



# Agenda

CITY CLERK'S OFFICE

DATE 6/3/15 TIME 11:39am

SERVED BY McCullay

RECEIVED BY Alicia Hartig

## HISTORIC DISTRICTS REVIEW BOARD FIELD TRIP

TUESDAY, June 9, 2015 at 12:00 NOON

HISTORIC PRESERVATION DIVISION, 2<sup>nd</sup> FLOOR CITY HALL

## HISTORIC DISTRICTS REVIEW BOARD HEARING

TUESDAY, June 9, 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: May 26, 2015
- E. FINDINGS OF FACT & CONCLUSIONS OF LAW

Case #H-14-064. 522 Johnson Lane.

Case #H-15-034B. 247 Anita Place.

Case #H-13-003. 206 McKenzie Avenue.

Case #H-15-045. 352 Hillside Avenue.

Case #H-15-047. 635 Chavez Place Unit 2.

Case #H-15-049. 662 ½ Canyon Road.

Case #H-09-022. 1301 B Canyon Road.

Case #H-15-026B. 503 Johnson Lane.

Case #H-15-044. 330 Garcia Street.

Case #H-15-046. 126 Duran Street.

Case #H-15-048A. 224 Maynard Street.

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

1. Case #H-08-022. 1598 Canyon Road. Downtown & Eastside Historic District. Liaison Planning Services, agent for Jay Parks, owner, proposes to amend a previous approval to construct an approximately 2,695 square foot residence on a vacant lot to the maximum allowable height of 15'6". (Lisa Roach).
2. Case #H-15-006. 211 Delgado Street, and Case #H-15-040. 209 Delgado Street. Downtown & Eastside Historic District. David Smith, agent for Ivo and Sally Nelson, owners, proposes to remodel a contributing residential property by constructing 6' high fences and yardwalls with a pedestrian gate. (David Rasch).
3. Case #H-15-011B. 820 Camino Atalaya. Downtown & Eastside Historic District. Lorn Tryk, agent for John and Barbara Clum, owners, proposes window and door replacements and to construct two additions totaling 202 square feet, a 168 square foot portal, a 400 square foot carport, a shop and carports totaling 1,004 square feet, and a courtyard wall and outdoor fireplace at a non-contributing residence. (Lisa Roach).
4. Case #H-15-043. 519 Johnson Lane. Downtown & Eastside Historic District. Built D&D, agent for Kimberly Corbitt and Keith Boardmore, owners, proposes to construct a 150 sq. ft. second story addition to match existing height and to remodel a non-contributing residential structure. (David Rasch).
5. Case #H-15-050. 107 Cienega Street. Downtown & Eastside Historic District. Stefan Merdler, agent for Albert and Kathie Schultz, owners, requests a historic status review of a non-contributing commercial structure. (David Rasch).
6. Case #H-15-051. 1139 Camino Delora. Downtown & Eastside Historic District. Robert and Susan Mills owners/agents request primary elevation designation for a contributing residential structure. (Lisa Roach).



# Agenda

CITY CLERK'S OFFICE

DATE 5/21/15 TIME 4:25

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5. Case #H-15-051. 1139 Camino Delora. Downtown & Eastside Historic District. Robert and Susan Mills owners/agents request primary elevation designation for a contributing residential structure. (Lisa Roach).
6. Case #H-15-052. 562 and 562 ½ A & B Garcia Street. Downtown & Eastside Historic District. True North Builders, agent for Leslie Miller, owner, requests a historic status review of two contributing residential structures. (David Rasch).

7. Case #H-15-052. 562½ A & B Garcia Street. Downtown & Eastside Historic District. True North Builders, agent for Leslie Miller, owner, requests a historic status review of two contributing residential structures. (David Rasch).
8. Case #H-15-053. 1300 Lejano Lane. Downtown & Eastside Historic District. K.M. Skelly, agent for Chris and Seren Clancy, owners, proposes to construct additions totaling 1,461 square feet and a 150 square foot deck and to raise parapets to a height of 16' at the main non-contributing residence, to construct a 6' high coyote fence, to construct a 490 square foot addition to a non-contributing casita, to construct a new 316 square foot chapel, an in-ground swimming pool and an amphitheater, and to install a freestanding photovoltaic system at the southwest corner of the property. An exception is requested to have a pitched roof on the proposed chapel (Section 14-5.2(D)(9)(d)). (Lisa Roach).
9. Case #H-15-054. 213 East Santa Fe Avenue. Don Gaspar Area Historic District. Paul Heath agent/owner proposes to construct a 733 sq. ft. free standing garage to a height of 12' 6" on a contributing residential property. (David Rasch).

H. COMMUNICATIONS

I. MATTERS FROM THE BOARD

J. ADJOURNMENT

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

7. Case #H-15-053. 1300 Lejano Lane. K.M. Skelly, agent for Chris and Seren Clancy, owners, proposes to construct additions totaling 1,461 square feet and a 150 square foot deck and to raise parapets to a height of 16' at the main non-contributing residence, to construct a 6' high coyote fence, to construct a 490 square foot addition to a non-contributing casita, to construct a new 316 square foot chapel, an in-ground swimming pool and an amphitheater, and to install a freestanding photovoltaic system at the southwest corner of the property. An exception is requested to have a pitched roof on the proposed chapel (Section 14-5.2(D)(9)(d)). (Lisa Roach).
8. Case #H-15-055. 213 East Santa Fe Avenue. Don Gaspar Area Historic District. Paul Heath agent/owner proposes to construct a 555 sq. ft. free standing garage to a height of 12' 6". (David Rasch).
9. Case #H-05-172. 535 East Alameda Street Unit B (3&4); Case#H-07-102. 535 East Alameda Street Unit E (7); and Case#15-035. 535 East Alameda Street Yardwalls. Downtown & Eastside Historic District. Aaron Bohrer, agent for Richard Yates, owner, proposes to remodel a non-contributing residential structure (3/4) including construction of a 324 sq. ft. 2-car garage, a 1,043 sq. ft. studio addition, a 453 sq. ft. second floor addition, a 1,138 sq. ft. accessory structure addition, and 4'8" tall yardwalls, and to remodel a non-contributing residential structure (7) including construction of a 533 sq. ft. 2-car carport, a 574 sq. ft. addition, 380 sq. ft. of portal and a 4'4" tall coyote fence with stuccoed pilasters. An exception is requested to exceed 20% non-stucco finish on a publicly-visible façade (Section 14-5.2(E)(2)(d)). (David Rasch).

**H. COMMUNICATIONS**

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**SUMMARY INDEX**  
**HISTORIC DISTRICTS REVIEW BOARD**  
June 9, 2015

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D. Approval of Minutes May 26, 2015	Approved as amended	2-3
E. Findings of Fact & Conclusions of Law	Approved as presented	3
F. Business from the Floor	None	3
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1. <b><u>Case #H-08-022</u></b> 1598 Canyon Road	Approved in part, with conditions	4-10
2. <b><u>Case #H-15-006</u></b> 211 Delgado Street	Approved with conditions	10-13
3. <b><u>Case #H-15-011B</u></b> 820 Camino Atalaya	Partially approved	13-15
4. <b><u>Case #H-15-043</u></b> 519 Johnson Lane	Approved as presented	15-17
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8. <b><u>Case #H-15-053</u></b> 1300 Lejano Lane	Partially approved	24-30
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**MINUTES OF THE**  
**CITY OF SANTA FÉ**  
**HISTORIC DISTRICTS REVIEW BOARD**

**June 9, 2015**

**A. CALL TO ORDER**

A regular meeting of the City of Santa Fé Historic Districts Review Board was called to order by Vice-Chair Cecilia Rios on the above date at approximately 5:30 p.m. in the Nambé Room, Convention Center, Santa Fé, New Mexico.

