, the Don Gaspar Avenue Bridge, and the Delgado Street Bridge, all non-statused structures. (David Rasch).
8. Case #H-14-079. 310 Catron Street. Downtown & Eastside Historic District. Fred Schwartz, agent for Debbie and Fred Schwartz, owners, request a historic status review of this non-contributing residential structure. (David Rasch).
9. Case #H-14-087. 524 & 525 ½ & 526 Canyon Road. Downtown & Eastside Historic District. Chris Sandoval, agent for Theresa Salazar, owner, requests a historic status review and primary elevation designation for this contributing commercial structure. (David Rasch).
10. Case #H-14-089. 106 Victoria Street. Downtown & Eastside Historic District. Rose Ortiz, agent/owner, requests a historic status review of a non-contributing residence. (Lisa Roach).
11. Case #H-14-091. 302 Sena Street. Don Gaspar Area Historic District. William Beck, agent for Julie and Mark Khano, owners, proposes to construct a 4,120 square foot single-family residence on a vacant lot to a height of 14' 6" where the maximum allowable height is 15' 8". (Lisa Roach).
12. Case #H-14-093. 321 West Manhattan Avenue. Transition Historic District. Mark Lopez, agent for Ruskin Blankenship, owner, proposes to remodel a non-contributing main residence and guest house by replacing windows, re-stuccoing, replacing an existing carport, replacing a street-facing chainlink fence with a 4' high stuccoed block wall with pedestrian and vehicle gates, and constructing a 6' high coyote fence at the west lot line. (David Rasch).
13. Case #H-14-094. 206 Closson Street. Westside-Guadalupe Historic District. Linda and John Buchser, agents/owners propose to construct a coyote fence to a maximum height of 6 feet at the south side lot line of a contributing property (Lisa Roach).
14. Case #H-14-086. 238 Rodriguez. Downtown & Eastside Historic District. Lorn Tryk Architects, agent for Leslie Larsen, owner, proposes to construct a 2,243 square foot residence on a vacant lot to a height of 13' where the maximum allowable height is 13' 7" and requests a height exception to construct a 6' high yard wall where the maximum allowable yard wall height is 4' 11" (Section 14-5.2(D)(9)). (Lisa Roach).
15. Case #H-14-088. 1328 Camino Corrales. Historic Review Historic District. Gayla Bechtol, agent for Karen and Carey Weiss, proposes to raise the height of the street-facing yard wall to 6 feet and requests a height exception to exceed the maximum allowable yardwall height (Section 14-5.2(D)(9)). (David Rasch).
16. Case #H-14-092. 463 Camino de las Animas. Downtown & Eastside Historic District. Rad Acton, agent for Stonewall Jackson, owner, proposes to construct a new 4,000 square foot single-family residence adjacent to a significant structure and requests an exception to exceed the maximum allowable building height of 14' 11" (Section 14-5.2(D)(9)) and an exception to the Downtown and Eastside Architectural Design Standards (Section 14-5.2(E)). (Lisa Roach).

II. COMMUNICATIONS

I. MATTERS FROM THE BOARD

J. ADJOURNMENT

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HISTORIC DISTRICTS REVIEW BOARD

October 14, 2014

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MINUTES OF THE
CITY OF SANTA FÉ
HISTORIC DISTRICTS REVIEW BOARD

October 14, 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 at City Hall, Santa Fé, New Mexico.

B. ROLL CALL

Roll Call indicated the presence of a quorum as follows:

MEMBERS PRESENT:

Ms. Sharon Woods, Chair
Ms. Cecilia Rios, Vice Chair
Mr. Bonifacio Armijo
Ms. Christine Mather
Mr. William Powell

MEMBERS EXCUSED:

Mr. Edmund Boniface
Mr. Frank Katz

OTHERS PRESENT:

Mr. David Rasch, Historic Planner Supervisor
Mr. Zach Shandler, Asst. City Attorney
Ms. Lisa Roach, Senior Historic Planner
Ms. Lisa Martínez, Land Use Director
Ms. Melessia Helberg, Stenographer, for Carl Boaz

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. Lisa Martínez, Director, Land Use Department, requested to postpone Case #5 (Case #H-14-082) until date certain, October 28, 2014,

Mr. Armijo asked that Item #7 (Case #H-13-103) be moved to be the last case on the agenda.

Ms. Mather moved, seconded by Mr. Armijo, to approve the Agenda, as amended. The motion passed by unanimous voice vote.

Chair Woods announced to the public that the status on the bridges has been postponed to the next meeting on October 28, 2014.

D. APPROVAL OF MINUTES: September 23, 2014

The following corrections were made to the minutes:

Mr. Rasch asked on page 8 in the Action of the Board, second paragraph, to add "wide" to "45 inches. And in the motion on page 20, Item #4, should say "that the rock wall look it was at the time of construction. My notes said that the "height increase shall harmonize with the original wall and be visually consistent."

Mr. Shandler said the Carpenter's Union case had a discrepancy in the minutes from what the staff had intended.

Chair Woods understood it no longer has status. It is non-contributing because of changes over time.

Mr. Rasch said that was the garage and the house.

Chair Woods said they were both non-contributing.

Mr. Armijo moved, seconded by Mr. Powell, to approve the minutes as amended. The motion was approved unanimously on a voice vote.

E. FINDINGS OF FACT & CONCLUSIONS OF LAW

Case #H-14-053. 309 W. San Francisco Street

Case #H-14-081. 616 (E) East Alameda.

Case #H-14-084. 492 West Water Street.

Case #H-14-078. 851 Camino Ranchitos.

Case #H-14-083. 208 ½ Polaco Street.

Case #H-14-085. 628 East Palace Avenue.

Ms. Rios moved, seconded by Ms. Mather, to approve the Findings of Fact and Conclusions of

Law as presented by staff in the aforementioned Cases. The motion was approved unanimously on a voice vote.

F. BUSINESS FROM THE FLOOR

There was no business from the floor.

G. ACTION ITEMS

1. **Case #H-14-032. 927 and 929 Canyon Road.** Downtown & Eastside Historic District. Joseph Gonzales of Caliente Properties, agent for Joseph and Mary Gonzales, owners, proposes to alter yardwalls and fences and to construct a driveway with vehicle gate and retaining wall. (David Rasch).

Mr. Rasch 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 HDRB approved an application to demolish a non-contributing garage on this property. On August 26, 2014, the HDRB approved the construction of 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'.

Now, the applicant proposes to alter the east lot line wall and fence to accommodate the relocated driveway. The CMU wall and coyote fence will be partially removed, the neighbor's coyote fence will be relocated from an encroaching position, and a retaining wall will be constructed to hold the regarded driveway.

The neighbor to the east has provided relevant information to this case as additional City submittals.

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. Rios asked staff to describe the grade on the proposed driveway.

Mr. Rasch said the existing driveway had a steep grade to the north. Where the proposed driveway will

go has a series of steps in the ground; each wall is probably less than 3 feet each, but a few steps down to where the house is to be built.

Ms. Rios said on the field trip it appeared that the grade will need to be filled because of areas where it was deep.

Mr. Rasch agreed all the low areas and wall with steps needed to be filled. Instead of taking out wall, they would fill over it with the driveway on top of it.

Ms. Mather noted a letter from the adjoining neighbor that asked the Board to do several things. She asked if the Board has the authority to respond to those. At the site visit it seemed that by putting the new driveway and wall, there would be a loss of trees and very close to that particular home. She wondered what the zoning was on that, especially the utility mechanical building they might not be able to access.

Mr. Rasch clarified that the Zoning Staff did approve this application and this Board doesn't have jurisdiction over trees.

Ms. Mather asked if the Board had jurisdiction over the location of the wall so close to the adjoining property.

Mr. Rasch said this Board could discuss harmony issues.

Chair Woods disagreed. She believed the house next door could have had a historic review and if it was contributing and did damage to a historic building, the Board would have jurisdiction over that.

Mr. Rasch clarified that he didn't say that was not under the Board's jurisdiction.

Chair Woods said the Board possibly does have jurisdiction, based on historic status of that building.

Ms. Rios asked if the neighbor did approve moving the fence to the property line.

Mr. Rasch believed they acknowledged that the existing fence is encroaching into the applicant's property and both are aware that the applicant is intending to move that fence to the property line.

Chair Woods noted in the applicant's letter on page 12, that the two neighbors have an agreement with both property owners. She asked if a written agreement had been submitted to the City.

Mr. Rasch said no. He had heard of it but everything submitted is in the packet.

Applicant's Presentation

Mr. Joseph B. Gonzales, owner, was sworn. He corrected statements said that there is some

confusion about the wall. The wall is not a retaining wall that he is requesting to be taken down. The picture shows there is a current rock wall which is the current retaining wall. The cinder block wall is built on top of that. There is 4-6 inches between his wall that is on his own property. The property in front and back of his neighbor has encroached on our property. The agreement with one neighbor up front is in writing, but he didn't bring it for the Board.

Chair Woods explained the Board needed to see that because otherwise it is hearsay.

Mr. Gonzales clarified that it was an agreement to move the fence. He said the neighbor's fence "goes all the way around this and is 4- 6 inches away from our cinder block wall." We are not taking out a retaining wall. The part he was looking at is about 35 feet because there is another part on the front neighbor's property that he agreed to leave where it is. So he was doing nothing from half of her side of the fence other than removing the cinder block wall. When they build the driveway, a piece would have some fill so they needed to build a higher retaining wall from the driveway to the east side of the property.

Questions to the Applicant

Chair Woods said she couldn't understand what he was saying and it was very confusing to know what he was doing on the drawings he submitted. She asked if he would lose the 100 year old apricot tree.

Mr. Gonzales said that was in litigation and there were lawyers involved. He didn't know if they would lose the tree. The attorneys were talking.

Mr. Armijo asked if the tree was on his property.

Mr. Gonzales said part of the tree was - "that much of the tree stump is in our property line" and branches.

Mr. Armijo understood the tree base was on both properties.

Mr. Gonzales agreed - 4-6 inches.

Chair Woods asked why he was doing this, when he was only talking about two feet and he had all the room on the other side.

Mr. Gonzales said, "It is my property. I own the property. My uncle passed away in May and the property was left to me. There were no surveys done until he got one in 2011 and was when I found out about the encroachment." The back neighbor is willing to move his fence back. The other one has issues.

Chair Woods asked him to show us where you are leaving the existing wall and fence and where you are going to move it.

Mr. Gonzales demonstrated on the map.

Chair Woods asked how many feet it was from the property line.

Mr. Gonzales said it was 3 feet at the front and narrows toward the back end. He pointed out the location of the tree. The agreement allowed him to move a fence and build a new retaining wall which needed to be built for the new elevated driveway. He reiterated that the wall wasn't retaining anything. The rock wall below it is the retaining but it will stay. He agreed to let her keep her fence on his property, on the front part of the property.

Chair Woods asked where he was moving fence on the back side and where the retaining wall would be.

Mr. Gonzales demonstrated on the map and where has to be filled in. The retaining wall will be built there.

Chair Woods pointed out he would have to put in footings for it. Mr. Gonzales agreed and had plans.

Mr. Armijo questioned, since it was under litigation if the Board should be looking at it. He added that there were no letters of agreement in the packet so the Board would know.

Mr. Shandler said traditionally, land use board don't get involved in private litigation between parties. As for the agreement, he was still waiting to hear if the neighbor was present to confirm the agreement concerning this wall.

Ms. Rios pointed out that the people who come to this Board are sworn so what they say we should take as the truth.

Mr. Shandler agreed, but there was no information on the private litigation.

Chair Woods said the Board didn't accept hearsay without written proof.

Mr. Shandler agreed. They are under oath, but whether they are meeting the legal standards of evidentiary rules - probably not. But he was still collecting facts before giving a final opinion.

Ms. Rios asked if the Board could or could not go forward with the case.

Mr. Shandler believed the Board could go forward.

