



Agenda

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HISTORIC DISTRICTS REVIEW BOARD FIELD TRIP

TUESDAY, April 11, 2017 at 12:00 NOON

HISTORIC PRESERVATION DIVISION, 2nd FLOOR CITY HALL

HISTORIC DISTRICTS REVIEW BOARD HEARING

TUESDAY, April 11, 2017 at 5:30 P.M.

CITY COUNCIL CHAMBERS

- A. CALL TO ORDER
- B. ROLL CALL
- C. APPROVAL OF AGENDA
- D. APPROVAL OF MINUTES: March 28, 2017
- E. FINDINGS OF FACT & CONCLUSIONS OF LAW

Case #H-17-003. 1405 Paseo de Peralta.

Case #H-17-023. 645 East Palace Avenue Unit 1.

Case #H-17-025. 105 East Palace Avenue.

Case #H-07-023. 505 Camino Sin Nombre.

Case #H-15-042. 355 East Palace Avenue.

Case #H-13-095. 321 West San Francisco Street.

Case #H-17-027. 340 Delgado Street.

Case #H-17-026A. 645 East Palace Avenue Unit 3.

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

1. Case #H-17-020. 719 Gregory Lane. Don Gaspar Area Historic District. Jaime Beltran, agent for Wow Wee LLC, owner, proposes to construct a 1,950 sq. ft. residence to a height of 15'1" where the maximum allowable height is 16'1" on a vacant lot. (Nicole Ramirez Thomas)
2. Case #H-17-018B. 518 Calle Corvo. Downtown & Eastside Historic District. Lisa Roach, agent for N. Abruzzo Holdings LLC, owner, proposes to construct a 130 sq. ft. portal, enclose a 247 sq. ft. carport, and additional remodeling at a contributing residential property. An exception is requested to construct an addition on a primary elevation (Section 14-5.2(D)(2)(d)). (Nicole Ramirez Thomas)
3. Case #H-16-106. 418 Apodaca Hill. Downtown & Eastside Historic District. Sandra Donner, agent for Patricia Kopren, owner, proposes to remodel a contributing property by constructing a 620 sq. ft. addition, a 400 sq. ft. portal, a 280 sq. ft. pergola, and a 67" high coyote fence. Two exceptions are requested to exceed the 50% footprint standard (Section 14-5.2(D)(2)(d)) and to exceed the 30" window lite standard (Section 14-5.2(E)(1)(c)). (David Rasch)
4. Case #H-17-013B. 522 Halona Street. Downtown & Eastside Historic District. Tim Curry, agent for David Powell, owner proposes to construct 450 sq. ft. of additions, replace windows and doors, and remove a 143 sq. ft. greenhouse on a contributing residential structure. (Nicole Ramirez Thomas)
5. Case #H-17-024. 130 Romero Street. Westside-Guadalupe Historic District. Tim Curry, agent for Gonzalo and Marve Correa, owners, proposes to construct 653 sq. ft. of additions, a 72" high wood fence, and a 42" high yardwall on a contributing residential structure. (David Rasch)
6. Case #H-17-028. 103 East Water Street. Downtown & Eastside Historic District. Hogan Group Inc., agent for Robert Spitz, owner, proposes to remodel a non-contributing non-residential structure by constructing a zaguan and enclosing an existing covered roof space between structures and an existing patio. (Nicole Ramirez Thomas)

7. Case #H-17-026B. 645 East Palace Avenue Unit 3. Downtown & Eastside Historic District. Christopher Purvis, agent for Daren and Monica Haas, owners, proposes to construct 180 sq. ft. of additions, a 124 sq. ft. ramada, a 72 sq. ft. 11' high freestanding shed, a 300 sq. ft. 10' high freestanding carport, and 4' and 6' high coyote fences, and replace windows and doors, and re-roof a contributing residential structure. An exception is requested to not replace the roof in-kind (Section 14-5.2(D)(6)). (Nicole Ramirez Thomas)
8. Case #H-17-029. 204 East Santa Fe Avenue. Don Gaspar Area Historic District. Stephen Walker, agent/owner, proposes to replace historic windows on a significant residential structure and to construct a 24 sq. ft. bay window on a non-historic addition. An exception is requested to remove historic material (Section 14-5.2(D)(5)(a)(i)). (David Rasch)
9. Case #H-17-030A. 941 and 943 Don Cubero Avenue. Don Gaspar Area Historic District. HPD staff requests designation of primary elevations on two contributing garages. (David Rasch)
10. Case #H-17-030B. 941 and 943 Don Cubero Avenue. Don Gaspar Area Historic District. Andres Romero, agent/owner, proposes to construct two 246 sq. ft. additions on two contributing garages. Two exceptions are requested to exceed the 50% footprint standard (Section 14-5.2(D)(2)(d)) and to place additions at less than 10' from primary elevations (Section 14-5.2(D)(2)(d)). (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. Persons with disabilities in need of accommodations, contact the City Clerk's office at (505) 955-6521 five (5) working days prior to the meeting date.

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HISTORIC DISTRICTS REVIEW BOARD
April 11, 2017

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MINUTES OF THE
CITY OF SANTA FE
HISTORIC DISTRICTS REVIEW BOARD

April 11, 2017

A. CALL TO ORDER

A regular meeting of the City of Santa Fé Historic Districts Review Board was called to order by Mr. Frank Katz, Vice-Chair, on the above date at approximately 5:30 p.m. in the City Council Chambers, 200 Lincoln Avenue, Santa Fé, New Mexico.

B. ROLL CALL

Roll Call indicated the presence of a quorum as follows:

MEMBERS PRESENT:

Mr. Frank Katz, Vice Chair
Ms. Meghan Bayer
Ms. Jennifer Biedscheid
Mr. Edmund Boniface
Mr. William Powell
Mr. Buddy Roybal

MEMBERS EXCUSED:

Ms. Cecilia Rios, Chair

OTHERS PRESENT:

Mr. David Rasch, Historic Planner Supervisor
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

Member Boniface moved to approve the agenda as presented. Member Roybal seconded the motion and it passed by unanimous voice vote. Member Powell was not present for the vote.

D. APPROVAL OF MINUTES - March 28, 2017

Vice-Chair Katz requested a change on page 9, middle of the page where it should say, "Member Katz' comments are well taken."

Member Boniface moved to approve the minutes of March 28, 2017 as amended. Member Bayer seconded the motion and it passed by unanimous voice vote except Member Biedscheid abstained and Member Powell was not present for the vote.

E. FINDINGS OF FACT AND CONCLUSIONS OF LAW

1. Case #H-17-003. 1405 Paseo de Peralta.

The findings of fact and conclusions of law for Case #H-17-003 are attached to these minutes as Exhibit 1.

2. Case #H-15-042. 355 East Palace Avenue.

The findings of fact and conclusions of law for Case #H-15-042 are attached to these minutes as Exhibit 2.

3. Case #H-17-023. 645 East Palace Avenue Unit 1.

The findings of fact and conclusions of law for Case #H-17-023 are attached to these minutes as Exhibit 3.

4. Case #H-13-095. 321 West San Francisco Street.

The findings of fact and conclusions of law for Case #H-13-095 are attached to these minutes as Exhibit 4.

5. Case #H-17-027. 340 Delgado Street.

The findings of fact and conclusions of law for Case #H-17-027 are attached to these minutes as Exhibit 5.

6. Case #H-07-023. 505 Camino Sin Nombre.

The findings of fact and conclusions of law for Case #H-07-023 are attached to these minutes as Exhibit 6.

7. Case #H-17-026A. 645 East Palace Avenue Unit 3.

The findings of fact and conclusions of law for Case #H-17-026A are attached to these minutes as Exhibit 7.

No changes were requested for any of the findings of fact and conclusions of law.

Member Bayer moved to approve the Findings of Fact and Conclusions of Law as presented. Member Boniface seconded the motion and it passed by unanimous voice vote except Member Biedscheid abstained and Member Powell was not present for the vote.

F. BUSINESS FROM THE FLOOR

There was no business from the floor.

G. COMMUNICATIONS

Mr. Rasch said the Board postponed 201 Old Santa Fé Trail for changes. He would like to get them in the agenda next time so by the end of tomorrow is the deadline.

He also announced that the annual Santa Fe Heritage Preservation Awards ceremony will be on May 18 at 5:30 at a location downtown.

Ms. Gheen announced that the hearing before the Governing Body on the appeal of the case at 547 Hillside has been rescheduled for May 10.

Member Powell arrived at 5:34.

H. ACTION ITEMS

Vice-Chair Katz announced to the public how appeals may be filed to decisions of the Board and announced that signs need to be taken down after this meeting.

Mr. Rasch said if they are left up, after 30 days, the applicant can be fined.

- 1. Case #H-17-018B. 518 Calle Corvo.** Downtown & Eastside Historic District. Lisa Roach, agent for N. Abruzzo Holdings LLC, owner, proposes to construct a 130 sq. ft. portal, enclose a 247 sq. ft. carport, and additional remodeling at a contributing residential property. An exception is requested to construct an addition on a primary elevation (Section 14-5.2(D)(2)(d)). (Nicole Ramirez Thomas)

Ms. Ramirez Thomas gave the staff report as follows:

BACKGROUND & SUMMARY:

518 and 518 ½ Calle Corvo is a contributing property consisting of a main residence (518), a guest residence (518 ½), and a free-standing garage. All three structures are designated as contributing to the Downtown and Eastside Historic District. They are built in the Spanish Pueblo Revival style and were constructed in the 1940s. The HDRB, at their hearing on March 14, 2017, designated the north elevation of the main residence, the west elevation of the guest residence, and the north elevation of the garage as primary elevations.

The applicant requests to remodel the property with the following five items.

