



Agenda

CITY CLERK'S OFFICE

DATE 4/8/15 TIME 11:47am

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HISTORIC DISTRICTS REVIEW BOARD FIELD TRIP

TUESDAY, April 14, 2015 at 12:00 NOON

HISTORIC PRESERVATION DIVISION, 2nd FLOOR CITY HALL

HISTORIC DISTRICTS REVIEW BOARD HEARING

TUESDAY, April 14, 2015 at 5:30 P.M.

CITY COUNCIL CHAMBERS

*****AMENDED*****

- A. CALL TO ORDER
- B. ROLL CALL
- C. APPROVAL OF AGENDA
- D. APPROVAL OF MINUTES: March 24, 2015
- E. FINDINGS OF FACT & CONCLUSIONS OF LAW

Case #H-15-003, 424 Apodaca Hill.
Case #H-15-029, 1271 Canyon Road.
Case #H-15-031, 109 Victoria Street.
Case #H-15-028, 1001 Canyon Road.
Case #H-15-033, 845 B East Palace Avenue.

Case #H-15-025, 345 & 345 ½ Plaza Balantine
Case #H-15-030, 922 Canyon Road.
Case #H-15-027, 230 West Manhattan Avenue.
Case #H-15-032, 401 East Alameda Street.

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

1. Case #H-05-061, 535 East Alameda Street Unit A (1&2). Downtown & Eastside Historic District. Aaron Bohrer, agent for Richard Yates, owner, proposes to construct a free-standing 318 sq. ft. 1-car garage with a 256 sq. ft. carport addition on the east side to a height of 12' on a contributing residential property. (David Rasch).
2. Case #H-14-005, 1413 Paseo de Peralta. Don Gaspar Area Historic District. Harry Perez-Daple, agent for 1413 Paseo LLC, owner, proposes to remodel a contributing commercial structure by installing an awning on the north, primary elevation and roof-mounted mechanical equipment with visibility screening to 15'6" high where the maximum allowable height is 17'3". (David Rasch).
3. Case #H-15-023, 465 Camino de las Animas. Downtown & Eastside Historic District. Kate Leriche, AIA, agent for Joan Macfarlane, owner, proposes to construct a new driveway and vehicle entry and to add storm windows on two bay windows at a contributing residence. (Lisa Roach).
4. Case #H-15-035, 535 East Alameda Street Yardwalls. Downtown & Eastside Historic District. Aaron Bohrer, agent for Richard Yates, owner, proposes to relocate the vehicle gate and to construct yardwalls around the property ranging from 4'4" to 6'0". A height exception is requested to Section 14-5.2(D)(9). (David Rasch).
5. Case #H-15-022, 615 Acequia Madre. Downtown & Eastside Historic District. Martinez Architecture Studio, agent for Albert and Robin Perez, owners, requests proposes to demolish an historic carport and portal and an attached non-historic shed and to construct an attached garage and guest parking area at a contributing residence. An exception is requested to remove historic material from a contributing structure (Section 14-5.2(D)(1)(a)). (Lisa Roach).



Agenda DATE 3/26/15 TIME 3:10p

PREPARED BY [Signature] REVIEWED BY [Signature]

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- G. ACTION ITEMS

Case #H-05-061. 535 East Alameda Street Unit A (1&2). Downtown & Eastside Historic District. Aaron Bohrer, agent for Richard Yates, owner, proposes to construct a free-standing 568 sq. ft. 2-car garage to a height of 12'6" on a contributing residential property by installing an awning on the north, primary elevation and roof-mounted mechanical equipment with visibility screening to 15'6" high where the maximum allowable height is 17'3". (David Rasch).

Case #H-14-005. 1413 Paseo de Peralta. Don Gaspar Area Historic District. Harry Perez-Daple, agent for 1413 Paseo LLC, owner, proposes to remodel a contributing commercial structure. (David Rasch).

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Case #H-15-022. 615 Acequia Madre. Downtown & Eastside Historic District. Martinez Architecture Studio, agent for Albert and Robin Perez, owners, requests proposes to demolish an historic carport and portal and an attached non-historic shed and to construct an attached garage and guest parking area at a contributing residence. An exception is requested to remove historic material from a contributing structure (Section 14-5.2(D)(1)(a)). (Lisa Roach).

Case #H-15-034A. 247 Anita Place. Don Gaspar Area Historic District. Gene and Sharon Tison, owners/agents, request designation of primary elevation(s) on a contributing residential structure. (Lisa Roach).

6. Case #H-15-034A. 247 Anita Place. Don Gaspar Area Historic District. Gene and Sharon Tison, owners/agents, request designation of primary elevation(s) on a contributing residential structure. (Lisa Roach).
7. Case #H-15-036. 558 Camino del Monte Sol. Downtown & Eastside Historic District. Joshua Maes, agent for David Skinner Trustee of Miriam Godbee White Irrevocable Trust, owner, requests an historic status review and designation of primary facades of a contributing residential structure. (Lisa Roach).
8. Case #H-15-038. 571 Garcia Street. Downtown & Eastside Historic District. Randy Falk, agent for William Burke and Suzanne Mayer Burke, owners, proposes to construct a 105 sq. ft. addition to a height of 11' and to construct a coyote fence screen for gas meters at a contributing residential structure. (Lisa Roach).
9. Case #H-15-037. 867 Don Cubero Avenue. Don Gaspar Area Historic District. Monica Montoya, agent for Ercan Nalkiran, owner, proposes to demolish a contributing accessory structure and construct a 434.25 sq. ft. residential structure to a height of 12' where the maximum allowable height is 14'9". An exception is being requested to demolish a contributing structure. (Section 14-5.2(D)(1)(a)). (David Rasch).
10. Case #H-14-015. 793 Camino del Poniente. Downtown & Eastside Historic District. Will McDonald, agent for Catherine Clemens, owner, requests designation of primary elevation(s) and proposes to remodel a contributing residential structure by removing vigas, replacing portions of a portal, raising the height of portal parapets, replacing windows, doors, and entry gate, along with other minor repairs. An exception is requested for removal and replacement of architectural features on a contributing building. (Section 14-5.2(D)(1)(a) and Section 14-5.2(D)(5)(b)). (Lisa Roach).

H. COMMUNICATIONS

I. MATTERS FROM THE BOARD: Vote on Historic Preservation Awards

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.

Case #H-15-036. 558 Camino del Monte Sol. Downtown & Eastside Historic District. Joshua Maes, agent for David Skinner Trustee of Miriam Godbee White Irrevocable Trust, owner, requests an historic status review of a contributing residential structure. (Lisa Roach).

Case #H-15-038. 571 Garcia Street. Downtown & Eastside Historic District. Randy Falk, agent for William Burke and Suzanne Mayer Burke, owners, proposes to construct a 105 sq. ft. addition to a height of 11' at a contributing residential structure. (Lisa Roach).

Case #H-15-037. 867 Don Cubero Avenue. Don Gaspar Historic District. Monica Montoya, agent for Ercan Nalkiran, owner, proposes to demolish a contributing accessory structure and construct a 434.25 sq. ft. residential structure to a height of 12' where the maximum allowable height is 14'9". An exception is being requested to demolish a contributing structure (Section 14-5.2(D)(1)(a)). (David Rasch).

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HISTORIC DISTRICTS REVIEW BOARD
April 14, 2015

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E. Findings of Fact & Conclusions of Law	Approved as presented	3
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2. <u>Case #H-14-005.</u> 1413 Paseo de Peralta	Approved Part 1 with conditions	9-13
3. <u>Case #H-15-023.</u> 465 Camino de las Animas	Approved with as recommended	13-15
4. <u>Case #H-15-035.</u> 535 East Alameda	Approved with conditions	15-24
5. <u>Case #H-15-022.</u> 615 Acequia Madre	Approved as presented	24-29
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8. <u>Case #H-15-038.</u> 571 Garcia Street	Approved as recommended	34-35
9. <u>Case #H-15-037.</u> 867 Don Cubero Avenue	Approved as requested	35-41
10. <u>Case #H-15-039.</u> 793 Camino del Poniente	Approved as recommended	41-46
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MINUTES OF THE
CITY OF SANTA FÉ
HISTORIC DISTRICTS REVIEW BOARD

April 14, 2015

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. Edmund Boniface
Mr. Frank Katz
Ms. Christine Mather
Mr. William Powell

MEMBERS EXCUSED:

Mr. Bonifacio Armijo

OTHERS PRESENT:

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

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

C. APPROVAL OF AGENDA

Mr. Rasch requested a correction on item #10 where the case number should be 15-039.

Ms. Rios moved to approve the agenda as amended. Mr. Boniface seconded the motion and it

passed by unanimous voice vote.

D. APPROVAL OF MINUTES:

March 24, 2015

Mr. Katz noted on page 22 that the motion didn't seem to have a vote recorded. [The motion passed by unanimous voice vote and revised minutes were submitted.]

Ms. Rios requested the following changes to the minutes:

On page 5, 2nd sentence should read, "Ms. Rios asked if there will be a variation in the roof line of the house."

On the same page, 6th sentence should read, "Ms. Rios observed that in looking at the house it looks to be one level with no variation."

On page 8, 4th paragraph, the 3rd sentence should have a semicolon after "applicants" and digest should have three issues.

On page 17, under Questions to Staff, it should read, "Ms. Rios asked if the footprint changed on B."

On page 41 and 42, she was perplexed and needed help from Mr. Rasch and Mr. Shandler. When Mr. Armijo made his motion, the vote was 3-2 in favor and Mr. Rasch asked the Chair for her vote and that caused a tie so the motion died.

In 24 years of serving on the Board, she said she understood that the Chair votes only in case of a tie. She asked if they were following Robert's Rules of Order or some City ordinance. What we've been operating on is that the Chair only votes in case of a tie or to make a quorum.

Mr. Rasch said he was quite clear about this. We do follow Roberts and City procedures. City procedures came up several years ago. Right now, the rule states the chair of any committee can vote in order to change the outcome. That is the way the language is written.

Chair Woods said that has come up several times where Mr. Rasch asked me if I wanted to vote.

Chair Woods requested the following change in the minutes on page 42 where it should say eyebrows over the doors (not the windows).

Mr. Katz moved to approve the minutes of March 24, 2015 as amended. Mr. Boniface seconded the motion and it passed by unanimous voice vote.

E. FINDINGS OF FACT AND CONCLUSIONS OF LAW

Case #H-15-003. 424 Apodaca Hill.

Case #H-15-029. 1271 Canyon Road.

Case #H-15-031. 109 Victoria Street.

Case #H-15-028. 1001 Canyon Road.

Case #H-15-033. 845 B East Palace Avenue.