Mr. Gonzales said it was not litigation in the courts, but just between the parties and lawyers.

Ms. Mather thought it seemed he had come to an agreement with the neighbor on the east side for the first 20 feet or so.

Mr. Gonzales said there was 35 feet on the back of property. For the front part he had agreed for the

fence to stay where it is. If I let her keep the fence where it is on the front side, I will get the back side. Now I am running into this tree stuff so I am not getting what I want. On the back 35 feet I would move the coyote fence back 1½ feet to the original property line. Then, when we build the new driveway, we will do a new retaining wall to retain the dirt from our side to the neighbor's side.

Ms. Mather's concern was to maintain the visual integrity of that neighborhood and of the next door house.

Mr. Gonzales said the coyote fence they have is in front of his wall. And his wall is way inside his property and not even at the property line. All he was asking for was to take down the cinder block wall, and once the driveway is done, the existing coyote fence would take care of it. There would be a 6 inch curb above ground from the retaining wall for drainage off the driveway.

Ms. Mather asked what the problem with the tree was.

Mr. Gonzales said it is on the property line and he has to build the retaining wall up to the property line.

Chair Woods said Mr. Gonzales stated that the front was off by 3 feet, but said she was only moving her coyote fence 1½ feet and that was in the back, and all of this is between 1½ and 3 feet.

Mr. Gonzales agreed. It was 3 feet to 4 feet from the property front to Canyon Road.

Chair Woods didn't believe it was four feet.

Mr. Gonzales said it maybe was three feet.

Chair Woods said that gets narrower so the part he was asking to do the retaining wall in the back was less than 3 feet because of the angle. Mr. Gonzales agreed.

Ms. Rios asked how far the fence at the front went back where the fence would remain.

Mr. Gonzales said the fence would remain exactly where it is now.

Ms. Rios asked for how many feet it would remain.

Present and sworn was Mr. Leo Moya, 5619 Mariola Place, Albuquerque. He is the General Contractor with Caliente Properties. He said her coyote fence on the other side of cinder block that we want to take down will remain. But where her house ends on back to the back of the lot, "we will nudge the fence over back to the property line at that point. Her coyote fence which is already on her side of the property - there are two fences: our cinder block and her coyote fence which will be moved back onto her property and for the last half of that wall, we will move the retaining wall over to the property line but her coyote fence will remain the same. Once we do what we are going to do, if you look at it from her side, there will be no difference because her fence extends higher than the cinder block to be removed. So visually speaking it will be zero visual impact on her side. The retaining wall we intending to build - will retain back the dirt

necessary to create a smooth incline for the driveway, and at the highest point, the retaining wall will only be about 4 feet high." The dirt held back will only be on our side of the property. The retaining wall will be side by side with her coyote fence. She won't be able to see the retaining wall from her side of the fence. We won't disturb her grade, and her coyote fence. From her perspective from back of her house the fence will move back on the property line and not encroach on our property. From the front to the back part of her house, we are allowing the encroachment to remain in place. The retaining wall is to get a smooth driveway for fire vehicle safe access.

Chair Woods understood they didn't believe her view would be affected but if you take out the tree, the yard won't be the same.

Mr. Armijo referred to page 14 and asked if that showed a wall or a fence.

Mr. Gonzales said that was a cinder block wall and then a wooden fence.

Mr. Armijo asked if that 12.5' would remain or be removed.

Mr. Gonzales - it will be removed.

Mr. Armijo asked what it would be replaced with.

Mr. Gonzales said it wouldn't be replaced. Her wall will stay. The next 30 feet is a picket fence with dog-eared pickets.

Mr. Armijo said the next section showed the new driveway 2 feet above that. He stood on the retaining wall today and looked over and it is the same grade, so you would need a 3 feet retaining on her side.

Mr. Moya said all the retaining would be on our side and her grade would remain the same. The retaining wall would be about six inches above the driveway in order to make sure to retain runoff on the property. Her coyote fence obscures our retaining wall.

Mr. Armijo asked you will come up with retaining wall to create slope, then have to take care of on her side.

Mr. Gonzales current she can see. She sees existing walls that doesn't retain.

Mr. Moya showed the retaining wall detail and said her coyote fence starts here and goes up. She can't see the retaining wall because of her coyote fence, even after the retaining wall. This grade is where it is at.

Mr. Armijo said from that drawing, from her side it would retain 4' 4" of wall on her side. It would be 1' 8" above the wall itself.

Ms. Rios asked Mr. Armijo his thoughts as a builder as to whether what is being proposed is doable.

Mr. Armijo's said if they were not doing a fence, they would be looking at a retaining wall. Whose jurisdiction is it to put the fence back up. To have the fence on his property, it would be 6 feet taller than grade. The neighbor isn't before the Board for removal or replacement. If the Board approves the retaining wall on his side, the Board can't approve something from the neighbor.

Chair Woods said it would be above the neighbor's property.

Public Comments

Present and sworn was Ms. Nellie Higginbotham, 943 Canyon Road, who had the written agreement and provided it as a handout. [Attached as Exhibit 1].

Ms. Higginbotham said she was in agreement that he was not to disturb the health of her tree. But in the sketch it appeared that half of the tree would be cut down. She didn't want that. She didn't want to lose her tree which provides shade and a screen and has been there a long time. It is in paragraph 3 on the second page. That is not in litigation or mitigation. It is clear. Her attorney, Janet McKay made it clear that the agreement protects her tree. She had an agreement that in the front allowed her to keep the coyote fence where it is now. She didn't know if he was going to move the block wall or take it down. Right now the wall does provide protection to the corner of her house. Her coyote fence was built as a landscape fence and not as a driveway fence. She was losing a lot of protection and she thought they would build the block wall to protect any impact from their side. Her gas meter and furnace room were on that side.

So her biggest concern was the dump trucks that would come in with an amazing amount of dirt to fill in for the driveway.

Ms. Higginbotham said she never understood the driveway. She thought she had an agreement and it revolves around the tree and she would lose protection. She has pruned the tree, taking a lot off the back end. The retaining wall will be right on the property line. Her concern was that they were going to build two feet up and she didn't know how that would fit in with the tree. And the driveway would now be above her property. She said her attorney couldn't be here and couldn't understand the engineering plans either and had concerns. She provided another handout which might have been identified but happened during a tape change. She said the problem was that two of the tree trunks bent over onto his property. She was fine with having the fence built and incorporating the tree. The tree is located where his uncle parked his RV. That would be where their retaining wall would be the highest and it would interfere with the tree.

Present and sworn was Mr. Josh Maes, 1621 Via Estrada. He thought the idea of a status review is a wonderful idea. He believed the neighbor's house is contributing. This man's uncle built the wall and at the time thought that was his property line. To go back now seems ridiculous.

Ms. Higginbotham said her attorney asked that the Board suspend approval until the tree issue is worked out and make sure they don't take it, and on front if they won't reinforce coyote fencing that the

block wall be suspended too. She wanted to share what she had in mind with the Board.

Chair Woods said that was not appropriate for this case. If she wished to do something to her property, she could come back to the Board with it.

Ms. Higginbotham said she was trying to explain that the coyote fence could not remain. It wasn't stable.

Ms. Rios noted that Mr. Gonzales indicated that about half of the coyote fence will stay and the back portion moved to property line. She asked Ms. Higginbotham agreed with that.

Ms. Higginbotham said she would agree if they would save the tree but that is not what they intended.

Ms. Rios asked then if she was not in agreement with way they wanted to put in the retaining wall.

Ms. Higginbotham agreed.

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

Mr. Gonzales didn't understand why she was not happy with the retaining wall because in the agreement it said he had authority to move the fence and build the retaining wall. He didn't know if his uncle built it, and if he did, he built it for privacy, but there was no survey so he didn't know the property line location. The other house knew because it was up for sale. When he went to the City for approval, the person came out because it went by the property line.

Chair Woods said we couldn't know because he's not alive.

Action of the Board

Ms. Rios pointed out that Ms. Higginbotham highlighted in the agreement, "the mature trees will not be disturbed." She asked if the applicant agreed to it.

Mr. Gonzales said he did, when the fence was moved. Those trees are already inside his property the way it sits right now. The stump is in the property line. She says 3" but he didn't know.

Chair Woods asked Lisa Martínez if Land Use has jurisdiction over the tree. Help us understand what that means since we don't have jurisdiction on a tree.

Ms. Martinez asked Mr. Rasch.

Mr. Rasch said the Code section gives the Land Use Director jurisdiction over removal of significant trees (at least 6 inch caliber) to determine what can be done with the tree.

Chair Woods thought that might be something that would need to come back to clarify where the City would stand with that.

Ms. Martinez agreed to look into it and meet with the parties.

Ms. Mather asked how this might trigger a status review of the neighbor's property. She would like a status review of neighbor's property to the east.

Mr. Rasch asked that it be included in the motion and have the Board vote on it.

Mr. Armijo asked how the Board could approve a fence if it's not on Mr. Gonzales' property.

Mr. Rasch said this applicant can't construct a fence on his neighbor's property, but can on the property line. So he could move the fence back to the property line.

Chair Woods said that wasn't what he was asking. He was asking to move the retaining wall there.

Mr. Rasch said the neighbor will have to get a permit for a fence on her property.

Ms. Rios thought the back portion was to be moved to the property line.

Mr. Gonzales said the portion to be moved to the property line between the back of her house behind the line (on her property). Mr. Rasch said we would have to move the coyote fence. But all we wanted to do was take down the cinder block wall.

Mr. Rasch said that in order to put the driveway where they want it, the existing fence needs to move. To the property line or further west. He thought the fence was on the property line.

Mr. Powell said the drawing is unclear and he couldn't see what's happening and couldn't make a decision based on the drawing. What would be helpful would be to see what is existing and what is proposed.

Mr. Gonzales said one drawing shows exactly where the wall is compared to the property line.

Mr. Powell saw in map 24 the surveyor's line, but couldn't tell what's happening. This discussion was trying to figure out what was proposed.

Ms. Rios moved in Case #H14-032 at 929 Canyon Road, to postpone this case to a date certain, October 28, 2014, and have the applicant come back with clear drawings showing existing and proposed, and the decision on the tree.

Chair Woods asked for an amendment that the parties meet with the City to determine jurisdiction over the tree and request a status review on the property to the east. Ms. Rios accepted that as friendly.

Mr. Armijo asked for an amendment to identify where the actual survey points are. Ms. Rios accepted that as friendly.

Chair Woods asked that the drawings also label what is being left as existing now.

Ms. Rios accepted it as friendly and asked that existing and proposed be shown on the same page.

The motion, as amended, was approved unanimously on a voice vote.

2. **Case #H-14-057. 505 Apodaca Hill.** Downtown & Eastside Historic District. Gabriel Browne of Praxis Architects Inc., agent for Iscah Carey, owner, proposes, proposes to amend a previous approval to remodel a non-contributing guest house. (David Rasch).

Mr. Rasch gave the staff report as follows:

BACKGROUND & SUMMARY:

505 Apodaca Hill is a single-family residential building and a free-standing casita that were constructed in a vernacular manner at an unknown date, probably in the 1960s. The residential building is listed as non-contributing to the Downtown & Eastside Historic District and the casita has no historic status designation.

On October 22, 2013, the HDRB granted approval to remodel the primary residential structure including construction of an addition, increasing the height of subordinate massing, and replacing windows. On July 22, 2014, the HDRB approved remodeling of the casita, including the construction of a bracketed eyebrow over the entry door on the north elevation.

Now, the applicant proposes to amend the previous approval by constructing a 176 square foot portal on the north elevation instead of the eyebrow. The simple design features square posts with an exposed header and a standing seam shed roof. The color was not submitted.

STAFF RECOMMENDATION:

Staff recommends approval of this application which complies with Section 14-5.2(D)(9) General Design Standards, Height Pitch Scale and Massing and (E) Downtown & Eastside Historic District with the condition that the condition that the metal roof color shall be specified.

