



Agenda

CITY CLERK'S OFFICE

DATE 8/16/16 TIME 4:45

SERVED BY M. Culligan

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HISTORIC DISTRICTS REVIEW BOARD FIELD TRIP

TUESDAY, August 23, 2016 at 12:00 NOON

HISTORIC PRESERVATION DIVISION, 2nd FLOOR CITY HALL

HISTORIC DISTRICTS REVIEW BOARD HEARING

TUESDAY, August 23, 2016 at 5:30 P.M.

CITY COUNCIL CHAMBERS

AMENDED

- A. CALL TO ORDER
- B. ROLL CALL
- C. APPROVAL OF AGENDA
- D. APPROVAL OF MINUTES: August 9, 2016
- E. FINDINGS OF FACT & CONCLUSIONS OF LAW

Case #H-16-057. 659 East Palace Avenue.

Case #H-16-061. 535 East Palace Avenue.

Case #H-16-063. 635 1/2 Garcia Street.

Case #H-16-066A. 1281 1/2 Cerro Gordo Road.

Case #H-12-030. 494 Camino Don Miguel.

Case #H-16-062. 644 Canyon Road.

Case #H-16-065. 130 Lincoln Avenue.

Case #H-16-064. 650 Old Santa Fe Trail.

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

1. Case #H-16-067A. 1041 Camino San Acacio. Downtown & Eastside Historic District. Fred Schwartz, agent/owner, requests a historic status review with primary elevation designations, if applicable, for a non-contributing residential structure. (David Rasch)
2. Case #H-16-067B. 1041 Camino San Acacio. Downtown & Eastside Historic District. Fred Schwartz, agent/owner, proposes to remove 112 sq. ft. and construct a 286 sq. ft. addition to match existing height on a contributing residential structure. (David Rasch)
3. Case #H-16-068. 657 East Palace Avenue. Downtown & Eastside Historic District. Architectural Alliance, agent for 843 EPA LLC, owner, proposes to construct a 3,862 sq. ft. residential structure to a height of 15'4" on a vacant lot where the maximum allowable height is 17'3". (Sobia Sayeda)
4. Case #H-16-044A. 124 West Booth Street. Don Gaspar Area Historic District. Gregory Chavez, agent/owner, requests a historic status review of a street frontage yardwall and primary elevation designations of a contributing residential structure and a contributing free-standing garage. (David Rasch)
5. Case #H-16-044B. 124 West Booth Street. Don Gaspar Area Historic District. Gregory Chavez, agent/owner, proposes to demolish an existing yardwall, construct a 3' yardwall and gates, alter opening dimensions on a primary elevation, and demolish a porch. Exceptions are requested for altering a primary elevation (Section 14-5.2(D)(1)(a) and (5)(a) and (b)) and demolishing a contributing structure (Section 14-5.2(D)(1)(a)). (David Rasch)

- 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 or check <http://www.santafenm.gov/historic-districts-review-board-hearing-packets> for more information regarding cases on this agenda.



Agenda

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DATE 8/4/16 TIME 2:40SERVED BY [Signature]RECEIVED BY [Signature]

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TUESDAY, August 23, 2016 at 12:00 NOON

HISTORIC PRESERVATION DIVISION, 2nd FLOOR CITY HALL

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- B. ROLL CALL
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Case #H-12-030. 494 Camino Don Miguel.
Case #H-16-062. 644 Canyon Road.
Case #H-16-065. 130 Lincoln Avenue.
Case #H-16-064. 650 Old Santa Fe Trail.

Case #H-16-040B. 1433 Paseo de Peralta.
Case #H-16-061. 535 East Palace Avenue.
Case #H-16-063. 635½ Garcia Street.
Case #H-16-066A. 1281½ Cerro Gordo Road.

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- H. ACTION ITEMS

1. Case #H-16-067A. 1041 Camino San Acacio. Downtown & Eastside Historic District. Fred Schwartz, agent/owner, requests a historic status review with primary elevation designations, if applicable, for a non-contributing residential structure. (David Rasch)
2. Case #H-16-067B. 1041 Camino San Acacio. Downtown & Eastside Historic District. Fred Schwartz, agent/owner, proposes to remove 112 sq. ft. and construct a 286 sq. ft. addition to match existing height on a contributing residential structure. (David Rasch)
3. Case #H-16-068. 657 East Palace Avenue. Downtown & Eastside Historic District. Architectural Alliance, agent for 843 EPA LLC, owner, proposes to construct a 3,862 sq. ft. residential structure to a height of 15'4" on a vacant lot where the maximum allowable height is 17'3". (Sobia Sayeda)
4. Case #H-16-044. 124 Booth Street. Don Gaspar Area Historic District. Gregory Chavez, agent/owner, requests a historic status review of a street frontage yardwall and primary elevation designations of a contributing residential structure and a contributing free-standing garage. (David Rasch)
5. Case #H-16-044. 124 Booth Street. Don Gaspar Area Historic District. Gregory Chavez, agent/owner, proposes to demolish an existing yardwall, construct a 3' yardwall and gates, alter opening dimensions on a primary elevation, and demolish a porch. Exceptions are requested for altering a primary elevation (Section 14-5.2(D)(1)(a) and (5)(a) and (b)) and demolishing a contributing structure (Section 14-5.2(D)(1)(a)). (David Rasch)

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HISTORIC DISTRICTS REVIEW BOARD
August 23, 2016

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MINUTES OF THE
CITY OF SANTA FÉ
HISTORIC DISTRICTS REVIEW BOARD

August 23, 2016

A. CALL TO ORDER

A regular meeting of the City of Santa Fé Historic Districts Review Board was called to order by Ms. Cecilia Rios, Chair, on the above date at approximately 5:27 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. Cecilia Rios, Chair
Mr. Frank Katz, Vice Chair
Ms. Meghan Bayer
Ms. Jennifer Biedscheid
Mr. Edmund Boniface
Mr. William Powell
Mr. Buddy Roybal

MEMBERS EXCUSED:

OTHERS PRESENT:

Mr. David Rasch, Historic Planner Supervisor
Ms. Sobia Sayeda, Planner Technician Senior
Ms. Theresa Gheen, Assistant City Attorney
Ms. Nicole Ramirez Thomas, Senior Planner
Mr. Carl Boaz, Stenographer

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

C. APPROVAL OF AGENDA

Mr. Rasch announced a change in the agenda with items 4 and 5, cases at 124 Booth Street being postponed.

Member Boniface moved to approve the agenda as amended. Member Katz seconded the motion and it passed by unanimous voice vote.

D. APPROVAL OF MINUTES: August 9, 2016

Member Boniface requested the following corrections to the minutes:

On page 16, action #3 in the motion where it currently says "the applicant maintain the dry stack;" and he preferred that it read "that the applicant maintain the dry stack rock wall on east side of the property."

On page 28, 4th paragraph from the bottom where it should say, "Member Boniface thought this Board does have the power to grant such an exception because I just stated that the color is not Cottonwood."

Member Biedscheid requested the following corrections to the minutes:

On page 5 she believed the responses to the criteria are out of place and the ones shown are for the case on Camino Don Miguel.

[Stenographer's note]: The correct responses provided by staff were:

Historic Districts and Historic Landmarks Height, Pitch, Scale, Massing, and Floor Stepbacks Exception Criteria

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

Response: The design and height of this house will not damage the streetscape because the sloping hillside that this house will sit on is near many other 1 and 2 story houses in the area that step up the hill with the slopes. Most houses nearby are on sites that slope less because they are natural slopes, not manmade like the slope on this site. This stepping façade will complement the other stepping houses in the neighborhood.

Staff Response: Staff agrees with this statement.

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

Response: When we began designing this house, our first task was to set to finish floor of the garage related to the maximum grade of the driveway allowed by code. That sets the garage finish floor at 7098'.

From there, the grade slopes up to 7115' at the top of the highest point where we would start any retainage. That gave us a design starting point of 17'-0" of grade difference. In order to have some open area all around the house, we needed to lower the main level finish floor and install retaining walls on the north side. But, we had to balance lowering the finish floor with a reasonable amount of cut and fill. The finish floor was lowered to 7108.83'. This would mean the site would need to be cut back 6.17' and we would need to install a series of retaining walls. Lowering the finish floor any further would be a hardship in terms of balancing the cut and fill on the property. And, raising the garage is not an option. The walkout basement was added when it was realized that the location of the garage relative to the main level would allow for a basement.

Staff Response: Staff agrees with this statement.

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

Response: We explored an option of having the garage at the required lower level as a separate structure, then installing a big series of stairs to a main level at a much higher elevation. However, there were too many steps up and that plan would not be marketable or reasonable for universal design. We explored the option of recessing the main house into the ground so it wouldn't be too high, but there would be too much retainage at the top of the site, and it would make the north side of the site unusable space.