Case #H-15-025. 345 & 345 ½ Plaza Balantine

Case #H-15-030. 922 Canyon Road.

Case #H-15-027. 230 West Manhattan Avenue.

Case #H-15-032. 401 East Alameda Street.

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

F. BUSINESS FROM THE FLOOR

There was no business from the floor.

G. ACTION ITEMS

1. **Case #H-05-061. 535 East Alameda Street Unit A (1&2).** Downtown & Eastside Historic District. Aaron Bohrer, agent for Richard Yates, owner, proposes to construct a free-standing 568 sq. ft. 2-car garage to a height of 12'6" on a contributing residential property by installing an awning on the north, primary elevation and roof-mounted mechanical equipment with visibility screening to 15'6" high where the maximum allowable height is 17'3". (David Rasch).

Mr. Rasch presented the staff report as follows:

BACKGROUND & SUMMARY:

535 East Alameda Street, formerly known as 540 East Palace Avenue is a compound of five residences and a guest house. The main historic building, known as the Mrs. Ashley Pond House, was designed by John Gaw Meem and constructed in the Territorial Revival style by 1930. That residence and the attached guest house is listed as contributing to the Downtown & Eastside Historic District and the south elevation and the west elevation up to the guest house are designated as primary elevations.

On February 24, 2015, the HDRB postponed action on a request to construct yardwalls and a garage pending redesign of the proposed structure so that it does not block public view of the contributing historic residential structure.

Now, the applicant proposes to construct a free-standing single-car garage with an open single-car carport addition on the east side of the proposed garage. This would provide more visual access to the west primary façade of the contributing residence (Unit 2) than the previously proposed two-car garage.

The garage will be 318 square feet at 12' high with brick coping on the parapets. The south elevation will have a wooden vehicle door with windows on the top 25% matching existing conditions on the garage for Unit 1. The west elevation will have two 6-lite windows with Territorial surrounds. The east elevation

will have a pedestrian door.

The carport will be at 10' 2" high with a flat roof. The square columns will match those of the portal on the contributing residence.

The carport and walk area will be surfaced with brick.

STAFF RECOMMENDATION:

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

Questions to Staff

Ms. Mather pointed out the reproduction of this case on page 20, proposed site plan, was odd looking. It looked like the printing was scrubbed out.

Mr. Rasch said there seems to be something strange that happened on duplication. It seems to have been scanned at a lower resolution.

Ms. Mather hoped he could walk the Board through the site plan.

Mr. Rasch used his laser to point out the features on the site plan and units 1 and 2. There are 4 new buildings and he pointed out unit 3, 4, 5, 6 and 7. Tonight, the consideration is unit 2 and the yardwalls. Unit 2 has a single car garage on the west and a single car carport on the east and a little connecting yard wall.

Ms. Mather pointed out the previous approved addition on Unit 7.

Mr. Rasch agreed and reminded the Board that they put the 2-car garage on hold. The Board is not considering unit 7 at this meeting but he had discussions about it with the applicant.

Ms. Mather concluded they will look at the front walls and she wondered why this comes before the walls.

Mr. Rasch said the department secretary takes them first come, first served. The Board will be looking at fences and walls throughout.

Ms. Rios referred to paragraph 2 of the staff report and asked if the applicant is complying with not blocking the view.

Mr. Rasch said the site visit was more revealing to him in this regard. The piñon trees already block the view from Alameda. The proposal for unit 4 will help to block that view more even. The view on Ashley Pond was much better before. There might be more from Palace now. The Alameda grade is lower than on

Palace.

Ms. Rios said the historic house still remains historic.

Mr. Rasch agreed and the change in the garage helps improve that visibility.

Mr. Katz asked if the Board, on this case, was just voting on the garage and the carport and not voting on the wall between the garage and house which might do more blocking.

Mr. Rasch agreed.

Applicant's Presentation

Present and sworn was Mr. Aaron Bohrer, 2001 Jaguar, Suite 201 who had nothing to add to the staff report.

Public Comment

Present and sworn was Mr. Randall Bell, who said he might have misunderstood the last action of the Board on this project but understood the Board had asked to defer action on individual pieces and to have a master plan of everything all at once. He would urged the Board not to allow this project be piecemealed.

Mr. Rasch recalled that action was only for walls and fences and each unit was to be brought forward individually. He added that the Planning Commission has approved a development plan already but the Board hasn't seen it yet. However he has seen it.

Mr. Bell was amazed that it was not part of the packet because it is a critical component of what is going on in this project. He felt the case should be deferred until the Master Plan is seen by the Board because it affects the entirety of the project.

Mr. Bell said about ten days ago, he went to the Historic Preservation Division to look through the history on this. Ms. Rios sat on the Board in the earlier iterations of this development. What he is seeing here is exactly seems to be new pattern of death by a thousand cuts. The Board as previously constituted spent much time working on the project earlier and he hoped the present Board members would read that record leading up to this point.

The previous Board really struggled with this and a lot of it had to do with the fact that there was a large, new important Meem house sitting on an open garden and were very concerned that it was turning into a condo development and understanding that the zoning would allow a certain amount of development. The Board was really focused on trying to preserve both the view of the principal house from Alameda and the fact that it sat in a park-like garden. It was a compromise and the original developer backed off on a development like this. So here we are some years ago seeing that exact thing happen. It is like those decisions were thrown in the dumpster.

This project claims 19% lot coverage but he would ask if that is still correct.

Mr. Bohrer said the coverage is 19.875%.

Chair Woods said that calculation includes all roofed areas.

Mr. Bell said if he was sitting on the Board he would want to see that development plan. It is not a complete packet without it.

The previously constituted board was very concerned with the public view of the Ashley Pond House and it is already partially obscured. He asked that the Board take those things into consideration.

Mr. Rasch referred the Board to page 20 and clarified that in the packet, Sheet H-100 is that development plan. He believed the proposed site plan is that development plan because it allowed for 2-car garages on every single unit. It shows on the development plan the Planning Commission approval.

Present and sworn was Ms. Stefanie Beninato, P. O. Box 1601, Santa Fe.

She echoed Mr. Bell's comments about not piece-mealing it here. The Board needs to get carports and garages at one time and see what is obscured or not. The carport is a better solution than before.

She is hearing that the Board will consider some walls and fences tonight and she disagreed with that procedure. The view from Alameda view is compromised. One can also see it from Palace but if a wall is allowed there, it would be more obscured. It would be nice to see the whole totality of it, even if the Board has to consider them separately. The Board has an obligation to look at the whole master plan.

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

Questions to Applicant

Chair Woods asked what the Board is legally bound by, e.g. 2-car garages for every unit in the master plan, whether it is blocking the Pond house or not. She wondered what their authority is if the Planning Commission has made specific rulings.

Ms. Lisa Martínez deferred to Mr. Shandler. The Planning Commission is approving maximums and the project doesn't have to be built up to that extent.

Mr. Shandler said both bodies have authority over their jurisdiction but this is a less intensive use so there wouldn't be a conflict between the two approvals.

Chair Woods concluded that just because Planning Commission says 2-car garages are okay, the Board would have the authority to make a less intense ruling. This is really important.

Mr. Rasch agreed. Another example like this was on Gonzales - a subdivision with Planning

Commission approval of two multi-family units of big blocks. The Planning Committee approved an envelope of construction with two big blocks. The H Board broke them up and the total of all of it was bigger than the envelope approved by Planning Commission.

Ms. Martínez admitted she was not familiar with this develop plan. She didn't know what the original request was and she would be interested in looking at that first. She didn't know if it is possible to defer it to the next meeting or not.

Chair Woods asked if Mr. Rasch could point out the earlier approval.

Mr. Rasch pointed out the new from the existing components.

Chair Woods understood they are asking for something more than the last approval but still within the approved development plan.

Mr. Bohrer acknowledged the public for calling out the develop plan. It is nice to see the public take an interest in architecture.

He asked if Mr. Rasch could show the development plan that is in three dimensions. It showed how the walls were in concert with the entire development. It dealt with some of the issues that were brought up here.

Mr. Rasch showed the 3D site plan.

Chair Woods asked what was already approved by the HDRB.

Mr. Rasch said on the Ashley Pond House, the only thing not approved was the garage and carport. He showed on the map what had been approved and showed an area where all of it was yet to be approved. And 5 and 6 was approved by the Board and unit 7 was not yet approved.

Mr. Bohrer recalled that Ms. Beninato had made a comment last time about integrating the garages. It was a good point so the garages are now turned e.g. 5 toward #2. #6 is recessed behind the colonnade. Two carports are put at end of the site against the west wall to make them less conspicuous.

Ms. Rios asked Mr. Rasch to point out what has not been built yet.

Mr. Rasch said the garage on #1; unit 3 and 4 had not built or approved.

Mr. Bohrer said on #5 the garage is not built but is approved. On Unit 3, the 2-story house is being added onto at the second floor.

Mr. Rasch said all of # 6 has been approved. In # 7 all but the garage and some massing on the roof.

Ms. Mather recalled that, in general, the Board asked the applicant to come back with designs that

would not block the Pond House and asked Mr. Bohrer to explain how he had done what the Board requested.

Mr. Bohrer said they tried to make that garage lighter by reducing it from a 2-car to a 1-car and added a carport to the east of it.

Ms. Mather asked if he set it back.

Mr. Bohrer said he moved it to the west as much as possible (3'). The car port can be seen through.

Ms. Mather didn't see that this carport impacted the façade of the Pond House but two other unapproved items could not be seen on the site visit. So the Board struggled with visual access to this building and seeing it hemmed in. When the Board went to site visit, no one could see the Pond House at all - only through bushes and fences. So the Board is faced with tougher decisions.

Mr. Bohrer said the addition is to the west and on the adjacent property, is a 20-unit condo with row housing so the owner constructed a western yard wall along the property line for noise reduction. So by adding the garage, he didn't see the carport reducing the view at all.

Mr. Katz agreed with Ms. Mather. The separation does preserve a view of that façade but would be even better if the garage could be north about 5 feet.

Mr. Bohrer said he was worried about the large conifer just to the north. He could move it north a little but was not committing to 5'.

Mr. Katz agreed not to endanger that tree.

Ms. Rios asked that with this project the Board is looking at and the other one on the agenda if these two cases addressed all the site.

Mr. Bohrer said this is the comprehensive view of this owner and entirety of his work to the site. So after this approval he wouldn't be back.

Ms. Rios clarified her question to be if what the Board was reviewing on this agenda was the entirety of the project.

Mr. Bohrer said no. This is the entire fencing and walls.

Chair Woods pointed out that there is already a two-car unit here.

Mr. Bohrer explained that was on unit 1 and tonight is for unit 2.

Chair Woods asked what the new lot coverage would be.