Questions to Staff

Ms. Mather said at the site visit Mr. Rasch said the proposed would match the existing on the house.

Mr. Rasch agreed and confirmed that it was the grey color.

Applicant's Presentation

Present and sworn was Mr. Gabriel Brown, 1012 Marquez Place. The existing house had a small eyebrow and he proposed a longer eyebrow. The owner asked to repeat the detailing and look of the portal on the main house so this is to remove the eyebrow and put in a portal that matches detailing and color. It would have natural stain on the wood and grey standing seam roof.

Questions to the Applicant

There were no questions to the Applicant.

Public Comments

There were no speakers from the public regarding this case.

Action of the Board

Ms. Mather moved, seconded by William Powell, to approve Case #H-14-057 at 505 Apodaca Hill with condition that the small portal will match color and roofing of the house. The motion was approved unanimously on a voice vote.

3. **Case #H-14-064. 522 Johnson Lane.** Downtown & Eastside Historic District. Charles Ash, agent for Carl Palasota, proposes to remodel and to construct a 188.5 square foot addition on a 622 square foot non-contributing residence. (Lisa Roach).

Ms. Roach gave the staff report as follows:

BACKGROUND & SUMMARY:

522 Johnson Lane is a 622 square foot single-family residence constructed in a vernacular manner in approximately 1940. Due to its loss of integrity as a result of window replacement at an unknown date and infill of a portal on the East side of the building, the Historic Districts Review Board designated the residence Non-Contributing to the Downtown and Eastside Historic District on Tuesday, August 12, 2014.

Now, the applicant proposes to remodel the residence with the following:

1. Replace existing non-historic windows on the North and East elevations with four 6/6 double hung wood windows and one 4/4 double hung wood window and raise one of the North windows to match the same height as the others;

2. Remove a 6/6 double hung historic wood window and a paired 6/6 double hung historic wood window from the South elevation, and move them to the West elevation;
3. Remove the existing iron grilles from the windows on the South and West elevations and replace them with wooden grilles to match the existing wooden grilles on the North elevation, and add a duplicate wooden grille to the East window;
4. Install a pair of 12-lite wooden French doors where the paired 6/6 double hung window was removed on the South elevation;
5. Replace a three panel door on the East elevation with a 12-lite single French door;
6. Construct a 188.5 square foot addition at the east end of the South façade to a height of 12'4" where the maximum allowable height is 14'1", featuring a pair of 12-lite French doors on the East elevation, pedimented lintels and wooden surrounds on two reused historic windows and on one new 6/6 double hung wood window, and a single shutter on the West window;
7. Raise the parapets 14" on the existing residence to a height of 10'4", and reroof the existing residence to tie in with the roof of the addition;
8. Remove stucco on the existing residence, install rigid insulation, and add new cement stucco to match existing in El Rey #127 "Hacienda";
9. Paint all wood trim, doors, windows and grilles in Farrow-Ball no. 270 "Calluna" (a soft grey – paint swatch attached).

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. Rios asked if all windows would be divided lights. Ms. Roach agreed.

Applicant's Presentation

Present and sworn was Mr. Charles Ash, 2095 Pacheco, B-29, who said they will all have divided lights.

Questions to the Applicant

Ms. Rios asked if there would be anything on the roof. Mr. Ash said there would be none.

Mr. Armijo asked if the windows were all wood or clad.

Mr. Ash said they had not decided but probably wood because they wanted to paint them.

Mr. Armijo noted there was trim around all windows but not the doors.

Mr. Ash explained that the existing house didn't have that trim and he didn't feel it was necessary.

Mr. Rasch asked if windows would be true divided lights.

Mr. Ash said it would be true divided light, not simulated. They would not have pop in grills.

Public Comments

There were no speakers from the public regarding this case.

Action of the Board

Ms. Rios moved in Case #14-064 at 522 Johnson Lane, seconded by Mr. Armijo, to approve per staff recommendations and the condition that windows be true divided light and not pop-ins and color as submitted. The motion was approve unanimously on a voice vote.

- 4. Case #H-14-014. 426 Abeyta Street.** Downtown & Eastside Historic District. Martinez Architecture Studio PC, agent, for Daniel Nossiter & Nancy Bookbinder, owners, proposes to amend a previous approval to remodel a non-contributing residential structure by enclosing an existing portal on the East side of the residence. (David Rasch).

Mr. Rasch gave the staff report as follows:

BACKGROUND & SUMMARY:

426 Abeyta Street is a single-family residential building that was constructed in 1938 in the Spanish-Pueblo Revival style. Substantial alterations were made in the 1970s, including the addition of a bay window on the front, east elevation. The building is listed as non-contributing to the Downtown & Eastside Historic District.

On March 25, 2014, the HDRB approved remodeling of the building. Now, the applicant proposes to amend the previous approval by enclosing the portal at the northeast corner of the building. The exposed wooden header on the north elevation will be stuccoed over and the wall in-fill will be flush with adjacent wall surface. The wooden viga posts, carved wooden corbels, and exposed wooden header will be retained and the wall in-fill will be recessed approximately 1 foot. The wood panel entry door will be flanked by 10-lite sidelites in the south bay and triple 10-lite fixed windows will be installed in the north bay.

STAFF RECOMMENDATION:

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

Questions to Staff

Ms. Rios asked what the public visibility was for this building.

Mr. Rasch said it has a very tall yard wall so not visible.

Applicant's Presentation

Present and sworn was Mr. Richard Martínez, P. O. Box 925, Santa Fé who had nothing to add to the staff report.

Questions to the Applicant

Ms. Mather asked about the windows being installed.

Mr. Martinez said they would be wood with simulated divided light in architectural series.

Chair Woods referred to the proposed east elevation and asked what the wood was on it.

Mr. Martinez said it was a solid wood front door to the house. The other bay is an enclosed portal so you can sit out there.

Chair Woods asked if it was a plank. Mr. Martínez agreed and stained natural color.

Public Comments

There were no speakers from the public regarding this case.

Action of the Board

Mr. Armijo moved to approve Case #H-14-014 per staff recommendations. Ms. Mather seconded the motion with an amendment to add a condition that the windows be wood with simulated divided lights. Mr. Armijo accepted the amendment as friendly and the motion passed by unanimous voice vote.

5. **Case #H-14-082. City of Santa Fe Historic Bridges.** Downtown & Eastside Historic District. Historic Preservation Division staff requests a historic status review of (A) the Grant Avenue Bridge, (B) the Don Gaspar Avenue Bridge, and (C) the Delgado Street Bridge, all non-statused structures. (David Rasch).

This case is postponed to the meeting of October 28, 2014.

6. **Case #H-10-091. 526 Calle Corvo.** Downtown & Eastside Historic District. Paul Trachtman, owner/agent proposes to amend a previous approval to remodel a non-contributing property by constructing a 6-foot high coyote fence at the southwest corner of the property. (David Rasch).

Mr. Rasch gave the staff report as follows:

BACKGROUND & SUMMARY:

526 Calle Corvo is a single-family residential building that was constructed in 1948 in a vernacular manner. The building is listed as non-contributing to the Downtown & Eastside Historic District.

On October 26, 2010, the HDRB conditionally approved remodeling of the property. Now, the applicant requests approval for additional construction that was completed without approval or a construction permit.

A 6' high coyote fence with irregular-top latillas was constructed in the rear garden at the south lot line. The stringers were placed on the interior side of the fence.

STAFF RECOMMENDATION:

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

Questions to Staff

There were no questions to staff.

Applicant's Presentation

Present and sworn was Mr. Paul Trachtman, 526 Calle Corvo, who said after they had pretty much completed the renovation of the house and studio with the Board's approval, they embarked on some landscaping and hired some gardeners to plant a variety of plants and arrange pathways behind the house. The gardeners proposed they put a coyote fence behind some trees on the south side for purposes of privacy. In ignorance and probably stupidly, I agreed to go ahead and do it. He had no idea that it had to come here for approval. He apologized for his mistake but they did put together a coyote fence and it met all required specifications and the proper concrete posts. He asked for the Board to forgive the mistake, and approve it retroactively so he could get a permit from the City to inspect it.

Questions to the Applicant

Ms. Rios asked what the length of the fence was.

Mr. John Dessauer said the longer section was about 30 feet and the shorter was 7½ feet and then a three foot gate that abuts the building.

Mr. Trachtman said John Dessauer was the builder who did the whole project but was out of town when the owner did the landscaping so he didn't know what he was doing.

Mr. Armijo asked if there was a penalty when people were caught doing things without approval.

Mr. Rasch said the inspection staff imposes a double permit fee for violations.

Mr. John Dessauer, Dessaurer Building Co., was sworn.

Public Comments

There were no speakers from the public regarding this case.

Action of the Board

Ms. Rios moved to approve Case #H-10-091 at 526 Calle Corvo, as submitted. Ms. Mather seconded the motion and it passed by unanimous voice vote.

8. **Case #H-14-087. 524 & 525 ½ & 526 Canyon Road.** Downtown & Eastside Historic District. Chris Sandoval, agent for Theresa Salazar, owner, requests a historic status review and primary elevation designation for this contributing commercial structure. (David Rasch).

Mr. Rasch gave the staff report as follows:

BACKGROUND & SUMMARY:

524, 525 ½, and 526 is a commercial structure that was constructed before 1912. The building features both Spanish-Pueblo and Territorial details and it is listed as contributing to the Downtown & Eastside Historic District. The building features Territorial windows with Territorial triangular-pedimented door and window surrounds, projecting viga tails, and Spanish-Pueblo inset portals. The portal on elevation 3 may be recycled from an older building. The portal on elevation 7 appears to be newer than the portal on elevation 3.

The applicant requests primary elevation(s) designation. As indicated on the floor plan there are eight elevations with the east wall shared with the neighboring structure. The principal character-defining features are found on elevations 1 and the historic portal on elevation 3 with the inset walls as elevations 4, 5, and 6.

STAFF RECOMMENDATION:

Staff recommends that the Board designate elevations 1, the portal on 3, and the inset walls on 4, 5, and 6 as primary elevations.

Questions to Staff

Ms. Rios asked how would describe the portion of the façade that has one window clearly non-historic.

Mr. Rasch said it was elevation 3 on the rear of the building. It contains that inset portal. To the west of the inset...

Ms. Rios asked if he was recommending that as a primary façade.

Mr. Rasch said no. From the inset portal to the west there were two historic windows and like the ones on the front elevation. Then there was a smaller historic window, an odd little window, then a door and a replaced window. On elevation 3, beside the inset portal there are historic materials, historic windows but just like the ones on the front with more divided lights, but not character defining feature for status.

Ms. Rios disagreed. Just because it is repeated doesn't mean those features are not character-defining. For the non-historic window, the opening may have been historic.

Ms. Mather thought he recommended primary for that elevation.

Mr. Rasch said he recommended 4, 5 and 3 with the portal portion only.

Ms. Rios asked about 4,5 and 6 were behind the portal.

Mr. Rasch agreed and each with different historic windows.

Ms. Mather aren't windows on elevation 3 substantially different than the ones on the front.

Mr. Rasch agreed and the really small window, pictured on page 24, and then further west was the non-historic window.

Mr. Powell noted there were changes on elevation 2, but the northwest corner was very visible from the street - part of the façade for sure. It was quite handsome and important to the building. It was #10 on page ten and had the business sign on it.

Mr. Rasch on page 10, elevation 2. Probably the first block before it sets back is part of the original.

Chair Woods asked him to talk about the façade and windows and how old they are.

Mr. Rasch the front elevation off the sidewalk is defining feature. Well maintained territorial. Most character defining features.

Mr. Rasch said the front elevation was late 19th or early 20th century and very character defining with three over one double hung windows, well maintained, very nice Territorial surrounds. This property is going to be turned into residential and no longer commercial. So he feared leaving ingress and egress windows in the bedrooms.

Applicant's Presentation

Present and sworn was Mr. Rich Henrietta, Vice President of Chapman Builders at 903 Clear Cross Court.