- 1) Construct a 130 sq. ft. portal on the north elevation of main residence. A composite wood deck currently exists in this location. The applicant proposed to roof the existing deck at the front entry of the home. The portal would have a stuccoed parapet and stained wood beams, posts, and corbels. An exception to construct an addition to a primary elevation is requested (14-5.2(D)(2)(d)). The exception responses are found at the end of this memo.
- 2) Enclose an existing carport. The carport is located between the main residence and the guest residence. It is a covered structure already attached to both main house and guest house structures and has been intact since before 1960. The carport enclosure would not result in additional square footage/covered space to the property. The carport addition will maintain the existing white painted wood posts, the existing beams and corbels, addition of a wall with a window on the east elevation of the carport, and addition of a garage door on the west elevation. The door will be painted green to match the existing free-standing garage door. An exception was not requested to use lites greater than 30".
- 3) Addition of a door on the east elevation of the free-standing garage. The door will be wood and painted white. The door will have one lite panel that exceeds the 30" lite rule. An exception was not requested to use lites greater than 30". However, Ms. Roach provided new drawings to eliminate any need for that exception. [A copy of the drawing is attached to these minutes as Exhibit 8.]

One thing caught by ember Biedscheid on the field trip was the proposed change of the garage door on the historic free-standing garage. Ms. Roach may address that.

- 4) Resurface the driveway.
- 5) Patch stucco where necessary. The applicant did not provide a color sample or state the type of stucco that will be used on the building. They will provide this information at the hearing.

RELEVANT CODE CITATION

14-5.2(D) General Design Standards for All H Districts

(2) Additions

(c) Additions are not permitted to *primary façades*.

EXCEPTION RESPONSES

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

Applicant Response: The proposed portal is compatible in style and scale to the existing home, the rear residence at 518 ½ Calle Corvo, and the surrounding streetscape. It features stuccoed massing atop stained wooden beams, posts, and corbels. Because the proposed addition is harmonious to the streetscape, it poses no potential damage to the streetscape.

Staff Response: Staff agrees with this response. Portals are encouraged in the Downtown and Eastside.

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

Applicant Response: The proposed portal is an attempt to provide covering from the elements over the main entry of the home for enhanced comfort of the residents of the home when entering and exiting. It is similar in placement and design to the portal at 518 ½ Calle Corvo, which greatly improves the ease of entry/exit and provides a comfortable outdoor space.

Staff Response: Staff agrees with this response. Providing appropriate cover over the entry prevents a hardship to the applicant.

- (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: When considering the range of design options for the east (primary) façade of 518 Calle Corvo, the applicant considered no addition, leaving an exposed deck that is dissimilar to other treatments of primary façades in the streetscape. A smaller, more simplified Pueblo Revival style portal was also considered. However, the portal design as proposed provides a design solution that minimizes the appearance of the existing deck, is compatible in style and scale to the portal at 518 ½ Calle Corvo, and harmonizes with the streetscape.

Staff Response: Staff agrees with this response. A range of options were considered.

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

Applicant Response: The existing structure at 518 Calle Corvo was interestingly constructed originally without a portal at the main entry of the home; whereas, the auxiliary residence at 518 ½ did have a portal originally, similar to other Pueblo Revival style homes in the streetscape and immediate neighborhood. The applicant proposes to add a portal that harmonizes with the pattern of design and construction that is common elsewhere in the district.

Staff Response: Staff agrees with this response. Unlike other properties in the neighborhood the house never had a portal.

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

Applicant Response: The need for a portal at the primary façade of 518 Calle Corvo is not due to any previous actions of the applicant. There was no portal originally, and at some point, in the recent past a deck was placed on the primary façade that replaced a concrete pad. The portal would minimize the appearance of this deck, which does not conform to the neighborhood.

Staff Response: Staff does not agree with this response. The recently added deck is the result of the actions of the applicant. The applicant may be able to provide an answer to this criterion that satisfies the Board.

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

The portal as proposed by the applicant seeks to satisfy the needs of the residents while satisfying the intent of 14-5.2(A)(1) to promote the economic, cultural and general welfare of the residents of Santa Fe's historic districts and ensure harmonious development therein. The proposed portal design conforms to the historic style of the home and promotes its continued use and preservation while harmonizing with the surrounding streetscape in style, form, height, and proportion and will therefore create the least negative impact to the district.

Staff Response: Staff agrees with this response. The proposed portal harmonizes with the Santa Fe style as it is set forth in the ordinance.

STAFF RECOMMENDATION:

Staff finds that all but criterion (v) of the exception criteria have been answered to her approval. Further testimony from the applicant may answer the criterion to the satisfaction of the Board. Otherwise staff recommends approval of the project as it complies with 14-5.2(D) General Design Standards for All H Districts and 14-5.2(E) Downtown and Eastside, with the condition that a divided lite is used on the door on the east elevation of the garage and window on the east elevation of the enclosed carport, or an exception is requested.

Questions to Staff

There were no questions to Staff.

Applicant's Presentation

Ms. Lisa Roach was sworn. She said the new drawings replace sheets A 2.2 and 2.3 and show the proposed lite pattern for the east window of the carport enclosure and the east door on the free-standing garage with a four-lite pattern on each. That would satisfy the 30" rule.

Regarding criterion 5, the primary need for a portal at the front entry is to cover the entry from the

elements and not to minimize the appearance of the deck which replaced a concrete pad in the same dimensions. She understood portals are encouraged in this district and the design is consistent both with the development pattern on the property and within the neighborhood and meets the criteria for Santa Fe Style.

Questions to the Applicant

Vice-Chair Katz asked about the garage door.

Ms. Roach said she inadvertently did not include that in the proposal but the owner desires to replace the garage door because it is not operable now and the owner just wants to make it operable and provide additional security. The pedestrian part of the garage door is operable but the rest of it is not. To make it functional and secure, the proposal would be to replace the garage door and would follow whatever the Board recommends on how to handle that inadvertent omission from the proposal.

Public Comment

There were no speakers from the public regarding this case and the public hearing was closed.

Board Discussion

Vice-Chair Katz pointed out regarding the portal that almost all the other homes in the streetscape do have a portal at the front door but, as a question for Staff or the City Attorney, we have a rule to not put an addition on a primary façade and this is a primary façade. He asked what considerations should go into the Board's decision and if it is just the exception criteria.

Ms. Ramirez Thomas agreed. The first criterion is "Do not damage the character of the streetscape." Staff does not feel this will damage the streetscape because it is common to see front portals on the streetscape and it prevents a hardship to the applicant by providing shelter over the front door, which is a common and necessary item.

Vice-Chair Katz noted also that it is north-facing front door so it would help prevent ice there.

Ms. Ramirez Thomas agreed. The third criterion is, "Strengthen the unique heterogeneous character of the City by providing a full range of design options to ensure the residents can continue to reside within the historic district. Currently, there is one option - the deck and the previous option was the cement pad or nothing at all and now a portal is proposed.

Number 4 was addressed because it is peculiar here that a portal was never added to the front of this structure.

The fifth criterion is "Due to special conditions and circumstances." This one is always challenging. So, she asked Ms. Roach to provide more testimony.

The sixth is that the portal does harmonize with Santa Fe Style.

Mr. Rasch added that in 14-5.2 C, the Board should also consider how the additions standard applies, which he read. Also, reversibility should be considered.

Member Biedscheid pointed out that most of the portals in the streetscape don't have a short wall and this will retain the wood railings. She asked if that affects the streetscape.

Ms. Ramirez Thomas said it is unique to the house.

Member Biedscheid asked if they would be able to reverse that.

Ms. Roach said the owner prefers not to dismantle it because it is in good condition.

Member Boniface noted it is two feet high and a railing is required if it is 2½ feet.

Member Biedscheid asked if the garage door is historic.

Ms. Roach said it is the original door and it will be replaced in-kind of the same materials.

Mr. Rasch said if it is beyond repair, the door can be replaced without an exception.

Vice-Chair Katz said it appears the problem is not the wood but the mechanical parts.

Ms. Roach said she could ask the architect to address it.

Mr. William Kleinschmidt, 6 Senda Artemisio, was sworn. He said the operating mechanism, rails and springs are not reparable and the door is wedged in there so it won't come down. The door slab itself could possibly be reused but the mechanism is not fixable.

Ms. Ramirez Thomas said the mechanism is on the inside and the ordinance addresses only the door itself. There would need to be a demonstration of wood rot to replace it in-kind. It is similar and of wood but that is how the exception considers it.

Vice-Chair Katz surmised the Board could approve a new mechanism but not the wood.

Ms. Ramirez Thomas said the Board would not need to approve the interior mechanism.

Member Powell asked about the pedestrian door.

Ms. Ramirez Thomas said she didn't know how long the pedestrian door has been part of the streetscape.

Member Boniface said the garage door is a single slab door so the hinge is actually inside as one hinge. They are still sold today although more commonly it is in four slabs that roll up. If the Board allowed

it to be replaced, the door would have to remain as a single slab or cut it in four slabs but that gives a very different door look.

Mr. Kleinschmidt said their intent was not to have it in sections but to keep it a slab door but to remove the man door and that way, they could keep the look of it but without the "man door" which presents a security issue.

Member Bayer asked if the railing and deck came before the Board.

Ms. Ramirez Thomas said they have no record of it coming before the Board and don't have any previous cases from that address which has come before the Board but there have been very few changes.

Member Bayer asked if the railing and deck were installed recently.

Mr. Kleinschmidt believed it was installed within the past five years but didn't know the exact date.

Member Powell said the portal was built around the porch and asked if that was to be cost effective.

Mr. Kleinschmidt said it was designed so the deck would not have to be cut. So, the two posts are just outside of the railing. The length of it covers both the front door and the large window. It covers everything but the steps.

Member Biedscheid asked about hearing the extra testimony in response to #5.

Ms. Roach said she mentioned at the beginning of her presentation the need for the portal was not due to any actions of the applicant. It is to protect the front entry and not to cover up the deck that was built by the owner at an unknown date. She acknowledged it was not well written but the need for the portal was not due to the decking.

Member Bayer said on the response to #5, that the responses to some of the other criteria helps answer #5.

Ms. Roach said there are other examples with decks and railings within the district. There are several on Canyon Road. Having a railing is not inconsistent with Santa Fe style and she asked that it remain intact.

Vice-Chair Katz believed he saw other portals with railings on Calle Corvo.