Mr. Bohrer said it is under 40% and he submitted that affidavit. They are adding 19%.

Ms. Mather was thinking about postponing this case until the Board had the opportunity to study the yard walls. Then the Board would have greater knowledge of its effect on this building.

Mr. Boniface supported reversing the two cases.

Action of the Board

Ms. Mather moved in Case #H-05-061 at 535 East Alameda Street Unit A, to approve the application per staff recommendations. Mr. Boniface seconded the motion.

Mr. Katz asked for an amendment to move the garage and portal north to not damage the tree. Ms. Mather agreed the amendment was friendly.

Chair Woods asked that all the rest come in one piece. Ms. Mather accepted that amendment as friendly.

Mr. Katz asked that it be moved west toward the property line also. Ms. Mather agreed the amendment was friendly and the motion passed by unanimous voice vote.

- 2. Case #H-14-005. 1413 Paseo de Peralta.** Don Gaspar Area Historic District. Harry Perez-Daple, agent for 1413 Paseo LLC, owner, proposes to remodel a contributing commercial structure. (David Rasch).

Mr. Rasch presented the staff report as follows:

BACKGROUND & SUMMARY:

1413 Paseo de Peralta is a commercial building that was constructed before 1912 in the Territorial style. Additions to the front block include historic massing to make an "L"-shape and the incorporation of a free-standing apartment at the rear after 1982. The building is listed as contributing to the Don Gaspar Area Historic District and the street-facing north elevation is designated as primary.

On January 28, 2014, the HDRB approved remodeling of this property including no change to two existing publicly-visible roof-mounted mechanical units.

Now, the applicant proposes to amend the previous approval with the following two items.

1. The existing mechanical equipment has been abandoned, but not removed from the roof, yet. The owner installed two new units on the roof with coil lines running over the parapets without approval or a permit. The units will be screened with structures intended to simulate chimneys. The screens will be stuccoed to match the building with brick coping on top to a height of 15' 6", where the maximum allowable height is 17' 3". The surface mounted coils, except those on the south, will

be removed and rerouted through the roof.

2. An awning will be installed over the entry door on the north, primary elevation. The dimensions of the awning on the plans show: 3' H x 8' W x 30" D with an orange fabric containing purple lettering.

14-8.10(H)(12) Signs

Special Sign Regulations in the H Districts; Awnings, Flags, Banners

Awnings shall be of cloth or of other material acceptable to the division. There shall be no advertising on awnings. Flags, banners, awnings, and such trappings shall not be permitted as advertising within the H-district. However, the name of a business may appear along the lower edge or fringe of the awning. In such cases, the awning shall count as one sign as allowed under Subsection 14-8.10(H)(3). The color of the awning shall be compatible with Santa Fe architectural style and shall not be obtrusive.

STAFF RECOMMENDATION:

Staff recommends approval of this application which complies with Section 14-5.2(C) Regulation of Contributing Structures, (D) General Design Standards, and (H) Don Gaspar Area Historic District.

Questions to Staff

Ms. Mather asked if the Board had concluded that when people didn't have approvals or permits, they should be moved to the end of the agenda.

Mr. Rasch agreed and apologized.

Ms. Mather asked who does sign approvals.

Mr. Rasch explained that the Land Use Staff does approvals for signs. The only time this Board sees signs is when they don't meet the standards in the Code. The Board can decide if this meets that Code. There is not much in the ordinance that talks about the awnings. He believed the awning in question was not a sign. It did not have a sign on it but did have the logo but was not considered one of the business signs of this business.

Ms. Mather thought it was.

Ms. Rios asked if it was Mr. Rasch's opinion that the awning would not affect the primary façade since the dimensions are three feet high and 30" deep.

Chair Woods pointed out that it is the only unchanged façade and the character defining features of that façade would now be covered. So the project couldn't be approved if it would affect the historic status.

Mr. Rasch said that in his mind, awnings are not permanent alterations of structures but he admitted they could be installed there for a long, long time and could harm the aesthetics of the building while being installed. However, he saw them as reversible treatments. He understood the concern that they must

harmonize with the street and the primary elevation of this building.

Chair Woods said the awnings would hide the character-defining feature on an historic contributing building that has only one primary façade.

Mr. Boniface agreed awnings are a temporary structure but in all of our past experiences, once it goes up, it is there forever. And it does downgrade the quality of that façade and the color doesn't fit within the historic district. He would argue that having the logo makes it a sign. They are treading on thin ice here.

Ms. Mather asked Mr. Rasch if he just said the awning would not count as a sign.

Mr. Rasch agreed because it doesn't have their business name. It is an extreme technicality of words here.

Ms. Mather noted that the ordinance said in such cases, the awning shall count as one sign and further, that the color of the awning shall be compatible with Santa Fe architectural style and the color shall not be obtrusive.

Mr. Rasch agreed. But the second statement, he was very clear that in the sign ordinance, that the awning shall be compatible. But the one sentence in there says, however, the name of the business may appear along the lower edge. In that case, it would be a sign.

Ms. Mather pointed out that the awning does have the business name below the logo.

Mr. Rasch changed his mind and said in that case, it would be considered a sign.

Applicant's Presentation

Present and sworn was Mr. Harry Perez-Daple who said he guessed he was to understand it will be construed as a sign and he was not up 100% on the sign ordinance. The tenant is an antique dealer and gallery. He was willing to listen to the Board's decision.

Questions to Applicant

Chair Woods said the awning covers the character-defining features of this building. The windows were to be architectural series but are snap-in muntins. All the rest of the historic fabric is gone except for that on the front façade and now the awning is going to cover the only really important feature.

Mr. Perez-Daple said the muntins were existing in the back and they did not change those windows.

Chair Woods said somebody did. They are aluminum sliders with pop in muntins.

Mr. Perez-Daple agreed.

Ms. Rios noticed when there today, that there is a white frame where a sign could go.

Mr. Perez-Daple clarified that is to be a directory there for the tenants. This is a request by the tenant to add his logo to his space.

Mr. Powell said he designs and installs awnings on buildings and typically they are put on the south or west. Here he thought a projecting blade sign might be better because of the traffic on Paseo and less obtrusive to the building.

Mr. Perez-Daple - good point but the original proposal had a back lit sign as you go in at the corner and that is no longer proposed. The tenant signed a lease with the owner with this awning. It is to scale and covers the transom a bit.

Ms. Mather noted regarding the mechanical equipment that in the submittal, there are items marked as removed and some marked as abandoned. He asked if those marked as abandoned would also be removed.

Mr. Perez-Daple agreed. Those that are abandoned would be removed.

Ms. Mather asked if he would remove what appeared to be some sort of coil that comes down the side.

Mr. Perez-Daple agreed. The contractor did that after approvals and he found a solution to hide them.

Mr. Rasch said the sign ordinance would allow up to two businesses on this property and each one could have up to 3 signs. Once there are three businesses, each would be allowed only two signs each.

Public Comment

Ms. Beninato (previously sworn) said she lives very close to this property and thought that façade facing Paseo was beautiful and should be protected. The awning will obscure the significant feature. She would urge the Board to deny the awning. The colors are obtrusive and there are other ways to do signs. They should have gotten approval here before signing a lease.

The public can see those units on the back so she was glad they will be removed.

Present and sworn was Mr. Raymond Herrera, 279 Hillside, who said this building has gone through so many changes. Every time it is sold, it has been changed and that front façade needs to be kept as original as possible.

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

Mr. Perez-Daple said, if it makes any difference, if the colors are the objectionable thing, he could do

brick color instead of orange or would see if the Board would like to approve a sign instead.

Chair Woods clarified that signs are more a staff decision.

Action of the Board

Ms. Mather moved in Case #H-14-005 at 1413 Paseo de Peralta, to approve part 1 of the application, to screen the existing mechanical equipment and remove the abandoned equipment and to deny part 2 of the application for an awning to be installed. Ms. Rios seconded the motion.

Chair Woods asked for an amendment that the denial, per section 14-5.2 that it does not preserve the historical and characteristic qualities of an historic, contributing building and that it would block character-defining features and does not meet the sign ordinance that the color shall be compatible color and not be obtrusive. She also asked for a condition to rechannel the cables that they are removing.

Ms. Mather accepted the amendment as friendly.

Mr. Boniface asked for an amendment that the abandoned mechanical equipment will be removed.

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

Mr. Boniface noted on page 20 of this application, pertinent to a past case, the Board could see screening around the mechanical equipment on west DeVargas.

3. **Case #H-15-023. 465 Camino de las Animas.** Downtown & Eastside Historic District. Kate Leriche, AIA, agent for Joan Macfarlane, owner, proposes to construct a new driveway and vehicle entry and to add storm windows on two bay windows at a contributing residence. (Lisa Roach).

Ms. Roach presented the staff report as follows:

22' further to the east.

BACKGROUND & SUMMARY:

465 Camino de Las Animas is a 3,272 square foot single family residence, including a portal and attached garage/studio, listed as contributing to the Downtown and Eastside Historic District. The residence was designed by John Gaw Meem Spanish-Pueblo Revival style in 1925 as a guesthouse for the estate of Raymond Jonson, a well-known abstract painter who taught at UNM. The residence was likely remodeled by John Gaw Meem's firm in 1939-1940, when the estate was owned by Frank C. Rand, Jr. and his wife Adele Levis Rand. The residence was remodeled again in 1995, when the portal was added to the rear of the home, and the front yard wall was modified with wrought iron elements and vehicular gates (Cases H-

95-032 and H-95-096).

On March 10, 2015, the HDRB approved a request to construct a garage addition and to upgrade roof-mounted mechanical, but postponed a request to construct a new driveway and vehicular entry at the residence, citing the need to see an elevation drawing and site plan depicting the new driveway and gate. The Board also requested additional information regarding re-glazing and/or installation of storm windows at the front bay windows of the home.

Now, the applicant has provided the requested drawings and seeks approval to move the existing wrought iron gate at the east side of the property approximately 22' further to the east. The existing gate is to be reused, and new stuccoed pilasters matching existing pilasters are proposed, along with an extension of a low stuccoed wall with wrought iron railing to match existing. A new driveway is also proposed, to provide vehicular access to the previously approved garage addition at the rear of the home. The proposed driveway surface is a Pavestone product in earth tones, and the existing driveway surface will be replaced with this same material.

The applicant is not proposing any exterior changes to the bay windows at this time.

STAFF RECOMMENDATION:

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

Questions to Staff

There were no questions to Staff.

Applicant's Presentation

Present and sworn was Ms. Kate Leriche, 814 Camino Acoma, who had nothing to add to the staff report.

Questions to Applicant

There were no questions to the applicant.

Public Comment

There were no speakers from the public regarding this case.