Present and sworn was Ms. Maria Duran, 3074 Plaza Blanca, daughter of the owner, who said she could answer questions, give what she knew of its history and what they intend to do.

Questions to the Applicant

Chair Woods said the plans were not appropriate for a status review.

Ms. Mather asked if she had been following conversations about parts of the building recommending status.

Ms. Duran said yes. For the renovation, the intent was to leave the exterior as it is. Bedrooms would not be in front where windows were at the back.

Ms. Mather said #1 and part of #3, 4, 5 and 6 would be primary façades.

Ms. Duran understood and they would be left as they are.

Ms. Rios asked if they agreed with that.

Ms. Duran said yes.

Ms. Rios said Mr. Powell had suggested elevation #2 also be considered primary.

Ms. Duran said no window was there. That was a later addition and the two windows were not matching. She would like to match them.

Chair Woods asked her not to talk about anything other than information relating to a status review.

Mr. Powell pointed to the northwest corner to ask if it had been altered important if something was changed.

Ms. Mather asked Mr. Rasch if they could designate that 16 ft. 2 inch area as 2-A.

Mr. Rasch said the Code doesn't deal with breaking off part of a façade. Anything 8 feet separated by 4 feet, but every jog here is less than 4 feet. They need to be very clear in the designation.

Mr. Armijo suggested breaking up 3 also.

Mr. Rasch agreed.

Mr. Armijo said on front elevation #1 - would that be a part of the building itself and include the rail?

Mr. Rasch said it would be a historic feature.

Ms. Duran said that was changed about 1990. It was apartments until 1990, then commercial and they put in the steps so it was not original.

Public Comments

Present and sworn was Mr. Raymond Herrera, 379 Hillside, Santa Fe, NM who said in his opinion this was one of the most unique properties on Canyon Road and should not be changed.

Present and sworn was Mr. John Eddy, 227 E. Palace, Suite B, who said some history of the house. The artist, Hal West, lived in that house and Jerry West is his son. The mural in Land Use is by Jerry West. The Santa Fé Historic Foundation designation was based on historic people who lived there. It is important for historical context. This house really contributes to the streetscape, and would hate to see any changes here. It is a very special section of Canyon Road and has lots of integrity. Please do everything to protect it.

Action of the Board

Ms. Mather moved in Case #H14-087 at 524 Canyon Road to designate it contributing with elevations #1 because of its incredibly important windows, #2-A - 16½ feet at the northwest corner portion, and along #3 that 4, 5 and 6 be given primary status, and that the record reflect historic property because of Hal West who lived there, and contributes to Canyon Road. Ms. Rios seconded the motion and asked for an amendment that Elevation 3 exclude the non-historic window. Ms. Mather accepted the amendment as friendly. The motion as amended was approved unanimously on a voice vote.

9. **Case #H-14-089. 106 Victoria Street.** Downtown & Eastside Historic District. Rose Ortiz, agent/owner, requests a historic status review of a non-contributing residence. (Lisa Roach).

Ms. Roach gave the staff report as follows:

BACKGROUND & SUMMARY:

106 Victoria Street is an approximately 800 square foot single family residence constructed in a vernacular manner in the Downtown and Eastside Historic District. According to a notarized affidavit presented by the owner, the home was constructed by the owner's father in 1948 to 1950 and was altered approximately 25 years ago, when a portal at the southeast corner of the home was enclosed to create a small bedroom. The home is composed of three stepped masses and features predominantly 1/1 double hung historic wood windows on the original portion of the home, paired three lite wood casement windows on the infilled portal, and a shed roof that pitches to the West and is hidden by rounded parapets.

STAFF RECOMMENDATION:

Staff recommends maintaining Non-Contributing historic status for the residence, due to a non-historic alteration and lack of unique character defining features, in compliance with Section 14-5.2(C) Regulation of Significant and Contributing Structures in Historic Districts.

Questions to Staff

There were no questions to Staff.

Applicant's Presentation

Present and sworn was Ms. Rose Ortiz, 106 Victoria Street, who said she was here for the status review.

Questions to the Applicant

Mr. Armijo said her brother went to his dad's store and he was awesome.

Ms. Ortiz said that was his favorite store to go to.

Public Comments

There were no speakers from the public regarding this case.

Action of the Board

Ms. Rios moved in Case #H-14-089, at 106 Victoria Street to maintain the non-contributing status. Ms. Mather seconded the motion and it passed by unanimous voice vote.

- 10. Case #H-14-091. 302 Sena Street.** Don Gaspar Area Historic District. William Beck, agent for Julie and Mark Khano, owners, proposes to construct a 2,400 square foot single-family two-story residence on a vacant lot to a height of 14' 6" where the maximum allowable height is 15' 8". (Lisa Roach).

Ms. Roach gave the staff report as follows:

BACKGROUND & SUMMARY:

302 Sena Street is a 2,874 square foot vacant lot located on Sena one lot west of Allendale Street in the Don Gaspar Area Historic District. The applicant proposes to construct an approximately 2,400 square foot two-story single-family residence to a height of 14'6" where the maximum allowable building height is 15'8". The proposed residence will be constructed in simplified Pueblo Revival Style, featuring the following:

1. Singular massing with rounded parapets finished in El Rey elastomeric "Saddle";
2. A partially subterranean lower floor, for which approximately 6'6" of depth will be excavated to allow for two stories;

3. Insulated Concrete Form (ICF) construction for the exterior walls of the lower level, and wood frame construction on the upper level;
4. Pella metal clad single-lite wood windows in "Cranberry";
5. Subterranean window wells constructed with stuccoed retaining walls;
6. Exposed wood headers over all windows and doors, stained in a color comparable to Miniwax "Gunstock";
7. Semi-circular stairs leading up to an approximately 110 square foot covered portal with square stained wooden posts and header at the front entry on the North elevation;
8. An approximately 35 square foot wooden deck with stairs from the upper floor to the ground level on the South elevation;
9. A 3'3" wide exterior stairwell leading from the lower floor to the ground level and screened by a low stuccoed wall on the East elevation; and
10. Removal and replacement of the concrete sidewalk along the north side of the property.

Several items need further clarification. First, although the proposal letter submitted specifies that the street facing windows will have divided lites, the North elevation drawing does not show these windows with divided lites. Second, although window wells are depicted on all elevations and stairwell with a screen wall is shown on the East elevation, these items and their dimensions do not appear on the floor plans. Third, although two skylights appear on the roof plan, they were not specified in the proposal letter, and placement of mechanical equipment was not identified anywhere in the submittal packet. Fourth, although the proposal letter states that "new fencing" will be constructed around the perimeter of the lot, materials, height and gates are not specified, and typical elevations were not provided. And finally, although colors were specified in the proposal letter, color swatches were not provided with the submittal.

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 (H) Don Gaspar Area Historic District Design Guidelines, with the condition that further clarification is provided for items specified in this memo.

Questions to Staff

Chair Woods didn't think the Board should hear this case because she didn't think the bedroom windows met the egress requirements.

Ms. Martínez said it was a concern for her, and didn't know how to do that with the current design. The windows wouldn't meet an egress requirement.

Ms. Mather said the items were not specified on the plan.

Ms. Roach said they did receive approval from Zoning.

Chair Woods clarified that egress was handled by the Building Department, not Zoning.

Applicant's Presentation

Present and sworn was Mr. William Beck, P.O. Box 157, Cerrillos, NM, who said with regard to egress, that one window of the front bedroom, was less than 41 inches above the floor and opens out onto the stairwell, the one in the back bedroom is also less than 41 inches, of egress size, which is 3 feet from the window well level to ground level and opens out into the window well. They were only 6 ½ feet from ground to floor level.

Questions to the Applicant

Chair Woods doesn't think that will do it.

Mr. Beck can't be more than 41 inches.

Mr. Rasch window well not floor of the bedroom.

Chair Woods said that different level was not shown in the plans.

Mr. Beck thought he showed it.

Mr. Armijo said it did show it but it was calling for 5' 6".

Mr. Beck agreed but the window was in a different area. Page 17 A-1.

Mr. Armijo said it showed a window well but it wouldn't meet requirements. #7 calls for a spiral stairwell, semi-circular.

Ms. Roach said it was not a spiral but semicircular stairs leading up to front entry and asked if that was correct. Mr. Beck disagreed.

Mr. Armijo didn't understand the 110 ft. covered portal area.

Ms. Roach said there was a set of wooden stairs leading to the front portal.

Mr. Beck said on lower right hand picture on the north elevation the semi-circular is the shape of the stair at the front of the building.

Ms. Rios asked if true divided lights were required. Mr. Rasch said no.

Chair Woods said most on the street front were divided lights.

Mr. Beck agreed. When he did the drawings it was based on driving up and down the street and there were no divided light windows but was told by staff that it was required for anything facing the street. They would have metal clad windows.

Ms. Roach said divided lights not required in this district.

Ms. Rios asked if the skylight was low profile.

Mr. Beck agreed - not above the parapet.

Ms. Rios asked how far back the house started from the street.

Mr. Beck said there was a chain link fence on the front and then a sidewalk, the setback was 7 feet from the front property line and 13 feet from the back.

Ms. Rios said new fencing was proposed but no design included.

Mr. Beck said the owners had no design or style, and if it was not part of this application.

Chair Woods asked about rooftop mechanical equipment.

Mr. Beck said no. Everything would be downstairs and no A/C.

Chair Woods asked about exterior lights

Mr. Beck said they would just have lights on the portal but not chosen the design yet.

Mr. Armijo asked if there was an exterior stairwell, and interior as well.

Mr. Beck agreed, but as first designed didn't comply. Then they had to put in egress windows.

Mr. Rasch pointed out the stairwell location.

Ms. Rios asked if egress windows met code or not.

Mr. Armijo's said the elevation as shown does not meet code. The window walls would have to be

lower.

Mr. Beck when come out of window there are steps built in to help climb to second level. The wall at 'this' height, only needs a slight boost.

Chair Woods those need to be shown to the Board and indicate the size of the wells and stairs.

Mr. Beck said he has redrawn that to go to permit to be more clear about the elevation.

Public Comments

Present and sworn was Mr. Bill Morris, 819 Allendale, who thought this would be an asset to the neighborhood and the design fit in well. One question he had on the 7 foot setback with 14 feet building height. He felt it could be moved back a little further although the 7 feet falls within minimum setback. The proposed building is less than 10 feet from an existing garage at 6 ½ feet and thought it had to be 10 feet away.

Chair Woods asked if he meant on the east side.

Mr. Morris agreed. They allowed lot line to be adjusted 1½ feet to existing garage.

Ms. Rios asked Ms. Martinez if the 7 foot setback met streetscape harmony.

Ms. Roach said she had not analyzed the other houses in the streetscape.

Ms. Rios thought that was important.

Mr. Rasch said on the site visit they did not look at it. Many houses there were not that close, but nothing measured.

Action of the Board

Ms. Mather moved in Case #H-14-091 at 302 Sena Street to postpone the application until the applicant addresses the concerns on windows, stairwells, window wells the divided lights, the skylights, new fencing and where proposed, and the concerns of the neighbors about setback, and possible conflict on the east side garage setback, and light fixtures and colors. Ms. Rios seconded the motion and it passed by unanimous voice vote.

- 11. Case #H-14-094, 206 Closson Street.** Westside-Guadalupe Historic District. Linda and John Buchser, agents/owners propose to construct a coyote fence to a maximum height of 6 feet at the south side lot line of a contributing property (Lisa Roach).

Ms. Roach gave the staff report as follows:

BACKGROUND & SUMMARY:

206 Closson Street is a multi-family residential structure listed as Contributing to the Westside-Guadalupe Historic District. The oldest portion of the structure was constructed in approximately 1877 in Territorial Style and is characterized by a front (East) portal with round white painted wooden columns and simplified corbels supporting a standing seam shed roof, white painted wooden window surrounds and pedimented lintels. The flat roof of the structure is capped on the East elevation by an undulating parapet, and the 3 ½ thick adobe walls of the original structure surround an interior placita that features brick coping. Several additions were constructed incrementally over time, and despite its age and association with several prominent community members, non-historic alterations diminished the building's integrity so as to reduce its status from Significant to Contributing.