Staff Response: Staff agrees with this statement.

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

Response: The 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 are that this site has 17'-0" of slope in a distance of only about 77'-0", most of which is manmade slope that was existing when the client purchased the property. The adjacent lots do not have the dramatically sloping manmade grade that this lot has. They are on gently sloping natural grade. Also, the driveway access to the site has to be at a grade that is accessible by the fire department. Therefore, the garage and parking area can't be higher than 7098' per previous discussions with the fire department. The adjacent properties don't have the limited parking and garage location and elevation challenges that this lot has to comply with.

Staff Response: Staff agrees with this statement.

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

Response: The slope of 17'-0" of grade in a distance of only about 77'-0", combined with the fact that the

height limit is only 17'-4", which is only 4" more than the total slope, are special conditions and circumstances which are not a result of the actions of the applicant. Also, the elevation of the garage and parking area relative to the required grade of the driveway by the fire department is not a result of the actions of the applicant.

Staff Response: Staff agrees with this statement.

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

Response: The height of the living room parapet, the highest point on the house, provides the least negative impact with respect to the purpose of this section as set forth in Subsection 14-5.2(A)(1) because it has been set back from the most southern point of the front (streetside) of the façade 16'-8", which is where historic staff measures from. The façade at the most southern point of the front (streetside) in front of the living room is only about 14'-4" above the grade. And the garage is only about 12'-6" above the grade. When the living room parapet is viewed from the west (closest grade to the parapet) it is only about 12'-6" above grade at the highest point. The rooms/parapets around the perimeter of the house, nearest to the grade are all stepped down so that there is no point around the perimeter where the parapet is higher than 13'-6" above grade.

Staff Response: Staff agrees with this statement.

Member Powell arrived at 5:29.

Member Biedscheid requested a change on page 11, under Action of the Board, third line, a condition to the garage wall, to insert, "on the south façade."

Mr. Boaz agreed to record her request but stated that those words were not stated in the motion by Member Katz.

Member Biedscheid said the insertion would match the Findings of Fact. She asked the City Attorney if that matters.

Ms. Gheen thought that was what was intended and asked if that was correct.

Member Biedscheid said that was what was intended. It just didn't match the Conclusions of Law.

Ms. Gheen said, "the minutes should be what you actually said."

Member Biedscheid thanked her for that clarification.

Her last correction was on page 35, second paragraph, where Chair Rios said the house originally was

a pitched roof and then changed to a flat roof. She thought it originally was a flat roof and changed to a pitched roof.

Mr. Boaz agreed with Member Biedscheid that Chair Rios should have said that but in fact said, "The house was originally a pitched roof. Correct?" And Ms. Ramirez Thomas said "Unhuh." And then Chair Rios said, "And it was changed to a flat roof." Then Ms. Ramirez Thomas said, "There was an addition, I guess it is about two feet of height to create kind of like a false roof on part of the house. And now it is flat. And there are other areas where the flat roof is kind of flush with what the top of the house would be." That was what was actually said and he agreed that did not agree with the oral staff report.

Chair Rios asked Ms. Ramirez Thomas what the address was.

Ms. Ramirez Thomas said it is 1281½. She explained that in the Findings of Fact and Conclusions of Law, the roof was correctly identified as a flat roof and then a pitched roof.

Chair Rios requested the following corrections to the minutes:

On page 3, 9th paragraph, after "drastically" the word "alter" should be inserted to say "drastically alter the openings."

In the 14th paragraph, same page, it should say, "if the fence was in existence."

On page 27, under Public Comments, Ms. Beninato should be referred to as she instead of he.

Mr. Rasch requested a change on page 11 under Action of the Board the Board went back and forth about thickening and 18" and said, "The fact is that the wall is not getting thickened. We are adding square footage to the garage. We are not thickening the wall. It is still going to be a 2x6 wall. We are adding square footage to the garage."

Member Katz (maker of the motion) said, "My understanding was that the object was to make the wall thicker so that the garage door was further back."

Mr. Rasch understood - "the recess, you are saying."

Member Katz agreed.

Mr. Enfield spoke from the audience that the thickening was just to the inside so no additional square footage was being added.

Ms. Gheen requested the following changes to the minutes:

On page 33, 5th paragraph, to change "should be" to "has to be."

On page 42, it should say the meeting adjourned at 7:50 p.m., not 8:50 p.m.

There were no other changes requested.

Member Boniface moved to approve the minutes of August 9, 2016 as amended. Member Roybal seconded the motion and it passed by unanimous voice vote.

E. FINDINGS OF FACT AND CONCLUSIONS OF LAW

Case #H-16-057. 659 East Palace Avenue.

Case #H-12-030. 494 Camino Don Miguel.

Case #H-16-061. 535 East Palace Avenue.

Case #H-16-062. 644 Canyon Road.

Case #H-16-063. 635½ Garcia Street.

Case#H-16-065. 130 Lincoln Avenue.

Case #H-16-066A. 1281½ Cerro Gordo Road.

Case #H-16-064. 650 Old Santa Fe Trail.

No changes were requested for any Findings of Fact and Conclusions of Law. A copy of the Findings of Fact and Conclusions of Law for each case is attached to these minutes as Exhibits 1-8.

Member Katz moved to approve the Findings of Fact and Conclusions of Law for the cases listed above as presented. Member Biedscheid seconded the motion and it passed by unanimous voice vote.

F. BUSINESS FROM THE FLOOR

There was no business from the floor.

G. COMMUNICATIONS

Ms. Gheen provided an update to the Board on the legal actions being undertaken. Her office received a verified list of questions on the Sanbusco appeal petition, Appeal #2016- 91 regarding Case #H16-051A, 500 - 550 Montezuma Avenue regarding the contributing status on the main Sanbusco building and the parking shed. The appeal is expected to be heard by the Governing Body on September 14, 2016.

Regarding the green stucco house at 1244 Camino Cruz Blanca, Appeal #2016 -17 of Case #H15-106. What happened on April 5, 2016, the appellant filed in District Court a notice of appeal for judicial review of agency decision. The City then uploaded the record and the statement of review issues and also a complaint. A civil rights complaint was filed in June and later, the civil rights complaint was fully dismissed. So only the live issues are the appeal issues to be decided by District Court. This is a Rule 1074 Review, which means the District Court will review the whole record to determine if there are any errors.

The City filed a response to the Statement of Review Issues to the Statement of Appellant Issues on

August 2nd. She expects the appellant to reply tomorrow and expects, at that point, the case will be fully briefed and depending on what is requested by the appellant, there may be an oral hearing on it. At that point, she expects the District Court to decide soon thereafter. It is not a trial; just an appellant review.

She had the response if anyone was interested in seeing it after the meeting. She advised Board members, if they get a request from media, to direct that to Matt Ross, City PIO. She also suggested that Board members not comment on it or any open case that is before the District Court.

H. ACTION ITEMS

1. **Case #H-16-067A. 1041 Camino San Acacio.** Downtown & Eastside Historic District. Fred Schwartz, agent/owner, requests a historic status review with primary elevation designations, if applicable, for a non-contributing residential structure. (David Rasch) It is noncontributing.

Mr. Rasch gave the staff report as follows:

BACKGROUND & SUMMARY:

1041 Camino San Acacio is a single-family residence that was constructed in the Spanish-Pueblo Revival style before 1966. The rear bathroom appears to be an addition that is in poor condition. No historic windows remain. Windows on the north and west elevations have divided-lites; but, the publicly-visible windows on the east elevation are non-compliant single-lite units. Character-defining elements include an arched and stuccoed portal at the southeast corner and projecting vigas on the south elevation. The building is listed as non-contributing to the Downtown & Eastside Historic District.

The 1984 building inventory recommends contributing historic status.

STAFF RECOMMENDATION:

Staff recommends that the Board upgrade the historic status from non-contributing to contributing with the street-facing south façade (elevations 1-3 of 9, including the southeast portal, on attached floorplan) as primary elevations.

Questions to Staff

There were no questions to Staff.

Applicant's Presentation

Present and sworn was Mr. Fred Schwartz, 1399 Camino Corto, Santa Fé who had nothing to add to

the Staff Report.

Questions to the Applicant

Chair Rios asked if he agreed that it should be contributing.

Mr. Schwartz said, "Quite honestly, I don't know the difference. It doesn't matter to me."

Chair Rios said it is rather important. She asked Mr. Rasch to read the definition of contributing.

Chair Rios explained to him that when he has a building with historic status and wants to do remodeling to the building, that he would be more restricted.

Mr. Rasch read the definition of contributing.

Mr. Schwartz commented that from an owner's standpoint you would want it to be noncontributing because you have more freedom. He asked if that was accurate.

Chair Rios agreed but said the Board would work with him to make sure the changes he wanted were appropriate.