Action of the Board

Ms. Rios moved in Case #H-15-023 at 465 Camino de las Animas, to approve per staff recommendations. Mr. Powell seconded the motion and it passed by unanimous voice vote.

4. **Case #H-15-035. 535 East Alameda Street Yardwalls.** Downtown & Eastside Historic District. Mr. Aaron Bohrer, agent for Richard Yates, owner, proposes to relocate the vehicle gate and to construct yardwalls around the property ranging from 4'4" to 6' 0". A height exception is requested to (Section 14-5.2(D)(9)). (David Rasch).

Mr. Rasch presented the staff report as follows:

BACKGROUND & SUMMARY:

535 East Alameda Street, formerly known as 540 East Palace Avenue is a compound of five residences and a guest house. The main historic building, known as the Mrs. Ashley Pond House, was designed by John Gaw Meem and constructed in the Territorial Revival style by 1930.

On February 24, 2015, the HDRB postponed action to remodel the property with yardwalls and fences pending one submittal of all items together.

Now, the applicant proposes to construct yardwalls and fences as follows:

PERIMETERS clockwise from NW corner:

1. A 3' high stuccoed yardwall will be constructed along the west end of the Palace Avenue street frontage (north lotline) where the maximum allowable height is 4' 8". A wooden pedestrian gate will be installed in the yardwall.
2. At 1' behind the Palace Avenue yardwall, a "fence" will be constructed of 6' high steel posts with wire strung between them to support vegetation. A height exception is requested to exceed the maximum allowable height of 4' 8" and the required exception criteria responses are at the end of this report (14-5.2(D)(9)).
3. Two 4' 8" stuccoed yardwalls with brick caps will be constructed along the east end of the Palace Avenue street frontage at 7' back from the property line. The yardwalls will angle back to the future proposed building façade.
4. A 6' high stuccoed yardwall will be constructed along the east lotline.
5. A 3' high stuccoed yardwall/planter with brick cap will be constructed on the Alameda Street frontage to the east of the new driveway entrance.
6. A 3' high stuccoed yardwall with brick cap will be constructed on the Alameda Street frontage to the

west of the new driveway entrance.

INTERIORS clockwise from NE corner:

7. Stacked natural stone yardwalls will be constructed in the northeast corner of the property where the access driveway will be eliminated and slope retention is needed. Each wall will not exceed 30" high.
8. 6' high stuccoed yardwalls will be constructed to separate the residential units between Units 3 / 4 and 5, between Units 5 and 6, between Unit 7 and the Alameda frontage.
9. A 4' 4" coyote fence will be constructed between stuccoed pilasters flanking the pedestrian entrance on Alameda Street between Unit 7 and the west lotline where the maximum allowable height is 4' 4".
10. 6' high stuccoed yardwalls with brick caps will be constructed to create a courtyard around the northeast corner of the contributing residence in front of non-primary elevations and between the proposed garage and the west primary elevation of the contributing residence.
11. A 2' 6" high stacked natural stone retaining wall will be constructed between Units 1 and 3 / 4.

EXCEPTION TO EXCEED MAXIMUM ALLOWABLE HEIGHT (14-5.2(D)(9))

- 1) Do not damage the character of the streetscape.

Due to the nature of the development; the property is situated within the confines of East Palace Avenue and East Alameda Street. The exception request is particular to the northern area of the site due to the property being situated 12 feet below the Palace Avenue street level. The exception request is for the section of Palace frontage from the northwest corner of the site to Unit #3.

Due to the significant difference in grade between Palace Avenue and the property below, there is an atypical gap in the Palace "street wall" that is unique to this site and to Palace Avenue. The "gap" in context is due to aforementioned grade difference between Palace Avenue and the property below that creates an "overlook condition" from Palace Avenue. The existing site condition is atypical along Palace Avenue.

Our solution in the form of a low site wall that is 3'-0" in height and fashioned after the US Forest Service site wall located on Old Santa Fe Trail. In concert with the low wall, we are proposing a wrought iron armature for a wisteria vines. The armature is placed 12'-0" on center with a height of 6'-0" with (6) wire strands spanning from support to support, forming a support for the wisteria vines. Because the plant is deciduous, the level of translucency is seasonal and results in a varied and somewhat diaphanous visual barrier.

Staff response: Staff agrees with this statement.

- 2) Prevent a hardship to the applicant or an injury to the public welfare.

The lack of visual privacy from Palace Avenue is a hardship to the current owner and occupants because the property is easily viewed from Palace. We are adding a public sidewalk (there is not currently a sidewalk along this frontage) adjacent to the low yard wall and with this new pedestrian sidewalk, there is easy observation of the property's occupants below. Although the proposed yard wall will not actually block views into the property below, it will provide greater visual privacy and strikes an equal balance between personal privacy and public enjoyment of the development below.

Staff response: Staff agrees with this statement.

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

The proposed low yard wall with its planned landscaping armature above is a contribution of form and texture that will contribute to the rich Palace experience. The decision not to build a higher CMU stucco wall but a low wall with a diaphanous hedge above allows for a pedestrian scaled and sensitive addition to the Palace experience. The wrought iron supports will blend within the wisteria structure and when it matures and the armature itself will be rendered barely visible. The resulting quality for the streetscape is a low wall with a hedge of greenery behind that contributes to the existing garden character along Palace Avenue.

Staff response: Staff agrees with this statement.

- 4) 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.

Our exception request is due to the significant difference in grade between Palace Avenue and the property below. There is an atypical gap in the Palace "street wall" that is unique to this site and to Palace Avenue. The "gap" in context is due to aforementioned grade difference between Palace Avenue and the property below that creates an "overlook condition" from Palace Avenue. The existing site condition is atypical along Palace Avenue.

Our solution in the form of a low site wall that is 3'-0" in height and fashioned after the US Forest Service site wall located on Old Santa Fe Trail. In concert with the low wall, we are proposing a wrought iron armature for a wisteria vines. The armature is placed 12'-0" on center with a height of 6'-0" with (6) wire strands spanning from support to support, forming an armature for wisteria vines. Because the plant is deciduous, the site wall and its level of translucency is seasonal and results in a varied and somewhat diaphanous visual barrier.

Staff response: Staff agrees with this statement.

- 5) Are due to special conditions and circumstances which are not a result of the actions of the applicant.

Our exception request is due to the significant difference in grade between Palace Avenue and the property

below. The existing site conditions are solely inherited and not created by the applicant for the purpose of site planning or an ordering of an architectural experience or narrative. We believe the existing "gap" in the Palace streetscape and the grade difference to be negative attributes that are expensive to remedy yet must be effectively dealt with for the success of the neighborhood and project. It should be mentioned here that there is an existing cyclone fence with silver lace since 2008. Although this fence was intended to be a construction fence, it has long become a staple along Palace Avenue. We are looking to only improve the aesthetic presentation of this frontage.

Staff response: Staff agrees with this statement.

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

The least negative impact of the exception request is the height of the wrought iron armature at 6'-0" and placed 12'-0" on center. Although the height is the cause of the exception request, the actual posts are very thin and spaced 12'-0" apart, forming a barely perceptible structure for landscaping.

Staff response: Staff agrees with this statement.

STAFF RECOMMENDATION:

Staff recommends approval of the fence height exception request on Palace Avenue (14-5.2(D)(9)) and otherwise recommends approval of this application which complies with Section 14-5.2 (C) Regulation of Contributing Structures, (D) General Design Standards, and (E) Downtown & Eastside Historic District.

Questions to Staff

Mr. Katz asked if the type D wall is stacked real stone.

Mr. Rasch believed so.

Ms. Rios asked if the proposed walls were affecting the not-yet -built portions of this project.

Mr. Rasch said the walls are tied into future approvals. They are beveled walls on Palace Avenue for 3-4 and unit 3-4 is not approved yet. Other than that, no conflicts are seen.

Ms. Mather asked if any walls have begun to be built prior to approvals.

Mr. Rasch agreed and pointed out the location.

Ms. Mather asked what jurisdiction the Board has on plantings on the property that might obscure a

primary façade.

Mr. Rasch replied that generally, this Board doesn't have any jurisdiction over vegetation (non-structural items). There was discussion during the code re-write that more leeway should be given to the Board for the public good. The City Attorney feels the state enabling legislation doesn't allow the Board to go there.

Ms. Mather asked if it would obscure a view in that corner.

Mr. Rasch said the view is already obscured but the fence would make it complete.

Chair Woods noted the elevation of wall type e in front of the Pond House on page 25 in left hand corner. It shows that the top of that six-foot coyote would come about to the middle of the windows of the Pond House. And when the Board visited the site in the van it looked like the entire house would be obscured. She didn't believe it was a complete application because the elevation shown on page 25 didn't indicate it would obscure the whole house. It looked only at the proposed coyote fence.

Mr. Rasch pointed out that on unit 7, the garage would not be seen.

Chair Woods understood but to the right, the historic house, the fencing comes to the parapet.

Mr. Rasch disagreed. It is right on Alameda Street.

Applicant's Presentation

Mr. Bohrer (previously sworn) stood for questions.

Questions to Applicant

Mr. Boniface noted that Mr. Rasch described a fence one foot back from the wall type C, which is the straw bale fence. The drawing showed the site plan without the buildings. He asked if it would really be correct to call that a fence. He asked how far apart the metal T-shaped structures that supported the trellis.

Mr. Bohrer expected them to be about 12' apart.

Mr. Boniface asked Mr. Rasch if with that height variance, it could correctly be called a fence.

Mr. Rasch said yes. Those posts would be connected with wire.

Mr. Bohrer said it is more like a telephone wire to allow for plants to grow on them.

Mr. Katz asked if it is assumed that the vines on the chain link fence would obscure the view. There is sort of a gap where one could look through and was nice.

Mr. Bohrer said one reason the owner felt it was necessary is because it is about 12' below Palace like a public fishbowl. The idea provides a little visual privacy.

Chair Woods referred to page 5 - the proposed gravity wall along the eastern property line includes a natural stone type retaining blocks. She asked what that is.

Mr. Bohrer said the intention is to use a material like moss rock on site and the very same stone for this retaining wall.

Ms. Rios asked what the heights of the wall is on the perimeter of property and if there is height variation.

Mr. Bohrer started at the northwest corner and described the various wall types around the perimeter of the property. He said when they remove the existing driveway off Palace, units 3, 4 and 5 will have more yard space. The existing wall is 2" higher than the proposed wall height. The proposed is 4' 8". The unit 7 wall is the one that blocks the Ashley Pond House. He continued describing the walls around the perimeter. He described how they would extend the stone wainscot and pointed out that the current sidewalk did not meet City code. They would add to its width to meet the code.