The owner proposes to construct a coyote fence with latillas of variable heights not to exceed 6 feet along the South side lot line where a coyote fence stood but was removed at an unknown date after 1996. The proposed fence will step down to a height of 5 feet beginning 20 feet from the street frontage lot line and end 12'4" from the front lot line at an existing low stuccoed wall at the driveway entrance.

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 (I) Westside-Guadalupe Historic District.

Questions to Staff

There were no questions to staff.

Applicant's Presentation

Present and sworn was Ms. Linda Buchser, 606 Alto Street, Owner, who said there was a coyote fence there, when she moved in 35 years ago and at some time got torn down, and she wanted to put the fence back, and going halves with her neighbor.

Questions to the Applicant

Ms. Rios asked about varied topped latillas.

Ms. Buscher the fence there didn't have cut tops but she would rather have them vary a little. That was their preference, but could live with what is necessary. It is more natural and rustic. For its time an elegant home.

Mr. Armijo said the supports were shown on alternating sides. But all supports should be on her side.

Ms. Buscher said they were sharing costs so they thought that would be fair.

Mr. Armijo alternating every 10 feet, but prefers to keep on one side.

Chair Woods asked about the height which said 7 and then $\frac{1}{2}$. Ms. Buscher said it was $7\frac{1}{2}'$ with $1\frac{1}{2}'$ in the ground.

Chair Woods asked if they would have metal posts not wood.

Ms. Buscher agreed. Metal lasts longer. It might look like wooden in the drawing, but meant to be metal.

Chair Woods agreed it would look better with wood stringers on one side.

Mr. Powell metal lasts longer, but would cost less if wood. They might be surprised with the longevity.

Ms. Mather noted it had two addresses, Joe Barela. 206 Closson and 606 Alto.

Ms. Buscher explained it to the Board. The property lines are inside the adobe walls.

Ms. Roach said on page 6 on the inventory form indicates how the addresses relate.

Public Comments

There were no speakers from the public regarding this case.

Action of the Board

Mr. Armijo moved for approval of Case #H-14-094, as recommended by staff, and with the condition that the post rails be on one side, and all in wood cedar and have irregular tops. Ms. Rios seconded the motion and it passed by unanimous voice vote.

- 12. Case #H-14-088. 1328 Camino Corrales.** Historic Review Historic District. Gayla Bechtol, agent for Karen and Carey Weiss, owners, proposes to raise the height of the street-facing yard wall to 6 feet and requests a height exception to exceed the maximum allowable yardwall height (Section 14-5.2(D)(9)). (David Rasch).

Mr. Rasch gave the staff report as follows:

BACKGROUND & SUMMARY:

1328 Camino Corrales is a single-family residence that was constructed in the late 20th century in a vernacular manner. The applicant proposes to increase the height of an existing stuccoed yardwall along the east side of the property to 6' high where the maximum allowable height is 56". The wall meets the 1999 Wall and Fence external policy and it will be stuccoed with El Rey cementitious "Adobe". A height exception is requested and the required criteria responses are as follows.

WALL HEIGHT EXCEPTION (Chapter 14-5.2(D)(9))

(i) Do not damage the character of the streetscape

The exception will not damage the character of the streetscape; the size of the lot is quite large compared to the length of the proposed wall. Already in the near vicinity of this property are several large properties that are now completely walled in by coyote fences with stuccoed columns, and with extra tall walls at the gates. This exception will follow the harmoniously fit in with these examples already in the neighborhood.

Staff response: Staff agrees with this statement.

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

This exception prevents a hardship for the owners of the property. This enables the owners to use the property as they would like. The owners of this property have dogs that are able to clear this wall but not the already over 6' tall fences and walls around the rest of their property.

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

This exception strengthens the unique heterogeneous character of the City; without this exception the owners would not be able to use their house in the manner they wish.

Staff response: Staff agrees with this statement.

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

The circumstance and special conditions are due to the nature of the large lots in this area whereby many of the property owners have enclosed their property for security, noise and dust control, and property values among other reasons. When the property was enclosed by fences and gates originally this wall was

placed on the highest portion of the land. If the wall had followed the contour of the land instead of the absolute elevation of the wall then the wall would already be 6' or more like the lower portion of the wall at the western end of the property.

Staff response: Staff agrees with this statement.

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

The special exceptions are not a result of the actions of the owners of this property; the owners did not create the contours of the land, they only wish to have a consistent height for their fences and walls.

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)

This exception provides the least negative impact with respect to the purpose of the Historic District and the historic fabric. The large lot that the house sits on is like many others in the neighborhood that are fully enclosed. This exception will only apply to the one section of the wall with the other picturesque fences and walls on this property remaining as is they exist. The mature landscaping will remain.

Staff response: Staff agrees with this statement.

STAFF RECOMMENDATION:

Staff recommends approval of the height exception request and recommends approval of this application which otherwise complies with Section 14-5.2(D) General Design Standards and (F) Historic Review Historic District.

Questions to Staff

There were no questions to Staff.

Applicant's Presentation

Present and sworn was Ms. Gayla Bechtol, 1813 Hano Road, who had nothing to add except she emphasized that increased noise and dust on Camino Corrales and she drove around to photograph the other tall entry walls.

Questions to the Applicant

Ms. Mather asked regarding the gate if it was retained.

Ms. Bechtol agreed it was retained.

Ms. Mather asked if the dog can't get under that gate.

Ms. Bechtol agreed. They are big German Shepherds.

Public Comments

There were no speakers from the public regarding this case.

Action of the Board

Ms. Mather moved in Case #H-14-088 at 1328 Camino Corrales to approve per staff recommendations and cite that the applicant met the exception criteria as listed on pages 3 and 4. Ms. Rios seconded the motion and it passed by unanimous voice vote.

- 13. Case #H-14-092. 463 Camino de las Animas.** Downtown & Eastside Historic District. Rad Acton, agent for Stonewall Jackson, owner, proposes to construct a new 4,000 square foot single-family residence adjacent to a significant structure and requests an exception to exceed the maximum allowable building height of 14' 11" (Section 14-5.2(D)(9)) and an exception to the Downtown and Eastside Architectural Design Standards (Section 14-5.2(E)). (Lisa Roach).

Ms. Roach gave the staff report as follows:

BACKGROUND & SUMMARY:

463 Camino de Las Animas is a newly subdivided 0.54-acre parcel formerly comprising a portion of 461 Camino de Las Animas. On 463 Camino de Las Animas sits a greenhouse and attached potting shed which is attributed to John Gaw Meem and was originally constructed in approximately 1940 as an auxiliary building of a larger estate. On September 2, 2014, the Historic Districts Review Board upgraded the status of the greenhouse and potting shed to Significant to the Downtown and Eastside Historic District, due to its

age, its integrity, its association with both Meem and other prominent community members, and its eligibility for listing on both the State Register of Cultural Properties and the National Register of Historic Places.

Now, the applicant proposes to construct a new 4,000 square foot residence at a distance of 10 feet from the North side of the significant structure. The design of the proposed residence is intended to incorporate and compliment the adjacent significant greenhouse and potting shed and to accommodate a terraced lot and large existing trees. An existing stuccoed terrace wall must be mostly demolished in order to accommodate the siting of the proposed residence, and the stairs leading to the North entrance of the potting shed will be re-constructed to tie in with the courtyard and patio of the proposed residence. The design of the proposed residence features the following:

- 1) Spanish-Pueblo Revival Style design on the publicly visible perimeter of the residence, finished in El Rey "Buckskin" cementitious stucco (a close match to the existing stucco on the significant potting shed structure);
- 2) An interior courtyard featuring an 18' high "entry loggia" with second floor balcony on the West side with limestone coping and details and one-story limestone archways and balustrades surrounding a tiered fountain in the center of the courtyard ("Cantera" stone sample provided);
- 3) True divided lite windows by Jeldwen, clad in "Cambridge White" at the perimeter of the residence;
- 4) True divided lite windows and doors by Jeldwen, clad in "Chestnut Bronze" surrounding the interior courtyard;
- 5) A 6-foot high stuccoed c.m.u. yardwall with stone-capped pilasters at the West elevation, to include an 11'6"-high entry arch and gate structure;
- 6) A 5-foot high stuccoed c.m.u. yardwall at the Northwest corner and along the North lot line;
- 7) A 4'6"-high stone retaining wall supporting a semi-circular patio south of the courtyard and east of the potting shed and greenhouse;
- 8) Wooden entry gate and wooden garage doors, stained Cabot semi-transparent "Dark Grey" (sample provided);
- 9) Thirteen skylights shown on the roof plan, for which public visibility is not specified; and
- 10) Exterior lighting fixtures in a dark brown rusted painted wrought iron (design provided).

Due to a slope change of 4'8" across the terraced lot, a 4-foot height allowance is requested, as per Section 14-5.2(D)(9)(c)(ii)(F), and an exception is requested to exceed the maximum allowable height by an additional 3'7", for a total proposed building height of 22'6". The relevant code citation and exception criteria responses can be found below under "Exception Request No.1."

An additional exception is requested to vary from Santa Fe Style in order to allow a series of stone archways within the walls of the proposed inner courtyard. The design standards for the Downtown and Eastside Historic District indicate that "arches are almost never used except for nonfunctional arches ...

over gateways in freestanding walls." The relevant code citation and exception criteria responses can be found below under "Exception Request No.2."

Exception Request No. 1:

RELEVANT CODE CITATION: Section 14-5.2(D)(9)(c)(ii-iii)

In exercising its authority under this section, the board shall limit the height of structures as set forth in this section. Heights of existing structures shall be set forth on the official map of building heights in the historic districts.

EXCEPTION TO EXCEED THE MAXIMUM ALLOWABLE BUILDING HEIGHT:

(i) Do not damage the character of the streetscape;

Applicant Response:

The proposed second-story bedroom and covered deck will not damage the character of the streetscape as a due to the following aspects of the design and building massing: -The streetscape and access lane include numerous existing and historical two-story residences. The house directly adjacent to the Jackson's lot and across the shared driveway has two stories. The historic house was remodeled by John Gaw Meem in 1940.

-The second-story is fully embedded with one-story masses.

-The second story is built at the lowest building grade on the lot, dropping the ht. of the second floor to 6'-6" above the adjacent garage and entry gate.

-The second story represents only 12% of the total roofed area of the main residence.

-The second story is set back from the edge of the access lane by 36'.

Staff Response: Staff agrees with this response.

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

Applicant Response:

The proposed second-floor bedroom enables the owners to conserve ground floor area that is occupied by important large mature conifers (@=60') and fruit trees, while providing greatly needed bedroom and home office accommodations for their family. The stately trees provide significant visual screening and noise buffering functions for both property occupants and neighbors alike.

Staff Response: Staff agrees with this response.

(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;

Applicant Response:

The proposed design utilizes a full mix of natural materials native to the southwest. The perimeter design, massing, detailing and finishes are deliberately sympathetic to the John Gaw Meem Pueblo Revival style, while not being imitative. The interior courtyard design transitions to a style utilizing stone detailing and arched forms. While the courtyard area is entirely non-visible from the driveway and surrounding areas, it is a result of the owner's passion for natural materials and authentic stone construction. Our intent is for this residence to compliment both the other residences in the area and the nearby potting shed and greenhouse structures.

Staff Response: Staff agrees with this response, as it relates to the proposed height, but does not feel that the discussion of the interior courtyard design is relevant here.