Action of the Board

Member Boniface moved in Case #H-17-018B at 518 Calle Corvo Case, to approve this application as submitted and staff recommendation and find that the response to criterion #5 has been satisfactorily answered by testimony; but not approving the garage door until evidence is shown that it is rotted or otherwise compromised and that the door be reused otherwise; and that

the guard rail is acceptable.

Member Roybal seconded the motion and it passed by majority voice vote with all but Member Biedscheid voting in favor.

Ms. Roach asked if evidence can be shown that the garage door is not replaceable if Staff could approve it.

Vice-Chair Katz said it needs to come back to the Board.

2. **Case #H-16-106B. 418 Apodaca Hill.** Downtown & Eastside Historic District. Sandra Donner, agent for Patricia Kopren, owner, proposes to remodel a contributing property by constructing a 670 sq. ft. addition, a 400 sq. ft. portal, a 280 sq. ft. pergola, and a 67" high coyote fence. Two exceptions are requested to exceed the 50% footprint standard (Section 14-5.2(D)(2)(d)) and to exceed the 30" window lite standard (Section 14-5.2(E)(1)(c)). (David Rasch)

Mr. Rasch gave the staff report as follows:

BACKGROUND & SUMMARY:

418 Apodaca Hill is a single-family residential adobe structure that was constructed in a vernacular manner from approximately the late 1930s up to 1960. Additional remodeling occurred in the 1980s. The structure is listed as contributing to the Downtown & Eastside Historic District and elevations 2 and 3 are designated as primary. The bay window is not primary.

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

1. A 670 square foot addition will be constructed on the west elevation of the residence. An exception is requested to exceed the 50% footprint standard (14-5.2(D)(2)(d)) and the required exception responses are at the end of this report.

The addition will match existing adjacent height and then step down from it. Features include two paired 10-lite French doors on the west elevation, one 10-lite window on the north elevation and on the south elevation, and a door on the south elevation that will have a decorative grille over a single-lite window. An exception is requested to exceed the 30" lite standard (14-5.2(E)(1)(c)) and the required exception responses are at the end of this report.

2. A 400 square foot portal will be constructed on the west elevation of the proposed addition to a height of approximately 10.5'. The portal features simplified design with tapered posts and an exposed header below a stuccoed parapet.

3. An unapproved and unpermitted coyote fence and vehicle gate was constructed along the east street-frontage. The fence and gate will be at the maximum allowable height of 67".

4. An unapproved and unpermitted 280 square foot free-standing pergola was constructed on the west side of the residence to a height of approximately 8'. The pergola has four stone columns in addition to a wooden entablature.

RELEVANT CODE CITATIONS

14-5.2(D) General Design Standards for All H Districts

In any review of proposed additions or alterations to structures that have been declared significant or contributing in any historic district or a landmark in any part of the city, the following standards shall be met:

(2) Additions

(d) Additions are not permitted to the side of the existing footprint unless the addition is set back a minimum of ten (10) feet from the primary façade. The addition shall not exceed fifty percent of the square footage of the existing footprint, and shall not exceed fifty percent of the existing dimension of the primary façade. To the extent architecturally practicable, new additions shall be attached to any existing noncontributing portion of structures instead of attaching them to the significant or contributing portion.

14-5.2(E) Downtown and Eastside Design Standards

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

(1) Old Santa Fe Style

Old Santa Fe style, characterized by construction with adobe, is defined as including the so-called "pueblo" or "pueblo-Spanish" or "Spanish-Indian" and "territorial" styles and is more specifically described as follows:

(c) Solid wall space is always greater in any façade than window and door space combined. Single panes of glass larger than thirty (30) inches in any dimension are not permissible except as otherwise provided in this section;

(2) Recent Santa Fe Style

Recent Santa Fe style intends to achieve harmony with historic buildings by retention of a similarity of materials, color, proportion, and general detail. The dominating effect is to be that of adobe construction, prescribed as follows:

(e) The publicly visible façade of any building and of any adjoining walls shall, except as otherwise provided, be of one color, which color shall simulate a light earth or dark earth color, matte or dull finish and of relatively smooth texture. Façade surfaces under portales may be of contrasting or complimentary colors. Windows, doors and portals on publicly visible portions of the building and walls shall be of one of the old Santa Fe styles; except that buildings with portals may have larger plate glass areas for windows under portals only. Deep window recesses are characteristic.

EXCEPTION TO EXCEED 50% FOOTPRINT STANDARD

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

The 418 Apodaca Hill remodel is not visible from the street scape or from Camino Cabra. It does not alter the architectural style of the existing property. The addition's square footage is in keeping the square footages of the

surroundings homes.

Staff response: Staff agrees with this statement that streetscape visibility is lacking.

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

This remodel prevents a hardship to the owners. I would like to continue long standing traditions on Apodaca Hill that my family has enjoyed for generations. This remodel began to continue the living legacy of my family on Apodaca Hill. My mother, Priscilla Apodaca is the last Apodaca on Apodaca Hill of her generation. She continues to host the family but this has become more difficult with her age and health.

This remodel provides the opportunity to continue these family traditions as it will provide room for me to continue this family legacy. It is my turn to host my mother and family in the same traditions that have been passed on for generations. It is my turn to share the posole, tamales, pastelitos, and all the goodies we share as a family at Christmas time. Her home is always open to share a cup of coffee or bowl of beans. These are the traditions I want to continue.

There is no place to host the family with the current size of the property.

Staff response: Staff agrees with this statement that Santa Fe cultural traditions should be preserved.

- (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.

To put it simply I just needed and wanted a living room so we could continue to gather as a family. Here are some design options we explored and why they do not work.

1. A separate casita: although a casita may have worked on our property it does not work for the family gatherings that I will have. Separate buildings are not conducive to family centered gatherings.
2. I also considered adding space by adding a second floor, but I don't want my elderly mother to climb stairs to get to a living room.
3. An addition at the north front of the house would have needed to be 10 feet off the primary façade and would leave us with a very narrow footprint and the need to enter the addition through the existing bathroom. This addition would also have been visible from the street.
4. An addition at the south side of the house would have blocked future access to the lower western portion of the site and have been visible from the street. Although preferable to the addition of the front, it would not allow direct access to the kitchen for family gatherings.

Staff response: Staff agrees with this statement that other design options were considered and found to be less satisfactory for the family's needs.

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

The reason this exception is necessary is because this property has not been added to like the contiguous properties. An example is the property adjacent (416 Apodaca Hill) which has a large main house and a one bedroom casita. I would estimate that their casita is larger than my home. Another example is the adjacent property (420 Apodaca Hill) which has 3 separate structures: a new build casita approved by Historic in 2016 at the street view, a second casita behind the new casita and finally the main home. The property at 422 Apodaca Hill has been

subdivided with the descendent of Manuelita Gonzales on the street view, with the remaining property behind it sold to a new owner. That portion of the property has two houses. One of which is a board approved new build in 2016.

My special circumstances are that my home does not have other casitas or main houses on the property. I also want the board to know that I am not complaining about the numerous structures the board has approved. It is R-5. I am simply asking for a living room that has a simple access to my home for my aging mother.

Staff response: Staff agrees with this statement that this residence has special circumstances with its smaller size in relation to other residences in the streetscape.

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

These conditions are very simply to enjoy life, liberty and the pursuit of happiness in the tradition of my family on Apodaca Hill. Asking for a living room is not an unreasonable request.

Staff response: Staff does not agree with this statement. The circumstances itemized are a result of the actions of the applicant.

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

I don't believe that this provides a negative impact in any way. It allows for a continuation of a way of life that protects the heterogeneity of an old community. Additions and multiple buildings are a tradition on Apodaca Hill, as the family grew and or needs grew, the house would therefore grow. As my mother gets older, I will take over the traditions of my family in my house and my new Living and Entertaining Room. This addition has not visual impact to the character of the street and is not visible.

Staff response: Staff agrees with this statement that preserves tradition while placing the addition in the best location to preserve the historic status of the structure.

EXCEPTION TO EXCEED 30" LITE STANDARD

1. Does not damage the character of the district.
 - It is not visible from any public right of way.

Staff response: Staff agrees with this statement that streetscape visibility is lacking.

2. Are required to prevent a hardship to the applicant or an injury to the public welfare;
 - Having this door would prevent a hardship and injury as it would be wheel chair accessible. This is a major concern as I am very cognizant of the need for accessibility for my mother. Ease of accessibility is in line with the public welfare.
 - It would also prevent a hardship due to weather conditions. This side of the house gets blowing snow and rain directly on this façade. This type of door would provide the durability needed because of its exposure to the elements.

- This door prevents a hardship as it is designed to open so that gives access and ease of operation when accessed by anyone having a handicap.
- Not using this door would also prevent a financial hardship to the owner as replacing doors would continue to escalate costs.

Staff response: Staff does not agree with this statement. Divided-lites would not affect access or durability.

3. Strengthen the unique heterogeneous character of the City by providing a full range of design options to ensure that residents can continue to reside in the Historic Districts

- A wood door was considered, however given the exposure to the elements of this side of the house, it would not be very durable. Aesthetically, it would also look damaged very quickly.
- A metal door was also considered however it would not be as aesthetically pleasing and would not allow the light to enter into the house. It would also take on a commercial look, rather than a welcoming entry.
- A metal door with muntins was also considered however I did not want to draw attention to the glass. I did not want it to look like another patio door or half an Arcadia door.
- This door strengthens the heterogeneity of the community by not providing another "cookie cutter" type of door that would not be as functional. I feel that what has "become Santa Fe style" has become so cliché and artificial, that it does not strengthen the heterogeneity of the community. I am having a difficulty expressing this in words, but the bottom line is that I want a home that is rich in tradition with sound function and pleasing aesthetics.

Staff response: Staff agrees with this statement that the applicant has considered other design options and has a strong feeling about this design.

STAFF RECOMMENDATION:

Staff finds that criterion five for the square footage exception and that criterion two for the single-lite exception have not been met. The Board may find that these criteria have been met after additional testimony is given at the hearing. Otherwise, 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 looked for the decorative grill which in the staff report, says it is on the south elevation.

Mr. Rasch referred him to page 29 of the packet.

Member Boniface concluded that the elevations are mislabeled. On page 33, the east elevation is actually the south elevation.