Ms. Rios asked if all wall and fence designs met the guidelines except the coyote fence on the east side.

Mr. Rasch clarified that the exception is for the steel pots and wire on Palace, not on the coyote fence. It is to exceed the maximum height on the street frontage because that structure is within 20' of the lot line. All the others meet the requirements.

Ms. Rios asked if that was at 12'.

Mr. Rasch agreed and were prevent from going further in by the slope.

Chair Woods asked how high that existing wall is.

Mr. Bohrer said it varies because the street is sloping. As it breaks, it is about 4' high and at the end is closer to 5'.

Chair Woods noted where the height changed, that becomes a stuccoed wall with coping. On the other side of the driveway, it is a planter and it changes again and that is just what is seen from Alameda. From the street, the existing wall is just two feet.

Mr. Bohrer said it was really about five feet tall.

Chair Woods said from the street, it is still puts the top at 10'. Her concern was that there is too much going on there.

Mr. Bohrer started describing it all along Alameda. The second drawing showed the existing condition and he compared it with what is being proposed. At one point it steps up and comes all the way over. The pedestrian gates are part of the fire prevention plan. They are introducing a low stucco wall at 3' high only other issue is the introduction of coyote fence. He described it as pueblo revival with detailing on the portals.

Chair Woods said the drawing isn't accurate because from the van, they could not see that building behind it.

Mr. Bohrer said it was because that building doesn't exist.

Chair Woods said the Pond building exists not and would not be seen.

Public Comment

Mr. Herrera (previously sworn) said he goes by there every day and was amazed at the different changes there. He noted that in the top picture, it has the 2 portales with drive between them. The one on the left has had posts removed and had it jacked up. He wondered if they were getting ready to tear that portal down. Of the "hodge podge" they are proposing, that streetscape is important there.

Ms. Beninato, (previously sworn) said she also appreciated all the detailed drawings but there are two buildings on the east (3 and 4) and the addition to #7 that no one really knows what they will look like. The fencing on unit 7 will obscure the Pond building. She urged the Board to deny the coyote fencing. There is a rationale of using vegetation to screen things. There are not that many people coming down the road. It is set down and has a balance between individual privacy and public visibility of an historic building from Palace Avenue.

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

Chair Woods wanted to poll the board tonight.

Ms. Mather asked about the corner that Ms. Beninato referred to at Unit 6. She asked if there would be any review of the visibility of the contributing portal of the Pond house.

Mr. Bohrer said that on the north side of Alameda, passing that open section right now, whatever you do see is blocked partially by piñon trees there. The one caveat is that fortunately the Pond house is two-stories. One of best elements is the portal and that was blocked when they built unit #7. It would have been better if unit #7 had been built further to the west.

Ms. Mather remarked that the Board was in a van and elevated above what a pedestrian would be and still didn't see any visible access. Instead of developing another fence, is to just move it forward to the street side instead of 4' with adding another six feet after that.

Mr. Rasch pointed out that any added height would require a height exception.

Mr. Bohrer said the existing portal on unit #7 in the middle shows a portion of the Pond portal. Following that line to the left, the fence itself is 4' 8" off the ground. So one could see everything about that irrespective of the fence.

Chair Woods polled the Board to voice their concerns.

Mr. Boniface had three areas of concern. The first is of the different wall heights. He liked the idea of stuccoed wall on top of rock. Regarding the low brick capped stucco wall, it helped to define the entry and didn't bother him. What bothered him was the coyote wall behind it.

His second comment was the wrought iron wisteria trellis on Palace. The wisteria is up high with the 3' straw bale wall. The last thing is that the Board has not approved the garage addition on #7 but if approved, there is no visibility of the Pond residence. That, in conjunction with the coyote fence, means we have lost the public view of the Pond residence altogether. He would be happy to see that coyote fence disappear.

Ms. Rios said it is difficult to get every things right in projects as big as this one. On the positive side, she was glad that a lot of the walls were low. If all was considered at once, they would have to have a special meeting for it. The trees in front are already obscuring the fence. She just didn't feel it was possible.

Mr. Powell said, as an architect, he didn't envy Mr. Bohrer trying to clean this up. The wall style E is called out there as 4' 4". He was concerned that the height was taller than 6' from the street. He also agreed with Ms. Mather about not knowing about the fate of the corner on unit #7.

Mr. Katz liked the drawings. He also liked the wisteria trellis and felt the Board could not vote on the coyote fence until they knew the fate of the rest of it. The chain link gives security but is not pretty.

Chair Woods thanked Mr. Bohrer for bringing it all in together. The Board is trying to get a real handle on it. The design that was brought for 3 - 4 wasn't even close. She asked if this one is the only coyote fence in the development.

Mr. Bohrer said no. Along the road is the existing site wall along the western property line and has two short sections, where there are two existing trees. Instead of disturbing those trees, they stopped stucco walls short and put coyote that spans the root system.

Chair Woods asked how tall that fence would be. She didn't see why the coyote was stopping at four feet when the pilasters were higher than five feet.

Action of the Board

Mr. Katz moved in Case #H-15-035 at 535 East Alameda, to approve these walls: #1 at 3' high stuccoed yard wall; #2, at six feet with steel posts wire strung between supporting vegetation; #3 to postpone until the Board knows what is happening with building #3; #4 approve as is; #5 - approve the 3' high stuccoed wall with planter; #6 approve the 3' high stuccoed with brick cap on the entry way; #7 approve the interior, stacked natural stone wall; #8 - approve the six foot high stuccoed yard wall in between 3 and 4, 5 and 6, 7 and the Alameda frontage; #9 postpone until we know what is happening with the addition on the west of building #7; #10 approve the six foot high coyote as amended to be moved back; #11 - approve the stacked natural stone wall. Because of the visible permeability, the exception for the wire fence is met. Mr. Boniface seconded the motion.

Ms. Mather asked for an amendment to #7 to confirm it is only natural stone being used.

Mr. Katz accepted the amendment as friendly and it passed by unanimous voice vote.

- 5. Case #H-15-022. 615 Acequia Madre. Downtown & Eastside Historic District. Martinez Architecture Studio, agent for Albert and Robin Perez, owners, requests proposes to demolish an historic carport and portal and an attached non-historic shed and to construct an attached garage**

and guest parking area at a contributing residence. An exception is requested to remove historic material from a contributing structure (Section 14-5.2(D)(1)(a)). (Lisa Roach).

Ms. Roach presented the staff report as follows:

BACKGROUND & SUMMARY:

615 Acequia Madre is a 3,372 square foot single family residence and attached carport listed as contributing to the Downtown and Eastside Historic District. Newly prepared Historic Cultural Properties Inventory Forms for the residence date the construction of the original residence to pre-1912, as the home appears on the 1912 King's Map. An historic photograph of the residence taken in 1917 shows its style to be a blend of Pueblo Revival and Territorial style elements, including plastered adobe construction, rounded parapets, viga tails protruding from a front portal, and decorative window surrounds of milled lumber. At some point during the historic period, brick coping was added to the parapets, and the front portal removed. Historic aerial photographs indicate that there were five historic additions to the home. Three of these were constructed before 1958 (an L-shaped addition to the northwest corner, a small bedroom infill at the northeast corner, and an L-shaped portal and carport addition to the northeast corner), and two were built between 1958 and 1966.

On March 10, 2015, the Board designated facades 1, 2, 3, 22, and 23 as primary and partially approved a remodel and additions to the property. However, the Board required that an exception is needed to demolish the historic carport, a portion of the historic east portal, and the non-historic shed. Now, in addition to the structural assessment of the carport and shed provided by the applicant on March 10th, the applicant has provided a letter from the City Building Official regarding the structural stability of the historic carport and has requested an exception to remove historic material from a contributing structure. Relevant code citations and exception criteria responses are provided below.

The applicant also proposes to construct an attached garage and guest parking area in the area where the historic carport presently exists. The proposed 610 square foot two-car garage is situated at the north lot line, and a zero lot line affidavit has been provided. The garage will attach to the main residence via a remodeled remnant of the historic east portal. The proposed garage and portal will be constructed in the Territorial Revival style, to match that of the main residence, with brick coping and white painted wooden elements. Stucco will be El Rey "Adobe" to match the existing residence and previously approved additions.

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

The status of a significant, contributing or landmark structure shall be retained and preserved. If a proposed alteration will cause a structure to lose its significant, contributing, or landmark status, the application shall be denied. The removal of historic materials or alteration of architectural features and spaces that embody

the status shall be prohibited.

EXCEPTION CRITERIA RESPONSES:

- (i) Do not damage the character of the streetscape.

Response: The demolition of the existing carport/storage structure does not damage the character of the district because it is rotted and unsafe. Replacement of this structure would add to the character of the streetscape by placing garage doors twenty feet back from the street rather than having a garage door right on the street as now exists.

Staff response: Staff agrees with this response.

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

Response: This addition is required to prevent hardship to the applicant because the carport/garage is in poor condition and the garage will allow it to be used for its intended purpose. The current carport/storage area is located on a zero-lot line with the neighbor, and its rotted condition poses a safety issue to the adjoining neighbor. A new 2-car garage and off-street parking would eliminate the danger to the neighbor and also benefit the neighborhood by providing an on-site parking area as opposed to trying to park on a very narrow street.

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.

Response: This demolition and the new garage ensures that the residents can continue to reside in the historic district by making it possible to restore this historic house, the roof must be replaced, the kitchen must be renovated, etc. Without this area there will be nowhere to access the house, nowhere to place the dumpster, nowhere for delivery trucks to park without blocking access to other houses on Plaza Balentine.

Staff response: Staff agrees with this response.

- (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.

Response: The special circumstance peculiar to this structure is that it contains an historic home which has

an unusable carport and no guest parking. The new 2-car garage is set back from the street 20 feet and provides off-street parking in front of the new structure.

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.

Response: The special conditions and circumstances that are not the result of an action by the applicants are that the carport/storage with their disintegrating conditions already existed when the applicants bought the property.

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)

Response: The garage will provide the least negative impact because it is located at the rear of the house and twenty feet back from the existing narrow street.

Staff response: Staff agrees with this response.

STAFF RECOMMENDATION:

Staff recommends that the exception criteria have been met and recommends approval of this application, which otherwise complies with Section 14-5.2 (D) Height, Pitch, Scale and Massing, and (E) Downtown and Eastside Historic District.

Questions to the Staff

Ms. Mather asked what the visibility of the portal portion of the shed/carport is.

Ms. Roach said it is almost none because of the high yardwalls.

Mr. Rasch said it was high enough that he could not see through lens of the camera.

Ms. Rios asked for what she referred to as the carport and shed if it was more like a portal.