(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;

Applicant Response:

The site is not only the home to numerous mature and stately pine (60'+) and fruit trees that require deference by the architecture, but also contains a large 64 year old greenhouse and potting shed attributed to John Gaw Meem. The potting shed/greenhouse structure, recently classified as historically "significant", requires that it remain detached from any surrounding roofed structures and separated from them by no less than 10'. Given the central location of the potting shed/greenhouse, it poses a serious constraint on the siting and layout building spaces. This, combined with the numerous mature and stately trees, represent important conditions unique to this lot.

Staff Response: Staff agrees with this response.

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

Applicant Response: See item IV.

Staff Response: Staff agrees with this response.

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

Applicant Response:

As stated for item III, regarding the deliberate use of 'Pueblo Revival' design elements on the perimeter of the house, the proposed design and stepped massing ensures that it will sit in harmony amongst the

neighboring residences. The stepped massing, perimeter wall structures and existing stately landscaping will further ensure a minimization of negative visual impact on the surrounding neighborhood. The objective for this residence to compliment the historic context in which it sits. The preservation of the historic potting shed and greenhouse and incorporation into courtyard layout of the residence ensures that it will remain a vital component of the owner's way of living. Restoration efforts to this are to be addressed in future submittals to the Historic Preservation Division.

Staff Response: Staff agrees with this response.

Exception Request No. 2:

RELEVANT CODE CITATION: Section 14-5.2(E) and Section 14-5.2(E)(1)(a)

The governing body recognizes that a style of architecture has evolved within the city from the year 1600 to present characterized by construction with adobe, hereafter called "Old Santa Fe Style." And that another style has evolved hereafter called "Recent Santa Fe Style," which is a development from, and an elaboration of the Old Santa Fe Style, with different materials and frequently with added decorations.

... Arches are almost never used except for nonfunctional arches, often slightly ogive, over gateways in freestanding walls.

EXCEPTION TO VARY FROM SANTA FE STYLE AND ALLOW ARCHWAYS IN STRUCTURAL WALLS OF AN INNER COURTYARD

(i) *Do not damage the character of the district;*

Applicant Response:

The architectural style of all structures surrounding the interior courtyard is 'Pueblo Revival,' with finishes sympathetic to the existing John Gaw Meem designed structures along the private driveway. The stone arches, being located on the interior of the courtyard, are entirely non-visible from the gated private driveway, and hence from Cam. De Las Animas, where it is set back down the driveway 190'.

The outside corners of the courtyard portal structures, exposed to the south are non-arched, with flat-topped openings. The south façade of courtyard is visually shielded from the west by the existing potting shed/greenhouse. The second story portal and archways face east and located across the courtyard and behind the east wing of the house.

Given that the floor elevation of the courtyard is set 48" below existing grade of the greenhouse, and behind a 5' tall stone retaining wall, any view of the arched structures from the south and east will be significantly obstructed. The presence of tall mature conifer trees around the perimeter of the property provides additional screening for the entire property, including the courtyard structures.

Staff Response: Staff agrees with this response.

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

Applicant Response:

The applicants have a passionate appreciation for stone as a building material, and are dedicated to the incorporation of traditional building forms that utilize it, such as arches. The applicants have a strong desire to have such elements as part of their living environment. If not allowed to incorporate these elements, however discreetly, the applicants will reevaluate their plan to build their dream home and remain where they are at in the county. They applicants have gone to great lengths to conceal the arched forms from public view in effort to preserve the integrity of the historic district.

Staff Response: Staff agrees with this response.

(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.*

Applicant Response:

The proposed design utilizes a full mix of natural materials native to the southwest and traditional to Santa Fe's historic districts. The perimeter design, massing, detailing and finishes are deliberately sympathetic to the John Gaw Meem 'Pueblo Revival' style, while not being imitative. The interior courtyard design transitions to a style utilizing stone detailing and arch forms. While the courtyard area is entirely non-visible from the driveway and surrounding areas, it is a result of the owner's passion for authentic stone construction. The applicant believes that the non-visible location of the stone arch elements serves to protect the integrity of the historic district. Our intent is for this residence to compliment both the nearby residences and the potting shed /greenhouse structure.

Staff Response: Staff generally agrees with this response, but asserts that the stone coping and details on the upper floor balcony on the west side of the courtyard are partially visible from the private driveway.

STAFF RECOMMENDATION:

Staff finds that the criteria for a height exception have been met but defers to the Board regarding the acceptability of responses to criteria for an exception to the Downtown and Eastside Historic District

Standards. Otherwise, staff recommends approval of this application in compliance with Section 14-5.2(D)(9) General Design Standards, Height, Pitch, Scale and Massing and (E) Downtown and Eastside Historic District.

Ms. Roach said an email letter was submitted for inclusion in the public record by neighbors at 535 Douglas Street. They were attached as Exhibit 2.

Questions to Staff

Ms. Rios asked about public visibility.

Ms. Roach said visibility was extremely limited to almost zero but in limited manner from Douglas. A footpath through the Arroyo Tenorio where there may be visibility.

Ms. Rios asked Ms. Road regarding the arches to indicate if any were non-functional.

Ms. Roach suggested asking the applicant. She didn't believe they were structurally supportive of the superstructures.

Ms. Rios suggested maybe the arches could be described as decorative.

Ms. Roach said the walls were attached to the residence, but didn't support the superstructure.

Mr. Armijo asked why story poles were not placed, so the Board could see how heights were working.

Ms. Roach was unsure.

Chair Woods noted in the description "design to complement adjacent greenhouse." It does not complement it.

Ms. Roach said it was speaking to the intent of the design as presented.

Ms. Mather asked if on the west elevation with the gate, completely blocked the façade.

Ms. Roach agreed. It obscures the potting shed.

Applicant's Presentation

Present and sworn was Mr. Rad Acton, agent for the owner, who thought they honored the greenhouse by giving access off the entry courtyard and subdivided the compound environment. It framed the potting shed so that when approach enter directly on it through the gates. It was deliberately done. They did not intend for the arches to be exposed to the driveway approach and submitted revised elevation of the second story portal. It could be glimpsed from the driveway. The client was very passionate about stone, natural materials, paving in cut stone, and use wherever possible and utilize materials on steps. They found extremely dense cantera that can be cut and rusticated. The arch forms on the south are supporting the portal roof structure. The goal was to be completely non visible arches from any public way. They created a separation from the potting shed. The restoration is Pueblo Revival and using natural grade wood as the result of reclaimed timbers from Little Rock, 12 x 14 inches and using those on the portal. They envision the guest parking outside the walls. Native rose bushes will stay and trees.

Questions to the Applicant

Ms. Mather was concerned about the front gate. It didn't reflect the exterior façade of the charming building. She had concerns in the Historic District to construct building with some exterior. Pueblo Revival and interior courtyard Tuscan Villa, and that pastiche degrades the character. She had nothing against Tuscan but wanted to maintain the integrity of the Meem building. Courtyards in Santa Fé can be used as models. The neighbors talk about Roman arches, and she was also concerned about lack of story poles.

Mr. Acton was unaware and uninformed about that and feel it was a penalty they would have to bear for other information disbursement.

Chair Woods said when Mr. Acton was on the Board applicants were not being penalized, and no one should be more aware because he asked for story poles more than the other members. The new staff member spoke with him when she first met with him about it.

Mr. Acton had some culpability and didn't always believe story poles were necessary when shown as this one.

Chair Woods said when asking for an exception, it is the Board's responsibility to know height and visibility from a public way.

Ms. Rios asked if the gates in front of the potting shed, entrance were 11 ft. 6 in.

Mr. Acton said it would create an entrance. The stone pilasters on wall utilized the buttress styling, and they wanted to be transitional to some of the stone work inside. Wall undulations were leading to and relating to the compound. The walls stucco color were as close as possible to matching John Gaw Meem style. They were not painting everything white, and didn't want to mimic John Gaw Meem. They created

the garage door style, gate style and door. There were security, privacy and visual issues. Arroyo Tenorio was fully vegetated and not visible. There is full vegetation, and it stepped down 5 feet.

Chair Woods said when the Board could see story poles they would have a better idea.

Mr. Acton said he submitted photos taken from the estate. The windows had a wrought iron wood frame. The garage door has glass panes across the top, natural wood in dark gray. Window platting color is warm white to go with the stucco.

Ms. Rios asked about the space between the gate and the potting shed.

Mr. Acton said it was about 15 feet.

Ms. Rios asked about the stone on the west elevation and if that was being used on the arches.

Mr. Acton said that stone was part of the planter supporting a mature pine tree and partially exists on site. That planter was where the existing stucco wall came through.

Ms. Rios total of two story is 12%, what is the percentage of two-story on the house.

Mr. Acton said he didn't calculate that, but demonstrated it on the enlarged drawing away from the microphone.

Ms. Rios asked if no arches were visible.

Mr. Acton agreed. On the south elevation it was sunken and behind the wall in the foreground with a 60 foot tree off the corner of the right hand structure with the double windows. It defines the entire back yard.

Ms. Roach said there was a question about visibility from the east.

Chair Woods asked that next time he use story poles.

Mr. Acton said the two east elevations, one from Arroyo Tenorio side and then east wing of house and second story projection and second story without arches. The second shows arches on the first floor.

Mr. Powell said he needed to be convinced further. The arches didn't sit well with him.

Mr. Acton the massing plan and site plan. When you have site visits see mature landscaping and it is completely private.

Mr. Armijo had a problem with the entire layout. There were so many details. The north elevation had no problem other than the flat portal. The other details, arches and stone, not sure where it is complementing what was in and around there. He wanted to see the story poles. There was too much stone work.

Chair Woods said she had never seen anything John Gaw Meem did like this. Look at what he did. She was troubled.

Mr. Acton said the potting shed and green house were. Meem does setbacks, this is stepped, and more Pueblo Revival. He noted right across the alley Meem had a two story structure with no breaks. He took exception that isn't sensitive of John Gaw Meem. He understood that any two story should be minimized and the Board felt the stone elements are disconcerting. Eclectic tradition is on this street.

Mr. Acton said the revision was doing away with the arches.

Public Comments

Ms. Roach read the email from Anthony and Carol Hawser, into the record. "I write to raise some objections to some of the proposed new structure of the above property at 463 Camino de las Animas. My reservations relate to the second story on the proposed structure with its balcony, with which the balcony will provide a direct line of sight into our property at 535 Douglas Street. My further observations deal with the proposed Roman arches in the internal courtyard. These will be clearly visible from our property and in our opinion, completely out of keeping with the style of our house and the houses on the historic east side. It also seems these arches are out of proportion to the rest of the proposed structure and the rest of the nearby properties. We would respectfully request that the Board do not approve the exception to the design standards requested by the applicant. Signed, Anthony and Carol Hawser, 535 Douglas Street.

Ms. Gayla Bechtel [previously sworn] said she did the inventory and appreciated the difficulty of trying to surround. She had a concern for the house, this structure where tennis courts used to be, and nice living.

Action of the Board

Ms. Mather moved in Case #H-14-092 to postpone it so the applicant can address concerns of this Board and the neighbors, and provide story poles to see the implications of height. Ms. Rios

seconded the motion.

Chair Woods wanted to see something on the story poles and something on relationship of the site plan. Ms. Mather accepted the amendment as friendly and the motion, as amended, was approved unanimously on a voice vote.

Karl Sommer fought to be heard, and was finally recognized by the Chair. He wanted clarification on the motion which Chair Woods provided.

7. **Case #H-13-103. 125 West Coronado Street.** Don Gaspar Area Historic District. Aaron Cordova, agent for Candice Johnson, proposes to amend a previous approval to construct additions and remodel a non-contributing property (David Rasch).

Mr. Rasch gave the staff report as follows:

BACKGROUND & SUMMARY:

125 West Coronado Street is a single-family residential structure and free-standing garage that were constructed in a vernacular manner by 1947. The building has moderate alterations with an addition at the rear and all windows replaced with 2-over-2 aluminum units. The buildings are listed as non-contributing to the Don Gaspar Area Historic District.

On November 26, 2013, the HDRB approved remodeling of the property. Now, the applicant proposes to amend the previous approval with the following three items.