Member Powell added that the Board works with applicants and usually, if those changes are not according to Code, the applicant could ask for an exception with justification so they are not locked into something. Generally speaking, no addition can be made on a primary elevation - they are to remain as they are. There might be more restrictions about it.

Mr. Schwartz understood it would be more difficult and he would have to come back to ask permission.

Member Powell agreed. For instance, if he wanted a larger portal, etc.

Chair Rios said if he had other questions, he could ask Staff.

Mr. Schwartz said, "I assume you know what I want to do."

Chair Rios agreed. That is the next case.

Member Katz explained that the recommendation is to designate the building as contributing and make the façades 1, 2, and 3 as primary elevations. Since Mr. Schwartz has a proposal to add on in the back so contributing status would not interfere with what he wants to do.

Chair Rios added that he could always go to Staff with questions on future proposals, either in person or by calling them.

Chair Rios asked if he agreed with the recommendation.

Mr. Schwartz said yes.

Public Comment

There were no speakers from the public regarding this case.

Action of the Board

Member Katz moved in Case #H-16-067A at 1041 Camino San Acacio, to follow the recommendation of Staff and upgrade from non-contributing to contributing and designate façades 1, 2, and 3 as primary.

Member Boniface seconded the motion and asked if that includes the portal.

Mr. Rasch recommended including the portal.

Member Katz agreed that the portal is included as primary.

Member Roybal asked about the design.

Chair Rios clarified that it is in the next case.

The motion passed by unanimous voice vote.

- 2. Case #H-16-067B. 1041 Camino San Acacio. Downtown & Eastside Historic District. Fred Schwartz, agent/owner, proposes to remove 112 sq. ft. and construct a 286 sq. ft. addition to match existing height on a contributing residential structure. (David Rasch)**

Mr. Rasch gave the staff report as follows:

BACKGROUND & SUMMARY:

1041 Camino San Acacio is a contributing historic structure to the Downtown & Eastside Historic District. The applicant proposes to remodel the building by removing the 112 square foot rear bathroom that is in poor condition and constructing a 286 square foot addition on the north elevation. The addition will match existing adjacent height with a shed roof to the north. The addition will be flush with the existing west elevation and set back from the existing east elevation by 3'. A wooden mechanical room door, painted a "Deep Chocolate" color will be installed in the east elevation at more than 3' from the outside

corner. The addition will be stuccoed with El Rey cementitious "Madera".

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

Member Boniface noted that the applicant is stuccoing with Madeira. He asked what the existing stucco color is.

Mr. Rasch said the existing color is lighter than Madeira.

Chair Rios - complimented Mr. Schwartz on an excellent submittal. The application letter was very clear. And she really liked his statement made, "I want the house to look like nothing ever happened to it." It talked about foundation, frame, doors - he addressed everything.

Applicant's Presentation

Mr. Schwartz (previously sworn) had nothing to add to the Staff Report.

Questions to the Applicant

Member Boniface asked, regarding the stucco color if the proposed Madeira color is a lot darker.

Mr. Schwartz said he took a chip off the old building to Home Depot who matched it.

Member Boniface understood it is a custom color that he is trying to match as close as possible the existing stucco color.

Mr. Schwartz said, "If it does not look like the existing, I won't put it on."

Member Boniface asked if he would only stucco the addition.

Mr. Schwartz agreed.

Member Powell commented, looking at floor plan, asked where the mechanical room is now located.

Mr. Schwartz said it is now in the old bathroom. There was a door there for a room with water heater

and washer/dryer stacked.

Public Comment

There were no speakers from the public regarding this case.

Action of the Board

Member Boniface moved in Case #H-16-067B at 1041 Camino San Acacio, to approve the submittal and said he is in complete agreement with what the applicant proposes to do. Member Biedscheid seconded the motion and it passed by unanimous voice vote.

- 3. Case #H-16-068. 657 East Palace Avenue.** Downtown & Eastside Historic District. Architectural Alliance, agent for 843 EPA LLC, owner, proposes to construct a 3,862 sq. ft. residential structure to a height of 15'4" on a vacant lot where the maximum allowable height is 17'3". (Sobia Sayeda)

Ms. Sayeda gave the staff report as follows:

BACKGROUND & SUMMARY:

657 East Palace Avenue is a 9,713 Sq. Ft. vacant lot in the Downtown and Eastside Historic District.

The applicant proposes to remodel the property with the following 5 items:

1. A 3,862 Sq. Ft. 15'-4" high single family residence with an attached garage is proposed in Spanish-Pueblo Revival style, where the maximum allowable height is 17'-3". Windows and French doors are clad "Green Tea" color with divided lite. Garage door, canales and other wooden elements are proposed to be "Walnut" wood finish. The stucco is El-Rey cementitious "La Luz" color.
2. An inset portal on the north elevation and one on the south with round viga posts, exposed beams and corbels are proposed.
3. Seven skylights are proposed, and the applicant states that they will not be publicly visible.
4. Exterior lights are proposed to be metal as submitted.
5. Stuccoed yard walls and planters between 2'-1" and 6'-0" are to be constructed on the north and south of the main structure, stucco is proposed to be El Rey cementitious "La Luz" color. A wood pedestrian gate at the south yard wall is proposed "Walnut" finish.

STAFF RECOMMENDATION:

Staff recommends approval of this application which complies with 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 asked if the lot coverage is 39.8%.

Ms. Sayeda agreed.

Applicant's Presentation

Present and sworn was Mr. Eric Enfield, 612 Old Santa Fé Trail, who said the garage door style shown for color showed a different style but it is a simple garage door.

He pointed out that, unlike the 659, 657 only has nine feet of grade difference instead of 17 feet.

Mr. Enfield said he received a phone call from attorney Mark Basham who expressed an interest on the location and was concerned that it was located behind a store that has an easement issue and a legal mess. But after giving him the details, Mr. Basham had no concerns.

Mr. Enfield said there are a couple of strange things the Board is not used to seeing. One is the escarpment restrictions on the window color that require a strange note. He had to put sage plants in the landscaping that are the color of the windows to be allowed in the escarpment. It was on his sheet A-2.

Mr. Rasch said it is on page 17.

Mr. Enfield explained it had to be similar to the window cladding color in order to get zoning approval. He also had to show the escarpment line that they could build to.

He was happy with the design and stood for questions.

Questions to the Applicant

Chair Rios asked how much he would disturb the grade.

Mr. Enfield said they are digging in 4' in the back and filling 4' in the front. It is four-foot cut and four foot raising in the front to minimize changes inside the house.

Chair Rios asked how he would describe the relation of this project with surrounding homes.

Ms. Sayeda said some adjacent houses are two-story homes and there is a three-story in back. This is minimal compared with the rest.

Mr. Enfield clarified that the area they are filling is way in front of the house. He referred the Board to page 17 where it shows existing grade.

Member Boniface said that on the field trip, he noticed a short story pole in the northwest corner and very close to the fence. He asked if the fence is in the wrong place or the story pole in the wrong place. He referred to page 16 where it showed a diagonal line which he presumed is the property line.

Mr. Enfield agreed. That is the 5' setback on the side.

Member Boniface didn't think it looked like 5'.

Mr. Enfield said it is 5' 1".

Member Boniface also didn't see canales.

Mr. Enfield said Sheet C-2 shows them on the roof plan. He apologized if they were not shown on the elevations.

Mr. Enfield said Mr. Cody North asked him to tell the Board that he is considering colored concrete canales.

Member Boniface thanked him.

Public Comment

There were no speakers from the public regarding this case.

Chair Rios asked if there would be anything on the roof that is publicly visible.

Mr. Enfield said no. There are skylights visible. They are behind the parapets.

Action of the Board

Member Boniface moved in Case #H-16-068 at 657 East Palace Avenue, to approve the application as presented to the Board and agreeing with staff's recommendations. Member Roybal

seconded the motion.

Chair Rios requested a friendly amendment that the garage doors will be per the elevations and canales will be colored concrete.

Member Boniface accepted the amendments as friendly and the motion passed by unanimous voice vote.

4. **Case #H-16-044A. 124 West Booth Street.** Don Gaspar Area Historic District. Gregory Chávez, agent/owner, requests a historic status review of a street frontage yardwall and primary elevation designations of a contributing residential structure and a contributing free-standing garage. (David Rasch)

This case was postponed under Approval of Agenda.

5. **Case #H-16-044B. 124 West Booth Street.** Don Gaspar Area Historic District. Gregory Chávez, agent/owner, proposes to demolish an existing yardwall, construct a 3' yardwall and gates, alter opening dimensions on a primary elevation, and demolish a porch. Exceptions are requested for altering a primary elevation (Section 14-5.2(D)(1)(a) and (5)(a) and (b)) and demolishing a contributing structure (Section 14-5.2(D)(1)(a)). (David Rasch)

This case was postponed under Approval of Agenda.