Ms. Roach agreed and said it was first a portal and later modified to become a carport at some point and now it is structurally compromised.

Ms. Rios asked if she agreed with city inspector on demolition.

Ms. Roach agreed.

Applicant's Presentation

Present and sworn was Mr. Richard Martínez, P. O. Box 925, who said there was an HCPI by Beverley Spears stating it is much compromised. Among problems are the footings, the drainage, the beams, the vigas, the decking on parapets - basically all of it. And Mike Purdy said it is unsafe and greatly deteriorated.

Repair isn't possible because we would be replacing much more than we would be keeping. That precludes any parking on the site and off-street parking is not possible. His proposal includes an enclosed garage set back 20' from property Line and an open courtyard on Balantine Lane for guests to park.

They are getting ready to renovate the existing house as approved last time. This would provide off-street parking, delivery of materials, etc.

Questions of the Applicant

Mr. Katz asked how high the garage is.

Mr. Martínez said it is about 12.5'.

Mr. Martínez said the house itself is not very tall and the hatched area next door is the neighbors' portal which looks more prominent than the carport.

Mr. Katz asked if it would be possible to make the garage 10 feet rather than 12.5'.

Mr. Martínez didn't think so with the garage door and the parapet. He didn't think it was excessively high.

Public Comment

Present and sworn was Mr. John Eddy, 227 E Palace Suite D, who spoke to the public record here. He understood there is a need for rebuilding this garage and had no problem with that. But in the packet there is no history of it. He asked staff if this was the original residence of Kenneth and Kate Chapman.

Ms. Roach didn't know.

Mr. Eddy encouraged staff to research that. If that is the case, he assumed the Board was aware of who Kenneth and Kate Chapman were. They were the people who created the entire Plaza Balantine and he wanted it reflected in the public record before going further that this was their original home.

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

Action of the Board

Ms. Rios moved in Case #H-15-022 at 615 Acequia Madre to approve the application and accepting the exception to demolish the shed. Ms. Mather seconded the motion and it passed by unanimous voice vote.

6. **Case #H-15-034A. 247 Anita Place.** Don Gaspar Area Historic District. Gene and Sharon Tison, owners/agents, request designation of primary elevation(s) on a contributing residential structure. (Lisa Roach).

Ms. Roach presented the staff report as follows:

BACKGROUND & SUMMARY:

247 Anita Place is an approximately 1,300 square foot single family residence constructed between 1930 and 1936 in the Mission Revival style. It is listed as contributing to the Don Gaspar Area Historic District.

The applicant requests assignment of primary façades for this contributing structure.

RELEVANT DEFINITION: Section 14-12.1 Definitions

Primary Façade: One or more *principal* faces or elevations of a *building* with features that define the character of the *building's* architecture.

STAFF RECOMMENDATION:

Staff recommends the south and west elevations as primary, in accordance with Section 14-5.2 (C)(2) Regulation of Significant and Contributing Structures in the Historic Districts.

Questions to Staff

There were no questions to Staff.

Applicant's Presentation

Present and sworn was Mr. Gene Ticson, 226 Anita Place, who said he totally agreed that the south façade which faces the street is historical and didn't know of any others that have such a cupola. There is a similar house down the street that was built in 1926 by the same family and the floor plans are almost the same. He felt the driveway on the west side was much more secondary because nothing was architecturally significant to it and he hoped the Board would not make that a primary façade. He took pictures showing the property line and you can't see anything down the drive .the chimney has been there since the 1950's with an 8" diameter galvanized pipe behind it.

Questions to Applicant

Ms. Mather asked why Ms. Roach chose the south and west elevations as primary.

Ms. Roach said she chose the south because of its character-defining features, including the undulating parapet the tower with Spanish tile on top and also the entry element and the windows.

The west façade she chose because the entry element opened to the west and the fireplace which is a unique feature. She would be willing to forego the west façade, however.

Ms. Rios said this is a wonderful house and she agreed that both south and west have character-defining features; perhaps the south has more. And in 79 years, the footprint has not been changed.

Mr. Ticson felt the south side west part is also primary (entry part) and it is pretty standard for the neighborhood.

Public Comment

Ms. Beninato (previously sworn) said she live in this neighborhood and went by it frequently and it is beautiful and the south is certainly primary. The west is also, the way the chimney comes out visually and it should also be primary.

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

Mr. Katz spoke in favor of the west as primary. Going back of chimney, it has a big window, then smaller window, and then a smaller window still.

Action of the Board

Ms. Mather moved in Case #H-15-034A at 247 Anita Place to approve per staff recommendations that south and west elevations be considered primary. Ms. Rios seconded the motion and it passed by unanimous voice vote.

7. **Case #H-15-036. 558 Camino del Monte Sol.** Downtown & Eastside Historic District. Joshua Maes, agent for David Skinner Trustee of Miriam Godbee White Irrevocable Trust, owner, requests an historic status review of a contributing residential structure. (Lisa Roach).

Ms. Roach presented the staff report as follows:

BACKGROUND & SUMMARY:

558 Camino del Monte Sol is an approximately 3,920 square foot single family residence constructed in 1921 in the Pueblo Revival style by notable artist and designer Frank Applegate. The residence is listed as contributing to the Downtown and Eastside Historic District.

As historic photographs show, the residence is one of the first homes constructed on Camino del Monte Sol and is one of four residences designed and constructed by Frank Applegate along or near Camino del Monte Sol during the decade that he spent in Santa Fe from 1921 to 1931. According to *Frank Applegate of Santa Fe: Artist and Preservationist* by Daria Labinsky and Stan Hieronymus, "Applegate's first house, a two-story dwelling at what is today 558 Camino del Monte Sol, is considered one of the finest examples of Pueblo Revival architecture in the city. Constructed in 1921, it had a second-story balcony, corner

buttresses, battered walls, and ax-cut vigas that projected random distances beyond the walls, as they would in a structure built by Pueblo Indians” (2001, p.62). The original home was configured in a U-shaped floorplan opening to the south with a rear portal and upper verandas on both north and south elevations, though later changes have substantially altered this footprint. The book goes on to describe Applegate’s relationship with Los Cinco Pintores, whose homes also exhibit Applegate’s signature sculptural style. The residence at 558 Camino del Monte Sol is thought to have been purchased by one of Los Cinco Pintores, Walter Mruk, in 1924, and for this reason, the residence has occasionally been referred to as the Mruk House (Labinsky and Hieronymus 2001, p.62).

As can be seen by comparing historic photos to present day photos, the residence has undergone extensive additions since it was first constructed, while still preserving the character of the original core of the home. According to the present owner, the east addition was constructed by B.T.B. Hyde in the 1940s, along with an upper floor bathroom, and the west addition was added in the 1960s. Historic aerial imagery confirms this and indicates that a carport was likely also constructed by the mid-1960s, though was likely later remodeled and made into a garage. An addition was placed on the rear (south) elevation of the residence in 1978, involving the dismantling of a rear portal and upper veranda to allow for the construction of a passive solar living area. From historic aerial imagery, it appears that the low yardwall in the front of the residence was likely present by 1966, and the arch over the driveway entrance was constructed later, by 1977. Historic aerials are inconclusive about the date of the gate at the northeast corner of the property.

Based upon the documented history of the residence, the applicant requests an historic status review and assignment of primary façades.

RELEVANT DEFINITIONS: Section 14-12.1 Definitions

Contributing Structure: *A structure, located in a historic district, approximately fifty years or older that helps to establish and maintain the character of that historic district. Although a contributing structure is not unique in itself, it adds to the historic associations or historic architectural design qualities that are significant for a district. The contributing structure may have had minor alterations, but its integrity remains.*

Noncontributing Structure: *A structure, located in a historic district, that is less than fifty years old or that does not exhibit sufficient historic integrity to establish and maintain the character of the H District.*

Primary Façade: *One or more principal faces or elevations of a building with features that define the character of the building’s architecture.*

Significant Structure: *A structure located in a historic district that is approximately fifty years old or older, and that embodies distinctive characteristics of a type, period or method of construction. For a structure to be designated as significant, it must retain a high level of historic integrity. A structure may be designated*

as significant: A) for its association with events or persons that are important on a local, regional, national or global level; or B) if it is listed on or eligible to be listed on the State Register of Cultural Properties or the National Register of Historic Places.

STAFF RECOMMENDATION:

Staff recommends retaining Contributing status for the residence and designation of façades 15, 16, 1, 2 and 3 as primary, in compliance with Section 14-5.2 (C) Regulation of Significant and Contributing Structures in the Historic Districts. However, the Board may wish to consider the residence's association with notable figures in Santa Fe's history in evaluating historic status.

Questions to Staff

Ms. Mather said status is a significant issue. This is probably one of the most important houses on Camino del Monte Sol, built by one of the most important artists to begin that process and association with Walter Mruk - the Golden Age of Monte Sol. The additions to it are mostly accretions to the property and no removals of the original core of the property. So she was wondering if it might be Significant because of association with important people and integrity of core and location and influence on Monte Sol.

Ms. Roach said the reason she recommended Contributing rather than Significant was because of the many additions. Granted, a number of them are historic and she didn't believe they took away from the core. Page 12 and 19 in the packet showed the photos of it. She believed the original character does remain. It depends on how one interprets the definitions. With Significant, all sides are primary. Mr. Katz noted that Applegate was a very important person but all the additions make it Contributing.

Ms. Mather said it was rather stunning picture from 1915 when there was nothing there but this house. The whole street is an accretion. But she understood her point about preserving all sides.

Ms. Rios asked if the 5 primary façades were all on the east side.

Ms. Roach agreed. She chose to designate all of those façades that defined the streetscape there.

Ms. Mather asked if the wall in front of #1 was historic.

Ms. Roach believed the low wall was present by 1966 so most likely historic. She would recommend making that wall contributing.

Applicant's Presentation

Present and sworn was Mr. Joshua Maes, 1621 Via Estrada, who said the structure is indeed significant from the people who built and lived there but the house is in disrepair. There is asbestos inside, mold on the inside, and has no foundation. We need to restore this house and bring it back to its luster. The buyer is open to Significant once it gets rebuilt.

Questions to Applicant

Ms. Mather asked if agreed with those façades and the low wall as Contributing.

Mr. Maes agreed.

Public Comment

Ms. Beninato (previously sworn) said she really loved this building and agreed that it does define the street. She was happy the buyer is not only willing to preserve it but also preserved the footprint. She didn't know if it is possible but she would appreciate if they would be willing to consider it. And glad the low wall will also be contributing and preserved.

Mr. Eddy (previously sworn) empathized with applicant. It is a train wreck. He used to trick or treat there when he was a kid. The northeast and northwest bedrooms and the interior trim is related to William Pen Henderson. Those windows were built by him or out of his shop and needs to be part of the public record. He was pleased with the owners' desire to restore and entreated them to consider the material precious.