Mr. Rasch agreed. The photograph is on page 29. He said the door is not publicly visible.

Member Bayer asked to see the pergola.

Rasch showed it and said it is slightly lower than the proposed portal so the portal will drain onto the pergola.

Member Powell asked if the pergola is not the Board's purview.

Mr. Rasch said it is and the applicant is asking for approval tonight.

Vice-Chair Katz asked about the stone columns.

Mr. Rasch said the applicant argued that the stone columns are part of Spanish tradition in Spain, but they are not part of local Santa Fe style.

Member Powell noted the addition exceeds 50% of the historic footprint and asked by how much.

Mr. Rasch said it would be the addition and the portal since that is attached. The floor plan is on page 32.

Member Powell asked if it is almost doubling the size.

Mr. Rasch said no and added that it doesn't include the pergola.

Member Roybal asked if the pergola adds to the contributing status.

Mr. Rasch said this is a vernacular building with local forms that don't conform, like the bay window. And the pergola is also part of that but it is also not publicly visible.

Member Roybal surmised that it doesn't affect status.

Mr. Rasch agreed.

Member Biedscheid said the coyote fence exceeds the maximum height and asked if it will be reduced in height.

Mr. Rasch agreed; it is to be cut down to the allowable maximum height.

Applicant's Presentation

Ms. Sandra Donner, 1611 Paseo de Peralta, was sworn.

Ms. Patricia Kopren, 418 Apodaca Hill was sworn.

Questions to the Applicant

Vice-Chair Katz asked why this is all built.

Ms. Kopren said that was a difficult for her to answer. She said she would do her very best to answer it. She said, "I have to be honest with you and tell you that it was built because of my fear of coming here. There are long standing traditions of my family on Apodaca Hill that, as the family grew, the house grew. We are relatively new to it. I've always wanted to come back home. And that is the reason that we purchased this home. Bottom line: It was a fear of losing my home and not being able to accommodate the move. Over many years, I've seen friends, relatives lose their home because they couldn't afford to hire the attorneys and the architects to continue to provide for their family, in that respect. So, it's very hard for me to put that into words, except that it is an emotional feeling. The other thing is, I designed every element of it. I wanted it to continue the traditions of my family. So, I wanted architecturally, for it to be functional and aesthetically pleasing. So, I took weather conditions into consideration. And I was really afraid that I would come here and you would decide what was Santa Fe style in a kind of nebulous cookie-cutter frame that I've seen so much of. I think that is probably the best I can do."

Vice-Chair Katz asked how long she has owned the house.

Ms. Kopren said they moved in during 2008. She closed in the winter of 2007.

Vice-Chair Katz understood she had no family connection to that house previously.

Ms. Kopren agreed.

Vice-Chair Katz asked her to tell the Board what she has to say of what she wants to do.

Ms. Kopren said, "I wanted the structure to be consistent with what was there. I've seen wood frames go up with a little stucco and higher than most of the old houses. I want to continue the style there and, at the same time, the elements in that particular façade are very difficult. We get the harsh sun, for some reason - perhaps because of the arroyo below. But we get wind and rain will hit that façade and we also get the sun exposure. So that was my concern.

Ms. Donner said what Ms. Kopren was trying to say was that she grew up here on Apodaca Hill and beyond the point of illegal work, Ms. Kopren came to her to help. The reason it is contributing is because it is vernacular. Whether right or wrong today, it is historical tradition up there. That is where her thinking was.

Ms. Kopren said, "For the record, I can also add that when I initially talked to Mr. Rasch about the property, there was no information even on when it was built. We searched for photos to determine even its age. I anticipated that it may have been completed in the 1980's. Mr. Rasch suggested, although he had no

information, he didn't think it was a contributing historical property and a recommendation was made for me to hire a private consultant and I was provided a list by his office.

"I hired John Murphy to do it and that is where the information on the house comes from. It was difficult for him, as well. And we are trying to get it right. His recommendation to the Board was that while its footprint is over 50 years old, or the main part is over 50 years old, the composite structure does not present qualities that would make it eligible, as a contributing structure to the Downtown and East Side Historic District. (reading from the report). The house shows across its primary façade aluminum sliding windows and a projecting bay, which do not conform to the ordinance. These and other non-historic alterations to its fenestration affect whatever modest architectural value it possesses. In this regard, the recommendation is to downgrade the house to non-contributing structure status. I hope that answers the question.

So, at our cost, we provided that to Mr. Rasch's office.

Ms. Donner said question #5 is very difficult to answer. And toward the idea the bay window and addition on the front were probably done in the late 1970's and not part of the historic house. She thought they answered the other five criteria quite thoroughly.

Member Biedscheid suggested that in this case, although it might be circular but in this case of a vernacular structure, the special condition could be that to maintain a vernacular structure requires an action of the applicant.

Ms. Donner replied away from the microphone.

Member Roybal asked if façades 2 and 3 are primary.

Mr. Rasch agreed. It is not publicly visible and the addition would not affect primary elevations.

Member Roybal asked if it would also not affect the contributing status.

Mr. Rasch replied that it is only if the Board finds that the addition is sensitive, even though it exceeds the 50% footprint.

Member Powell asked what the façade number is for the south elevation.

Mr. Rasch said it is façade #1 and is a non-primary elevation.

Member Powell said the addition would normally be recommended to be set back 10' and this proposal goes forward 1 foot.

Mr. Rasch agreed but it still reads as a separate addition.

Member Boniface understood it is about differentiation and that is addressed in the code and in this case, is physically offset.

Member Bayer asked in regard to the window on the south elevation with the decorative grill, Staff found criterion #2 was not met and asked if the applicant could provide additional testimony.

Ms. Donner said #2 has to do with they could meet the requirement and still have a door.

Mr. Rasch said that criterion is about hardship. The applicant proves a hardship why they can't have divided lites.

Ms. Kopren said, "That is a very difficult façade. I did consider just doing a metal door as opposed to wood door because a wood door would ... the elements would be harsh on that façade and would look bad very quickly. It wouldn't be aesthetically pleasing.

"In the same way, with a metal door, it would make it look more commercial. The qualities of the door are such that it is recessed in and not even visible if you are right next to it. It is designed to account for weather conditions and allow light in.

Vice-Chair Katz asked what the door is made of.

Ms. Kopren said it is bronze metal with tannish glass that allows light in with a wrought iron grill.

Vice-Chair Katz asked if there was any reason why it couldn't have divided lites.

Ms. Kopren said, "I didn't want it to look like another Arcadia door, to be honest with you. I suppose we could weld divided lites, divided cross pieces."

Vice-Chair Katz said, "You might not like the styles that are mandated by Code but that doesn't sound like a hardship to me. That sounds like you may not like it but that is what the Code requires. So, I was wondering why you couldn't do divided lites, particularly when you have a grill in front.

Ms. Kopren asked if the Board would approve it if the door had divided lites behind the grill.

Vice-Chair Katz said the grill is another issue, but the divided lites is what the exception is needed for.

Member Roybal said the door looks like a security door to him. He asked the applicant if it was a security door for safety reasons.

Ms. Kopren said it is a combination. Part of it is the harsh elements that give it that look and it does function for a security door.

Member Roybal said a response for safety could help with the exception.

Ms. Kopren said she looked at many doors and wanted to have something pleasing but very functional and also for wheelchair access. You could actually drive up in a vehicle and bring a wheelchair inside that living room.

Vice-Chair Katz understood that but that has nothing to do with divided lites.

Mr. Rasch said the hardship is more aesthetic reasons. With horizontal dividers and the grill, it is not aesthetically very pleasing.

Vice-Chair Katz said the posts for the pergola are not within Santa Fe style. Could they be replaced?

Ms. Donner said the fact that they are eclectic and not publicly visible, she asked to be taken into consideration. It would be expensive to replace them.

Mr. Rasch said the adjacent structure would cause the contributing status to be affected, then the proposal "shall be denied." But when it is not attached he did not think it would affect the status.

Ms. Donner said it could be taken away - it is reversible.

Member Boniface said if that is the argument, then the applicant could replace the stone columns.

Ms. Donner said she was talking about it being removed at a later date.

Member Boniface said it bothers him that people go ahead and start construction without a permit and then come here to ask forgiveness. This isn't something little. This is a whole room that is nearly as big as the existing building. To go that far and then come here to ask for approval really bothered him. He didn't know what to do. He was not inclined to make her tear it down but what she did is wrong.

Ms. Donner agreed and said she came in after the fact but Ms. Kopren is trying to make it right now. She would have recommended that she come here first. But she is here to make amends and move forward.

Ms. Kopren apologized and said that was not her intent.

Public Comment.

Ms. Stefanie Beninato, P.O. Box 1601, was sworn. She agreed with Member Boniface that it is getting very tiring and insulting to this Board to have people wait and wait and then come in. It was not held by her family but a recently purchased property in the historic district and they knew it was historic because she once lived in a historic zone. Whether she was afraid to come to the Board or not is not a great excuse and even the architect said it was an excuse. She has heard a lot of excuses here. They didn't like the criteria so they did something different so please don't make them change it. The metal door is unnecessary. It could be a wood door and they might have to use oil paint on it and certainly could do it with divided lites.

She pointed out that John Murphy is not here to be questioned about his report and it is convenient for them to say that information is hard to find. But she was sure that city directories go back to the early 1900's and changes would be seen. Certainly, aerial photos could show what was there and it can be part

of the historic record which is accessible.

She didn't like the pergola and was offended that it went up and now they have another room that is almost doubling the space, plus the pergola. It was nice that stone columns are used in Spain but they are not used here and the Board should require the columns be replaced.

Mr. Derek Kopren, 518 Apodaca Hill was sworn. He replied to the question of how they purchased the house.