I. MATTERS FROM THE BOARD

Chair Rios, Member Bayer, Member Boniface and Ms. Ramirez Thomas provided a report on their attendance at the preservation conference in Mobile Alabama to the Board, Staff and the public. They showed pictures of their trip and pointed out some of the historic buildings in downtown Mobile. The conference was well organized and provided 90-minute educational sessions.

Ms. Ramirez Thomas explained that they were able to go because Santa Fe is a certified local government and grants were offered for commissioners to go. There were about 600 people there. It was good to hear how other communities promote historic preservation and see how Santa Fé differs from others. They attended some presentations on how to promote tourism. She explained how the city downtown area was suffering from blight on the periphery and the city bought the properties for taxes owed on them and sold them to middle income families with the condition that they improve the property so they could move into the historic district and correct the blight there.

Member Bayer agreed it was one of the best she has attended in terms of education and for fun. Thanks to SHPO for providing funding. She focused on two sessions: one on appeals and one on advocacy

with elected officials. They had attorneys with lots of experience and they talked about types of appeals and the basis for appeals. They advised all board members to be familiar with the bases that could be used. Know the process, keep a clean record; assertions the appellant needs to make and what the roles of various parties are; going to testify at appeals and actions that can be taken.

The attorney from Alexandria described six categories of appeals, one of which was an unhappy property owner - when there was a violation and the new owner was unaware or the property was sold during the violation. They send in a yearly tax bill like a mailer to let owners know they are in a historic district. She liked that idea to counter the broker who didn't notify the buyer of that disclosure.

She suggested having Ms. Gheen give some training on appeals.

Chair Rios learned a lot and had a lot of fun. They suggested having board members adopt a city councilor to keep them informed of preservation issues. Over the weekend, she saw Councilor Trujillo so she told him she wanted to adopt him for preservation issues and he agreed.

Ms. Gheen cautioned board members about possible ex parte with that. She agreed to follow up on the notion of having site visits before appeals were heard.

Chair Rios said they should educate constantly; promote historic preservation; educate those in opposition to our thinking to neutralize the opposition.

Member Bayer said they suggested organizing a candidate forum and also recommended a study session with Council on things they need education on.

Member Boniface went to a session on technologies for rapid inventories - using current technology with smart phones or I-Pads and doing survey of properties in the districts. They use QR codes on certain plaques for significant buildings to download information about the building. That would encourage tourism and strengthen this body.

Another one he attended was Edgy Heritage Tourism in which they talked about the racism, the riots, and how to take advantage and not hide those things but use it as an educational tool for the public. We don't have as much edgy history as they do. They asked if you would plaque a historic Klan meeting hall. It is about its time and place but does that give validity to that group. It is a double edged sword.

Chair Rios hoped other members can go in the future.

Mr. Rasch hoped they could become members. They have a great publication.

Ms. Ramirez Thomas agreed.

Ms. Gheen looked up the rules and said the Board could have no communication with Councilors until after an appeal is resolved and that individuals may not inspect a property on their own.

Chair Rios read a titles of some workshops. She appreciated that they had staff there for any questions.

J. ADJOURNMENT


Having completed the agenda and no further business to come before the Board, the meeting was adjourned at 6:41 p.m.

Approved by:



Cecilia Rios, Chair

Submitted by:



Carl Boaz for Carl G. Boaz, Inc.

Historic Districts Review Board
August 23 , 2016

EXHIBIT 1

City of Santa Fe
Historic Districts Review Board
Findings of Fact and Conclusions of Law

Case #H-16-066A

Address – 1281 ½ Cerro Gordo Road

Agent's Name – Jacob Martínez

Owner/Applicant's Name – Rudy Ortiz

THIS MATTER came before the Historic Districts Review Board ("Board") for hearing on August 9, 2016.

1281 ½ Cerro Gordo Road is a vernacular style building currently listed as "contributing" to the Downtown and Eastside Historic District. The Applicant requested a status downgrade. Rudy F. Ortiz, the current property owner, is the son of the original owner and builder of the house, Jose D. Ortiz.

The house was constructed of adobe and was built around 1934. It is covered with cementitious stucco. The original floor plan of the house included three rooms which now compose the south end of the house. In 1948, two rooms were added to the north of the original footprint. The east elevation of the house has an enclosed porch which was enclosed in 1952. The garage, an addition to the north side of the house, was also constructed in 1952. In 1954, another addition was added and connected the main house to the garage. In 1959, a door was removed and the opening enclosed on the southeast corner of the house and a door was added to the southwest corner of the house.

In 1974, most of the wood windows were replaced by aluminum slide windows. The original windows were grouped eight-lite casement windows based on a photograph taken before 1974. One wood window on the west elevation remains. The roof was changed from a flat roof to a pitched roof sometime in the 1970s or early 1980s in order to remedy a leaking roof.

While the footprint of the home is more than 50 years old, the character of the home has changed due to the addition of the pitched roof and the installation of aluminum sliding windows. These changes have removed the simple vernacular character of the house.

FINDINGS OF FACT

1. After conducting public hearings and having heard from the Applicant and all interested persons, the Board hereby FINDS, as follows:
2. Staff Recommendation: Staff recommended approval of the request to downgrade the structures at 1281 ½ Cerro Gordo Road from "contributing" to "non-contributing", as the request complies with 14-5.2(C) Regulation of Significant and Contributing Structures in the Historic Districts.
3. The project is, without limitation, subject to requirements of the following sections of the Santa Fe Land Development Code:
 - ☒ Section 14-5.2(D)(9) General Design Standards, Height Pitch Scale and Massing (of any structure).
 - ☒ Section 14-5.2(C) Regulation of Significant and Contributing Structures in the Historic Districts

4. The property is located in the following district and subject to the related sections of the Santa Fe Land Development Code:
 X Downtown and Eastside Historic District (Section 14-5.2(E))
5. The majority of the dimensions of the window openings changed significantly from the original openings.
6. The aluminum sliding windows replaced most of the wood windows in 1974.
7. Only one wood window on the west elevation remains.
8. The original flat roof was changed to a pitched roof sometime in the 1970's or 1980s.
9. While the home's footprint is more than 50 years old, its character has changed.
10. Under Section 14-12.1, the definition of a "contributing structure" is "a structure, located in a historic district, approximately fifty years old 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."
11. Code 14-5.2(C)(2)(a – c) gives the Board authority to review and approve "significant," "contributing," or "noncontributing" status designations
12. The Board, in response to the application, finds the structure:
 X does not meet Section 14-12.1 criterion for "contributing" as provided in the presentation and Staff Report
13. The information contained in the Application, and provided in testimony and evidence establishes that all applicable requirements for Board review have been met.

CONCLUSIONS OF LAW

Under the circumstances and given the evidence and testimony submitted during the hearing, the Board acted upon the Application as follows:

1. The Board has the authority to review and approve the Application.
2. The Board unanimously granted the Applicant's request to review historic status and voted to follow staff recommendation and:

 X Downgrade from contributing to non-contributing status.

IT IS SO ORDERED ON THIS 23th DAY OF AUGUST 2016, BY THE HISTORIC DISTRICTS REVIEW BOARD OF THE CITY OF SANTA FE.

Chairperson

Date:

FILED:

Yolanda Y. Vigil
City Clerk

Date:

APPROVED AS TO FORM

Assistant City Attorney

Date:

Historic Districts Review Board
August 23 , 2016

EXHIBIT 2

City of Santa Fe
Historic Districts Review Board
Findings of Fact and Conclusions of Law

Case #H-16-057

Address – 659 East Palace Ave

Agent's Name – Architectural Alliance

Owner/Applicant's Name – 843 EPA LLC

THIS MATTER came before the Historic Districts Review Board (“Board”) for hearing on August 9, 2016.

659 East Palace Avenue is an 11,202 square-foot vacant lot in the Downtown and Eastside Historic District. The Applicant proposed to remodel the property with the following 7 items:

1. A 5,684 square-foot 23’-0” high single family residence with an attached garage is proposed, where the maximum allowable height is 17’-4”. A height exception is requested and the required exception criteria responses were in staff’s report. Windows and French doors are clad with divided lite. Garage door, canales and other wooden elements are proposed to be “Walnut” wood finish. The stucco is El-Rey cementitious “Madera” color.
2. An inset portal on the south elevation and one in the interior courtyard with round viga posts and corbels are proposed.
3. A 2’ deep overhang detail is proposed along the south elevation of interior courtyard. The proposed glass doors under the overhang are publicly visible and do not meet 30” glass requirement.
4. A freestanding fireplace at the deck above the garage is proposed.
5. Skylights at the dining portal are not publicly visible.
6. Stuccoed yard walls and planters of varying heights are to be constructed on the north and south of the main structure.
7. Stairs at the entry are proposed; a handrail design is not provided.
8. Light fixtures will have a bronze color and mica face to mimic the finish.