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

Mr. Powell thought that William Lumkins did those additions. They someday might be considered just as important and is probably the reason they were done so carefully. It is a special house and he wished the applicant good luck.

Action of the Board

Mr. Boniface moved in Case #H-15-036 at 558 Camino del Monte Sol to approve the submittal per staff recommendations and designate façades 15, 16, 1, 2, and 3 as contributing and the entry low wall on east side as contributing and the structure as contributing. Ms. Rios seconded the motion and it passed by unanimous voice vote.

8. **Case #H-15-038. 571 Garcia Street.** Downtown & Eastside Historic District. Randy Falk, agent for William Burke and Suzanne Mayer Burke, owners, proposes to construct a 105 sq. ft. addition to a height of 11' at a contributing residential structure. (Lisa Roach).

Ms. Roach presented the staff report as follows:

BACKGROUND & SUMMARY:

571 Garcia Street is a 1,568 square foot single family residence and 601 square foot guesthouse constructed in the Spanish Pueblo Revival style. The main residence is listed as contributing to the Downtown and Eastside Historic District, and the guesthouse is listed as non-contributing due to age. The original part of the main residence was constructed in three phases beginning in the 1930s. The main residence was remodeled and a total of 445 square feet of additions were constructed in 2005. The west façade of the main residence is designated as primary.

The applicant proposed to construct a 105 square foot addition on the north elevation at the rear of the residence. The proposed addition will not exceed 11' in height, which is much lower than the adjacent massing. Exterior style and finishes of the proposed addition will match the existing residence, with El Rey cementitious "Buckskin" stucco and dark green clad simulated divided lite casement window. The canale and single exterior door will be painted "beige" to match the existing residence. The proposed addition brings the non-historic footprint of the residence to 509 square feet, where the allowable is 582 square feet based upon 1,164 square feet of historic footprint. No exception is therefore needed.

The applicant also proposes to construct a 4'4" by 2' coyote fence enclosure for existing gas meters on the south façade of the residence to a height of 4'.

STAFF RECOMMENDATION:

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

Questions to Staff

Ms. Mather said it seemed at the site that there is zero visibility of the new construction.

Ms. Roach agreed.

Applicant's Presentation

Mr. Richard Martínez (previously sworn) had nothing else to add to the staff report.

Questions to Applicant

Ms. Rios asked if there would be anything on the roof.

Mr. Martínez said no.

Public Comment

There were no speakers from the public regarding this case.

Action of the Board

Ms. Rios moved in Case #H-15-038 at 571 Garcia Street to approve the application per staff recommendations. Ms. Mather seconded the motion and it passed by unanimous voice vote.

9. **Case #H-15-037. 867 Don Cubero Avenue.** Don Gaspar Historic District. Monica Montoya, agent for Ercan Nalkiran, owner, proposes to demolish a contributing accessory structure and construct a 434.25 sq. ft. residential structure to a height of 12' where the maximum allowable height is 14'9". An exception is being requested to demolish a contributing structure (Section 14-5.2(D)(1)(a)). (David Rasch).

Mr. Rasch presented the staff report as follows:

BACKGROUND & SUMMARY:

867 Don Cubero Avenue is a single-family residence and free-standing single-car garage that were constructed by 1936 in the Mission Revival style. Both structures are listed as contributing to the Don Gaspar Area Historic District. The west elevation of the garage may be considered as primary and the structure appears to have its historic character intact.

The applicant proposes to demolish the contributing garage and construct a 434.25 square foot casita in the same location. The applicant has not requested a historic status review of this structure. Rather, an exception is requested to demolish a historic structure (14-5.2(D)(1)(a)) and the required exception criteria responses are at the end of this report. The structure is listed as a contributing resource to the District. The City Building Inspector considers the structure to be "unsafe". The structure is approximately 79 years old, but less than 2,500 square feet of ground disturbance is proposed; therefore archaeological clearance is not required.

The replacement structure reestablishes the character of the garage by mimicking the front massing with its undulating parapet. It will be 12' high where the maximum allowable height is 14' 9".

RELEVANT CODE CITATIONS:

14-3.14(C) Demolition of Historic Structure; Staff Review and Report

Before granting approval or denial to a demolition request, the land use director shall provide the following information on the structure under consideration.

- (1) A report on the historic or architectural significance of the structure;
- (2) A report from the city building inspector on the state of repair and structural stability of the structure;
- (3) If the structure is more than seventy-five years old, and the entire project of which demolition is a part requires an archaeological clearance permit, a report from the land use director on whether the demolition would damage possible archaeological artifacts; and
- (4) Other information as requested by the HDRB or governing body.

14-3.14(G) Demolition of Historic Structure; Standards

- (1) In determining whether a request for demolition in a historic district should be approved or denied, the HDRB shall consider the following:
 - (a) Whether the structure is of historical importance;
 - (b) Whether the structure for which demolition is requested is an essential part of a unique street section or block front and whether this street section or block front will be reestablished by a proposed structure; and
 - (c) The state of repair and structural stability of the structure under consideration.

14-5.2(B) Historic Districts; Minimum Maintenance Requirements

All buildings and structures in the historic district over which the board has jurisdiction to determine whether a demolition permit should be approved or denied and all landmark structures over which the governing

body has such jurisdiction shall be preserved against decay and deterioration and free from certain structural defects in the following manner, by the owner thereof or such other person or persons who may have the legal custody and control thereof. The owner or other person having legal custody and control thereof shall repair such building or structure if it is found to have any of the following defects:

- (1) Those which have parts thereof which are so attached that they may fall and injure members of the public or property;
- (2) Deteriorated or inadequate foundation;
- (3) Defective or deteriorated flooring or floor supports or flooring for floor supports of insufficient size to carry imposed loads with safety;
- (4) Members of walls, partitions or other vertical supports that split, lean, list or buckle due to defective material or deterioration;
- (5) Members of walls, partitions or other vertical supports that are of insufficient size to carry imposed loads with safety;
- (6) Members of ceilings, roofs, ceiling and roof supports or other horizontal members which sag, split or buckle due to defective material or deterioration;
- (7) Members of ceilings, roofs, ceiling and roof supports or other horizontal members that are of insufficient size to carry imposed loads with safety;
- (8) Fireplaces or chimneys which list, bulge or settle due to defective material or deterioration;
- (9) Fireplaces or chimneys which are of insufficient size or strength to carry imposed loads with safety;
- (10) Deteriorated, crumbling or loose plaster;
- (11) Deteriorated or ineffective waterproofing of exterior walls, roofs, foundations or floors, including broken windows or doors;
- (12) Defective or lack of weather protection for exterior wall covering, including lack of paint, or weathering due to lack of paint or other protective covering; or
- (13) Any fault or default in the building or structure that renders the same structurally unsafe or not properly watertight.

EXCEPTION TO DEMOLISH A CONTRIBUTING STRUCTURE (14-5.2(D)(1)(a))

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

Applicant Response: *The subject structure is not visible from the related streetscape along Don Cubero Avenue or any public right-of-way. Its presence at the back of a private yard does not contribute to the streetscape. In this regard, the proposed demolition would not damage the character of the streetscape.*

Staff response: Staff agrees with this statement.

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

Applicant Response: *The applicant finds the subject structure in a deteriorated and dangerous condition. It would present a hardship to the applicant to not approve the demolition of the deemed*

dangerous structure.

Staff response: Staff does not agree with this statement because Section 14-5.2(B) Minimum Maintenance Standards requires that the owner shall maintain the building and safeguard it from "demolition by neglect." See Section 14-5.2(B)(2) above.

- (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 demolition of the subject structure would permit the applicant to modify the property, offering a full range of design options that would allow the applicant to continue to reside in the historic district, while maintaining the historic character of the publicly-visible house.*

Staff response: Staff does not agree with this statement because there are other design options that would allow for alteration of the historic structure while also maintaining it for use.

- (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 request for demolition is due to circumstances unique and peculiar to the structure which appears not to be applicable to other structures in the related streetscape. The garage was present before the current owners' purchase of the property. With their purchase, they acquired a structure that was built in a shoddy manner, including adobe structural walls placed directly on the ground without a foundation. In this regard, the structure does not meet current building code, and has been determined to be in poor condition and a life/safety issue. These conditions appear to be unique and peculiar to this structure, as other garages observed in the related streetscape seem to be better built and with less deterioration.*

Staff response: Staff does not agree with this statement as there is no documentation of other garages in the streetscape and lack of foundation is not uncommon.

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

Applicant Response: *With the purchase of the property, the current owner acquired a poorly constructed, out-of-code structure that is the result of special conditions and circumstances present before their ownership.*

Staff response: Staff does not agree with this statement as the owner is legally bound to maintain the contributing structure.

- (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: *The demolition of the structure is a necessary step to maintain the safety and value of the property. It is the applicant's opinion that the structure does not meet Contributing Structure status and is not visible from the related streetscape or a public right-of-way. Therefore, it*

is the applicant's opinion that its removal will not be a negative impact to the streetscape nor the Don Gaspar Area Historic District. In this regard, the option to demolish the structure is a negligible impact, as it will not affect the public's enjoyment of the historic character of the main house, the streetscape or the district. Given the need for the request, the applicant does not believe an approved demolition would have a negative impact.

Staff response: Staff does not agree with this statement since demolition is not the only available treatment, with the building official stating that the building is, "required to be made safe or taken down."

STAFF RECOMMENDATION:

Staff recommends denial of the exception request to demolish the contributing garage because all of the exception criteria are not met. If the Board finds that the exception criteria have been met, then staff recommends approval of the replacement structure which complies with Section 14-5.2(D)(9) General Design Standards, Height Pitch Scale and Massing and Section 14-5.2(H) Don Gaspar Area Historic District.

Questions to Staff

Ms. Rios asked about public visibility of the proposed structure.

Mr. Rasch said there was no public visibility.

Ms. Mather asked if the primary objection for denying the exception was the fact that they didn't get a status review prior to this application.

Mr. Rasch agreed. There are three potential paths to resolution: approval of demolition, review of status and downgrade or building repair and remodeling. In the exception criteria, he took exception to the Building Inspector report that it was either/or. The applicant is ready to give more testimony.

Ms. Mather thought it would be very hard to renovate the building.

Mr. Rasch agreed. The owner bought this liability but this is such a small building and the repair would be very extensive.