He said, "When we visited my wife's mother, she got a call from one of the cousins, and their mother, Sara Armijo, was living in the house and recently had passed away and they asked if anybody in our family would like to get that house. That's how we were able to obtain the house. So, it was a cousin's house of my wife's father. And we've been coming to Apodaca Hill for over 35 years to visit my wife's family. Her mother, Priscilla Apodaca, who is here tonight, is the last living Apodaca on Apodaca Hill. Her husband, Joe Apodaca, lived his whole life and died on Apodaca Hill. He used to tell our son, his grandson, stories about growing up and living on Apodaca Hill. I know one of the Board members said at the review board, they considered all the properties on Apodaca Hill contributing because of the stories. Some were good stories. Joe Apodaca used to tell my son about growing up and he and his father built some of the homes on Apodaca Hill. His parents and his grandparents are buried on Apodaca Hill in the Cristo Rey cemetery on land that Apodaca ancestors donated to the Cristo Rey church. So, we have deep ties to Apodaca so we didn't just come here and purchase this house from where we are still working. We were just able to move here in the last few years. What we are asking for is to build one room that is big enough to entertain our family and to make this house our home here for the rest of our lives.

There were no other speakers from the public regarding this case and the public hearing was closed.

Action of the Board

Vice-Chair Katz said in the action of the Board, the fence, the size, the pergola, the door are all elements to consider and they might not all be considered the same.

Member Biedscheid asked if the applicant would make the heights of the latillas of the coyote fence irregular.

Ms. Donner agreed they would do that.

Member Biedscheid asked if they considered mimicking one of the existing doors in the house for that new door. She mentioned some of them and asked, "Would any of those be options for that opening?"

Ms. Donner said they could look into that for that item of exception.

The Board was very hesitant to make a motion and no one spoke up for several minutes.

Member Biedscheid explained that the Board members are concerned about the stone columns, in

part. She asked if the Applicant could think of any way to remedy that look and to offer any concession on that fence.

Ms. Kopren said regarding the columns that they were researching it. She said, "In fact, that was brought to the ... from 16th century Spain and was brought into Mexico and the southwest back during the conquest. The stone is actually quarried in Mexico. The stone façade is ... looking at stone compared to wood, the stone expands and contracts so that, especially, the pillars on it, you can't see them from ... It is not visible from any streetscape of public viewing. Cantera is durable and it expands and contracts without any naturally. So that you don't get the wear that you do with wood. Is it possible to put wood over it? Yes, it is possible. I think that, given that, especially on that south elevation, it would deteriorate very rapidly. Because I can see changes on the portal vigas. So, it would need continuous upkeep. What else could be done? I suppose it could be painted to look like wood. But the only one affected would be me. No one else has any view of it."

Member Powell said likely it was quarried in Chihuahua and it is not found around here, so it is foreign. He thought that was why the Board was having such a hard time with it. That's why we don't find that style of columns here.

Ms. Kopren said it is also reminiscent of the gothic renaissance styling seen at the cathedral.

Member Powell said it was just too heavy to be brought here by wagon. Everything was taken locally. It is just a foreign item.

Member Biedscheid agreed. That is not a vernacular style on Apodaca Hill. Obviously, it was imported from elsewhere.

Ms. Kopren said she knew it is durable and works well with the climate here. She thought wood would not aesthetically or structurally be good.

Member Biedscheid said it is just not something found here in the historic district.

Ms. Kopren thought it could be painted to look like wood.

Member Powell said painting is just a film that will peel and make it look worse. The Board is not seeing any concessions here from the rules that have been broken. When someone breaks a rule, it happens but concessions would need to be made. The Board obviously won't require the applicant to tear down everything. She is asking for everything to remain the same. He asked in her response, what she was offering.

Ms. Donner said she was at a loss. Maybe the Board could make a ruling on the other parts. She suggested she could come back to the Board with something.

Mr. Rasch said the door and the pergola seem to be the big sticking points.

Ms. Donner asked if the Board could approve it partially.

Vice-Chair Katz said the Board could postpone the case or just deny the door and the columns.

Member Powell said this is tough. He had never seen this much debate and reluctance to make a motion. We don't want to let the City down as well.

Member Boniface agreed that none of the Board wants to be the bad guy.

Member Boniface moved in Case #H-16-106B at 418 Apodaca Hill, first that he finds the criteria for the exception to exceed the 50% footprint has been met. He also finds that the nonconforming stone columns need to be brought into conformity with 12" diameter wood columns that can be brought to Staff for final approval. The single lite door design on the south elevation shall be modified to conform to the diagonal 30" rule for window glass panes. The unapproved and uncommitted coyote fence must be brought down within the maximum allowable height of 67" and the portal is also approved.

Member Roybal seconded the motion.

Member Biedscheid noted for the record that the exception criteria to exceed the 30" lite standard has not been met.

Member Boniface agreed.

Member Biedscheid also noted on the exception request to exceed the 50% footprint rule, that the Applicant discussed in response to criterion #5 that the vernacular - maintaining the vernacular style requires some action on the part of the applicant and the Board consider that to be satisfactory.

Member Biedscheid accepted that as friendly.

Vice-Chair Katz said he would also find that the house is small and the desire of the Applicant to have it larger - the smallness of the house is not the fault of the Applicant. The fact that it hasn't changed was brought out in the application that a lot of the other houses on Apodaca Hill have grown in size. The problem with this one is that it hasn't grown in size and that is not the fault of the Applicant.

Member Boniface accepted that as friendly and added that the latilla tops would be irregular in height.

The motion passed by voice vote with all in favor except Member Boniface who dissented.

- 3. Case #H-17-013B. 522 Halona Street. Downtown & Eastside Historic District. Tim Curry, agent for David Powell, owner proposes to construct 450 sq. ft. of additions, replace windows and doors, and remove a 143 sq. ft. greenhouse on a contributing residential structure. (Nicole Ramirez Thomas)**

Ms. Ramirez Thomas gave the staff report as follows:

BACKGROUND & SUMMARY:

522 Halona is a Spanish Pueblo Revival style residential structure located within the Downtown and Eastside Historic District. The house was built between sometime between 1935 and 1945. The house retains its original massing and windows, though there may have been changes to doors. A portal was enclosed and an addition was added to the north and west elevations of the house at the northwest corner (master bedroom and greenhouse on the floor plan). The portal enclosure and greenhouse are non-historic. Defining characteristics of the property include the undulating parapet, the yardwall, and the asymmetrical window openings. The Board, at their hearing, designated façades 1, 2, 3, 11, 12, 13, and 14 as primary elevations. She directed the Board to the attached façade map.

The applicant proposes to remodel the property with the following.

- 1) Addition of a 350 sq. ft. portal to the west elevation. The height of the addition will be 11'-0". The existing parapet height on the west is approximately 12'-6".
- 2) Remodel of the greenhouse on the west elevation. The parapet will be raised to 11'-8" and new windows will be added. Some areas currently covered with non-compliant glass windows will become walled in areas; the greenhouse will become an extension of the adjacent room.
- 3) Windows and doors on primary elevations will not be altered.
- 4) Windows and doors will be replaced on non-primary elevations. They will be painted and stained to match existing. Color samples are provided.
- 5) The house will be re-stuccoed in El Rey cementitious "Buckskin."

STAFF RECOMMENDATION:

Staff recommends approval of the application as it complies with 14-5.2(D) General Design Standards for All H Districts and 14-5.2(E) Downtown and Eastside.

Questions to Staff

Member Roybal asked where the façade numbers were.

Ms. Ramirez Thomas said they were on page 6.

Applicant's Presentation

Mr. Tim Curry, 1315 West Alameda, was sworn. He said he loved this house. Undulating parapet s were one of his favorites so he has tried to take care of functional obsolescence without damaging the status or affecting primary façades.

Questions to the Applicant.

Member Biedscheid wanted the opinion of the architects on the Board and the Applicant regarding the horizontally oriented window. All of the other windows are oriented vertically. She wondered if that was problematic in any way.

Member Powell thought if it was on a street-facing façade it might be but this one is not. He asked if there was a path going to the acequia beside the house.

Mr. Curry said there is no public path there. There is a vanity cabinet inside below which is why the window is horizontal.

Member Boniface noted on the proposed east elevation it shows an eyebrow. He didn't see a side drawing of it and asked if he could describe it.

Mr. Curry said it is designed to match the existing eyebrow on the other side.

Public Comment

There were no speakers from the public regarding this case and the public hearing was closed.

Action of the Board

Member Powell moved in Case #H-17-013B at 522 Halona Street, to approve the application as presented. Member Boniface seconded the motion and it passed by unanimous voice vote.

- 4. Case #H-17-024. 130 Romero Street.** Westside-Guadalupe Historic District. Tim Curry, agent for Gonzalo and Marve Correa, owners, proposes to construct 653 sq. ft. of additions, a 72" high wood fence, and a 42" high yardwall on a contributing residential structure. (David Rasch)

Mr. Rasch gave the staff report as follows:

BACKGROUND & SUMMARY:

130 Romero Street is a single-family residential structure that was constructed in 1927 in the Hipped

Box style. The building is listed as contributing to the Westside-Guadalupe Historic District with the east elevation considered as primary; although the 1998 reinventory of the building recommends that it should be downgraded to non-contributing historic status due to major alterations.

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

1. A 348 square foot addition will be constructed at the southwest corner of the residence matching the height of the adjacent shed roof of the former greenhouse. The addition features one 3-lite awning window on the south elevation and on the west elevation, a single-lite awning window on the west elevation, and a 3-lite casement window with a pedestrian door on the north elevation. Finishes will match the roof and wall treatments.
2. Two existing decks on the west elevation of the residence will be covered with portals at 105 and 80 square feet. They have a simplified design with metal-finished shed roofs to match existing conditions.
3. A horizontally-oriented awning window will be installed on the north elevation behind the free-standing garage.
4. An existing wire fence along the south side of the driveway will be removed and replaced with a 42" high stuccoed yardwall and a pedestrian gate.
5. A 6' high wood picket fence will be installed along the south lotline.

STAFF RECOMMENDATION:

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

Questions to Staff

Member Roybal asked if he recommend a downgrade.

Mr. Rasch said he was not, even though the HCPI recommends that. The additions don't exceed 50% of the footprint and are not on a primary elevation. It has come here several times. It was made contributing before 2003.

Member Powell asked if the roof has been changed.

Mr. Rasch agreed. It was asphalt and was changed to standing seam with approval.