FINDINGS OF FACT

1. After conducting public hearings and having heard from the Applicant and all interested persons, the Board hereby FINDS, as follows:
2. Zoning staff determined that the Application meets underlying zoning standards.
3. Staff Recommendation: Staff recommended approval of this Application in that it complies with SFCC Subsections 14-5.2(D)(9) General Design Standards, Height Pitch Scale and Massing and (E) Downtown and Eastside Historic District.
4. The project is, without limitation, subject to requirements of the following sections of the Santa Fe Land Development Code:

X Section 14-5.2(D)(9) General Design Standards, Height Pitch Scale and The property is located in the following district and subject to the related sections of the Santa Fe Land Development Code:

X Downtown and Eastside Historic District (Section 14-5.2(E))

5. An Exception Request for height was applicable to this Application:
☒ Exception criteria were met, as found by staff.
6. Applicant's agent testified that all publicly visible glazing will comply with the 30-inch rule.
7. The property is gated.
8. Applicant's agent testified that he would be willing to thicken the walls where the garage is to 18 inches.
9. Under Sections 14-2.6(C), 14-2.7(C)(2), 14-5.2(A)(1), 14-5.2(C)(2)(a-d & f) and 14-5.2(C)(3)(b), 14-5.2(C)(3) and Section 14-5.2(D) the Board has authority to review, approve, with or without conditions, or deny, all or some of the Applicant's proposed design to assure overall compliance with applicable design standards.
10. Under Section 14-5.2(C)(3)(b), the Board has the authority to approve an application for alteration or new construction on the condition that changes relating to exterior appearance recommended by the Board be made in the proposed work, and no permit is to issue until new exhibits, satisfactory to the Board, have been submitted.
11. The information contained in the Application, and provided in testimony and evidence establishes that all applicable requirements for Board review have been met.
12. The information contained in the Application, and provided in testimony and evidence establishes that all applicable design standards for Board approval as herein described have been met.

CONCLUSIONS OF LAW

Under the circumstances and given the evidence and testimony submitted during the hearing, the Board acted upon the Application as follows:

1. The Board has the authority to review and approve the Application.
2. The Board approved the Application as recommended by Staff.

☒ Additional conditions, which are: that the garage wall on the south façade be thickened to 18"; that all glazing meet the 30-inch rule; that there be no rooftop appurtenances; and that staff shall review and approve the new elevations, light fixture design and revised drawings before the Applicant submits a construction permit application.

IT IS SO ORDERED ON THIS 23rd DAY OF AUGUST 2016, THE HISTORIC DISTRICTS REVIEW BOARD OF THE CITY OF SANTA FE.

Chairperson

Date:

FILED:

Yolanda Y. Vigil
City Clerk

Date:

APPROVED AS TO FORM

Assistant City Attorney

Date:

Historic Districts Review Board
August 23 , 2016

EXHIBIT 3

City of Santa Fe
Historic Districts Review Board
Findings of Fact and Conclusions of Law

Case #H-16-065

Address – 130 Lincoln Avenue

Agent's Name – Architectural Alliance

Owner/Applicant's Name – 130 Lincoln Avenue LLC

THIS MATTER came before the Historic Districts Review Board ("Board") for hearing on August 9, 2016.

130 Lincoln Ave. is the Lincoln Plaza commercial building and is the former location of Sears department store. It was constructed in the late twentieth century in the Territorial Revival style. It is non-contributing to the Downtown and Eastside Historic District. Over the years, the building has undergone several remodels to accommodate tenant needs. At one time, the south side of the upstairs courtyard was the location of a Mexican restaurant, Garduños, which is now closed. The Applicant proposed to remodel the exterior of the south side of the courtyard to match the current look of the north side of the courtyard and proposed the following Items:

- 1) Remove an existing window and replace it with new windows. The windows will be wood trim to match the windows on the north elevation of the courtyard.
- 2) A pair of doors with sidelights will be removed and replaced with a single door, sidelights, and wood trim to match existing trim on the building.
- 3) A pair of doors with sidelights will be removed and replaced with two windows with wood trim to match windows on the north elevation on the courtyard.
- 4) A pair of doors will be removed and infilled.
- 5) Addition of a pair of double doors and side lites will be placed in a new opening. Wood trim will match the existing building trim.
- 6) A pair of doors will be removed and replaced with a single door, side lites, and wood trim to match the existing building.
- 7) Two small windows will be removed and replaced with three windows with matching wood trim to match the windows on the north elevation of the courtyard.
- 8) All wood trim will be painted white.
- 9) All existing and new stucco to be painted with elastomeric paint to match existing stucco color of El Rey cementitious #118 Suede.

FINDINGS OF FACT

1. After conducting public hearings and having heard from the Applicant and all interested persons, the Board hereby FINDS, as follows:
2. Zoning staff determined that the Application meets underlying zoning standards.
3. Staff Recommendation: Staff recommended approval of this Application in that it complies with SFCC Subsection 14-5.2 (D) General Standards for All H Districts and 14-5.2 (E) Downtown and Eastside Design Standards, with the condition that elastomeric stucco be used for the remodel, not elastomeric paint.
4. The project is, without limitation, subject to requirements of the following sections of the Santa Fe Land Development Code:

X Section 14-5.2(D)(9) General Design Standards, Height Pitch Scale and Massing (of any structure).

5. The property is located in the following district and subject to the related sections of the Santa Fe Land Development Code:

X Downtown and Eastside Historic District (Section 14-5.2(E))

6. The Applicant did not submit an Exception Request in this Application.
7. The entire interior courtyard is already painted.
8. No exception is required to paint the interior courtyard.
9. Under Sections 14-2.6(C), 14-2.7(C)(2), 14-5.2(A)(1), 14-5.2(C)(2)(a-d & f) and 14-5.2(C)(3)(b), 14-5.2(C)(3)(a) and Section 14-5.2(D) the Board has authority to review, approve, with or without conditions, or deny, all or some of the Applicant's proposed design to assure overall compliance with applicable design standards.
10. Under Section 14-5.2(C)(3)(b), the Board has the authority to approve an application for alteration or new construction on the condition that changes relating to exterior appearance recommended by the Board be made in the proposed work, and no permit is to issue until new exhibits, satisfactory to the Board, have been submitted.
11. The information contained in the Application, and provided in testimony and evidence establishes that all applicable requirements for Board review have been met.
12. The information contained in the Application, and provided in testimony and evidence establishes that all applicable design standards for Board approval as herein described have been met.

CONCLUSIONS OF LAW

Under the circumstances and given the evidence and testimony submitted during the hearing, the Board acted upon the Application as follows:

1. The Board has the authority to review and approve the Application.
2. The Board unanimously approved the Application as recommended by Staff.

X Additional conditions, which are: that the interior courtyard may be painted with elastomeric paint.

IT IS SO ORDERED ON THIS 23rd DAY OF AUGUST 2016, THE HISTORIC DISTRICTS REVIEW BOARD OF THE CITY OF SANTA FE.

Chairperson

Date:

FILED:

Yolanda Y. Vigil
City Clerk

Date:

APPROVED AS TO FORM

Assistant City Attorney

Date:

Historic Districts Review Board
August 23 , 2016

EXHIBIT 4

City of Santa Fe
Historic Districts Review Board
Findings of Fact and Conclusions of Law

Case #H-16-063

Address – 635 ½ Garcia Street

Agent's Name – McDowell Fine Homes

Owner/Applicant's Name – Michael Ogg and Barbara Doroba-Ogg

THIS MATTER came before the Historic Districts Review Board ("Board") for hearing on August 9, 2016.

635 ½ Garcia Street is a 16,021 square-foot vacant lot in the Downtown and Eastside Historic District. The Applicant proposed to remodel the property with the following 7 items:

1. A 3,961 square-foot 15'-5" high single family residence with an attached garage is proposed, where the maximum allowable height is 15'-5". Windows are wood metal clad with divided lite, and the cladding proposed was changed from "Timberwolf" color to "Kolbe Truffle", which is a bronze color. In the original submittal, windows along publicly visible north elevation did not meet 30" glazing standard; however the Applicant's revised drawings show that the 30" rule was met. Doors including garage door are flush insulated metal in rusted finish. Exposed headers at entry and garage doors along with portal beams are 8" tube steel in natural finish. Canales are Fiberspan concrete in "Pewter" color. The original submittal proposed El-Rey cementitious "Buckskin" color, however the revised submittal proposed a custom blend similar to the El-Rey "Cottonwood" color.
2. An inset courtyard on the east side is proposed.
3. Portal on the south-west elevation with stuccoed parapet and column are proposed, stucco to be El-Rey cementitious "Buckskin" color.
4. Skylights, solar panels and hydronic panels are proposed and not publicly visible.
5. Stuccoed yard walls are proposed at 6' and 5' heights on the north side with 5' high wood paneled gates with steel frame in rusted finish, stucco to be "Buckskin" color.
6. Stuccoed yard walls are proposed at 4'-8" height on the east, west and south sides, stucco to be "Buckskin" color.
7. Exterior light fixtures are steel in rust finish, photos are provided.