Applicant's Presentation

Present and sworn was Ms. Monica Montoya, 726 Gregory Lane, who thanked the staff for their professional hard work. She said they purchased this property in 2006. Their intent from the outset was to eliminate the garage. When analyzed by Jim Hands, his report showed many dangerous aspects. There was no foundation, not even stone - just on the ground. The "new roof" was repaired at some time without a proper seal so there is water damage to the adobe wall and it has serious mold in some places. The wood beam is rotted, and broken. The ceiling panels are seriously damaged and the adobe is crumbling. There are water leaks at the hatch opening. It is unsafe for habitation. Plaster was placed over the deteriorated adobe in attempt to save it and it didn't work.

Jim Hands concluded it is a life safety hazard and should be demolished. The city inspector also said it was unsafe.

Ms. Montoya showed several pictures of the site regarding the visibility. The property building is not publicly visible. Her 2nd picture showed ceiling mold; the 3rd is another view of the ceiling and crumbling of the adobe wall behind. The 4th picture is the roof panel; the 5th is of the footing to show the adobe above concrete is crumbling behind an attempt to save it. She showed the non-existence of a footing. Next, she showed the entrance to the garage and the rotted header board. Finally, she showed a board being used to hold up the wall.

Regarding the exception criteria, she met with Mr. Rasch on the issues and asked that the Board reconsider it. She read her responses to the exception criteria to the Board.

Questions to Applicant

There were no questions to the Applicant.

Public Comment

Ms. Beninato, (previously sworn) said this building needs to come down and noted that Mr. Rasch questioned the process. Following the right process is important and without a status review, it sets the wrong precedent.

Mr. Herrera (previously sworn) said such structures don't exist too much in any of the districts. If it is possible to duplicate the façade and restore the doors like they did on Cerro Gordo and maybe the window he would suggest that.

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

Action of the Board

Ms. Mather moved in Case #H-15-037 at 867 Don Cubero Avenue, to grant the applicant the ability to demolish this structure and noting that the exception criteria have been met and the applicant will re-establish the character there by rebuilding. Ms. Rios seconded the motion and it passed by unanimous voice vote.

- 10. Case #H-15-039. 793 Camino del Poniente.** Downtown & Eastside Historic District. Will McDonald, agent for Catherine Clemens, owner, requests designation of primary elevation(s) and proposes to remodel a contributing residential structure by removing vigas, replacing portions of a portal, raising the height of portal parapets, replacing windows, doors, and entry gate, along with other minor repairs. An exception is requested for removal and replacement of architectural features on a contributing building (Section 14-5.2(D)(1)(a) and Section 14-5.2(D)(5)(b)). (Lisa Roach).

Ms. Roach presented the staff report as follows:

BACKGROUND & SUMMARY:

793 Camino del Poniente is a single-family residence that was constructed in 1938 in the Spanish Pueblo Revival style. A free-standing garage was replaced with an attached garage at an unknown date, and this garage has since been converted into living space. The adjacent guest house was constructed after 1969 in the Spanish Pueblo Revival style and was remodeled with HDRB approval in 2014 (Case H-14-015). The main residence is listed as contributing and the guesthouse as non-contributing to the Downtown and Eastside Historic District.

The applicant requests assignment of primary façades on the contributing main residence, and requests to remodel the residence with the following items:

- 7) Remodel the south portal by removing rotted viga tails, replacing the portal posts and beams (vigas to be retained), removing the barbecue fireplace under the portal, stuccoing over the exposed headers above the portal windows and doors, and raising the height of the portal parapet approximately 8" to a height of 9' where the maximum allowable height is 14'10". An exception is requested to remove historic material (viga tails and posts and beams) and to obscure architectural features (exposed wooden headers) on a contributing building, and the relevant code citation and

exception criteria response can be found at the end of this report.

- 8) Replace a non-historic, non-divided triple casement window next to the entry door under the south portal with a pair of white aluminum clad divided lite double hung windows to match the other windows on the residence.
- 9) Replace non-historic French doors under the south portal with white aluminum clad 10-lite French doors to match other doors on the residence.
- 10) Construct a new outdoor fireplace and banco adjacent to the pedestrian entry gate at the interior south yard wall.
- 11) Replace existing double pedestrian entry gate in the interior south yard wall with a single wooden gate with a light brown stain, and repair stucco with El Rey "Adobe" cementitious stucco and trim to match existing.
- 12) Repair existing vehicular gates by replacing rotted wood in a diamond pattern with a new design featuring vertical planks, and construct an opening with wrought iron grille in the south perimeter yard wall to provide public visual access.
- 13) Modify south perimeter yard wall with steps and wider pilasters, stuccoed El Rey "Adobe" to match the existing wall.

RELEVANT CODE CITATIONS:

Section 14-5.2(D)(1)(a)

The status of a significant, contributing or landmark structure shall be retained and preserved. If a proposed alteration will cause a structure to lose its significant, contributing, or landmark status, the application shall be denied. The removal of historic materials or alteration of architectural features and spaces that embody the status shall be prohibited.

Section 1405.2(D)(5)(b)

For all façades of significant, contributing and landmark structures, architectural features, finishes, and details other than doors and windows, shall be repaired rather than replaced. In the event that replacement is necessary, the use of new material may be approved. The new material shall match the material being replaced in composition, design, color, texture, and other visual qualities. Replacement or duplication of missing features shall be substantiated by documentation, physical or pictorial evidence.

EXCEPTION CRITERIA RESPONSES:

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

Response: The viga ends and portal structure are severely deteriorated. Removing the viga ends will prevent further deterioration of the vigas and the replacement of the structure will extend the life of the portal as a feature of the streetscape. The exposed headers are nearly invisible under the portal.

Staff response: Staff does not agree with this response.

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

Response: The portal is in danger of collapse and has been shored up with 2x6's as a short term fix. It needs to be renovated.

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;

Response: While viga ends extending to the exterior of the building are one of the best known characteristics of "Santa Fe Style", they have always been problematic as they rot and conduct water into the walls. Residents need good design solutions that do not lead to deterioration of their property.

Staff response: Staff does not agree with this response.

- (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;

Response: The viga ends were not properly maintained and rotted at the time the current owner purchased the building.

Staff response: Staff does not agree with this response.

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

Response: The applicant bought the house in its present condition and is concerned with maintaining it as is required by the historic code Section 14-5.2 (B)

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 §14-5.2(A)(1).

Response: Renovating the portal will provide a harmonious outward appearance and preserve the value of this property. The impact to the appearance of the building will be negligible and the renovated portal will be a durable and attractive feature of this residence.

Staff response: Staff does not agree with this response.

STAFF RECOMMENDATION:

Staff recommends designating façades 1 and 2 as primary. Staff recommends denial of the exception request to remove historic materials (including viga tails and wooden posts and beams on the south portal) and to obscure architectural features (exposed headers under the south portal) on a contributing building because all of the exception criteria have not been met. However, if the Board finds that the exception criteria have been met, staff recommends approval of these alterations to the south portal. Staff recommends approval of all other elements of the application, which comply with Section 14-5.2(D)(9) Height, Pitch, Scale and Massing, and (E) Downtown and Eastside Historic District.

Questions to the Staff

Ms. Mather asked if part of staff's concern was that in removing historic material, some of which is non-functional, that no replacement in kind was proposed.

Ms. Roach agreed. Replacing with squared wooden elements and not replacing the viga tails would not meet that criterion.

Applicant's Presentation

Present and sworn was Mr. Will McDowell, 488 Arroyo Tenorio, who said, as far as replacement goes, he proposed that round columns are to be replaced with round viga columns. He appreciated that they were able to discuss some of these things and the Board's help for him to understand their approach.

When the Board saw the building today, they saw that the viga ends are clearly rotten and the portal was held up and the girder sections were also rotting. Something must be done to preserve the portal.

He would like to replace with an 8x8 square girder to provide more structure there. It is harder to put a round section there. The viga ends will need to come down. The vigas themselves are still sound and he wanted to keep them in that portal and just stucco over that.

He said it is important to have design options and to replace the ends with faux viga tails would preserve the visual character but not the integrity of the house. His client pointed out that the way people

were getting on the roof was by climbing on this portal and it would be a safety issue.

Public visibility is somewhat limited so getting rid of viga tails would not be a problem.

Questions to Applicant

Ms. Rios asked if he was proposing a skylight there.

Mr. McDonald replied that he was not. There is a skylight there now and he proposed to raise the parapet to hide that skylight.

Public Comment

Ms. Beninato, (previously sworn) said she could appreciate them wanting to preserve and replace in kind. But also appreciated the square support beam as easier to fit there with contact of the whole surface. The vigas are subject to rot and many people do remove them and stucco over them. So to say those ends need to be preserved, it is what people did. And adding on fake vigas is not the right thing to do.

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

Action of the Board

Mr. Boniface moved in Case #H-15-039 at. 793 Camino del Poniente to approve the application and to designate façades 1 and 2 as primary per the staff recommendation and to acknowledge that the exception criteria have been met. Ms. Mather seconded the motion.

Chair Woods asked if the Board was okay with the applicant covering up the lintels on the south portal.

Mr. Boniface said he would deny covering the lintels on the south portal but approved covering the viga ends.

Ms. Mather asked for an amendment that the historic material for portal posts would be replaced in kind and that the beam could be rectangular. Mr. Boniface accepted the amendment as friendly.

Mr. Shandler asked for more information to justify why the exception criteria were met.

Mr. Boniface found in # 1, it doesn't damage the character of the streetscape because it is behind a series of walls.

In # 2, he found that the current portal presents a danger of collapse and is a hardship to the applicant.

He found in # 3 that remodeling of the exterior wall on the streetscape and the new auto access doors strengthens the character of the City and does provide a wide range of design options.

The motion passed by unanimous voice vote.

H. COMMUNICATIONS

There were no communications.

I. MATTERS FROM THE BOARD: Vote on Historic Preservation Awards

Mr. Rasch provided a nomination form on which the nominations for historic preservation awards were listed. The Board members made their choices on the list and submitted them to staff.

Chair Woods recused herself from voting on the award whose nominees included one of her homes.

Mr. Katz announced he wouldn't be present at the next meeting.

Mr. Rasch said the awards would be presented on May 16, 2015 at the Drury Hotel from 6-8 pm.

Ms. Martínez announced that the Mayor has notified the public for interested parties to submit letters of interest and resumes to be appointed to the HDRB. She added that current members would be considered for reappointment upon submission of their letter of interest. She asked them to please send those to the Mayor by April 30th.

J. ADJOURNMENT

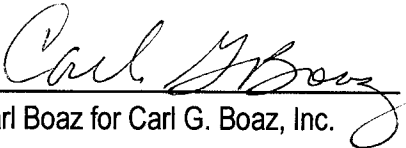
The meeting was adjourned at 8:50 p.m.

Approved by:



Sharon Woods, Chair

Submitted by:



Carl Boaz for Carl G. Boaz, Inc.