Applicant's Presentation

Mr. Curry (previously sworn) said this is another great house and presents functionally obsolete challenges for owners so a minimal addition on the south side is proposed for more livable space.

Questions to Applicant

There were no questions to the Applicant.

Public Comment

Ms. Beninato (previously sworn) thought it was not on a primary façade and under 50% so the Board could approve it without dealing with status and if the roof was decided to be approved, it should not change the status and the status is not before the Board, anyway.

There were no other speakers from the public regarding this case and the public hearing was closed.

Action of the Board

Member Roybal moved in Case #H-17-024 at 130 Romero Street, to approve items 1-5 as recommended by Staff. Member Boniface seconded the motion and it passed by unanimous voice vote.

5. **Case #H-17-028. 103 East Water Street.** Downtown & Eastside Historic District. Hogan Group Inc., agent for Robert Spitz, owner, proposes to remodel a non-contributing non-residential structure by constructing a zaguan and enclosing an existing covered roof space between structures and an existing patio. (Nicole Ramirez Thomas)

Ms. Ramirez Thomas gave the staff report as follows:

BACKGROUND & SUMMARY:

103 East Water Street is a noncontributing, nonresidential structure located in the Downtown and Eastside Historic District. The structure has undergone changes in 1996 when it became the Atomic Grill and again in 2013 when the patio was enclosed for the building's use as Elevation Bistro, another restaurant. No HCPI form is on file for the property but adjacent buildings are dated to post- 1945.

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

- 1) Addition of a shallow zaguan at street front. The zaguan will have a wrought iron gate and stucco finished walls. It will be 3'-9" deep and will have a wall attached, as part of the structure, and it will be approximately 1'-6" thick. This is an addition of approximately 39'-0" of roof cover. A light fixture will be

placed near the gate. This will alter the south façade by concealing the existing wainscoting and window glass which is currently visible from street front. The wall will have a window with divided lites which will be either stained glass or will be painted to look like stained glass. The style of the street front is a mid-century style but is not entirely a Santa Fe style. It does convey a Santa Fe style in terms of its massing, stucco, the wrought iron of the gates, and addition of the zaguan.

- 2) Enclose the existing roof covered space between the enclosed patio and main entrance of the building. Exterior finish will be stucco and a wood door with decorative carved panels.
- 3) Enclose the remaining section of the portal and add windows to the south and east facing façades.
- 4) Conceal the wood frame and window enclosed patio by creating a wall. The wall will have a window with divided lites and a stained or colored glass window.
- 5) Remove existing concrete stair and metal railing adjacent to the street sidewalk.
- 6) Removal of existing light fixtures, and paint decorative designs on the windows on the east elevation of the enclosed patio.
- 7) Finishes and colors were not submitted to staff but they will be brought to the Board at the hearing.

STAFF RECOMMENDATION:

Staff recommends approval of the application as it complies with 14-5.2(D)(9) General Design Standards for All H Districts, Height, Pitch, Scale, and Massing and 14-5.2(E) Downtown and Eastside for design standards, though staff defers to the Board to determine if the design choices are compatible with the Santa Fe style per 14-5.2(E). Gate and door especially.

Questions to Staff

Member Bayer asked regarding style if Staff is referring to the street-facing façade.

Ms. Ramirez Thomas agreed. Mid-century is an art deco look and not particularly a Santa Fe design. It is not common in the downtown area.

Applicant's Presentation

Mr. Mark Hogan, 994 Old Pecos Trail, was sworn. He said this is proposed to enclose two very different portals. One was constructed in 1993 as a 5' deep portal and then the portal as part of the attached patio enclosure was in 2013. The result is a dark dead space which we can improve a lot by making a vestibule space for the restaurant. That one is 1,000 square feet and this is 500 square feet. And it will improve efficiencies. We propose a screen for new windows at the zaguan to bring its identity as a

restaurant closer to the street and screen some of the patio windows.

Between the time of submittal and tonight, he worked on the budget for construction and decided doing the screen wall and zaguan will have to be deferred until later. So, he brought an alternate elevation that leaves existing the elevation intact except for the face.

Ms. Ramirez Thomas pointed out that Staff has not been privy to the alternate proposal.

Mr. Hogan said it just came to light today and they were not proposing any change other than not doing a portion of it. The metal fascia above the doors is particularly disturbing when you look at that from the outside. They were just looking to break that ...

Vice-Chair Katz was hearing from Staff was that the Board might want to postpone this so Staff can consider it. The zaguan was going to shield all of this and with that going away, it changes things.

Mr. Hogan said they would like approval for it but cannot construct the screen wall and zaguan right now. "We would appreciate not being tabled or postponed for the timing to get the enclosure approved and adding the window at the back portion so they can get open. The alteration should not impact the application negatively because it is leaving what is there now but cleaning up some of the detailing. They did propose to repaint the patio enclosure so it is not a sharp contrast with light wall panels and the dark beams around it.

Ms. Ramirez Thomas said if it is just a delay of this design that was noticed, that is fine. The approval is good for three years and can receive two 1-year extensions. Staff wants to make sure no exceptions are being requested.

Vice-Chair Katz said the concern is whether the Board could approve it as is and they would not build it right away but if they delay it, it might have an impact.

Ms. Ramirez Thomas said the change in paint is small but reconfiguration of windows or space would require more review.

Mr. Hogan referred to the floor plans and pointed out the existing space and the restaurant dark space. They would put in a door and enclose it and put in a ceiling. The zaguan screen being omitted would not change the use of the space but would enhance the streetscape and he pointed out the only other window proposed which is to announce the presence of the restaurant on Water Street.

He pointed out the screen panel and the art deco theme that is also reflected in gates to replace the wrought iron gates to the alley. He said they might need to defer that also if they don't have enough funds.

He showed the east elevation and where the screen and gate would be. The new front door is made of carved wood so there is no additional glazing there - just the window facing the alley.

Questions to the Applicant

Vice-Chair Katz asked if he was planning on doing that window now.

Mr. Hogan said no. They would pull back the stucco wall, window and gate together.

Member Boniface asked to see the east elevation again. If they don't build the zaguan, he wanted to know how that would affect the design of the east elevation.

Mr. Hogan said the existing condition would remain as is except for painting and he would like to improve the appearance of fascia over the door.

Member Boniface noted there are rafter tails sticking out and asked if he would cut them off.

Mr. Hogan said he would not.

Member Biedscheid asked regarding the screen if it is a wall built in front of what is there now.

Mr. Hogan agreed and said that was why they referred to it as a screen. They would insert a window and take out the doors that end that south façade.

Member Biedscheid asked if the windows would remain then.

Mr. Hogan said when the screen is constructed, they would take out the windows and replace them as part of the screen.

Ms. Ramirez Thomas said the reason the zaguan was proposed was for entry rather than a wall. But he is suggesting it is a wall for the front of the property so the wall section could not be built higher than 8' because the zaguan is an essential element.

Vice-Chair Katz was confused. There are changes he is proposing on the façade that was formerly the patio and changes in front. He asked if the plan was to just do the back stuff now and not change anything on east or south elevations.

Mr. Hogan agreed - nothing other than paint on the south and all the work would be at the back end.

Member Bayer thought he said he had an alternate south façade. She asked if they are just postponing that part for tonight.

Mr. Hogan agreed.

Member Bayer asked if they would build what he was now proposing tonight.

Mr. Hogan agreed.

Member Roybal asked if he brought the colors.

Mr. Hogan said he didn't. The stucco is El Rey Moon Dance and the trim is Iron Ore which is almost charcoal for the trim. The wood entry door is stained and paint on panels around windows is the trim paint color. It matches the existing shade of brown that is there.

Member Powell surmised that they are approved colors.

Mr. Hogan agreed and it does match what is there.

Member Powell thought it seemed like a nice design but might need more detail on colors. He asked if it is true stained glass.

Mr. Hogan agreed it is true stained glass and meets the 30" lite rule.

Member Powell thought the Board should postpone the case until we get all the facts. He asked if the Board has enough.

Member Roybal suggested the colors could be approved by Staff.

Mr. Rasch said only Cottonwood is outside the norm for stucco and that would need an exception. He didn't know Moon Dance.

Mr. Hogan said they are not proposing any colors that are not allowed in the district. If there is any problem with Moon Dance, he would bring it.

Mr. Rasch confirmed Staff could approve colors unless it is outside the bounds.

Vice-Chair Katz asked if the Board could we approve 2, 3, and 4 and hold off on the rest.

Mr. Hogan said that would be fine with him and asked which portions those included.

Vice-Chair Katz read them from the Staff report and realized that 4 would not be included in the approval now.

Mr. Hogan said they have the window well depicted.

Public Comment

Ms. Beninato (previously sworn) said this building went downhill in 2013 when the porch was enclosed and never has fit in since that change. She hoped the Board would not approve the screen grill that is very close to the street. The Board is approving the wall that is set back but she didn't understand how that will entice people to come to the restaurant with a wall in front of the door. It would be really nice to postpone it until everything can be done and see what will be there in the next three years. It looks very unfinished - to

do something totally different on the patio.

There were no other speakers from the public regarding this case and the public hearing was closed.

Action of the Board

Member Powell said it sounds like a good compromise to include the drawings.

Mr. Hogan said there are steel gates now and could be closed but typically are not. It also pulls the identity out toward the street.

There was some confusion on where #4 would be located.

Member Biedscheid asked if the windows would have clear glass.

Mr. Hogan agreed and the lites are under 30".

Member Biedscheid asked if the wood is stained or painted.

Mr. Hogan said the wood will be painted and he would bring colors to staff. Page 10 shows the entry to that. The window is underneath the patio area.

Ms. Ramirez Thomas pointed out that #4 is included as part of #1 so the Board could ignore #4.

Member Powell moved in Case #H-17-028 at 103 East Water Street, to approve #2 and #3 portions of the application with #1, #5, #6, and #7 would be brought back to the Board.

Member Boniface seconded the motion with an amendment that the applicant bring photos of proposed light fixtures.

Member Biedscheid asked for a condition that the wood panels paint design be brought back to the Board. Member Powell accepted the amendments as friendly and the motion passed by unanimous voice vote.