1. The rear addition height was increased, without approval, from 10' to 11' 6" where the maximum allowable height is 14' 9". This change improves the stepped massing character.
2. The north, rear deck was enlarged by three feet.
3. The east, side deck was elevated and thus requiring installation of steps and railing.

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 (H) Don Gaspar Area Historic District.

Questions to Staff

There were no questions to staff.

Applicant's Presentation

Present and sworn was Mr. Aaron Cordova, agent for the owner, who had no additional comments.

Questions to the Applicant

There were no questions to the applicant.

Public Comments

There were no speakers from the public regarding this case.

Action of the Board

Ms. Rios moved to approve Case #H-13-103, per recommendations of staff. The motion was seconded by Ms. Mather and approved unanimously on a voice vote.

H. COMMUNICATIONS

There were no communications.

I. MATTERS FROM THE BOARD

Chair Woods thought it important to clarify that the Board asked for a status review on the bridges. It has been requested, she wanted that entered for the record.

Ms. Rios asked when Brothers Bridge would open.

Mr. Rasch said it was a matter of safety of the public be preserved by keeping that path closed until EI

Castillo construction was complete with final inspection.

Chair Woods thought it looked to be complete.

Mr. Rasch said there were problems with the other properties on the east side.

Ms. Mather will be absent from the next meeting.

Mr. Powell said sometimes people don't know the rules. Is it the intention of the Board to make it that painless?

Mr. Rasch said he made alterations beyond what the Board approved. An inspection caught that. Staff has limited jurisdiction. But allows when something needs to be done, to tweak it regularly. But once the alterations don't follow intent of Board's actions, it must come back to the Board.

Mr. Armijo asked why not get away if they were not going to be caught. There were no penalties out there.

Ms. Mather questioned the integrity of any of those things.

Mr. Rasch said the City Attorney advised 3-4 years ago for the case on Palace Avenue obliterated portion of the Acequia. We can't have fines but can have fees. He didn't know if that was still the case.

Ms. Rios said some are more devious than others. They increased the height by 1½ feet.

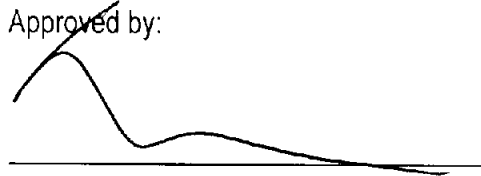
Mr. Armijo recalled it was below what was allowed and could have gone higher.

Mr. Rasch said it is a legal interpretation - legal term called *de minimus*. 4 inches or less is the *de minimus* limit approvable by staff.

J. ADJOURNMENT

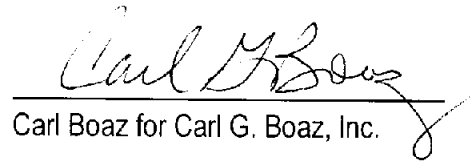
There was no further business to come before the Board, and the meeting was adjourned at approximately 8:45 p.m.

Approved by:

A handwritten signature in black ink, appearing to read 'Sharon Woods', written over a horizontal line.

Sharon Woods, Chair

Submitted by:

A handwritten signature in black ink, appearing to read 'Carl Boaz', written over a horizontal line.
Carl Boaz for Carl G. Boaz, Inc.

EASEMENT AGREEMENT

This Easement Agreement is entered into this 2nd day of July, 2013 by and between Joseph Ramon Baca, an unmarried man through his Power of Attorney (Attorney in Fact) Joseph D. Gonzales ("Baca"), and Cottonwood Mesa, LLC, a Colorado limited liability company ("Cottonwood").

RECITALS

Whereas Baca owns the real property in Santa Fe County, NM located at 927 Canyon Road, the legal description of which is attached hereto as Exhibit A (the "Baca Property"); and

Whereas Cottonwood owns the real property at 943 Canyon Road, next to the Baca Property, the legal description of which is attached hereto as Exhibit B (the "Cottonwood Property"); and

Whereas a prior owner of the Cottonwood Property constructed a coyote fence and flagstone pathway and planted trees which encroach into the easterly 2-3 feet of the Baca Property (the "Encroachment Area"), which encroachments have been in place for more than 10 years, and have been used exclusively by the owners of the Cottonwood Property. The Encroachment Area is approximately located in the area colored in pink on Exhibit C attached hereto; and

Whereas in the 1950's Baca or his predecessor constructed a cinder block wall in the Encroachment Area (the "Block Wall"), which wall has acted as a retaining wall for the improvements on the Cottonwood Property which are above the grade of the Baca Property; and

Whereas Baca has received approval from the City of Santa Fe to divide the Baca Property into 2 lots as shown on the survey Exhibit D attached hereto, and Baca plans to relocate the existing driveway on the southern-most lot ("Lot 2") to provide access to the northern-most lot ("Lot 1"), and to place the new driveway (the "New Driveway") in the area labeled on the attached survey as "New 20' Wide Access and Utility Easement" (the "20' Easement"); and

Whereas Baca is not certain whether the City of Santa Fe will require him to widen the 20' Easement by an additional 2-3 feet to the west, to compensate for the loss of part of the useable area in the 20' Easement where the Encroachment Area lies; and

Whereas the parties wish to recognize the encroachments and reach a resolution of the uses for the Encroachment Area.

Now therefore, in consideration of the covenants and conditions contained herein, and other valuable consideration, the receipt and sufficiency of which are acknowledged, the parties agree as follows:

AGREEMENT

1. Grant of First Easement. Baca agrees to execute an easement to Cottonwood in the form attached hereto as Exhibit E, providing a permanent, exclusive easement to Cottonwood to use and occupy the southern portion of the Encroachment Area colored in yellow on Exhibit F attached hereto, which easement (the "First Easement") shall run with the land and benefit the Cottonwood Property and burden the Baca Property. The area covered by the First Easement will be the area between the existing coyote fence and the shared boundary line of the Baca Property and the Cottonwood Property, extending from the southern point of the coyote fence to a point parallel to the rear back wall of the house on the Cottonwood Property. Cottonwood will pay for the preparation of the legal description for the First Easement. The legal description will be prepared within 6 weeks of the date of this Agreement, at which time the First Easement will be executed and held by Cottonwood. Cottonwood agrees not to record the First Easement until after a permit is granted by the City of Santa Fe to Baca to construct the New Driveway, which Baca anticipates will be in the next 1-2 years. Baca will notify Cottonwood when the permit is granted. If the permit is not granted by 2 years from the date of this agreement, Cottonwood may record the First Easement.

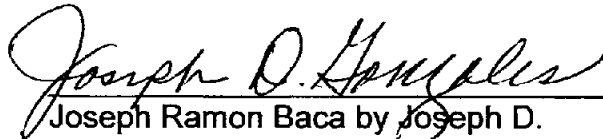
2. No Relocation of 20' Easement; Grant of Second Easement. Baca agrees that if the City of Santa Fe does not require him to relocate and expand the 20' Easement area to the west for the New Driveway (to compensate for the loss of use of the Encroachment Area), that he will grant an additional easement to Cottonwood in the form attached hereto was Exhibit E, providing a permanent, exclusive easement to Cottonwood to use and occupy the northern portion of the Encroachment Area colored in green on Exhibit G attached hereto, which easement (the "Second Easement") shall run with the land and benefit the Cottonwood Property and burden the Baca Property. The area covered by the Second Easement will be the area between the coyote fence and the boundary line shared by the Baca Property and the Cottonwood Property, extending from a point parallel to the rear back wall of the house on the Cottonwood Property to a point parallel to the northwest corner of the Cottonwood Property. Cottonwood will pay for the preparation of the legal description for the Second Easement, to be prepared within 6 weeks of the date of this Agreement, at which time the Second Easement will be executed and held by Cottonwood. If the City does not require Baca to relocate and expand the 20' Easement, Cottonwood will record the Second Easement at the same time as the First Easement is recorded. Additionally, if the City of Santa Fe does not require Baca to relocate and expand the 20' Easement Area, Baca agrees to leave the Block Wall where it is, as a retaining wall for the New Driveway.

3. Relocation of 20' Easement. Baca agrees that if the City of Santa Fe requires Baca to relocate and expand the 20' Easement area to the west for the New Driveway, that in such event he will leave the coyote fence where it currently is located in the First Easement area, but will move the coyote fence north of the First Easement


at his expense, and place it on the joint boundary line of the Baca Property and the Cottonwood Property, **not disturbing the health of mature trees in such relocation.** Further, to the extent that Baca needs to move the Block Wall to accomplish the coyote fence relocation, Baca agrees to construct a new retaining wall next to the New Driveway at Baca's expense, to prevent erosion of the Cottonwood Property. If the City requires the relocation and expansion of the 20' Easement as described herein, the Second Easement will not be recorded.

4. Miscellaneous. This agreement shall be binding on the parties and their heirs, successors and assigns. The parties agree to work in good faith to accomplish the goals expressed herein. Both parties have been represented by counsel, and are freely signing this agreement, after consultation with their respective counsel. The Power of Attorney held by Joseph D. Gonzales from Baca will be recorded in the real property records of Santa Fe County as part of this transaction

Executed the day and year first written above.


Joseph Ramon Baca by Joseph D.
Gonzales, under Power of Attorney


Cottonwood Mesa, LLC


By Nelly Higginbotham, Manager

ACKNOWLEDGMENT

STATE OF NEW MEXICO)
)ss
COUNTY OF SANTA FE)

This instrument was acknowledged before me on July 12, 2013, by Joseph Ramon Baca by Joseph D. Gonzales under Power of Attorney.


Notary Public


My Commission Expires:  OFFICIAL SEAL
Terri L. Saxon
NOTARY PUBLIC
STATE OF NEW MEXICO
My Commission Expires: March 4, 2016

Exhibit 1

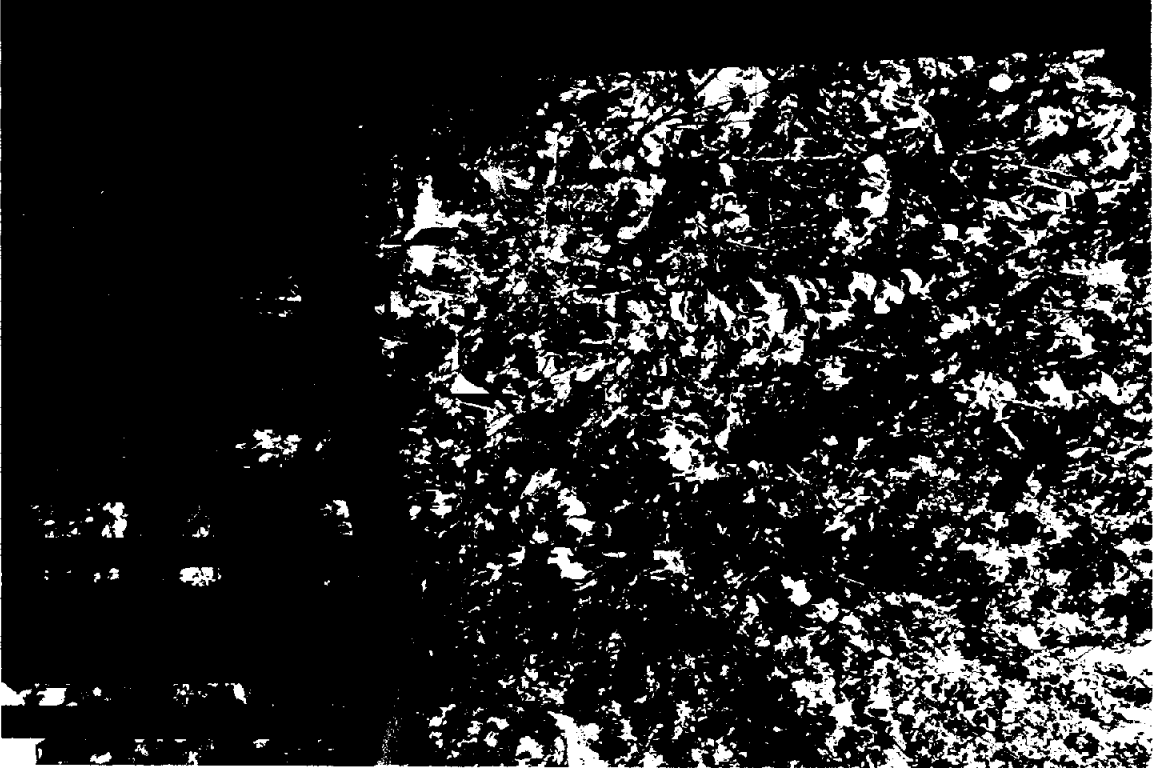


Exhibit 1



Exhibit 12

Case # 14-14-032

n/f Thomas Stephens
Tract 1
Plat Book 523
Page 035

CIP 12443
bears
N 44°50' W
0.30'