**B. ROLL CALL**

Roll Call indicated the presence of a quorum as follows:

**MEMBERS PRESENT:**

Ms. Cecilia Rios, Chair  
Ms. Jennifer Biedscheid  
Mr. Edmund Boniface  
Mr. Frank Katz  
Mr. William Powell  
Mr. Buddy Roybal

**MEMBERS EXCUSED:**

Ms. Meghan Bayer

**OTHERS PRESENT:**

Ms. Lisa Roach, Senior Historic Planner  
Mr. Zach Shandler, Assistant City Attorney  
Mr. David Rasch, Historic Planner Supervisor  
Ms. Lisa Martínez, Land Use Department 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.**

**Mr. Boniface moved to elect Cecilia Rios as Chair and Mr. Katz as Vice-Chair. Mr. Powell seconded the motion and it passed by unanimous voice vote.**

Chair Rios introduced the two new Board members who were present: Ms. Jennifer Biedscheid and Mr. Buddy Roybal. Ms. Biedscheid is the at-large member and Mr. Roybal represents the construction industry.

Ms. Biedscheid said she was pleased to be joining the Board. She has lived here for 17 years and is fond of the Community.

Mr. Roybal said he is a native Santa Fean and a business owner for 31 years. He has a tremendous love for Santa Fé and its history and architecture.

Mr. Shandler joined the meeting.

Chair Rios thanked those who gave service to the Board in the past.

### **C. APPROVAL OF AGENDA**

**Mr. Boniface moved to approve the agenda as published. Mr. Katz seconded the motion and it passed by unanimous voice vote.**

### **D. APPROVAL OF MINUTES:**

**May 26, 2015**

Mr. Shandler requested a change to the minutes on page 30 in the motion, Mr. Katz and staff said there was a second part of the motion which was a condition of true or simulated divided lights.

Chair Rios requested the following changes to the minutes:

On page 4, 5<sup>th</sup> paragraph, "that" should be "a."

On page 6, 12<sup>th</sup> paragraph, it should read, "The shutters are too large and imposing, the chimney caps should be more traditional, and the entry gate should be reduced in size." And in the 14<sup>th</sup> paragraph should say, "Something could be done on the interior regarding security."

On page 12, the last sentence should read, "He said he brought his wife, the short person who needs to reach the windows. He asked if anyone knew Francis Van Buskirk who once lived in the house for 50 years and was in the Bataan Death March."

In the next sentence, it should say, "Vice Chair Rios said she was in school with a classmate, Ron Van Buskirk and his father was named and perhaps the same family Mr. Tison is referring to."



On page 17, last sentence, it should say, "Vice Chair Rios asked Ms. Roach to describe the streetscape."

On page 18, second paragraph from the bottom should say, "Vice Chair Rios commented that walls have for years been creeping up in Santa Fe. Walls now exist where there were none, In contrast, she cited an example of a high wall on Old Santa Fe Trail that was reduced in height which made the property more inviting to the eye."

On page 20, the second paragraph from the bottom should read, "Vice Chair Rios asked Ms. Roach to summarize the email received from a neighbor."

On page 24, second to last paragraph, it should say, "Vice Chair Rios agreed there are a lot of issued to be addressed here."

On page 39, second paragraph under Matters from the Board, it should read, "Vice Chair Rios thanked Mr. Armijo for his service on the Board and his contribution of expertise in construction."

**Mr. Katz moved to approve the minutes of May 26, 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-14-064. 522 Johnson Lane.

Case #H-13-003. 206 McKenzie Avenue.

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Case #H-15-046. 126 Duran Street.

There were no changes requested to the findings of fact and conclusions of law.

**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.**

Chair Rios explained to the public the limits on the jurisdiction of this Board - architectural design, but not over traffic, trees or vegetation.

#### **F. BUSINESS FROM THE FLOOR**

There was no business from the floor.

## G. ACTION ITEMS

1. **Case #08-022. 1598 Canyon Road.** Downtown & Eastside Historic District. Liaison Planning Services, agent for Jay Parks, owner, proposes to amend a previous approval to construct an approximately 2,695 square foot residence on a vacant lot to the maximum allowable height of 15'6". (Lisa Roach).

Ms. Roach gave the staff report as follows:

### **BACKGROUND & SUMMARY:**

1598 Canyon Road is an approximately 1 acre vacant lot located in the Downtown and Eastside Historic District. On August 12, 2008, the HDRB approved construction of an approximately 2,695 square foot single family home with 257 square feet of portals and a 741 square foot attached garage, for a total roofed area of 3,793 square feet. Conditions of approval included that the stucco be cementitious, that the skylights be low profile and not publicly visible, that the existing split rail fence remain, that the vehicular gate be redesigned to be more transparent, that as many trees as possible be retained, and that the courtyard walls shall not exceed 6 feet. This project is underway.

On June 27, 2014, the applicant requested an administrative extension of this approval, which was granted by staff on the condition that there shall be no changes to the design or conditions of approval (aside from changing construction material from adobe to frame). On February 6, 2015, the applicant was granted administrative approval to construct a 4' high coyote fence in the place of an existing split rail fence. On May 26, 2014, the HDRB heard the applicant's request to amend the previous approval, and the case was postponed, pending additional information regarding the driveway visibility compliance as a result of changes to the fencing and potentially to the driveway location.

Now, the applicant returns with the proposal to change the design of the residence with the following items:

- 1) Expand the breakfast/dining room 2 feet to the east;
- 2) Delete the step in the southwest portion of the great room elevation;
- 3) Reduce the number of windows in the gallery/entry from 5 to 4;
- 4) Remove the windows in both showers, facing the north courtyard, for increased privacy;
- 5) Increase the garage parapet height by 2 feet, for a total garage height of 12'6";
- 6) Add an outdoor fireplace to the east portal;
- 7) Change a window on the south elevation of the master bedroom to a pair of true divided lite French doors;
- 8) Change the design of the doors on the south elevation from 6 lite with panels to 8 lite French doors;
- 9) Reduce the area of the north courtyard;
- 10) Add roof-mounted HVAC systems to be screened by parapets; and
- 11) Slightly alter the location of the vehicular entrance to bring it approximately 40' closer to the

Canyon Road street frontage than originally approved.

The applicant has continued to work with neighbors to resolve concerns and has received approval from the City of Santa Fe Traffic Engineering Division regarding driveway visibility.

**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

Chair Rios asked if all 11 of these items been completed already.

Ms. Roach agreed that a lot were completed and were identified during the interim inspection and caused this to come back before the Board. The extension of the approval granted by Mr. Rasch specified that there would be no changes to the design or else it would come back to the Board.

Chair Rios noted that in 2008, the Board's motion specified to the applicant that he had to keep the split rail fence and then Staff gave administrative approval to make it a latilla fence.

Ms. Roach agreed. The Land Use Director has authority to make minor amendments to approvals and conditions made by land use boards. That is in Code Section 14-2.11 - general powers of the Land Use Director, to make minor modifications to land use approvals. The fence does comply with the code and the covenants on the property so Staff felt it was okay to make that minor modification.

Chair Rios asked if the Staff realized that the Board had made that condition.

Ms. Roach said she didn't at the time. However, it was within Staff's authority as delegated by the Land Use Director to make minor modifications as long as they comply with the Code.

Chair Rios asked Ms. Roach to describe public visibility from the neighbor to the south, where it is situated and in terms of its grade and also if anything in the proposal would block visibility.