- 6. Case #H-17-026B. 645 East Palace Avenue Unit 3.** Downtown & Eastside Historic District. Christopher Purvis, agent for Daren and Monica Haas, owners, proposes to construct 180 sq. ft. of additions, a 124 sq. ft. ramada, a 72 sq. ft. 11' high freestanding shed, a 300 sq. ft. 10' high freestanding carport, and 4' and 6' high coyote fences, and replace windows and doors, and re-roof a contributing residential structure. An exception is requested to not replace the roof in-kind (Section 14-5.2(D)(6)). (Nicole Ramirez Thomas)

Ms. Ramirez Thomas gave the staff report as follows:

BACKGROUND & SUMMARY:

645 East Palace Avenue Unit 3 is a contributing vernacular style residential structure located within the Downtown and Eastside Historic District. The estimated date of construction of the original portion of the home is 1902. It is defined by a hipped gable roof over the main portion of the house. An addition was made to the north/northeast corner of the home and it has a shed roof. A portal is added to the addition.

The character defining features of the property are the long front (west/southwest) elevation of the house which is visible as one drives up the hill to the home and the hipped gable roof. While the footprint of the home is historic, it does appear that the doors and windows have changed through time. The aerial photo indicates a change to the portal sometime after 1960. The Board designated the long west/southwest elevation (façade 1 on the façade map) and the south elevation (façade 6) as the primary elevations.

The applicant proposes to remodel the property with the following 15 items.

- 1) Re-roof of the house with brown corrugated roofing to replace the shingle roof. An exception is requested to not replace the roof in-kind (14-5.2(D)(6)). The exception responses are provided at the end of this memo.
- 2) Addition of 180 sq. ft. under the existing portal on the east elevation. The addition will partially enclose the existing portal, though the architectural features of the slope of the roof and the corbels will be retained. A mechanical space currently under the portal will be removed. Four divided lite elevations will be added to the east elevation, two divided lite windows will be added to the north elevation, and two divided lite windows and a compliant divided lite door will be added to the south elevation of the new porch enclosure.
- 3) Addition of a 124 sq. ft. ramada to the east elevation. The addition will be placed 11'-8" from the primary elevation. The ramada will be sealed with a light brown natural seal.
- 4) Addition of a 72 sq. ft. free-standing shed. The shed will have a flat roof and will be stuccoed.
- 5) Addition of a 300 sq. ft. free-standing carport to a maximum height of 11'-0".
- 6) Addition of 4'-0" and 6'-0" coyote fences at the west and north elevations.
- 7) Addition of a fireplace where there is currently a wood stove (west elevation).
- 8) Refurbish the window on the west elevation and paint them white.
- 9) Replace the door on the west elevation with a true divided lite French door. The door is not historic and is non-compliant.
- 10) Replace the door on the south elevation. The door is not historic.
- 11) Replace the aluminum windows on the east elevation at the bedroom with two double hung

windows. The wood will be painted white and the window will be true divided light.

- 12) Replace aluminum sliding windows and electrical boxes with compliant divided lite windows on the south elevation under the shed roof and west of the portal.
- 13) Replace windows on the east elevation with two pairs of white painted wood windows and three French doors.
- 14) Re-stucco in cementitious El Rey "adobe."
- 15) All windows and door will be painted white.

RELEVANT CODE CITATIONS

14-5.2(D) General Design Standards for All H Districts

(6) Roofs

The existing roof styles and materials shall be maintained or replaced in kind if necessary. The addition of dormers or other roof features should only be considered when they are an existing or historical feature of the *structure*.

EXCEPTION RESPONSES

Applicant Response:

The existing structure might be contributing if so we would need an exception to change the roof covering from asphalt shingles and roll roofing to Corrugated steel (brown) this would have been the traditional material for the pitched roof in the northern New Mexico style. However, the brown color is mandated by the escarpment ordinance.

I provide the following responses to the criteria for exception for the change from Asphalt shingles to Corrugated steel roof

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

Applicant Response: This proposed Roof material change does not damage the streetscape because the surrounding pitched roofed houses have corrugated or standing seam roofs in tin or rusted brown color.

Staff Response: Staff agrees with this response. The material requested does not change the character of the streetscape.

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

Applicant response: The roof material change allows the owner to install Corrugated steel roofing which will allow the building to better fit in with its neighbors avoiding the incongruous asphalt shingles which do not blend in to the streetscape thus avoiding the injury to the public welfare caused by an anomalous streetscape.

Staff Response: Staff agrees with this response. The corrugated roof will provide a more congruent roof type; however, staff feels the hardship is in that the roof must meet the standards of the City's escarpment ordinance and for this reason and have the color of the roof brown rather than uncolored corrugated metal, which is the traditional finish on many pitched roofs in northern New Mexico vernacular.

(iii) *Strengthen the unique heterogeneous character of the City by providing a full range of design options to ensure that residents can continue to reside within the Historic Districts;*

The proposed roofing material change is part of the full range of design options that should be available for residents to continue to live in traditional buildings.

Staff Response: Staff agrees with this response. Shingle or roll roofing are the alternative. Brown corrugated metal is required because of an underlying ordinance; other colors were explored but are prohibited.

STAFF RECOMMENDATION:

Staff finds that the exception criteria have been met and recommends approval of the application as it complies with 14-5.2(D) General Design Standards for All H Districts and (E) Downtown and Eastside.

Questions to Staff

There were no questions to Staff.

Applicant's Presentation

Mr. Christopher Purvis, 200 E Marcy, was sworn. He had nothing to add.

Questions to Applicant

There were no questions to the Applicant.

Public Comment

Ms. Beninato (previously sworn) said there is a lot going on for changes on this property. She appreciated the ramada being set back over ten feet from the primary elevation. But she didn't see anything

that look like a ramada. Ramadas are not roofed and don't have windows.

It seems the windows being replaced are more harmonious than the aluminum sliders.

There were no other speakers from the public regarding this case and the public hearing was closed.

Mr. Purvis said there are no windows but there are doors behind it. The ramada is attached to the building on the right side.

Mr. Rasch agreed it is a ramada because it has no roof.

Action of the Board

Member Biedscheid moved in Case #H-17-026B at 645 East Palace Avenue Unit 3, to approve the application as submitted and recommended by Staff. She found the exception criteria have been met. Member Bayer seconded the motion and it passed by unanimous voice vote.

7. **Case #H-12-003. 204 East Santa Fe Avenue.** Don Gaspar Area Historic District. Stephen Walker, agent/owner, proposes to replace historic windows on a significant residential structure and to construct a 24 sq. ft. bay window on a non-historic addition. An exception is requested to remove historic material (Section 14-5.2(D)(5)(a)(I)). (David Rasch)

Mr. Rasch gave the staff report as follows:

BACKGROUND & SUMMARY:

204 East Santa Fe Avenue is a single-family residence that was constructed in brick by 1912 in the Neoclassical Revival style. A small wood-sided porch on the south elevation was constructed sometime between 1958 and 1966. The building is listed as significant to the Don Gaspar Area Historic District with all historic elevation designated as primary.

On February 14, 2012, the Board approved remodeling the property including the construction of a 577 square foot addition that was 6" lower than the adjacent parapet height and two exceptions were granted to place the addition on a primary elevation and at less than 10' back from the east elevation.

Now, the applicant requests an amendment to the approval with the following two items.

1. All of the historic 1-over-1 wood window sashes on the significant structure will be removed and replaced in-kind. The applicant chose not to have the windows assessed to determine if they are beyond repair. The windows appear to be repairable and in generally good condition. An exception is requested to remove historic material and the exception criteria responses are at the end of this report.

2. A 24 square foot bay window addition will be constructed on the west elevation of the non-historic

addition which will harmonize with a similar window on the significant structure. The addition will feature paired 1-over-1 windows and paired single-lite windows with projecting concrete sills on the west elevation.

RELEVANT CODE CITATIONS

14-5.2(D) General Design Standards for All H Districts

In any review of proposed additions or alterations to structures that have been declared significant or contributing in any historic district or a landmark in any part of the city, the following standards shall be met:

(1) General

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

(5) Windows, Doors, and Other Architectural Features

(a) For all façades of significant and landmark structures and for the primary façades of contributing structures:

(l) Historic windows shall be repaired or restored wherever possible. Historic windows that cannot be repaired or restored shall be duplicated in the size, style, and material of the original. Thermal double pane glass may be used.

EXCEPTION TO REMOVE HISTORIC MATERIAL

1: Do not damage the character of the district.

We seek approval for the replacement of the current 106 year old single pane windows of the existing residence. The proposed windows would repeat the general proportions and look of the original window design. They will be constructed of wood and will be painted to match the original color pattern. No noticeable difference will be visible from the street and the character of the district will be preserved.

We met with Klaus Herring of Alpha Restoration and Construction Services, Santa Fe, NM. He recommends replacing the entire window due to damage that Klaus pointed out. He noticed damage and rot that we, as non-professionals, did not notice before. Here is a description of the process we plan to use to replace the windows. I have attached a copy of the installation guide.

With Marvin's 'Insert Double Hungs', the process is what's referred to as "frame in frame replacement". The existing window frame is left in place, based on the frame's wood material being sound. The existing Sashes are removed and the new window frame is inserted in the space previously occupied by the original Sashes. The replacement unit is a factory assembled frame, or Jamb, two operable Sashes, top and bottom, with all the mating hardware, weather strip and operating mechanisms.

Prior to inserting the replacement widow frame, the counter weight voids on each side of the existing frames are filled with insulation. Any deteriorated wood can be replaced to look as-built. The new windows would also be significantly better at sealing out wind, dust, etc., than anything that could be done as part of a restoration project. We would also replace the wood trim details with a custom fabrication. We want to maintain the character of this house for another 100 years (hopefully) to come.

Staff response: Staff agrees with this statement since the windows will appear the same, but the ordinance requires retention of historic material that is not beyond repair.

2: Are required to prevent a hardship to the applicant or an injury to the public welfare.

Currently we have removable storm windows. They were custom made and need to be hung and removed each season. They are heavy and the glass is thick. They allow lots of air to leak in during the winter. More critical is our lack of egress when they are in place. This is clearly a fire hazard and we would not be able to escape through any of these windows should a fire start.