CIP 5824 bears
N 37°23' E
0.91'

S 76°51'04" E

(S 76°49'00" E-63.50')

63.50'

S 74°16'58" W

Stone driveway

Portal

Tract B
943 Canyon Road
Residence

Portal

(S 74°11'00" W-86.60')

Stone driveway

(N 61°09'00" W-56.70')

N 61°06'51" W

86.69

Chiseled
"X"
mark

Utility Pole
overhead util

S 58°54'45"
167

CANYON ROAD

Exhibit F

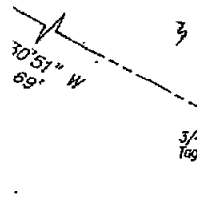
Joe R. Baca
Book 731
Page 011

First
Easement

10°51' W
69'

3/4" pipe
Tag 5217

56.70'



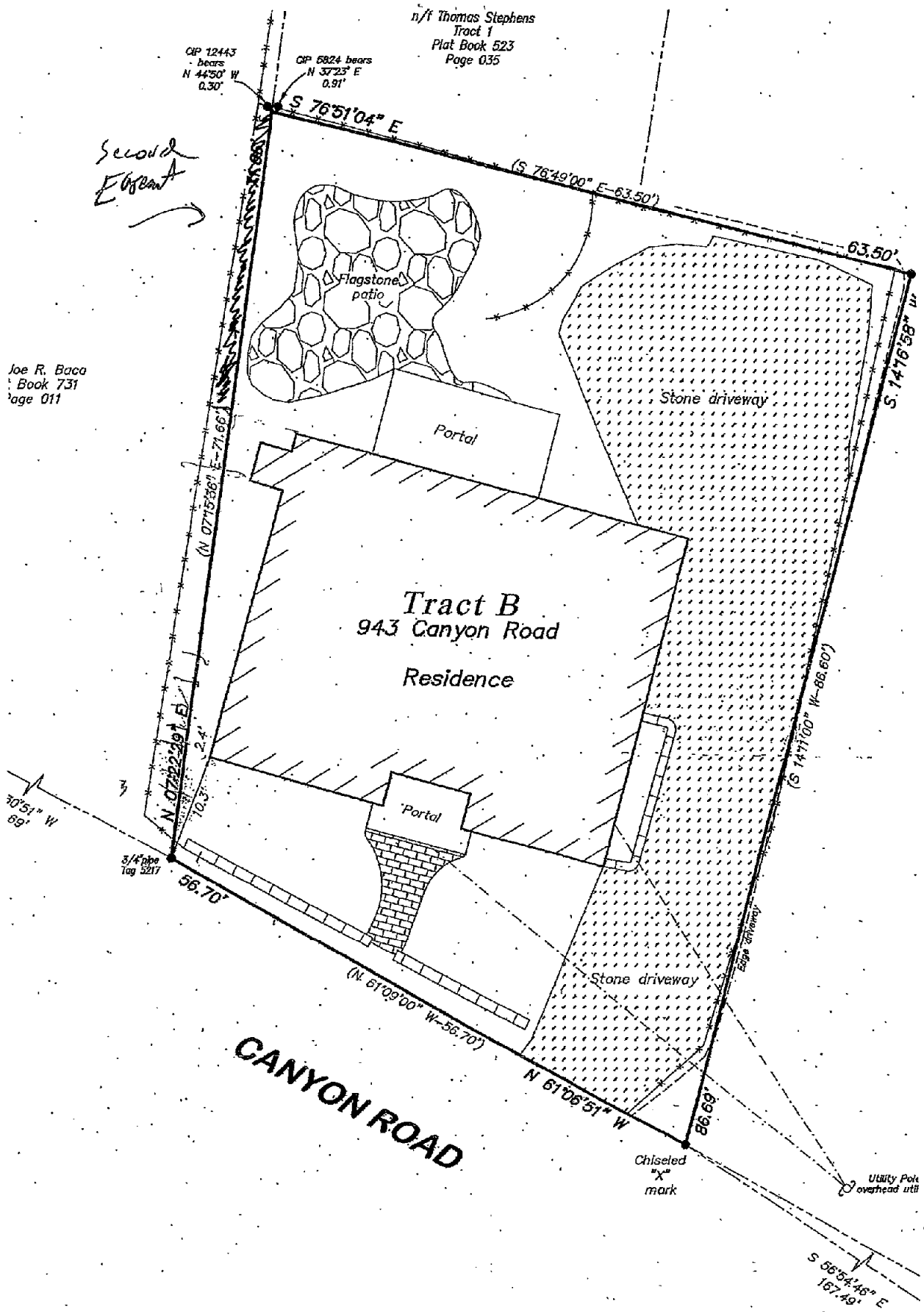
Joe R. Baca
Book 731
Page 011

Second
Easement
→

n/t Thomas Stephens
Tract 1
Plat Book 523
Page 035

CIP 12443
bears
N 44°50' W
0.30'

CIP 5824 bears
N 37°23' E
0.91'



State of
made in
under



STATE OF NEW MEXICO
COUNTY OF SANTA FE

Exhibit G

Sanitor
No.

ROACH, LISA G.

From: Anthawser <anthawser@gmail.com>
Sent: Tuesday, October 14, 2014 4:36 PM
To: ROACH, LISA G.
Subject: Proposed new structure at 461/3 Los Animas

I write to raise some objections to the proposed new structure at the above property.

My reservations relate to the second story on the proposed structure which with its balcony will provide a direct line of sight into our property at 535 Douglas Street.

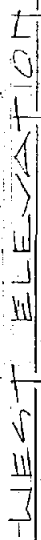
My further observations deal with the proposed Roman arches in the internal courtyard. These will be clearly visible from our property and are in our opinion completely out of keeping with the style of our house and the houses on the historic East side. It also seems that these arches are out of proportion to the rest of the proposed structure and the rest of the nearby properties.

We would respectfully request that the Board do not approve the exception to the design standards requested by the applicant.

Anthony and Carol Hawser

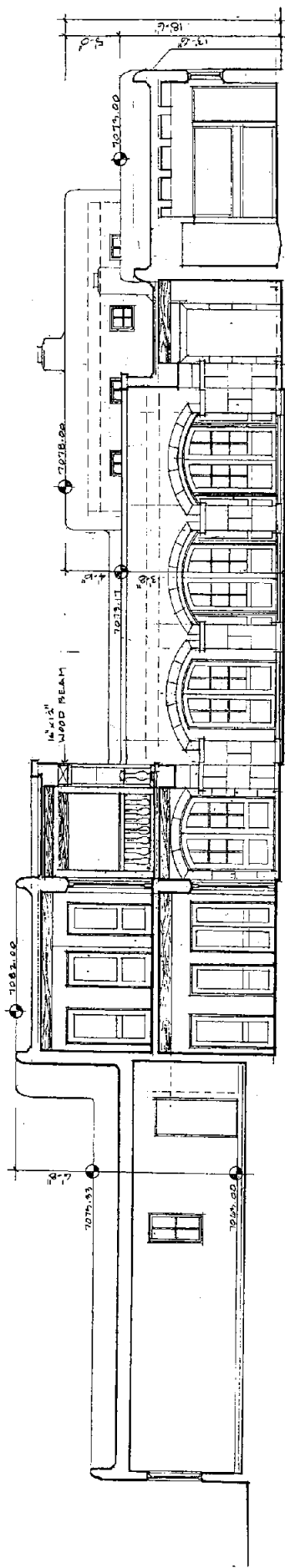
535 Douglas Street
New Mexico
87505

Sent from my iPhone

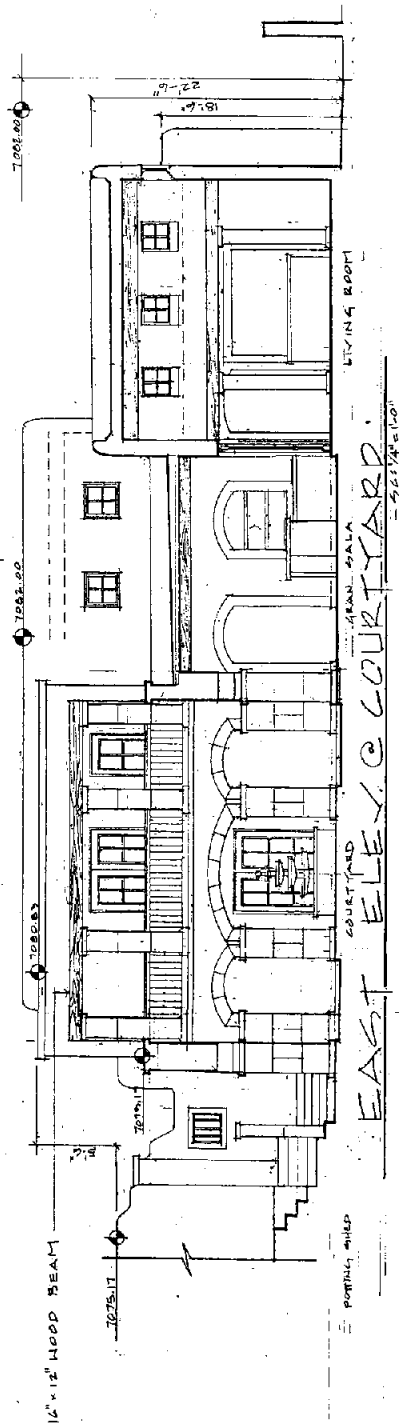


Item #13 *Full sized copy available in the Clerk's office*

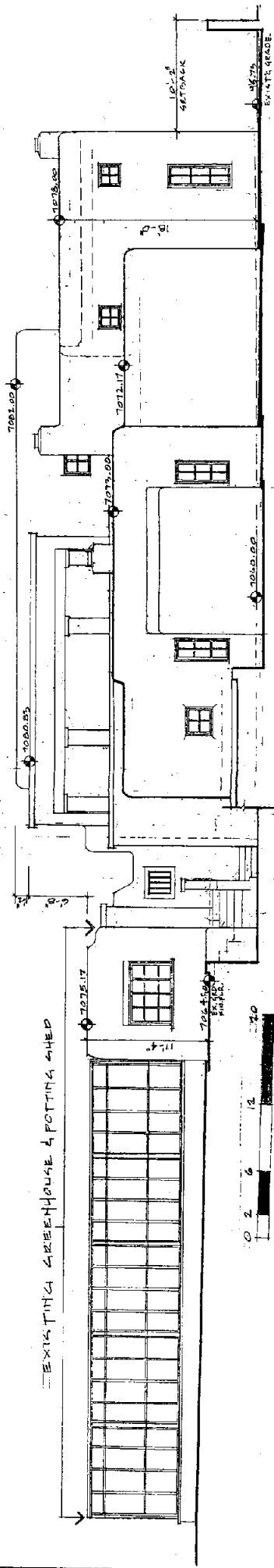
Item #13



SOUTH COURTYARD SECTION/ELEVATION



EAST ELEVATION



EAST ELEVATION

Item #13

*Full sized copy available in the Clerk's Office