FINDINGS OF FACT

1. After conducting public hearings and having heard from the Applicant and all interested persons, the Board hereby FINDS, as follows:
2. Zoning staff determined that the Application meets underlying zoning standards.
3. Staff Recommendation: Staff recommended approval of this Application in that it complies with SFCC Subsection 14-5.2(D)(9) General Design Standards, Height Pitch Scale and Massing and (E) Downtown and Eastside Historic District.

4. The project is, without limitation, subject to requirements of the following sections of the Santa Fe Land Development Code:
X Section 14-5.2(D)(9) General Design Standards, Height Pitch Scale and Massing (of any structure).
5. The property is located in the following district and subject to the related sections of the Santa Fe Land Development Code:
X Downtown and Eastside Historic District (Section 14-5.2(E))
6. An Exception Request was not applicable to this Application.
7. The Applicant's revised elevation drawings indicate the windows will meet the 30" rule.
8. The Applicant's agent testified as to the changes presented in the revised drawings he submitted at the hearing:
 - a. The height of the windows was reduced from 2' 6" by 7' 6" to 2' 2" by 6' 0", the attached bottom awning window is 2' 0", and the casements above are 4' 0".
 - b. Casements will have one horizontal muntin.
 - c. The diagonal glass measurement is less than 30". The four-ganged east studio windows are 2' 2" by 7' 6" with attached bottom awning windows that are 2' 0" tall and the casements above are 5' 6" with two horizontal muntins.
 - d. The diagonal glass measurement is less than 30".
 - e. The north studio windows have been changed from 3' 0" by 2' 0" to 3 hanged windows.
 - f. The center window is 6' 6" by 2' 0" with two vertical muntins. Flanking this window are two 2' 0" by 2' 0" awning windows whose diagonal measurement on all are less than 30".
9. It is noted for future reference that neighbors intend to change the street name to "O'Leary Lane" and renumber the residences.
10. The original submittal proposed El-Rey cementitious "Buckskin" color, however the revised submittal proposed a custom blend similar to the El-Rey "Cottonwood" color.
11. The custom blend similar is a dark earth color under Section 14-5.2(E), and which is harmony with the streetscape.
12. It is within the Board's discretion under 14-5.2(E) to determine whether a color that meets code requirements is in harmony with the streetscape.
13. Under Sections 14-2.6(C), 14-2.7(C)(2), 14-5.2(A)(1), 14-5.2(C)(2)(a-d & f) and 14-5.2(C)(3)(b), 14-5.2(C)(3)(a) and Section 14-5.2(D) the Board has authority to review, approve, with or without conditions, or deny, all or some of the Applicant's proposed design to assure overall compliance with applicable design standards.
14. Under Section 14-5.2(C)(3)(b), the Board has the authority to approve an application for alteration or new construction on the condition that changes relating to exterior appearance recommended by the Board be made in the proposed work, and no permit is to issue until new exhibits, satisfactory to the Board, have been submitted.
15. The information contained in the Application, and provided in testimony and evidence establishes that all applicable requirements for Board review have been met.
16. The information contained in the Application, and provided in testimony and evidence establishes that all applicable design standards for Board approval as herein described have been met.

CONCLUSIONS OF LAW

Under the circumstances and given the evidence and testimony submitted during the hearing, the Board acted upon the Application as follows:

1. The Board has the authority to review and approve the Application.
2. The Board unanimously approved the Application including Items 1-7, as recommended by Staff.

X Additional conditions, which are: that the changed new drawings and the proposed new colors (custom stucco blend similar to "Cottonwood") be submitted to Staff, and all glazing shall meet the 30" rule.

IT IS SO ORDERED ON THIS 23rd DAY OF AUGUST 2016, THE HISTORIC DISTRICTS REVIEW BOARD OF THE CITY OF SANTA FE.

Chairperson

Date:

FILED:

Yolanda Y. Vigil
City Clerk

Date:

APPROVED AS TO FORM

Assistant City Attorney

Date:

Historic Districts Review Board
August 23 , 2016

EXHIBIT 5

City of Santa Fe
Historic Districts Review Board
Findings of Fact and Conclusions of Law

Case #H-16-064

Address – 650 Old Santa Fe Trail

Agent's Name – Katie Updike and Robert Wagner

Owner/Applicant's Name – Katie Updike and Robert Wagner

THIS MATTER came before the Historic Districts Review Board (“Board”) for hearing on August 9, 2016.

650 Old Santa Fe Trail is a single-family residence and detached casita constructed at an unknown date perhaps as early as the 19th century in a vernacular manner. The southeast side of the building has non-historic alterations including the infill of a portal. The primary residence is listed as contributing to the Don Gaspar Area Historic District and the north elevation may be considered as primary. The casita is listed as contributing to the Downtown & Eastside Historic District and the south elevation may be considered as primary. The Applicant proposed to remodel the property with the following 10 items:

Primary Residence Addition

1. A 702 square-foot addition will be constructed on the west side of the residence to a height of 12’. An 84 square-foot portal will be constructed on the east elevation of the addition. An 87 square-foot connection hallway will connect to the residence and at 10’ back from the proposed primary elevation. An exception was requested to exceed the 50% foot print standard (14-5.2(D)(2)(d)) that required exception responses were in Staff’s report.

The addition and connection hallway will feature aluminum clad divided lite windows and doors in a “brown” color and it will be finished in El Rey cementitious “Desert Rose”.

2. Six solar tubes will be installed in the addition roof.

Primary Residence

3. A 22.5 square-foot entry portal will be constructed on the east elevation to a height of 8’.
4. A 17.25 square-foot addition will be constructed on the east elevation to match the solarium height of 9.75’.
5. Non-historic windows will be replaced with aluminum clad divided lite windows in a “brown” color in the existing openings.
6. The stucco will be repaired or replaced with El Rey cementitious “Desert Rose”.

Casita

7. A 14 square-foot canopy will be constructed over the entry door on the proposed primary elevation. The canopy will have bracket supports.
8. The non-historic entry door will be replaced with a solid wooden door in a “brown” color.
9. The stucco will be repaired or replaced with El Rey cementitious “Suede”.

Site Work

10. 6’ high coyote fencing will be installed around the perimeter of the primary residence and addition.

FINDINGS OF FACT

1. After conducting public hearings and having heard from the Applicant and all interested persons, the Board hereby FINDS, as follows:
2. Zoning staff determined that the Application meets underlying zoning standards.
3. Staff Recommendation: Staff recommended that the north elevation of the primary residence and the south façade of the casita be designated as primary elevations, found that the exception request to exceed the 50% footprint standard was met, and recommended that the Application be approved as complying with SFCC Sections 14-5.2(C) Regulation of Contributing Structures, (D) General Design Standards, (E) Downtown & Eastside Historic District, and (H) Don Gaspar Area Historic District.
4. The project is, without limitation, subject to requirements of the following sections of the Santa Fe Land Development Code:
 - X Section 14-5.2(D)(9) General Design Standards, Height Pitch Scale and Massing (of any structure).
 - X Section 14-5.2(D) General Design Standards
 - X Section 14-5.2(C), Regulation of Significant and Contributing Structures
5. The property is located in the following districts and subject to the related sections of the Santa Fe Land Development Code:
 - X Primary residence: Downtown and Eastside Historic District (14-5.2(E))
 - X Casita: Don Gaspar Area Historic District (Section 14-5.2(H))
6. An Exception Request to exceed the 50% foot print standard was applicable to this Application:
 - X Exception criteria were met, as found by staff.
7. Regarding Item No. 7, the canopy over the casita entry door, it does not qualify as an addition because it lacks a roof.
8. Under Sections 14-2.6(C), 14-2.7(C)(2), 14-5.2(A)(1), 14-5.2(C)(2)(a-d & f) and 14-5.2(C)(3)(b), 14-5.2(C)(3)(a) and Section 14-5.2(D) the Board has authority to review, approve, with or without conditions, or deny, all or some of the Applicant's proposed design to assure overall compliance with applicable design standards.
9. Under Section 14-5.2(C)(3)(b), the Board has the authority to approve an application for alteration or new construction on the condition that changes relating to exterior appearance recommended by the Board be made in the proposed work, and no permit is to issue until new exhibits, satisfactory to the Board, have been submitted.
10. The information contained in the Application, and provided in testimony and evidence establishes that all applicable requirements for Board review have been met.
11. The information contained in the Application, and provided in testimony and evidence establishes that all applicable design standards for Board approval as herein described have been met.