Original summer screens are held in place with external screws due to the broken and rotted wood glides of the window frames. They fall out frequently in high winds. They are not repairable, as per my contractor, and should be replaced.

The original paint is lead based. To remove this paint requires special equipment and permits. We have had no success in finding a contractor to work on these windows due to the risk. We can remove the original wood safely, but cannot modify (sanding) them due to lead exposure risks. To repair these windows to provide an operable condition, they would need to be sanded. That is not possible as the lead based paint is hazardous material and we have had several contractors refuse to touch the job. We can remove them and replace them as a unit safely, without disturbing the paint. That is what we wish to do. The original frames will stay, and the sashes will be replaced as a unit. There will be no difference in the appearance or material. We will be using wooden sashes and similar style to the original.

The original windows do not open fully as the frames are warped due to settling of the building. They do not provide legal egress in an emergency, even when the storms are not placed over them.

There is a large amount of heat loss from the original windows and storms. We feel a great deal of draft due to the poor fit and incomplete closure of the original windows.

Staff response: Staff does not agree with this statement. Owning a significant historic house comes with preservation responsibilities such as maintenance and repair that may cost more than less strict regulations for non-historic structures. But, State tax credits can be used to improve energy efficiency and operation and there are ways to make windows ingress-egress compliant with break-out hinges.

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

We want to maintain the look and feel of this lovely old home and the wood is rotting and cracking. We

have already ensured that the structure is sound and we want to repair and maintain this wonderful house. The replacement of the original windows will maintain our home structurally and we are committed to keeping every detail of the wood as it was, but without the rot and dysfunction.

Staff response: Staff does not agree with this statement. The applicant chose not to hire a certified window assessor to determine if the windows are repairable and accepted that they are repairable. Additionally, the applicant did not discuss other options that are available and why this option is the preferred choice, such as removing the single-paned glass and installing thermal panes in the existing historic sashes.

STAFF RECOMMENDATION:

Staff finds that the exception to remove historic material has not been met and otherwise recommends approval of this application which complies with Section 14-5.2(C) Regulation of Significant Structures, (D) General Design Standards, and (H) Don Gaspar Area Historic District.

Questions to Staff

Member Boniface said in the summary, Mr. Rasch said the windows appear to be reparable and in good condition. He asked if that was his observation.

Mr. Rasch agreed. The Applicants chose not to use one of the certified window inspectors. They chose a person who is well respected as a restoration professional but not certified so has not been trained on the City's standards. The inspector believes they need to be replaced, saying there is lead present and considered lead remediation to be an expensive undertaking. He did mention problems with the windows in terms of rot didn't follow the 30% rule.

Member Bayer pointed out that the Code requires that the historic windows shall be repaired or restored wherever possible and that requires a window assessment to do that.

Mr. Rasch agreed and said the Applicant felt they were not beyond repair but wanted an exception any way. They are single pane, not well sealed and don't operate easily.

Applicant's Presentation

Mr. Stephen Walker and Ms. Jan Walker, 204 Santa Fe Avenue, were sworn.

Mr. Walker said they did have Alpha Restoration and Construction look at them recently and didn't know if Mr. Rasch got that report.

Mr. Rasch said the report came at 5:30 today so it is not timely.

Mr. Walker said the windows don't open well and we had them taken out and sanded but they still don't

work well. We had another gentleman who said they have lead paint and refused to change them. Another man said there was a lot of caulk under the paint. Alpha doesn't think we can keep the frames. He thinks it all needs to be redone.

Ms. Walker said the report is varying degrees of rot and decay and all of them have lead paint. Some are painted shut. On the second page, he says those with lead paint would require complete removal of windows from the house and no guarantee they could be repaired. He recommended removal from the home.

Vice-Chair Katz said the problem for the Board is that there is no question that it would be easier, more efficient and cheaper to just replace them. But this is a significant building and unless one of the persons Mr. Rasch recommended inspects them informs the Board further, replacement could not be approved.

Mr. Walker said they could use one of the recommended inspectors.

Member Powell briefly explained to the Applicants why it was important. He also pointed out that historic windows are gold in the way they are constructed and quality of the wood. And the owners could get paid back for the restoration costs with tax credits.

But if a certified person says they are not reparable, that is different. The windows and doors will make a difference in the value of the home.

Mr. Walker said their neighbor replaced their windows in the 1980's.

Member Powell asked if the windows have counterweights.

Ms. Walker said they do but some are broken.

Member Powell said when fixed, they can be lifted with one finger. It is hard to find people to do that but Mr. Rasch has names of those who can do the restoration. The Historic Santa Fe Foundation has such windows and spent about \$800 per window and you can see how they work.

Mr. Walker said they just want them to open.

Mr. Rasch was quite certain this structure's costs could be written off under tax credits for five years.

Questions to Applicant

There were no questions to the Applicant.

Public Comment

Ms. Beninato said most of the homes on east Santa Fe Avenue are really special and it is nice to know

one is significant. She understood there is a bay window on this one. The addition is not contributing but thought there was a bay window matching it. Otherwise it would not be appropriate.

She knew there are some windows that have pins and would be a safety problem and safety would trump historic in that instance.

There were no other speakers from the public regarding this case and the public hearing was closed.

Member Powell clarified that the bay window is on the addition.

Mr. Walker explained that it was a box and they are just changing it to match.

Action of the Board

Member Powell moved in Case #H-12-003 at 204 East Santa Fe Avenue, to approve the application regarding the bay window on the addition and postponing the rest for more information on the windows.

Member Boniface seconded and explained they would need to use an approved window inspector and then the Board can make a final decision. The motion passed by unanimous voice vote.

Ms. Gheen clarified that #1 is approved and #2 is postponed. Vice-Chair Katz agreed.

- 8. Case #H-17-030A. 941 and 943 Don Cubero Avenue.** Don Gaspar Area Historic District. HPD staff requests designation of primary elevations on two contributing garages. (David Rasch)

Mr. Rasch gave the staff report as follows:

BACKGROUND & SUMMARY:

941 and 943 Don Cubero Avenue is a residential duplex and two free-standing one-car garages that were constructed in a vernacular manner in the early 1930s. All structures are listed as contributing to the Don Gaspar Area Historic District.

The residence holds character defining features on the west elevation, including historic wood windows and doors and wooden shed-roof canopies over the windows and doors with metal tile finish. River rock with a flagstone cap wainscot on the west elevation, mimicking a similar low yardwall at the street frontage, appears to be non-historic.

Staff is requesting designation of primary elevations for all three structures.

RELEVANT CODE CITATIONS

14-5.2(C) Regulation of Contributing Structures in the Historic Districts (Ord. No. 2004-26)

(1) Purpose and Intent

It is intended that:

- (a) Each structure to be recognized as a physical record of its time, place, and use. Changes that create a false sense of historical development, such as the addition of conjectural features or architectural elements from other buildings, shall not be undertaken;
- (b) Changes to structures that have acquired historic significance in their own right shall be retained and preserved, recognizing that most structures change over time;
- (c) Distinctive features, finishes, and construction techniques or examples of craftsmanship that characterize a structure be preserved;

STAFF RECOMMENDATION:

Staff recommends that the west elevation of the residence and both garages shall be designated as primary elevations of the three structures in compliance with Section 14-5.2(C) Regulation of Contributing Structures.

Questions to Staff

Member Biedscheid noted that it shares a common wall with neighbors and asked if the status designation would have any effect on the adjacent building.

Mr. Rasch said since those are lot-line walls, they would be considered separate structures and not any part of the building to the north. It has a zero-lot line.

Public Comment

Mr. Andreas Romero, 943 Don Cubero, was sworn.

Vice-Chair Katz asked if he agreed with the staff recommendation.

Mr. Romero said he agreed. He has affidavits that do not object to this action.

Vice-Chair Katz told him, "Mr. Rasch thinks you have done a great job on your house."

Mr. Romero thanked him.

Ms. Gayla Bechtol, 1813 Hano Road, was sworn and asked if the tiles are original on the overhang.

Mr. Romero agreed.

Ms. Bechtol said she has done research on this and the Board will see it. It was not in the Don Gaspar District in 1983. She didn't disagree with the primary elevations if it is a contributing structure and was built in 1936. She had two aerials and they show it is essentially the same. It is the only duplex in this neighborhood and the plainness speaks to that. All the rest are single family homes so it is an interesting edge to the district and across the street is a two-car garage that was allowed.

Ms. Beninato (previously sworn) said she really liked the house. It has been well maintained and glad the owner has not disagreed with the recommendation. It is obviously a duple. My home was also built as a duplex and think there were more than are now obvious. Some were probably changed into single family homes. This is unique and she hoped the Board would continue to keep it contributing with those elevations as primary.

There were no other speakers from the public regarding this case and the public hearing was closed.

Member Biedscheid asked why he said the flagstone caps and river rock wainscot are not historic.

Mr. Rasch said it didn't look historic so didn't think so and said it is also reversible.

Member Biedscheid asked if he wished to exclude it.

Member Boniface said he lives on that street and can testify that the wainscot is not historic.

Action of the Board

Member Boniface moved in Case #H-17-030A at 941 and 943 Don Cubero Avenue, to follow staff recommendations and make the west elevation of the residence and both garages as primary, based on photographic evidence, excluding the doors themselves and the wainscot as not historic. Member Bayer seconded the motion and it passed by unanimous voice vote.

I. MATTERS FROM THE BOARD

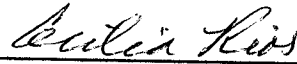
Member Roybal said he would not be present at the next meeting and Vice-Chair Katz also said he would be absent.

Mr. Rasch said at that meeting the Board will review awards so he might get with both of them this week to get their recommendations.

J. ADJOURNMENT

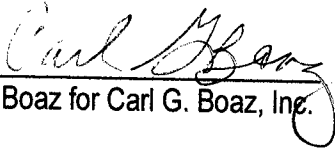
The meeting was adjourned at 8:12 p.m.

Approved by:



Cecilia Rios, Chair

Submitted by:



Carl Boaz for Carl G. Boaz, Inc.