Ms. Roach said there is a no-build, no-cut zone specified in the covenants on the property that provides a vegetative barrier between the two properties and that zone is on the 1598 lot. There is visibility looking down on the new structure from the neighboring property to the west.

Chair Rios asked if the visibility was minimal or great.

Ms. Roach described it as medium visibility.

Mr. Boniface pointed out that the last time he reviewed this, he noticed there are two addresses. In 2008, the property is listed as 1590. Several other places list it as 1590. He asked what is going on.

Ms. Roach said there was a lot split and address change that happened.

#### Applicant's Presentation

Present and sworn was Ms. Dolores Vigil, P. O. Box 1835, who had nothing to add to the staff report.

#### Questions to the Applicant

Mr. Katz said regarding this fence, it was mentioned that the applicant came in and got administrative approval to change it from split rail to coyote.

Ms. Vigil agreed.

Mr. Katz asked if that work had been done already.

Ms. Vigil said it had not. It was done at the end of April.

Mr. Boniface noted on page 24 of the application is a hand drawn section of the roof showing the HVAC unit. He asked what is going on there.

Ms. Vigil said the contractor will lower in the unit and cover it with foam and all maintenance done from inside the house. It will be lower than the parapet.

Mr. Boniface said the reason he asked is that on page 25 it says the cooling unit is 24" and yet it says the box is only 18".

Ms. Vigil said there are two different units and they are lower than the parapet and covered with foam.

Mr. Boniface asked how something that is 24" can be put into an 18" box.

Ms. Vigil showed it on the overhead. She said Mr. Parks verified that it is 18".

Mr. Boniface said the packet shows the units are 27" and 24" tall.

Ms. Vigil said she was told by Mr. Parks that it will be 18". It is the same as the one on Garcia Street from the last meeting.

Mr. Boniface said the specs indicate the units are taller than that so he requested that the motion have a condition that the boxes be no higher than 18".

Chair Rios asked if there was any lighting outdoors on this project.

Ms. Vigil agreed. It was proposed in 2008 to this Board and Mr. Parks would be happy to change that approved design to what the Board wants for the neighbors. She passed around a rendering of the lighting design.

Chair Rios asked about the vehicle entrance.

Ms. Vigil said it is shown on the site plan. The opening across from the garage will be closed off once construction is complete and the entrance as shown on the site plan is exactly what is built and Gary Moquino did an inspection last week. The entrance is built but not the gate.

Chair Rios asked if the stucco is cementitious.

Ms. Vigil agreed.

#### Public Comment

Present and sworn was Mr. Justin Green, who said he is a close friend of Margaret Pearson and had helped with the lot split many years ago. He was very familiar with the property and went out to inspect and discussed solutions with Ms. Vigil.

He mentioned a point of order. The fact that there were no changes allowed by the Board and changes were made so it sort of voided the board's approval decision and it should be re-noticed. He was in favor of administrative decisions being made on minor things. But in this case, it triggered voiding the 2008 permit. That was his point of order.

The other issue is that the change was made on a specific order (motion) of the Board. Even though seven years passed since then, if it had been a minor change, it would have been okay. But changing a split rail to a coyote fence is not minor.

He also said he didn't see where the ground units would be located or on the roof either. They need to be screened properly. The gate is now much more visible with it being much closer. He hoped the Board would make sure the gate design is much more open.

For lighting, he said the specific locations need to be made clear.

His main point was that the applicants should be required to go back and apply for a new permit and the approval the Board made earlier should be suspended until properly noticed.

Chair Rios asked if the application was properly posted and advertise

Ms. Roach said it was.

Chair Rios thought the Board was revisiting the application this evening.

Mr. Green asked if it is an amendment or a whole new application for review of all details of the house.

Chair Rios said there were eleven details presented to be considered.

Mr. Green said those were not a review of all details of the house but amendments. Those eleven did not include review of the coyote fence or other things that could be revisited now. The height of the garage or the fence or the house design are now wide open. The Board can require it be reviewed and approved from the beginning. It is not an amendment.

Mr. Katz asked if this is an extension that was conditioned on no changes. He understood that was what the applicant was doing. And what the applicant is saying is that the Board should revisit the extension and make some amendment to it. So he asked if that is allowed or if there are to be no changes.

Mr. Shandler said he was hearing a different question and asked him to state it again.

Mr. Katz said he understood Mr. Green to be saying that the extension was granted on condition of no changes being made - not the original approval but the extension. If the original approval had been alive and well, the applicant could come in and tell the Board they had gotten approval in 2008 and would now like to make some changes. But this is different. They came in and got an administrative extension and that was granted, conditioned on there being no changes to what was approved. Now, he asked if that extension condition could be changed years later.

Mr. Shandler asked he meant changed by Board, or the applicant, or the Staff.

Mr. Katz said changed by Staff who granted the extension or by the Board.

Mr. Shandler asked for a moment to confer with Staff and then said he thought what Mr. Green is asking is if there should be a new public notice as if it is a new application to remodel the house. On page 14, an extension was granted by Staff and the issue is if it should be considered as such since there are changes to be considered.

Mr. Katz said the construction permit was extended conditional on no changes and any changes "shall return to the HDRB" so there was anticipation that if they wanted changes, they would need to return to the HDRB.

Chair Rios agreed and added that the applicant went ahead and made changes without coming to the board for the height of the garage, windows, doors, etc.

Ms. Roach said they are all itemized on the report.

Mr. Green asked about the condensers.

Ms. Roach said their locations are shown on page 23.

Mr. Rasch showed them to Mr. Green.

Chair Rios asked how many units would be on the roof.

Ms. Vigil said there are two on the roof and the condensers are located on the ground on the east and the west sides and they would be happy to screen them. The units on the roof will be covered with foam. There will be a bump but it will not be above the parapet.

Chair Rios asked Ms. Vigil to describe the gate.

Ms. Vigil asked if it was shown on the site plan.

Ms. Roach said the design is on page 32 but that was rejected by the Board in 2008 and the applicant was directed to redesign it.

Chair Rios clarified that the Board wants it to be an open, see-through design. The Board will need to decide if the design should come to Staff or be brought to the Board.

Present and sworn was Ms. Stephanie Beninato, P. O. Box 1601, Santa Fe, who asked if the permit was approved in 2008 and extended to 2012, how they got the extra extensions. Their permit has expired and they need to go through the whole approval process again.

Ms. Roach said it was not the permit that was extended but the approval of the Board was extended.

Mr. Rasch clarified that all land use board approvals are good for three years. They never got the permit in 2008. The Staff practices not wasting the Board's time so all extensions without changes are approved by Staff because it doesn't make sense to have to go back to the Board without any changes to consider.

Chair Rios said that is exactly where the problem comes in because the applicant went ahead without coming to the Board or to the City for approval and built the project not according to the approval in 2008.

Mr. Powell suggested it should be reviewed in total and come back to the Board. It could have been done that way before they built what was not reviewed.

Ms. Roach asked how it would look different. The entire set of plans are provided for the Board except for the gate design and it is common to have staff approve gate designs.

Mr. Katz said this is a very distressing case and he was tempted to say go back to the beginning. He intended to make a motion without approving the garage height increase or the fireplace. He was also distressed with the facing. He appreciated the code citation that the Land Use Director can make minor adjustments but the specific conditions of the fence is not a minor adjustment.

#### Action of the Board

**Mr. Katz moved in Case #08-022 at 1598 Canyon Road to approve items 1, 2, 3, 4, 8, 9, 11 and with the conditions that**

- 1. That the HVAC unit be no higher than 18";**
- 2. That the gate be designed as a see-through design and taken to staff for review and approval;**
- 3. That there be no public visibility of any rooftop appurtenance;**
- 4. That the increase in garage height is denied;**
- 5. That the fireplace is denied.**

**Mr. Boniface seconded the motion and it passed by unanimous voice vote.**

- 2. Case #H-15-006. 211 Delgado Street, and Case #H-15-040. 209 Delgado Street.** Downtown & Eastside Historic District. David Smith, agent for Ivo and Sally Nelson, owners, proposes to remodel a contributing residential property by constructing 6' high fences and yardwalls with a pedestrian gate. (David Rasch).

Mr. Rasch gave the staff report as follows:

#### **BACKGROUND & SUMMARY:**

209 Delgado Street is a single-family residential structure that was constructed in a vernacular manner before 1928. It features a cross-gabled roof and a lower shed roof addition on the east side. The building is listed as non-contributing to the Downtown & Eastside Historic District.

211 Delgado Street is a single-family residential structure with attached casita that was constructed in the Spanish-Pueblo Revival style before 1957. The primary structure features a bilaterally symmetrical floorplan with an inset entry portal on the south façade and historic 8-lite wood casement windows with exposed wooden headers. The primary structure is listed as contributing to the Downtown & Eastside Historic District and the south façade is designated as primary. The casita is listed as non-contributing to the Downtown & Eastside Historic District.



On February 12 and April 28, 2015, the HDRB approved remodeling of the properties. Now, applicant proposes to amend the previous approvals by constructing three additional stuccoed yardwalls/coyote fences around the property at the maximum allowable height of 6'.

A. 209 will have a stuccoed yardwall at on the south and west sides of the residence.

B. 211 will have a 42" bileaf wooden pedestrian gate flanked by stuccoed pilasters installed on the west elevation of the existing yardwall. Ad extending at six feet on the south side of that façade.

C. The board fence behind the 211 casita will be replaced with coyote fence.

### **STAFF RECOMMENDATION:**

Staff recommends that the Board approve this application which complies with Section 14-.2(C) Regulation of Contributing Structures, (D) General Design Standards, and (E) Downtown & Eastside Historic District as submitted.

#### Questions to Staff

Chair Rios asked on 211 if proposing a fence with six feet pilasters wasn't unusual.

Mr. Rasch pointed out the pilasters. The wall is 5' and the step up is 4.5'.

Chair Rios said she would ask the applicant about it.

#### Applicant's Presentation

Present and sworn was Mr. David Smith, who said, starting with the coyote fence on the site plan upper left corner, they would create a six foot coyote fence. It will be in front of the wood plank fence because that wood plank fence belongs to the neighboring property. It will be the same height - six feet. The plank fence is quite old but it won't replace that fence.

In the front they will put in a six foot wall for a more private yard. The gate and pillars are about 18" above the existing wall and the gate is 9-10" above the existing wall. Before, it was just a blank wall.

#### Questions to the Applicant

Chair Rios asked for the height of the gate.

Mr. Smith said it was about 5' 2" which is about 8" lower than the pilasters.

Chair Rios asked if the existing river rock wall would be disturbed.

Mr. Smith said no. They are just putting a gate in and nothing else would be done to the wall.

Mr. Katz noted that the drawing doesn't show the step-up.

Mr. Smith explained that what he referred to was a new wall in front of it.

Mr. Katz said that the wall that the gate is in has a step up.

Mr. Smith said they are not changing that step up.

Mr. Katz noted that this house is down a lane from Delgado and it would be seen at Delgado but only the butt end of it.

Mr. Smith agreed.

Mr. Boniface went back to the gate and felt it seemed out of proportion to the wall. The pilasters are about 18" above the wall and the gate is above the wall. He asked if Mr. Smith if he would be agreeable to take down the pilasters to about 4-6" above the wall and the gate at same height of the wall.

Mr. Smith said he would like to see the pilasters a foot above the wall but had no problem with the gate at the same height as the wall.

Mr. Boniface referred to page 10 and the site plan where it said "new block and stuccoed wall" and asked if it was coyote or stuccoed block.

Mr. Smith said it is coyote, not block and stuccoed wall.

Mr. Rasch clarified the wall is in front of 211.

Mr. Smith said it is a block and stuccoed wall in front of 211.

Mr. Boniface referred to page 9 where it said that same wall would be six foot coyote.

Mr. Smith wanted to supersede that.

#### Public Comment

Present and previously sworn was Ms. Beninato who said she agreed with Mr. Boniface's suggestion to keep the gate lower. It is a low, friendly wall and should be kept that way. It is to define space instead of block views.

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

#### Action of the Board

**Mr. Boniface moved in Case #H-15-006 at 211 Delgado Street and in Case #H-15-040 at 209 Delgado Street to approve both with the following conditions:**

- 1. That the pilasters at the entry gate be no higher than 12" above the existing wall;**
- 2. That the gate be no higher than the existing yard wall;**
- 3. That there be no visible rooftop appurtenances.**

**Mr. Powell seconded the motion and it passed by unanimous voice vote.**

- 3. Case #H-15-011B. 820 Camino Atalaya.** Downtown & Eastside Historic District. Lorn Tryk, agent for John and Barbara Clum, owners, proposes window and door replacements and to construct two additions totaling 202 square feet, a 168 square foot portal, a 400 square foot carport, a shop and carports totaling 1,004 square feet, and a courtyard wall and outdoor fireplace at a non-contributing residence. (Lisa Roach).

Ms. Roach gave the staff report as follows:

#### **BACKGROUND & SUMMARY:**

820 Camino Atalaya is an 8,074 square foot single family residence located in the Downtown and Eastside Historic District. The original 2,378 square foot home and guest house were constructed by 1928 on a large estate owned by Amelia Elizabeth White. Additions in circa 1966, 1988 and 1992 have effectively joined the main residence and guest house into a single structure, and all the exterior doors and windows have been replaced. On January 27, 2015, the HDRB reviewed the status of the residence and designated it non-contributing due to substantial non-historic alterations.

Now, the applicant proposes the following:

1. Construction of a small kitchen addition on the west elevation
2. Construction of a new entry addition and 168 square foot portal on the south elevation;
3. Replacement of windows and doors throughout the south elevation;
4. Replacement of doors and addition of new windows on the existing two-story massing at the west elevation;
5. Replacement of a window on the north elevation;
6. Removal of a window and door and replacement of a window on the east elevation;
7. Addition of two new fireplaces and associated chimneys;
8. Construction of a new stuccoed courtyard wall and outdoor fireplace to form a dining patio at the west elevation;

9. Installation of new skylights, as depicted on the drawings, to be hidden behind existing parapets;
- 10 Construction of a 480 square foot free-standing workshop to height of 12'3" with an attached 604 square foot carport between the new shop and an existing shed at the south (rear) corner of the property;
11. Construction of a 400 square foot freestanding carport at the north (front) corner of the property, with attached 5' high stuccoed yardwalls and pedestrian gate, which will connect with an existing front yardwall and gate; and
- 12 Construction of a new 5' high stuccoed yardwall and coyote fence at the southeast side of the residence, along the driveway and utility easement, to connect with an existing yardwall and pedestrian gate.

Colors and finishes will match existing, to include:

- Sto "Adobe Brown" stucco;
- Aluminum clad, divided lite windows and doors in Sierra Pacific "Warby" blue;
- Brick paving in Endicott Danish Handmould Ironspot #46 at the new portal and dining patio;
- Tan painted wood/metal canals stained with a blue-grey transparent wood stain; and
- Artesanos "Bola Arriba" lighting sconces.

#### **STAFF RECOMMENDATION:**

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

#### **Questions to Staff**

Chair Rios noted this is very large. The existing building is over 8,000 square feet and they propose another thousand. She asked if it is visible publicly.

Ms. Roach clarified that it isn't adding 1,000 square feet. The additions to the main house are quite small. The public visibility varies. It is rather minimal with the large yard wall at the street elevation and it is at the end of a lane where there is no through traffic.

Mr. Katz surmised this is turning it into a duplex with a separate entrance and a separate kitchen.

Ms. Roach said that was not correct. It is a main residence with attached guest house.

Mr. Katz said there is a new entry in the back.

Ms. Roach said that has never been part of the discussion.

### Applicant's Presentation

Present and sworn was Mr. Lorn Tryk, 206 Mackenzie who had nothing to add to the staff report.

### Questions to the Applicant

Chair Rios asked if this is to be a duplex.

Mr. Tryk said no. It is a guest house and there is no intention to subdivide it or condo it.

Mr. Katz was having trouble where the kitchen is located in the guest house on page 40.

Mr. Rasch said it is shown on page 42.

Mr. Katz saw it but didn't see a separate entrance.

Mr. Tryk pointed out the existing kitchen and existing entry for the guest house.

Mr. Katz said that wasn't on his plan.

Mr. Tryk explained about the guest room entry. A second entry is below the family room.

Ms. Roach said it has a kitchenette and they are contiguous structures.

Mr. Katz noted on the floor plan there appears to be a narrow doorway that goes down by the pantry and is the present connection now. He asked if that goes away with this project.

Mr. Tryk agreed. There will be no internal connection.

Chair Rios pointed out that on the south is a lot of glass. She asked what the visibility is there.

Mr. Tryk said they are just replacing existing windows and that has no public visibility. This is the back yard.

Mr. Katz said the only problem he had is the new carport on the front. The house is set in there quite nicely but the carport will block all of that.

Mr. Tryk said with the six foot wall, all that can be seen is the second floor. The owner would like a carport there if possible.

Mr. Powell asked if it was directly off the front of the house at the street side.

Mr. Tryk agreed. It is the last house on the street so it doesn't have much visibility.

#### Public Comment

Ms. Beninato (previously sworn) said it is a large property and they could put the carport somewhere else that would be less visible to the street. What is incongruous is the fireplace chimney. It seems like an addition that is out of place.

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

#### Action of the Board

**Mr. Katz moved in Case #H-15-011B at 820 Camino Atalaya to accept the recommendations of staff and approve all but the carport in front which could be put elsewhere on the property. Mr. Powell seconded the motion and it passed by voice vote with all but Mr. Roybal voting.**

4. **Case #H-15-043. 519 Johnson Lane.** Downtown & Eastside Historic District. Built D&D, agent for Kimberly Corbitt and Keith Boardmore, owners, proposes to construct a 150 sq. ft. second story addition to match existing height and to remodel a non-contributing residential structure. (David Rasch).

Mr. Rasch gave the staff report as follows:

#### **BACKGROUND & SUMMARY:**

519 Johnson Lane is a single-family residential structure that was constructed at approximately 1981 in a simplified Spanish-Pueblo Revival style. The building is listed as non-contributing to the Downtown & Eastside Historic District.

On May 12, 2015, the HDRB postponed action on a remodel pending submittal of redesign that addresses concerns about window visibility of lite patterns and second floor setback.

Now, the applicant proposes to remodel the building with the following three items.

1. A 150 square foot two-story addition will be constructed on the south elevation of the rear massing block to match existing adjacent height. The second floor will stepback from the ground floor by 3'. The addition will feature a 6-lite window on the second floor west elevation and a portal on the south elevation ground floor in front of four 10-lite sliding glass doors. The portal will have three square posts and an exposed header beam.

2. Existing windows and doors will be replaced with divided lite units with new opening locations and altered opening dimensions in some locations.

3. The building will be restuccoed with El Rey "Madera" which will cover all exposed headers and the trim color will be "Brown".

### **STAFF RECOMMENDATION:**

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

#### Questions to Staff

There were no questions to Staff.

#### Applicant's Presentation

Present and sworn was Mr. Carlos Kinsey, 370 Garcia, who had nothing to add

#### Questions to the Applicant

Chair Rios asked if the windows would be divided lites.

Mr. Kinsey agreed. There are no existing divided lites on it but they will install divided lites there.

Chair Rios asked if there would be any appurtenances on the roof.

Mr. Kinsey said there would not be any.

Mr. Katz thanked him for redesigning the project with a set back as the Board had requested. He commented that he was saddened that there was no window on the south in the master bedroom.

Mr. Kinsey said he eliminated it altogether because his clients didn't seem to like it.

#### Public Comment

There were no speakers from the public regarding this case.

#### Action of the Board

**Mr. Boniface moved in Case #H-15-043 at 519 Johnson Lane to approve this application as presented. Mr. Powell seconded the motion and it passed by unanimous voice vote.**

5. **Case #11-15-050. 107 Cienega Street.** Downtown & Eastside Historic District. Stefan Merdler, agent for Albert and Kathie Schultz, owners, requests a historic status review of a non-contributing commercial structure. (David Rasch).

Mr. Rasch gave the staff report as follows:

**BACKGROUND & SUMMARY:**

107 Cienega Street is a commercial property, originally a single-family residence and free-standing garage that was constructed between 1945 and 1947 in the Territorial Revival style. An approximately 260 square foot addition was constructed on the rear, west elevation of the primary structure in the late 1950s. The only non-historic alteration appears to be the substantial infill and loss of historic windows and door on the east entry porch. Character defining features include the front recessed entry, the dentilated brick coping on the parapets of both structures, and the historic 6-over-6 wood double-hung windows. The primary structure is listed as non-contributing to the Downtown & Eastside Historic District and the garage is not assigned in historic status.

The applicant requests a historic status review of the property and assignment of primary elevations, if applicable.

**STAFF RECOMMENDATION:**

Staff recommends that the Board upgrade historic status for the primary structure to contributing with the original south and east elevations designated as primary elevations and recommends that the garage be designated as contributing with the east elevation as primary.

Mr. Rasch showed photos of the infilled front porch and the north elevation showing a straight wall with historic windows. The south and east of garage and the rear elevation with little portal and the addition in late 1950's that are in the worst condition. He also showed a photo of the garage, east and north elevations.

**Questions to Staff**

Chair Rios asked what part of the front elevation is historic.

Mr. Rasch said apparently none of it was.

Chair Rios countered that he recommended it as primary.

Mr. Rasch said there are historic windows on both sides of the porch.



Chair Rios surmised that only the parts with windows would be considered primary. She asked why Staff didn't indicate the north façade as primary.

Mr. Rasch agreed. He recommended the south and east as primary.

Chair Rios thought the north and south should be primary.

#### Applicant's Presentation

Present and sworn was Mr. Stefan Merdler, who had nothing to add to the staff report.

#### Questions to the Applicant

Chair Rios asked if he agreed with the Staff recommendations.

Mr. Merdler asked for clarification on what staff recommended as primary.

Chair Rios said he recommended that it remain contributing and that garage be upgraded to contributing and that the east elevation of the garage be considered primary.

Mr. Merdler said his client would like to take the house back to what it looked like in 1956.

Chair Rios said the Board is only considering the status of the house and garage at this meeting. She explained that on the south elevation, the infill would not be included as part of the primary elevation.

Mr. Merdler understood. He agreed that the windows on either side are definitely primary.

Chair Rios pointed out that the brick coping is very distinctive.

Mr. Merdler agreed. The adjacent house to the south is the only other building on that street with such coping and he believed it was built by the same builder. He showed 105 Cienega that has very similar details. The coping is slightly different and they plan to replicate that design. This property has a nested portal and 105 Cienega is an L shaped building.

Chair Rios said this is a status review only and next time, he could show the Board the proposed alterations.

#### Public Comment

Ms. Beninato (previously sworn) was pleased that the applicant is interested in returning the house to original condition and she thought the north façade should also be protected and the brick coping on garage which is beautiful.

Present and sworn was Mr. John Eddy - 227 East Palace, Suite D, who echoed what Ms. Beninato said. He believed the garage is also contributing and supported staff on the primary elevations. This house and 105 Cienega are of a piece and among last vestiges of the neighborhood and were owned by the family who owned the In town Café. It is the people that created these homes that give them their contributing status.

Chair Rios said his comments are appreciated.

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

#### Action of the Board

**Mr. Katz moved in Case #11-15-050 at 107 Cienega Street to retain the contributing status with north east and south as primary except the infill which is not historic and that elevation is subject to change and that the garage be upgraded to contributing with east as primary. Mr. Boniface seconded the motion and it passed by unanimous voice vote.**

- 6. Case #11-15-051. 1139 Camino Delora.** Downtown & Eastside Historic District. Robert and Susan Mills owners/agents request primary elevation designation for a contributing residential structure. (Lisa Roach).

Ms. Roach gave the staff report as follows:

#### **BACKGROUND & SUMMARY:**

1139 Camino Delora is an approximately 1,545 square foot single family residence constructed between the 1930s and the 1950s in a blend of Spanish Pueblo Revival and Vernacular stylistic elements. The structure is listed as contributing to the Downtown and Eastside Historic District.

The applicant requests designation of primary façades for the residence. In evaluating the applicant's request, staff identified character-defining features to include rounded stuccoed massing; inset, bullnosed window openings; true-divided lite windows with prominent painted sills; and parapets that step down to the south and north from the central massing. The presenting façade is on the south, and the main entry door is on the west façade of a sunroom that was added after 1966 and not visible from the applicable streetscape.

RELEVANT CODE CITATION: Section 14-12.1

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 designation of façades 1, 2, and 3 as primary, in accordance with Section 14-5.2(C)(2) Regulation of Significant and Contributing Structures in the Historic Districts and with Section 14-12.1 Definition of Primary Façade.

Questions to Staff

Chair Rios asked Ms. Roach to show the recommended primary elevations on the floor plan.

Ms. Roach said #1 is south, #2 is to the west and #3 is to the south.

Mr. Boniface said on site visit today, the Board, from the road, noted they could clearly see the roof that is in great disrepair. So if the Board does designate the south elevation as primary he would ask that the applicant be able to raise the parapets. He asked how the Board could help them in the future without backing them into a corner.

Ms. Roach said the Board could downgrade it or the applicant could request an exception.

Chair Rios agreed that something impeding its beauty could warrant an exception.

Applicant's Presentation

Present and sworn was Mr. Robert Mills, 1139 Camino Delora, who had nothing to add.

Questions to the Applicant

Chair Rios asked if he agreed with staff recommendations.

Mr. Mills, said the roof is a big marshmallow. They would like to upgrade the roof but in doing so, he didn't know how high the parapets would have to be. He thought he would have to have someone stand out from the house to help eliminate the view of the roof.

Mr. Powell suggested using cardboard and stand back to view it.

Mr. Boniface said he didn't want to back Mr. Mills into a corner but if he wanted at some time to hide the roof, it would make the house much prettier.

Ms. Roach agreed that the step down of the parapet massing and raising the parapet in the future could eliminate that from view.

Mr. Mills wasn't sure how much more weight they could add to that parapet.

#### Public Comment

Ms. Beninato (previously sworn) was glad the Board had the discussion which is outside the scope of this application. Those façades should be protected and what is to be done to the house is for the future.

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

#### Action of the Board

**Mr. Katz moved in Case #11-15-051 at 1139 Camino Delora, to accept the recommendation of Staff to designate the three recommended façades as primary. Mr. Boniface seconded the motion and it passed by unanimous voice vote.**

7. **Case #H-15-052. 5621/2 A & B Garcia Street.** Downtown & Eastside Historic District. True North Builders, agent for Leslie Miller, owner, requests a historic status review of two contributing residential structures. (David Rasch).

Mr. Rasch gave the staff report as follows:

#### **BACKGROUND & SUMMARY:**

562½ A & B Garcia Street are two free-standing residential structures that are listed as contributing to the Downtown & Eastside Historic District.

"A" is a less than 1000 square foot rectangular structure of vernacular design that was constructed before 1958. It appears that an addition was constructed on the west elevation between 1958 and 1978. The building features parapets on three sides and shed overhangs on the east and part of the north sides. All historic windows have been replaced with non-historic aluminum sliders in reduced openings and with concrete sills stuccoed over. The building is finished with elastomeric stucco.

"B" is a 1,159 square foot rectangular structure of vernacular design that was constructed before 1932. The building features a flat roof with parapets and canales and a stepped-down portal mass and the

southeast corner. The portal was infilled at an unknown date, apparently non-historic, with recycled wood windows and fiberglass sheeting. Historic steel casement windows may not be original. Concrete sills and the walls are finished with cementitious stucco.

The applicant requests a historic status review of the two structures.

### **STAFF RECOMMENDATION:**

Staff recommends that the Board downgrade the historic status of both structures from contributing to non-contributing due to the lack of public visibility and lack of character that defines Santa Fe style architecture and/or alterations that detract from the character.

#### Questions to Staff

Chair Rios said she tended to disagree on this when the structure is non-statused for lack of public visibility. Many historically statused properties are not publicly visible. She did not think lack of public visibility should ever be considered on historic status.

She asked if the footprint remained except for the 1978 portion.

Mr. Rasch agreed.

Chair Rios said the window openings were reduced but the original dimension still remains and the common sills remain so this building should retain contributing status.

On the other building, it is 83 years old. She asked how it was structurally.

Mr. Rasch didn't know.

Chair Rios asked if the openings were changed.

Mr. Rasch was unaware.

#### Applicant's Presentation

Present and sworn was Mr. Cody North, 107 Lupita, who said on Unit A there is a lack of historic material. Everything has been removed. It has elastomeric STO stucco, all windows and doors have been replaced and dimensions have changed so nothing remains of its historic material.

On Unit B, they came up with ingenious idea to run water through the parapet which was perfect for mold and rot. It is fading and falling apart. The rest of the house is structurally sound but as far as having any cultural significance, it doesn't bring that to Santa Fe. So they are just asking for a downgrade.

### Questions to the Applicant

There were no questions to the Applicant.

### Public Comment

Ms. Beninato (previously sworn) didn't hear any recommendation for primary elevation. She tended to agree with Chair Rios that it should be left contributing. It is a historic structure and stucco can be removed and replaced with more historically accurate material so that isn't a good reason for downgrading them. Unit B needs much more work. She was not sure that removal and repair of that part makes it contributing. It is a decision of the Board but she was concerned when the Board downgrades the contributing to non-contributing. It is good for people from California but not for the local people.

Mr. North said for the historic features, they have all been removed. There is a shadow line and sills but that is all.

Chair Rios asked if anybody looked into it.

Mr. North said he had a historian survey her home. When it was assigned contributing status it never had a survey so he hired one who did a most thorough survey. There was not anyone from California trying to downgrade these units. He added that he is a native and appreciate historic structures.

Chair Rios thought Unit A should remain contributing because most of the intact footprint, openings that can still be seen and the sills, although stuccoed over, are all from a definite time period.

The other one does need some help and she supposed it could be rebuilt but from the staff report, she felt it had a lot of changes and didn't know that she would fight for that one.

Mr. Katz asked Staff if Mr. North were to rip out the newer windows and restore the openings to their original size with divided lite windows, if there would be an occasion that it could become contributing at some future point.

Mr. Rasch agreed. That is a very good point. The applicant can choose to re-establish the historic character and it could be re-established.

Chair Rios said sometimes it is dangerous to do that because it is more difficult to achieve.

Present and sworn was Ms. Linda Chandler, who said they just purchased this house which shares a driveway. At one time, the properties were owned by one family. Linda Daggett knows all of the family. Her family is excited to be in a historic neighborhood. She hoped that whatever is considered for this would be

one-story and hoped it would remain historic to do that.

Mr. Rasch agreed. This is part of Santa Fe and part of Faustin Garcia's family.

#### Action of the Board

Mr. Boniface didn't believe the public visibility would come into play for this location. However, seeing the state of disrepair and alterations that have occurred with disrepair on B and alterations on A, he was inclined to take this from Contributing to Non-contributing.

**Mr. Boniface moved in Case #H-15-052 at 5621/2 A & B Garcia Street to follow staff recommendation and downgrade both units from Contributing to Non-contributing due to numerous alterations and loss of historic fabric. Mr. Katz seconded the motion and it passed by majority voice vote with all voting in favor except Mr. Powell who abstained.**

8. **Case #11-15-053 1300 Lejano Lane.** Downtown & Eastside Historic District. K.M. Skelly, agent for Chris and Seren Clancy, owners, proposes to construct additions totaling 1,461 square feet and a 150 square foot deck and to raise parapets to a height of 16' at the main non-contributing residence, to construct a 6' high coyote fence, to construct a 490 square foot addition to a non-contributing casita, to construct a new 316 square foot chapel, an in-ground swimming pool and an amphitheater, and to install a freestanding photovoltaic system at the southwest corner of the property. An exception is requested to have a pitched roof on the proposed chapel (Section 14-5.2(D)(9)(d)). (Lisa Roach).

Ms. Roach gave the staff report as follows:

#### **BACKGROUND & SUMMARY:**

1300 Lejano Lane consists of a 2,022 square foot main residence and 1,010 square foot guest house listed as non-contributing to the Downtown and Eastside Historic District.

The applicant proposes the following alterations to the main residence:

1. Construct a 1,088 square foot garage, mud-room and workshop addition with a roof deck to a height of 13' where the maximum allowable height is 16'1". The addition will feature a new entry portal with exposed vigas and stained wooden corbels and structure with parapet above, two garage bays with stained wooden garage doors in chevron design, exposed wooden window and door headers stained to match the existing residence, simulated divided lite windows to match those of the existing house, a sliding barn door exposing a pair of simulated divided lite French doors leading to the workshop space, and a spiral staircase leading to a roof deck with painted metal railings between stuccoed parapets at the railing height.

2. Construct a 216 square foot kitchen addition off the living room on the southwest side to a height of 15'4". The addition will extend the existing west wall approximately 12' and will include simulated divided lite windows on the west and south elevations.
3. Construct a 157 square foot addition to the sunroom on the southwest side to a height of 14'6". The sunroom will feature a 2' overhang supported by stained wooden beams and posts with corbels;
4. Raise the parapets on the residence to a maximum height of 16' where the maximum allowable height is 16'1";
5. Install a 12'x20' in-ground swimming pool surrounded by a flagstone walk at the rear of the main residence; and
6. Construct a 20'x30' deck off the southwest corner of the proposed kitchen utilizing treated lumber substructure and Trex decking.

The applicant proposes the following changes to the guest house

7. Construct a 490 square foot addition at the southwest corner to a maximum height of 12'9". The addition will include a new L-shaped portal that will wrap around the addition's west and south façades. Windows and French doors will be simulated divided lite, and the portal will feature stained wooden members and corbels to match the existing portal design and finishes. A triple window assembly on the south elevation will feature a painted pedimented surround to match a detail on the existing guest house.

The applicant further proposes the following:

8. Construct a new 316 square foot pitched roof chapel to a maximum height of 13'. The chapel will feature painted metal roofing (color not specified), a cupola with a bell, and a simple entry portal with stained wooden structure and corbels. An exception to construct with a pitched roof has been requested, and the criteria and responses are provided at the end of this report;
9. Construct a sunken, stone masonry amphitheater with 10'x25' flagstone stage and roofed superstructure with standing seam sloped metal roof to a maximum height of 15'8". An exception has been requested for the pitched roof, and criteria and responses can be found below; and
10. Install a freestanding 10kw photovoltaic system at the southwest corner of the property, in a location that is not publicly visible.

RELEVANT CODE CITATION: Section 14-5.2(D)(9)(d)

If the determined *streetscape* includes over fifty percent of buildings with pitched roofs, the proposed *building* may have a pitched roof. A pitched roof is defined as a gable, shed or hipped roof. The pitch of the roof shall match the predominant pitch extant in the *streetscape*.

EXCEPTION CRITERIA RESPONSES:

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

Applicant Response: Our design will enhance the character of the streetscape and will be a welcome



addition to the historic aspect of the current streetscape.

Staff Response: Staff agrees with this response, particularly because the pitched roof chapel and amphitheater will not be publicly visible.

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

Applicant Response: N/A

Staff Response: The applicant has identified no hardship, so this criterion has not been met.

- (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 pitched roof chapel and amphitheater ensure heterogeneity while honoring various historic architectural styles.

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

Applicant Response: Place of worship.

Staff Response: Staff agrees with this response, though brief, as the structures proposed are special use structures, the forms of which are unique to their use.

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

Applicant Response: Our Real Estate agent, Jennifer Tones, mistakenly told us that the property was not in the historic district.

Staff Response: Staff does not agree with this response, as the due diligence involved with real estate transactions does not factor into the criteria for exceptions.

- (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: I believe that the pitched roof chapel will provide a positive impact to the physical beauty of the streetscape and will be a reminder of beauty past.

Staff Response: Staff agrees with this response.

**STAFF RECOMMENDATION:**

Staff recommends that the Board grant the pitched roof exception and approve this application, which otherwise complies with Section 14-5.2 (D)(9) General Design Standards, Height, Pitch, Scale and Massing and (E) Downtown and Eastside Historic District.

#### Questions to Staff

Chair Rios referred to the north elevation and asked how close the new addition would be to the street.

Ms. Roach said it has high visibility. It would go up the circle driveway and he didn't know the distance from the street but would estimate it at about 40' back.

Chair Rios asked to what height the step up would go.

Ms. Roach said the height of the structure above the stage area is 15'.

Chair Rios asked if the steps are seating places.

Ms. Roach agreed.

Chair Rios asked what the public visibility of this is.

Ms. Roach said it is rather minimal. The lot is triangular and they are digging into the lot.

Chair Rios asked about pitched roof and whether the applicant was given the option.

Ms. Roach agreed and the applicant opted for a pitched roof on the chapel.

Mr. Boniface pointed out that in this district, the Code limits overhangs to an 18" maximum. And cantilevers are prohibited. He explained that he was speaking about the overhang of the amphitheater roof.

Ms. Roach said it is supported by beams with corbels at the end of the beams.

Mr. Rasch read the code which allows it as part of the roof treatment.

Ms. Roach said that code citation does specify the particular dimensions.

Mr. Powell pointed out that the back of the amphitheater is visible but the awning is facing the house.

Ms. Roach said it is down sloped from residence in a heavily wooded area and far from the street.

#### Applicant's Presentation

Present and sworn was Mr. Kevin Skelly, who said agreed that the location of the amphitheater slopes down about 15' from Armijo Lane so isn't visible from any of the streets. There is a neighbor to the west and another to the southwest. He identified himself as the general contractor.

Chair Rios asked if the amphitheater for public use.

Mr. Skelly said it was for private use.

Chair Rios understood he was asking for an exception on the chapel pitched roof but wondered if they would consider a flat roof.

Mr. Skelly preferred a pitched roof.

Ms. Roach said the chapel is even less visible and is quite small.

#### Questions to the Applicant

There were no questions to the applicant.

#### Public Comment

Ms. Beninato (previously sworn), said this is a pretty amazing plan. Her concern was that the north elevation of the second story is publicly visible and has a lot of changes with that façade and it is not Santa Fé style with the stairwell and all the windows.

She questioned why the chapel would be a hardship among the exception criteria. She understood that they say it is private but it looks like they could use it for weddings, etc. Although it is in the wooded area, trees can die and the Board used to take that into account.

At the last meeting, Christopher Purvis asked for an 8' fence between properties so they wouldn't have to see the run-down building next door but people would still see the second floor here.

Present and sworn was Mr. Chris Clancy, 1300 Lejano Lane, the owner, who said this will be entirely for personal and private worship. The visibility is really nil from the road in terms of where they are proposed. The neighbor up the hill has a pitched roof and also the one across the street.

Mr. Boniface commented to Mr. Clancy that it was very massive when looking at the north elevation and very tall.

Mr. Clancy said many others in the neighborhood do also.

Mr. Boniface said it seemed massive and almost ominous. He asked how wedded Mr. Clancy was to the idea of that roof deck. He asked if Mr. Clancy would be willing to lower the parapet to match the height of the garage door next to it. It would be much friendlier to the neighborhood.

Mr. Clancy said he would prefer to leave it as is.

Mr. Boniface said what the adjoining neighbors have is not under the Board's purview. He was just asking if he would consider it. He also said the metal spiral staircase was massive.

Mr. Clancy said the staircase is to the rear and not visible.

Mr. Boniface asked then why it is on the elevation.

Mr. Skelly said it is part of the project.

Ms. Roach thought it is not that massive.

Mr. Rasch said the height calculation is 29'8" height.

Mr. Boniface appreciated what Ms. Roach was saying. But just because everyone else is doing something massive doesn't make it right but he acceptor what she was saying.

Chair Rios said the north elevation has a lot going on. She hoped the roof deck could be a simpler design.

Mr. Katz had difficulty with the amphitheater roof. The applicant is seeking an exception of it on the chapel and that is traditional for northern New Mexico. He wondered if there is an alternative to the roof on the amphitheater.

Mr. Skelly said he didn't at this time but could present one.

Mr. Katz suggested it could echo a kiva but not with the roof on it.

Chair Rios asked Staff if the applicant did not answer all the exception criteria.

Ms. Roach said they did respond on one that it was not applicable. It was the hardship exception.

Chair Rios asked if they did answer it.

Ms. Roach said there are numerous examples where the Board has approved a case without the applicant answering all of them.

Mr. Powell said this is a very foreign object in the historic district. It is the length and pitch of the roof. He asked if the applicant would put up a story pole so the Board could go out and see if we could see the

roof or not.

Mr. Katz asked to what extent public visibility is playing into the decision.

Mr. Rasch reminded the Board that it is for the public good so if the public cannot see it, does it damage the public good. Many people buy property because they rely on the Board to maintain the character of the historic district.

Ms. Roach reminded the Board that the exception criteria responses are for both.

#### Action of the Board

**Mr. Katz moved in Case #11-15-053 at 1300 Lejano Lane to grant all of the application except for the pitched roof on the amphitheater. The exception criteria for the chapel have been met but not on the amphitheater. He hoped the applicant could come up with an alternative. Mr. Boniface seconded the motion and it passed by unanimous voice vote.**

- 9. Case #H-15-054. 213 East Santa Fe Avenue.** Don Gaspar Area Historic District. Paul Heath agent/owner proposes to construct a 733 sq. ft. free standing garage to a height of 12' 6" on a contributing residential property. (David Rasch).

Mr. Rasch gave the staff report as follows:

#### **BACKGROUND & SUMMARY:**

213 East Santa Fe Avenue is a single-family residential structure that was constructed before 1928 in the Bungalow style. The building is listed as contributing to the Don Gaspar Area Historic District.

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

1. A 733 square foot free-standing two-car garage will be constructed to a height of 12' 6" where the maximum allowable height is 19' 9" at the rear of the property. The garage is designed in the Territorial Revival style and it will feature dark brown brick coping on stepped parapets, white trim around doors and windows, white metal "Grille" light fixtures, and cementitious "Bamboo" stucco.
2. A 6' high stuccoed yardwall with will be constructed between existing walls and fences at the lot interior. A simple pedestrian gate, materials and colors not specified, will be flanked with brick cap accents.
3. A ground-mounted condenser will be placed on the west side of the garage. The applicant did not state how the lines hook ups will be achieved, i.e. underground, through the wall, or exterior wall mounted.

### **STAFF RECOMMENDATION:**

Staff recommends approval of this application which complies with Section 14-5.2(D)(9) General Design Standards, Height Pitch Scale and Massing and (H) Don Gaspar Area Historic District, with the condition that the condenser lines shall not be mounted on the wall exterior.

#### Questions to Staff

Chair Rios asked if this Territorial style garage is compatible with the bungalow style of the home.

Mr. Rasch said that bungalow is a beautiful building but from the alley it cannot be seen.

#### Applicant's Presentation

Present and sworn was Mr. Paul Heath, who said that was a good question. The reason for the Territorial style is because the two buildings facing that road are both Territorial and the oldest one in the neighborhood has brick coping. He had nothing else to add.

#### Questions to the Applicant

Mr. Powell asked if the rear fence is to be of wood along Pino.

Mr. Heath said they would just eliminate it.

Mr. Boniface asked if he was leaving the wood fence on the east.

Mr. Heath said there is a gate there and there has been parking there for a long time.

Mr. Boniface asked how he would screen the ground condenser.

Mr. Heath said there is a zero lot line to the west and no windows in that wall and it has a fence in front of it. It is just the garage.

#### Public Comment

Ms. Beninato (previously sworn) thought they would come down from the south and now understood it will be from the alley to the garage. There are many properties that added on to the back for houses on Santa Fe Avenue. She just really wondered how they would turn a car and get into the garage. She also really appreciated that the applicant put up notices on the alley too.

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

Action of the Board

**Mr. Powell moved in Case #H-15-054 on 213 East Santa Fe Avenue, to approve the application as presented. Mr. Boniface seconded the motion and it passed by unanimous voice vote.**

**H. COMMUNICATIONS**

Mr. Rasch announced that tomorrow night at 5:00 at the City Council meeting, the outgoing members will each receive a Muchas Gracias award.

**I. MATTERS FROM THE BOARD**

Mr. Katz announced he would not be present at the next meeting.

**J. ADJOURNMENT**


**Ms. Biedscheid moved to adjourn the meeting. Mr. Roybal seconded the motion and it passed by unanimous voice vote.**

The meeting was adjourned at 7:55 p.m.

Approved by:

  
\_\_\_\_\_  
Cecilia Rios, Chair

Submitted by:

  
\_\_\_\_\_  
Carl Boaz for Carl G. Boaz, Inc.