CONCLUSIONS OF LAW

Under the circumstances and given the evidence and testimony submitted during the hearing, the Board acted upon the Application as follows:

1. The Board has the authority to review and approve the Application.
2. The Board unanimously approved the Application as submitted and recommended by Staff and additionally designated the north elevation of the main house as primary and the south elevation of the casita as primary.

IT IS SO ORDERED ON THIS 23rd DAY OF AUGUST 2016, THE HISTORIC DISTRICTS REVIEW BOARD OF THE CITY OF SANTA FE.

Chairperson

Date:

FILED:

Yolanda Y. Vigil
City Clerk

Date:

APPROVED AS TO FORM

Assistant City Attorney

Date:

Historic Districts Review Board
August 23 , 2016

EXHIBIT 6

City of Santa Fe
Historic Districts Review Board
Findings of Fact and Conclusions of Law

Case #H-12-030

Address – 494 Camino Don Miguel

Agent's Name – Andres Mercado

Owner/Applicant's Name – Andres Mercado

THIS MATTER came before the Historic Districts Review Board (“Board”) for hearing on August 9, 2016.

494 Camino Don Miguel is a single-family residence constructed before 1931 in a simplified Spanish-Pueblo Revival manner. The building is listed as contributing to the Downtown & Eastside Historic District and elevations 1 (excluding the east porch infill), 2, and 3 are designated as primary. On September 22, 2015, the HDRB approved remodeling on the property that included exceptions to remove historic materials, place an addition on a primary elevation, increase the height of a primary elevation, and to change the character of the roof. At the July 26, 2016 hearing, the Applicant proposed to remodel the property with the following nine items.

1. A 727 square-foot addition will be constructed on the north elevation of the residence to a height of 12.5’ where the maximum allowable height is 16’ 2”. The addition will feature mud-plastered adobe walls, reused windows, and single-lite doors that will not be publicly visible. Applicant requested an exception to exceed the 50% footprint standard (Subsection 14-5.2(D)(2)(d)); the exception responses at the end of staff’s report were amended by the Applicant before the hearing.
2. A 158 square-foot portal will be constructed at the northwest corner of the addition to a height of 10.75’. The portal will feature a corrugated metal shed roof and a corner fireplace that is integrated into a partially enclosing mud-plastered adobe wall.
3. A window on the north elevation of the residence will be removed and replaced with a single-lite door that will not be publicly visible.
4. Four solar tubes will be installed.
5. The existing mud-plastered adobe yardwall at the west side of the parking area will be modified by evening the wall and installing a “drip edge cap” of unknown material (sheet C-3 # 5 A and B).
6. A mud-plastered adobe yardwall will be constructed behind the street frontage rock wall to a maximum height of 5’ 8” and predominately at 4’ high (sheet C-2 # 2). The wall will feature two window openings, steps in height at one end, a buttress in the center, and a “drip edge cap”.
7. A 5’ 8” high mud-plastered adobe yardwall with a “drip edge cap” and a bileaf wooden gate will be constructed at the north side of the parking area (sheet C-2 # 3).
8. A 5’ 8” high mud-plastered adobe yardwall with a “drip edge cap” and a single-leaf wooden gate will be constructed at the south side of the parking area (sheet C-2 # 4).
9. A coyote fence will be constructed along the north side of the lot at 4’ and 6’ high (sheet C-2 #1).

FINDINGS OF FACT

1. After conducting public hearings and having heard from the Applicant and all interested persons, the Board hereby FINDS, as follows:
2. Zoning staff determined that the Application meets underlying zoning standards.
3. Staff Recommendation: Staff found that the exception request to exceed the 50% footprint standard was met. Staff found that besides the required exception approval, the Application complies with Section 14-5.2(D) General Design Standards and (E) Downtown & Eastside Historic District.
4. The project is, without limitation, subject to requirements of the following sections of the Santa Fe Land Development Code:
 - X Section 14-5.2(D)(9) General Design Standards, Height Pitch Scale and Massing (of any structure).
 - X Section 14-5.2(D) General Design Standards
 - X Section 14-5.2(C), Regulation of Significant and Contributing Structures
5. The property is located in the following district and subject to the related sections of the Santa Fe Land Development Code:
 - X Downtown and Eastside Historic District (Section 14-5.2(E))
6. An Exception Request to exceed the 50% footprint standard was applicable to this Application:
 - X Exception criteria were met, as found by staff at the hearing, based on the Applicant's amended exception criteria responses.
7. Staff stated that it believed that if the exception request were granted by the Board, that the changes would not interfere with the residence's status as contributing.
8. The Applicant testified that he will use mud plaster and that the addition on the north will be made with straw bale walls.
9. The Applicant would apply the mud plaster, after a contractor constructed the straw bale walls.
10. The Application, as proposed, lacks distinction between the old from the new construction.
11. The Applicant testified that the coyote fence will have irregular latilla heights and the stringers will be on the inside.
12. The Applicant testified that the drip edge cap material is 12 inch metal flashing bet to shape to cover the adobe wall.
13. Under Sections 14-2.6(C), 14-2.7(C)(2), 14-5.2(A)(1), 14-5.2(C)(2)(a-d & f) and 14-5.2(C)(3)(b), 14-5.2(C)(3)(a) and Section 14-5.2(D) the Board has authority to review, approve, with or without conditions, or deny, all or some of the Applicant's proposed design to assure overall compliance with applicable design standards.
14. Under Section 14-5.2(C)(3)(b), the Board has the authority to approve an application for alteration or new construction on the condition that changes relating to exterior appearance recommended by the Board be made in the proposed work, and no permit is to issue until new exhibits, satisfactory to the Board, have been submitted.
15. The information contained in the Application, and provided in testimony and evidence establishes that all applicable requirements for Board review have been met.

16. The information contained in the Application, and provided in testimony and evidence establishes that all applicable design standards for Board approval as herein described have been met.

CONCLUSIONS OF LAW

Under the circumstances and given the evidence and testimony submitted during the hearing, the Board acted upon the Application as follows:

1. The Board has the authority to review and approve the Application.
2. The Board unanimously approved the Application as recommended by Staff.

X Additional conditions, which are: that the coyote fence have irregular latilla tops; that there be no publicly-visible rooftop appurtenances (including visible skylights); that the Applicant maintain the dry stack rock wall; that the Applicant offset the proposed addition in front of the existing east elevation, extending it east approximately 18" off the east elevation and that staff shall review and approve the redesign for the offset before Applicant submits a construction permit application.

IT IS SO ORDERED ON THIS 23rd DAY OF AUGUST 2016, THE HISTORIC DISTRICTS REVIEW BOARD OF THE CITY OF SANTA FE.

Chairperson

Date:

FILED:

Yolanda Y. Vigil
City Clerk

Date:

APPROVED AS TO FORM

Assistant City Attorney

Date:

Historic Districts Review Board
August 23 , 2016

EXHIBIT 7

City of Santa Fe
Historic Districts Review Board
Findings of Fact and Conclusions of Law

Case #H-16-062

Address – 644 Canyon Road

Agent's Name – Sef Valdez

Owner/Applicant's Name – Steven Polevoy

THIS MATTER came before the Historic Districts Review Board (“Board”) for hearing on August 9, 2016.

644 Canyon Road Unit 10 is a 1,946 square-foot, single-family residence built on a 2,433 square-foot lot in Territorial style at an unknown date in the second half of the twentieth century. This lot is part of a 43,072 square-foot, 12-unit development. Alterations and additions to the residence were made in 2002. The building is listed as non-contributing to the Downtown and Eastside Historic District. The Applicant proposed to remodel the property with the following 5 items:

1. Existing 269 square-foot courtyard with 10’-7” high exterior wall on the south side is proposed to be enclosed to become a heated living room space. The height of the existing courtyard parapets is proposed to be increased to 12’-8” where maximum allowable height is 16’-3”. New wall is proposed to have brick coping to match existing. Stucco is proposed to be El-Rey Cementitious “Adobe” color.
2. Existing entry wood door and header is proposed to be refinished. Existing metal grill and wood window shutters on the south wall to remain.
3. Two wood canals on the south wall are proposed.
4. Four skylights on the new roof are proposed that are not publicly visible.
5. Exterior lights to remain, entry light is proposed to be restored.

FINDINGS OF FACT

1. After conducting public hearings and having heard from the Applicant and all interested persons, the Board hereby FINDS, as follows:
2. Zoning staff determined that the Application meets underlying zoning standards.
3. Staff Recommendation: Staff recommended approval of this Application in that it complies with SFCC Subsection 14-5.2(D)(9) General Design Standards, Height Pitch Scale and Massing and (E) Downtown and Eastside Historic District.
4. The project is, without limitation, subject to requirements of the following sections of the Santa Fe Land Development Code:
 X Section 14-5.2(D)(9) General Design Standards, Height Pitch Scale and Massing (of any structure).
5. The property is located in the following district and subject to the related sections of the Santa Fe Land Development Code:
 X Downtown and Eastside Historic District (Section 14-5.2(E))

6. An Exception Request was not applicable to this Application:
7. Under Sections 14-2.6(C), 14-2.7(C)(2), 14-5.2(A)(1), 14-5.2(C)(2)(a-d & f) and 14-5.2(C)(3)(b), 14-5.2(C)(3)(a) and Section 14-5.2(D) the Board has authority to review, approve, with or without conditions, or deny, all or some of the Applicant's proposed design to assure overall compliance with applicable design standards.
8. Under Section 14-5.2(C)(3)(b), the Board has the authority to approve an application for alteration or new construction on the condition that changes relating to exterior appearance recommended by the Board be made in the proposed work, and no permit is to issue until new exhibits, satisfactory to the Board, have been submitted.
9. The information contained in the Application, and provided in testimony and evidence establishes that all applicable requirements for Board review have been met.
10. The information contained in the Application, and provided in testimony and evidence establishes that all applicable design standards for Board approval as herein described have been met.

CONCLUSIONS OF LAW

Under the circumstances and given the evidence and testimony submitted during the hearing, the Board acted upon the Application as follows:

1. The Board has the authority to review and approve the Application.
2. The Board unanimously approved the Application as recommended by Staff.
 X Additional conditions, which are: that that staff shall review and approve revised drawings (of the mini-split system) before the Applicant submits a construction permit application; and that there be no publicly visible rooftop appurtenances.

IT IS SO ORDERED ON THIS 23rd DAY OF AUGUST 2016, THE HISTORIC DISTRICTS REVIEW BOARD OF THE CITY OF SANTA FE.

Chairperson

Date:

FILED:

Yolanda Y. Vigil
City Clerk

Date:

APPROVED AS TO FORM

Assistant City Attorney

Date:

Historic Districts Review Board
August 23 , 2016

EXHIBIT 8

City of Santa Fe
Historic Districts Review Board
Findings of Fact and Conclusions of Law

Case #H-16-061

Address – 535 East Palace Avenue

Agent's Name – Elisabeth Wagner

Owner/Applicant's Name – James Baker

THIS MATTER came before the Historic Districts Review Board ("Board") for hearing on August 9, 2016.

535 East Palace Avenue is known as the "Ashley Pond House" and is a contributing structure in the Downtown and Eastside Historic District. The house was constructed in 1925 and John Gaw Meem was the architect. The house is cited as being his first completed building in Santa Fe. Only minor remodeling has occurred since the time of its construction.

The house is set back from the road and is two stories tall with a flat roof, brick coping, and ironwork railings along the small balconies. Windows have brick sills and are single lite and 8-lite casement windows. Doors are solid, solid with single lite, 10-lite French doors, and solid with 4-lites. Trim on all the windows and doors is painted "turquoise." A gazebo is located in the garden area between the house and the wall of the property that lines East Palace Avenue.

The house has been well maintained throughout the years. Changes that occurred to the house in the 1960s include enclosure of a terrace on the northwest corner of the building, the addition of a wooden staircase to the rear of the house, addition of a metal garage door, and the addition of an iron balcony on the east elevation above the garage. An overhanging shed roof was added to the gazebo on the front lawn at some point as well. A discussion between the architect and a former resident of the house dates the enclosure of the terrace to 1967 or 1968. The Applicant proposed to remodel the property with the following.

Enclosed Terrace Area (NW Corner of House)

- 1) Remove the strip windows that currently enclose the terrace on the southwest corner of the building. Raise the sloped roof to level and create a parapet with brick coping. The new height of the terrace area will be 12'6" where the maximum allowable height is 23'5". Kolbe and Kolbe wood casement windows, KN23P-2 wide, with a lite pattern of 4/2 lite will be added to the terrace area. Cut sheets for windows; and wood trim on the windows will be painted "Atrium" white.

Other Areas of the House

- 2) Replace the existing metal garage door on the east elevation with a wood garage door. The door will be painted "Atrium" white and have black hardware.
- 3) Addition of a balcony on the north elevation to match the existing balcony on the east elevation. All balconies will be of black iron.
- 4) Restore and repaint all of the wood trim on the house. Paint will be "Atrium" white.
- 5) Original grills for the balconies and windows will be kept.

- 6) Add new light fixtures at all exterior doors to meet code. The fixtures will be Artesanos 526 Bola Arriba/Bola Abajo. Cut sheets provided.
- 7) Remove the wooden staircase at the rear of the house. Retain the concrete and stone stairs and add a black iron railing to meet code.

Gazebo

- 8) Reconstruct the wood portion of the front lawn gazebo by adding two columns at the front (north). The gazebo is 192 square feet and is constructed of stone. It is 7' in height. The wood columns will finish at 7' 6" high and have a 6' x 8' wood carrier beam with 9" diameter vigas and 5" fascia board. The finished height of the structure will be 9' 6" and will be stained a medium warm grey.

Vehicle Gate and Driveway

- 9) Add a vehicle gate at the entry of the property. The gate design is the original gate design by John Gaw Meem. The gate would match the gate located at 531 East Palace Avenue. It will be an automatic gate that opens into the property, away from the street, and is painted "Atrium" white.
- 10) Remove all existing coyote fence along the driveway. The applicant plans to replace the east coyote fence with a stucco wall 5' 6" tall to 6' tall with stucco pilasters at 6' 6" tall on the east side of the drive and a 5' tall stucco wall running east-west with a pedestrian gate which is in-line with the placement of the driveway gate. The yardwall and pilasters will have brick coping to match the existing wall along Palace Avenue.
- 11) All stucco will be cementitious El Rey "Buckskin."
- 12) A planter lined with 2-3 courses of moss rock will line the driveway. The total height of the planter will be 12" to 18" in height. Two steps will step up from the driveway to the pedestrian gate/walk area.
- 13) Light sconces will be added to the pilasters and will match those on the house. See cut sheet.

FINDINGS OF FACT

1. After conducting public hearings and having heard from the Applicant and all interested persons, the Board hereby FINDS, as follows:
2. Zoning staff determined that the Application meets underlying zoning standards.
3. Staff Recommendation: Staff recommended approval of this Application in that it complies with SFCC Subsection 14-2.5 (D) General Design Standards for All H Districts and 14-5.2 (E) Downtown and Eastside Design Standards.
4. The project is, without limitation, subject to requirements of the following sections of the Santa Fe Land Development Code:
 - X Section 14-5.2(D)(9) General Design Standards, Height Pitch Scale and Massing (of any structure)
 - X Section 14-5.2(D) General Design Standards
 - X Section 14-5.2(C), Regulation of Significant and Contributing Structures

5. The property is located in the following district and subject to the related sections of the Santa Fe Land Development Code:
 X Downtown and Eastside Historic District (Section 14-5.2(E))
6. An Exception Request was not applicable to this Application.
7. Staff stated that what the Applicant proposed is to restore to be more closely aligned with Meem's design, so the changes should not interfere with the historic status.
8. Staff stated that the gazebo does not currently have a historic status, but that it was part of the original construction and is being treated as part of the contributing property.
9. Under Sections 14-2.6(C), 14-2.7(C)(2), 14-5.2(A)(1), 14-5.2(C)(2)(a-d & f) and 14-5.2(C)(3)(b), 14-5.2(C)(3)(a) and Section 14-5.2(D) the Board has authority to review, approve, with or without conditions, or deny, all or some of the Applicant's proposed design to assure overall compliance with applicable design standards.
10. Under Section 14-5.2(C)(3)(b), the Board has the authority to approve an application for alteration or new construction on the condition that changes relating to exterior appearance recommended by the Board be made in the proposed work, and no permit is to issue until new exhibits, satisfactory to the Board, have been submitted.
11. The information contained in the Application, and provided in testimony and evidence establishes that all applicable requirements for Board review have been met.
12. The information contained in the Application, and provided in testimony and evidence establishes that all applicable design standards for Board approval as herein described have been met.

CONCLUSIONS OF LAW

Under the circumstances and given the evidence and testimony submitted during the hearing, the Board acted upon the Application as follows:

1. The Board has the authority to review and approve the Application.
2. The Board unanimously approved the Application as recommended by Staff.
 X No additional conditions.

IT IS SO ORDERED ON THIS 23th DAY OF AUGUST 2016, THE HISTORIC DISTRICTS REVIEW BOARD OF THE CITY OF SANTA FE.

Chairperson

Date:

FILED:

Yolanda Y. Vigil
City Clerk

Date:

APPROVED AS TO FORM

Assistant City Attorney

Date: