



Agenda

CITY CLERK'S OFFICE

11-21-17

TIME 4:55pm

RECEIVED BY *M. Kelly*
Carmelina Spears

HISTORIC DISTRICTS REVIEW BOARD FIELD TRIP

TUESDAY, December 12, 2017 at 12:00 NOON

HISTORIC PRESERVATION DIVISION, 1ST FLOOR CITY HALL

HISTORIC DISTRICTS REVIEW BOARD HEARING

TUESDAY, December 12, 2017 at 5:30 P.M.

CITY COUNCIL CHAMBERS

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

Case #H-17-078. 998 Acequia Madre.

Case #H-17-060. 115 Rodriguez Street.

Case #H-17-099. 235 Delgado Street.

Case #H-16-078. 564 Garcia Street.

Case #H-17-068. 434 and 434A Acequia Madre.

Case #H-17-098A. 122, 124, 125, and 126 Camino Santiago.

Case #H-17-098B. 122, 124, 125, and 126 Camino Santiago.

Case #H-17-096. 616 East Alameda Street Unit F.

Case #H-17-066. 415 Camino Manzano.

Case #H-17-100. 118 East Santa Fe Avenue.

Case #H-17-068. 434 and 434A Acequia Madre.

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

1. Case #H-17-097. 984 C Acequia Madre. Downtown & Eastside Historic District. Deborah Auten, agent for Holly Hart, owner, proposes to construct an 834 sq. ft. addition to 11 ft. high on a non-contributing residential structure. (Nicole Ramirez Thomas)
2. Case #H-17-101. 53 Old Santa Fe Trail. Downtown & Eastside Historic District. John Silver, agent/owner proposes to remodel the storefronts and entries on a contributing non-residential structure. (David Rasch)
3. Case #H-17-102. 501, 503, 507 Webber St. Don Gaspar Area Historic District. Ross and Katherine Hall, agent/owners, request designation of primary elevation(s) on a contributing non-residential structure. (Nicole Ramirez Thomas)
4. Case #H-17-103. 984 B Acequia Madre. Downtown & Eastside Historic District. Deborah Auten, agent for Holly Hart, owner, proposes to construct a 576 sq. ft. free-standing garage to 10 ft. high at a contributing residential property. (Nicole Ramirez Thomas)
5. Case #H-17-104. 960 Acequia Madre. Downtown & Eastside Historic District. Chet Cramin, owner/agent, requests to replace a vehicle gate with a 5' high mechanical vehicle gate on a contributing residential property. The gate is 5 ft. in height. (Nicole Ramirez Thomas)
6. Case #H-17-105. 853 E. Palace Ave. Downtown & Eastside Historic District. Lisa Roach, agent for Vigil Estate, Patsy Vigil Lardizbal, owner, requests historic status review with primary elevation(s) designation, if applicable, for non-contributing residential structure. (Nicole Ramirez Thomas)
7. Case #H-17-106. 345 Delgado St. Downtown & Eastside Historic District. Lorn Tryk, agent for Charles and Theresa Niemeier, owners, requests historic status review with primary elevation(s) designation, if applicable, for non-contributing residential structure. (Nicole Ramirez Thomas)

8. Case #H-17-107. 233 West Manhattan Ave. Downtown & Eastside Historic District. Linda Armer, owner/agent, requests historic status reviews with primary elevation(s) designation, if applicable, for a contributing residential and a non-statused residential structure. (Nicole Ramirez Thomas)
9. Case #H-17-108. 100 N. Guadalupe St. Downtown & Eastside Historic District. Descartes Labs, agent for Firestone 100, LLC, owner, proposes to remodel a non-contributing, non-residential structure by installing three windows, constructing a screen for existing mechanical equipment, and install signage. Two exceptions are requested to place signage above 15' from grade (14-8.10(H)(26)(D)) and to exceed the three color maximum (14-8.10(B)(4)). (David Rasch)
10. Case #H-17-109. 431 Camino de las Animas. Downtown & Eastside Historic District. Scott Cherry, agent for Russell and Sandra Osterman, owners, proposes to construct a 198 square foot addition on a non-contributing residential property. An exception is requested to exceed the 3' corner standard (14-5.2(E)(2)(b)). (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 Historic Preservation Division office at (505) 955-6605 five (5) working days prior to the meeting date.



Agenda

CITY CLERK'S OFFICE

DATE 12/6/17 TIME 11:10

SERVED BY B. J. [Signature]

RECEIVED BY [Signature]

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

1. Case #H-17-097B. 984 C Acequia Madre. Downtown & Eastside Historic District. Deborah Auten, agent for Holly Hart, owner, proposes to construct an 834 sq. ft. addition to 11 ft. high on a non-contributing residential structure. (Nicole Ramirez Thomas)
2. Case #H-17-057B. 806 Don Gaspar Avenue. Don Gaspar Area Historic District. Palo Santo Designs, agent for Halley Roberts Strongwater and Daniel Strongwater, owners, proposes to demolish a non-residential contributing structure. An exception is requested (Section 14-5.2(D)(1)(a)). (Nicole Ramirez Thomas)
3. Case #H-17-101A. 53 and 55 Old Santa Fe Trail. Downtown & Eastside Historic District. HPD Staff requests primary elevation(s) designation for a non-residential contributing structure. (David Rasch)
4. Case #H-17-101B. 53 and 55 Old Santa Fe Trail. Downtown & Eastside Historic District. John Silver, agent/owner proposes to remodel the storefronts and entries on a contributing non-residential structure. (David Rasch)
5. Case #H-17-102. 501, 503, 507 Webber St. Don Gaspar Area Historic District. Ross and Katherine Hall, agent/owners, request designation of primary elevation(s) on a contributing non-residential structure. (Nicole Ramirez Thomas)
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I. MATTERS FROM THE BOARD

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HISTORIC DISTRICTS REVIEW BOARD

December 12, 2017

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MINUTES OF THE
CITY OF SANTA FE
HISTORIC DISTRICTS REVIEW BOARD

December 12, 2017

A. CALL TO ORDER

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

B. ROLL CALL

Roll Call indicated the presence of a quorum as follows:

MEMBERS PRESENT:

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

MEMBERS EXCUSED:

OTHERS PRESENT:

Mr. David Rasch, Planner Supervisor
Ms. Nicole Ramirez Thomas, Senior Planner
Ms. Theresa Gheen, Assistant City Attorney
Ms. Lisa Martínez, Land Use Director
Mr. Carl Boaz, Stenographer

NOTE: All items in the Committee packet for all agenda items are incorporated herewith by reference. The original Committee packet is on file in the Historic Planning Department and available on the City of Santa Fe web site.

C. APPROVAL OF AGENDA

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

D. APPROVAL OF MINUTES - November 28, 2017

Member Bayer requested a change on page 11, first sentence to add at the end of the sentence, "on the main house when it was brought before the Board last time." She asked if this is what was previously approved.

Member Boniface asked for a change on page 6, paragraph 10 to insert after "three feet" the words, "in height." and "in plan" at the end of the sentence.

Chair Rios noted that on pages 6, 22 and 34. Mr. Boaz could not hear what Member Powell was saying. She asked the Board members to keep their microphones on and close by.

Member Boniface moved to approve the minutes of November 28, 2017 as amended. Member Katz seconded the motion and passed by voice vote with all voting in favor except Chair Rios abstained.

E. FINDINGS OF FACT AND CONCLUSIONS OF LAW

Case #H-17-078. 998 Acequia Madre. Case #H-17-096. 616 East Alameda Street Unit F.
Case #H-17-060. 115 Rodriguez Street. Case #H-17-099. 235 Delgado Street.
Case #H-17-100. 118 East Santa Fe Avenue. Case #H-17-068. 434 and 434A Acequia Madre.
Case #H-16-078. 564 Garcia Street.

Member Roybal 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.

F. BUSINESS FROM THE FLOOR

There was no business from the floor.

G. COMMUNICATIONS

There were no communications.

H. ACTION ITEMS

Chair Rios announced to the public that anyone who wished to appeal a decision of the Board would have up to 15 days after approval of the Findings of Fact and Conclusions of Law with the Governing Body.

1. **Case #H-17-097B. 984 C Acequia Madre.** Downtown & Eastside Historic District. Deborah Auten, agent for Holly Hart, owner, proposes to construct an 834-sq. ft. addition to 11 ft. high on a non-contributing residential structure. (Nicole Ramirez Thomas)

Ms. Ramirez Thomas presented the staff report as follows:

BACKGROUND & SUMMARY:

984 C Acequia Madre is a single-family residence located within the Downtown and Eastside Historic District. The house was built prior to 1973 and has Spanish Pueblo Revival Style and Territorial Style elements. The Board designated the historic status of the residence as non-contributing to the Downtown and Eastside Historic District in November of 2017.

The applicant proposes the following remodel.

- 1) Addition of 834 square feet for a garage addition on the south elevation. The addition will require the removal of a portal on the main house and the removal of a portal and storage area on the guest house. The height of the garage will be 11'-0". The driveway brick that is removed will be reused.
- 2) Windows on the addition will be wood clad divided lite in "White."
- 3) The stucco will be cementitious "Adobe" to match the existing.
- 4) The garage door will be a wood panel door.

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.

Questions to Staff

There were no questions to Staff.

Applicant's Presentation

Ms. Debra Auten, 840 Alto Street, was sworn. She had nothing to add to the Staff Report.

Questions to the Applicant

Member Boniface asked what the color of garage door would be.

Ms. Auten said it will be dark brown.

Public Comment

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

Action of the Board

Member Roybal moved in Case #H-17-097B at 984 C Acequia Madre, to approve the application as staff recommended. Member Boniface seconded with a friendly amendment that the garage door shall be a brown color. Member Roybal accepted it as friendly and the motion passed by unanimous voice vote.

- 2. Case #H-17-057B. 806 Don Gaspar Avenue. Don Gaspar Area Historic District. Palo Santo Designs, agent for Halley Roberts Strongwater and Daniel Strongwater, owners, proposes to demolish a non-residential contributing structure. An exception is requested (Section 14-5.2(D)(1)(a)). (Nicole Ramirez Thomas)**

Ms. Ramirez Thomas presented the staff report as follows:

BACKGROUND & SUMMARY:

806 Don Gaspar Avenue is a Cottage style single family residence located within the Don Gaspar Area Historic District. The house was built by Charles Stanford and was completed by 1912. It is listed as contributing the Don Gaspar Area Historic District. A detached garage is located at the southwest corner of the property. The building is built in a vernacular style and is known to have been part of the property by 1967 based on aerial photographs. The garage is also contributing to the district. The Board assigned the north, east, and south elevation with the original glass doors as primary elevations for the main house. The east elevation is primary on the garage.

The applicant requests the following items.

- 1) The applicant is requesting an exception to demolish the contributing garage (14-5.2(D)(1)(a)). The relevant code citations, demolition responses, and exception responses are provided at the end of this memo.
- 2) Addition of 550 square feet to the house. The current square footage of the house is 1212 square feet. The addition does not exceed 50% of the historic footprint so an exception is not requested. The height of the addition is proposed to be 13'-4 1/2" where the maximum allowable height is 16'-8". The exterior finishes will be vertical wood siding and a galvanized standing seam metal roof.

RELEVANT CODE CITATIONS

14-3.14 Demolition of Historic Landmark Structure

(G) Standards

(1) In determining whether a request for demolition in a historic district should be approved or denied, the HDRB shall consider the following:

(a) Whether the *structure* is of historical importance;

Staff response: In July of 2017 the historic status of the garage was already contributing to the Don Gaspar Area Historic District and the Board assigned the east elevation as primary.

(b) Whether the *structure* for which demolition is requested is an essential part of a unique *street* section or block front and whether this *street* section or block front will be reestablished by a proposed *structure*; and

Staff response: The structure is a common element of homes built in the Don Gaspar Area Historic District. The existence of a garage at the back of the property is not unique to this home but is a characteristic of homes built in the neighborhood in the 1930s and 1940s. The construction of the main house occurred prior to the time the former chicken coop was turned into a garage/shed. The proposed addition to the home will not reestablish the structure.

(c) The state of repair and structural stability of the *structure* under consideration.

Staff response: The garage is in a state of disrepair but according to the City Building Official the building is not in danger of collapsing. The engineer's evaluation indicates that the garage/shed is structural unsafe due to a lack of bond beam. In addition the joists are undersized. To make the building usable for more than storage significant modifications would be necessary. Attached to this memo are a Special Inspections Demolition Request and the engineers report on the state of the building.

(2) In determining whether a request for demolition of a *landmark structure* should be approved or denied, the HDRB and governing body shall consider the following:

(a) The historical importance of the *structure*; and

(b) The state of repair and structural stability of the *structure*.

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.

EXCEPTION RESPONSES

Does not damage the character of the Streetscape: The outbuilding structure, which is detached from the main house and situated at the back easement line, farthest from the street and on a zero lot line with the south boundary of the property. It is visible only to a very limited degree when the viewer is positioned directed in front of the property and falls out of view quickly as one passes by the property. It is not the dominant or defining architectural feature of the property and differs significantly in terms of its style and

quality of construction as compared to the main house and adjoining structure on the zero lot line to the South. The backset outbuilding is common feature in the Don Gaspar area, including on the directly adjacent property to the South. Its removal from the subject property would not damage the character of the streetscape, as similar features remain intact elsewhere, which are more prominent to the streetscape, in better condition and more in alignment with the architectural style of their respective main houses.

Staff response: Staff agrees with this response. While the placement of a garage at the back of the property along a tandem driveway is a common characteristic of the Don Gaspar Area Historic District the garage/shed on this property is not unique to the streetscape and the style of the building differs from the residence.

Prevents a hardship to the applicant or an injury to the public welfare: The applicants are a young couple with a newborn baby. One of the applicants' family home is in the district and the intention in buying the property was to renovate the home to suit the needs of a growing family as permanent residence and be able to accommodate a home office and space for grandparents to watch the grandchild. Anecdotally, it has been said that the previous owners sold the home because the layout did not suit the needs of their young children.

Although the condition of the outbuilding was obviously in disrepair when the owners purchased the property, it was not known to them at the time that the structure was unsafe or uninhabitable. The building was inspected by Jorge Gonzales, Structural Engineer, and Michael Purdy, City Building Inspector. Letters, attached. Mr. Gonzales has determined the building to be unsafe and uninhabitable, Mr. Purdy has determined the building to be in a state of disrepair. Structural deficiencies are evident upon visual inspection and the building is beyond repair short of a major structural re-build. This type of structural alteration is disallowed by city zoning code due to the non-conforming nature of the building per 14-10.3(E)(3). It would not be allowed to structurally alter the building (which is needed to make it safe) without bringing it into zoning compliance simultaneously. To bring it into zoning compliance (in meeting the min. 5 ft. setback) demolition would be required of the entire south façade (which adjoins a structure on the southern neighboring property) and portions of the West façade and East facade (East having been designated a primary facade) to five feet away from the property line, representing nearly half of the building's existing footprint. Leaving an unsafe structure on the property which cannot be structurally altered is a significant hardship to the owners. Being required to demolish half the building and preserve half is neither practical nor advisable in this case, and would represent an undue hardship.

Furthermore, city zoning staff's recent characterization that the structure could not be made into habitable space without a variance (due to the zero lot line situation in the R-21 zone), AND that the project would not meet eligibility criteria for such a variance, creates a significant hardship to the owners in not being able to utilize the outbuilding for any of the uses one could reasonably expect.

Also, Mr. and Mrs. López, the neighbors sharing the southern property line of the subject property, have stated that demolition of the outbuilding is highly desirable to them for reasons including the continued preservation of their outbuilding to which the unsafe structure in question is attached, preservation of their property value by detaching from a potential structural liability and their desire to see improvements carried out on the subject property.

For the above reasons, demolition of the outbuilding will prevent both a hardship to the owners and prevent an injury to the neighbors and thus the public welfare.

Staff response: Staff agrees in part with this response. The engineer's letter does state that the building is unsafe and therefore can be characterized as a hardship in that it is somewhat unusable and does not suit the needs of the family that plans to live in the home.

The applicant is correct in stating that they were advised by zoning that it would not be possible to incorporate the building into the remodel of the home. Since that time, Current Planning and Historic Preservation have discussed the apparent conflicts in Chapter 14 relating to non-conforming structures and the historic districts. It is the opinion of City Staff that the more restrictive regulations under Chapter 14 apply and those that are more restrictive are the City code for the historic districts. As such, and due to the fact that the garage/shed is a contributing structure per 14-5.2(C), the non-conformity of the structure is not non-conforming; it is conforming and has been deemed worthy of preservation. The issue of non-conformity in the historic districts is resolved by the Land Use Director and the determination of non-conformity is considered and determined on a case-by-case basis.

All this stated, the applicant was given advice to the contrary which was that the building is non-conforming and cannot be used as a habitable space. The applicant followed this advice and pursued a request for demolition of the garage/shed and a request for construction of a conforming addition. Up to the point of constructing this memo the conforming/non-conforming discussion had not been resolved; therefore the argument that the garage/shed cannot be incorporated into the design of the remodel has been presented.

Strengthen the 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: During Design Development, Palo Santo Designs has explored other design options which would allow the preservation of the outbuilding, none of which has served to provide the owners with the end use they require while remaining admissible to city zoning staff or in alignment with Historic design guidelines.

We looked at the possibility of a second story addition. This was not suitable for the owners and, and would present a significant change to primary facades of the contributing main house, dramatically changing the character of the original historic home and having a significant impact on the streetscape and character of the district.

We explored constructing an addition to the south non-primary façade of the main house to connect the main house and outbuilding, preserving the primary façade of the outbuilding while incorporating the outbuilding into the heated habitable space. Zoning staff informed us that this would be disallowed according to R-21 zoning and the zero lot line condition of the outbuilding. We were told it would also contradict the intention of zoning code to prevent the extension of the useful lifespan on non-conforming structures in the district. We were told a variance would be required to achieve this design option, and that such a proposal would not meet the eligibility requirements for a variance.

We explored the option of connecting the buildings as described above, while leaving the outbuilding unimproved/unheated and preserved. In order to achieve adequate living space for the intended purpose, this option would necessitate a very long and narrow room extending into the front yard area to the north and east of the outbuilding, detracting from the character defining nature of the front yard area. This option

would also necessitate the structural improvement to the outbuilding structure to extend its longevity and protect the new construction from future harm. This is contrary to 14-10.3(E)(3) which prohibits alterations to a nonconforming structure except to bring it into conformity. This option also presented a very awkward and undesirable layout for the owners and was rejected.

We also explored the option of leaving the outbuilding unattached to the main house and building an addition or detached structure in the front yard area. City zoning staff had informed us during design development that a 10ft. building setback would be required between the outbuilding, severely limiting the options for a functional floorplan that did not encroach significantly on the front yard area, and require a long hallway addition. Zoning has just, in the last week, retracted its assertion that a 10-ft. building setback requirement is required in this case. Yet, a design trajectory was followed based on the "expert" advisement of senior planners during design development. Reversal of this assertion by city staff at this time creates added hardship, frustration and consternation on the part of the owners, and they have rejected back tracking on design and accumulating any unnecessary design costs due to erroneous assertions made by zoning staff when specifically consulted on the options.

Staff response: Staff agrees with this response. Several design options were considered.

Is due to special conditions and circumstances which are peculiar to the land or structure involved which are not applicable to other lands or structures in the related streetscape: The unusual lot line configuration of the property, which has resulted from previous owners' lot consolidations, splits and granting of easements, leaves the home perched in a position which is non-conforming to current City Zoning Setback requirements. This is also true for the outbuilding structure proposed for demolition here. The peculiar boundary and easement conditions severely restrain any new construction on the property except for in the front yard area. The unique character of this home is that it is set back far from the street and presents an aesthetically pleasing feature to the streetscape and district, which the applicants hope to preserve, leaving very limited options and special constraints to improving the property without utilizing the space currently occupied by the outbuilding.

Staff response: Staff does not agree with this response but acknowledges that an addition to the south prevents the contributing elements of the main residence and the property from being diminished.

Is due to special conditions and circumstances which are not a result of the actions of the applicant: The applicants recently purchased the property as is. The current state of disrepair and structural compromise was inherited from the previous owners, and was not fully understood prior to their acquisition of the property. Specifically, the knowledge that zoning would disallow the use of the outbuilding as inhabitable space was unknown until after the purchase. Furthermore, erroneous and contradictory assertions over time by city zoning staff has complicated matters as they relate to the owner's ability to understand correctly what options are viable to the improvement of their property.

Staff response: Staff agrees with this response in part. The statements regarding the zoning review are accurate, however staff feels the special conditions and circumstances that are not the result of the actions of the applicant is that the location of the structures on the lot are both at the back of the property and that any modern growth of the main house to accommodate a family would need to be to the south in order to preserve the streetscape. Staff does not agree with the statement that a lack of knowledge about the

condition of the property and the requirements of zoning are a special circumstance.

Provides the least negative impact with respect to the purpose of the code: Demolition of the structure will allow the applicants to explore other design options for future improvements which will further enhance the heterogeneous character of the district and streetscape, while eliminating a dangerously unmaintained structure. As Chapter 14 duly expresses, the purpose of the Historic Districts is to promote economic, cultural and general welfare and to ensure harmonious, orderly and efficient growth and development. The historic outward appearance of the home and property is well preserved regardless of the presence of the detached outbuilding; therefore demolition of it will have no negative effects on property values, touristic appeal and the welfare of the residents. Demolition will ensure the opportunity for the applicants to design and build a new structure in its place in alignment with historic styles, without adversely affecting the unique front yard aesthetic. This is in fulfillment of the purposes set out in 14-5.2 (A)(1).

Staff response: Staff agrees with this response. The applicant's design has worked to be sensitive to the character defining aspects of the property and the streetscape.

STAFF RECOMMENDATION:

Staff defers to the Board to determine if the exception criteria have been met and if the garage/shed structure should be demolished. Should demolition be approved, 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(H) Don Gaspar Area Historic District.

Ms. Ramirez Thomas commented that her responses to the applicant's exception responses were a little complicated. In some cases, she agreed, she disagreed with one, and with others, she qualified her agreement or disagreement. So Staff defers to the Board in this case whether the shed should be demolished.

Questions to Staff

Chair Rios asked her what parts she did not agree with and why.

Ms. Ramirez Thomas said the single criterion response she disagreed with was #4. The criterion asks if the request is due to special conditions and circumstances which are peculiar to the land or structure involved, which are not applicable to other land or structures in the related streetscape. This criterion is really intended for the applicant to compare the lots adjacent to it within the immediate vicinity to see how they might be different. She didn't believe they answered that very clearly. But she thought they were prepared to address it tonight.

Chair Rios took note of a handout from Jorge Gonzalez, P.E. [A copy of the handout is attached to these minutes as Exhibit 1.]

Member Biedscheid had a question on how to approach this case. She asked if the Board is to

consider the demolition and the approval of the new design [at this meeting].

Ms. Ramirez Thomas agreed.

Member Biedscheid asked if the demolition standard and exception criteria should be considered together or one after the other.

Mr. Rasch clarified that the demolition standard asks the Board to find that it is either not historically important nor part of streetscape. The Board should first consider removal of historic materials.

Chair Rios asked her to comment on the architectural style of the home and of the garage.

Ms. Ramirez Thomas described this home as a cottage, built by a man who uses scrap material, and there have been very few modifications since it was built. The garage/shed was a chicken coop and done opportunistically. So, the style is very different. It is vernacular, stuccoed with a wood door.

Chair Rios concluded that they are not compatible.

Ms. Ramirez Thomas said they are very different styles. In the last hearing, when she looked at it and the long front yard and considered that the shed was a chicken coop, it makes more sense. The unique items are long front yard and cottage. To her, the garage/shed is secondary.

Chair Rios asked if the garage is an essential element of the streetscape.

Ms. Ramirez Thomas pointed out that it is a common element of the Don Gaspar area but not as good an example as the others are. It is characteristic to have garages set back at the end of a long driveway and that is a characteristic of this district.

Chair Rios asked if she knew what the condition of it was structurally or if it has been expressed by an engineer.

Ms. Ramirez Thomas agreed. The City building officials said it is in bad shape but not ready to collapse. The engineer hired by the applicant said there is quite a bit of work that needs to be done in order to make it safe.

Chair Rios asked what the interior height is.

Ms. Ramirez Thomas said it is 6' 2¾".

Mr. Rasch handed out the statement from Mr. Greg Smith, Current Planning Division Director. [A copy of the statement is attached to these minutes as Exhibit 2.]

Member Roybal asked how the redesign fits with the existing house.

Ms. Ramirez Thomas said the design is congruent with the style the Board approved in November for

this property. It tries to match a style that doesn't look separate from the house but didn't match it completely. So there are two different styles on the property.

Member Roybal asked if the garage, or chicken coop, would be usable for anything else.

Ms. Ramirez Thomas didn't think so in its current state, but it might be usable for storage.

Member Powell said he remembered this house and the Board had a status review.

Ms. Ramirez Thomas said it actually was not a status review but just to designate primary elevations.

Member Powell recalled the east façade was designated primary for the garage.

Ms. Ramirez Thomas agreed. And, there was no request from Staff, Board or Applicant to review it for a possible downgrade of status.

Member Powell surmised the Board would undo that designation if they approved the demolition.

Ms. Ramirez Thomas said yes, ultimately, because it would not exist any longer. That meeting was in October 2017 because it was in the convention center.

Member Powell could not remember any previous time in the past when demolition and proposed plan were considered together in one packet.

Ms. Ramirez Thomas clarified that it can be done but there was no design brought forward at that meeting when it was postponed.

Chair Rios recalled when this case came to the Board then, the house and garage were already contributing, and the Board just designated primary elevations.

Ms. Ramirez Thomas agreed.

Applicant's Presentation

Mr. Mark Georgetti, 108½ Pemican Street, was sworn. He said he prepared some comments but would like to go through, to clarify and expand their exception responses. And address the comments of Staff.

He also knew members of the public were present to speak to this case during the other hearings and hoped they would do that this evening.

Chair Rios assured him there will be public comment on this case.

Mr. Georgetti first commented on the context of the out-building which is inappropriately labeled as a garage and to his knowledge, never was. It was constructed decades after the main house. It was not built when the main house was built nor with same types of materials nor in same architectural style as the main

house. Its intended use was as a chicken coop and later modified as a storage shed. There is no evidence it was ever used as a garage and the dimensions would make it very difficult. The height of the doors is less than 7'. The ceiling height is 6' 2¾". Even the opening width is 7' 11" - less than a standard parking spot in a parking lot would be. So he called it an outbuilding and not a garage.

He handed out some photos and other documents to the Board. [The packet he handed out is attached to these minutes as Exhibit 2.] The first page was to show the measurements, limited scope, and scale for usability for any purpose. His notes were on minimum code requirements.

His photos were to demonstrate the comments in the engineer's letter. He pointed out in Engineer Gonzales' letter the ceiling joists were undersized for the span and roof load and there was no bond beam. They would need to reinforce the foundation and rebuild the roof to have a safe, code compliant building.

Regarding the contributing scale, he understood it is likely the outbuilding was given contributing status in 1990's by default in a drive-by inventory. It was not closely assessed at that time or any time since. No status change was requested ever.

Ultimately, the issue is whether the building was truly worthy of that status that has never been addressed. It is not unique or critical to the streetscape. He had photos on the third page of twelve other properties within about a block and a half of the property that have distinctive outbuildings, garages, or car ports that are integrated with the main house. This property does not demonstrate that quality.

This is not a significant building respecting the character of the streetscape of the district. Page 2 shows pictures of the outbuilding while passing along Don Gaspar and it can be seen that the visibility is extremely limited, in fact only at the driveway, to see it clearly at all.

So it doesn't contribute as a noticeable building that the public would recognize as defining to the neighborhood. So those comments and the second engineer review addresses the key criteria for demolition.

The modifications that would be required to make it usable and safe would significantly change the character of the building by raising it higher and modifying every opening. That was his insight on it and which he thought were valid and important for the Board's consideration.

He commented further on their exception responses. We appreciated that Staff agreed with criteria 1, 3, and 6 in full and in part to 2 and 5, but didn't agree with #4. Upon further discussion with Staff, he thought he could address the criteria to the Board's satisfaction.

Criterion #4t was due to special conditions and circumstances not applicable to others. He said the original construction occurred when many other properties were not developed in that area (1915) and it was much larger lot. The boundaries were disregarded in siting the home. He did provide the legal lot of record in which the Board could see that the house, itself, transgresses at least four old property boundaries (lots 10, 13, 14 and 15) and, over time, various lot consolidations, lot line adjustments, splits and easement recordings, resulted in a peculiar lot line and easement configuration that are characterized by the house and the outbuilding being pinned into the north, west, and south property boundaries, leaving

no space for further development of the property other than in the character-defining east front yard and they need to avoid disturbing that primary elevation, or to develop an addition on the south where the chicken coop structure is.

Almost every other building lots around there are normal shaped lots. But this one has jogs and unusual conditions, as could be seen in his aerial photograph in the exhibit.

The numerous design options explored and referenced in their response to criterion #3 were all eventually legally disqualified, leaving only the south as the lone viable option, providing the owners, the end use they desired, while supporting the spirit and intent of preserving the unique historic character of the property. They went to great lengths to preserve the historic properties of the main house - the east facing façade and front yard. They felt that building a second story addition would seriously jeopardize the historic character. So they were left with a unique set of lot lines and setbacks that limit any other location except where the outbuilding is located. That was how he wanted to revise his #4 response.

Member Roybal was concerned with calling the chicken coop a garage. He asked, if it was a chicken coop, how it would be designated contributing.

Ms. Ramirez Thomas explained that whatever that structure was used for is not our consideration.

Member Roybal pointed out that with those dimensions, it couldn't be used for anything like a garage.

Ms. Ramirez Thomas said it is similar to other garages. Model T's or smaller, would fit in there. The question to her was that they don't know much about it. It was some sort of outbuilding for the property and the claim of the daughter was as a chicken coop.

Member Roybal understood, but it doesn't look like the style of the house.

Ms. Ramirez Thomas said that at some point, chickens were not important to that area. That is as far as she could get. The house has amazing character in the history associated with it.

Member Roybal agreed and the addition would be a plus, too.

Ms. Ramirez Thomas had mixed feelings. The first thing and what struck her first is the front yard and second what the house looks like. The garage just doesn't pop out as historic. The long drive does and was characteristic of agriculture areas there. That was her thought in consideration. The garage is not the most important element for preserving but is congruent with the neighborhood, etc. And then it opportunistically became incorporated into the life of this family.

Chair Rios asked who designated it as contributing.

Mr. Rasch said it was designated in 1982. Page 12 has the original inventory that recommended contributing status and identified an associated building as a garage. There was also a 2000 inventory, recognizing both structures as contributing. So 1982 is as far back as they could go. It was signed "E. T." We don't know who E.T. was.

Member Biedscheid thought there was history about the house. Those people worked for the railroad and even the materials in the house. She asked where that information was.

Ms. Ramirez Thomas said that was from a sworn affidavit when the property title changed. That was not in this packet, but she could retrieve it from the case files.

Member Biedscheid asked if that document discussed the garage.

Ms. Ramirez Thomas said it stated only that it was a chicken coop.

Member Boniface asked Ms. Ramirez Thomas, when it came to the Board last month, the building was already contributing, and the Board was asked only to designate primary elevations. He asked if the applicant had discussed downgrading the status of the chicken coop/garage with her.

Ms. Ramirez Thomas said there was no consideration of what needed to happen to the garage. They were both contributing, and the applicant needed the primary elevations to know how to proceed. The complicating factor that no one raised is how the property could be developed. The building couldn't be integrated into what the family needs. There is always an option to request downgrade. Staff and applicant didn't, and the Board didn't either. That is the trajectory chosen.

Member Boniface thought if they had known what they wanted to do, they might have taken another route to make it noncontributing. But since the Applicant didn't ask for it, the Board was not in a position to even suggest that to the Applicant because the Board didn't have the authority to consider it.

Ms. Ramirez Thomas agreed. But once it was postponed, there was a preference for asking for the downgrade and then, at a point where it goes one direction, it didn't make sense.

Questions to the Applicant

Mr. Georgetti said when they first came to ask for primary façades, they were just doing due diligence to understand the main house primary elevations to begin a design process. He consulted with zoning staff and Mr. Greg Smith's letter was slow to get to them. But he wrote a conclusive statement that set the trajectory of design element for this Board to be zoning compliant and also compliant with Chapter 14 as it pertains to historic districts. He tried to thread the needle from a zoning point of view and historic preservation point of view. That devolved into a series of conversations where Staff were unable to affirm for them what the primary code compliant mechanism should be. And, as Ms. Ramirez Thomas stated, they were already down the road on design to comply with Greg Smith's letter to solve a problem with a building that is not essential, non-conforming and that it could not be made into a habitable space because it would be a code violation. Chapter 14 disallows the structural modification of nonconforming buildings, so they were left with no other option than to propose demolition.

Regardless of that internal debate, he has never gotten a response from zoning. There is a precedent to allow the demolition of contributing buildings. He thought this was an exceptional candidate for that

because it is not defining for the street or district and is unsafe and it impedes the intent of Chapter 14 for economic and cultural development in historic districts and orderly development of a lot in the district. So that contradictory statement from zoning has not helped.

If he had been properly informed, the approach might have been slightly different, but this approach is for the highest and best use of this property. A letter from five neighbors along Don Gaspar was crafted by Owen and Vicky López who are the neighbors at the south boundary and whose garage adjoins this structure and with the others, are in full support of this proposal. They said that it would improve the value of their property as well as other neighbors and to enable something quite beautiful in its place.

He didn't think there is a strong case for preserving this structure.

Chair Rios noted this is on a zero lot line to the south and the Applicant could not rebuild on that lot line.

Ms. Ramirez Thomas said they could do so with a zero lot line affidavit but the neighbor is not willing to do that, so it must have a setback minimum of 5'.

Member Biedscheid appreciated the discussion but felt it had jumped from the designation of the primary façade to the current application. In November, the Board approved an application for remodel, where they proposed a new roof, new siding, a new front door of a different color, and new windows. He found it curious how or why, not recalling any discussion of a future addition to the main house, at that time. She asked if he could speak to how they design evolved. She asked how the design evolved.

Mr. Georgetti said they were advised by Staff to break down their presentation so it could be handled in a systematic and incremental way.

Chair Rios noted that, at one time, the Applicant was told by the Director of Planning that they could not attach any portion of the garage to the house.

Ms. Ramirez Thomas said maybe it could be connected but it couldn't become a habitable space.

Chair Rios reasoned that it could not be a casita for the house.

Mr. Georgetti agreed. That was confirmed in Mr. Smith's letter.

Chair Rios said that is not Staff's position, then.

Ms. Ramirez Thomas said Staff was asked to determine if that was correct. So, after the last meeting, Staff asked for clarification and the zoning staff, City Attorney's office, PGD Staff, and the Land Use Director, all met to consider how to approach it. There is a conflict in Chapter 14. Mr. Smith interpreted it from zoning that to make the building structurally sound would intensify the nonconformity. Most of those in the discussion said that the historic district overlay acknowledges the building is nonconforming. It is not built to modern standards. So this Historic District overlay acknowledges that is the case with historic buildings and accepts they are nonconforming by modern standards and in that view, are not

nonconforming. The other layer to this is whether the building is significant or contributing. It would be different with a noncontributing building and not have this problem. The overlay is the most restrictive in this particular situation.

Member Katz agreed that making it larger would definitely increase the nonconformity. So he was puzzled. The increasing of the nonconformity to actually use that building which would be desirable in normal circumstance, would require that it no longer look like what it was.

Member Biedscheid had trouble understanding why Staff would have advised the Applicant to piecemeal this application. It would make more sense to consider the demolition first before approving the new design.

Ms. Ramirez Thomas said that was what Staff was presented with, and it required a number of exceptions that would not have been appropriate to bring to the Board in that initial design. So, more work had to be done on it. And the discussion happened with zoning unbeknown to her and then the design was presented to her. It seemed like a really coherent design but required several exceptions.

Member Biedscheid commented that it is a very small portion of the overall design, by itself. The new design is a much larger façade.

Ms. Ramirez Thomas supposed the owner probably thought of proposing smaller first but that is not piecemealing it.

Member Powell noted this building has been contributing for over three decades and the Board is skipping some steps here. There is a lot to be digested in this packet. Mr. Georgetti has thrown the Board a curve ball that we are trying to work with, having just designated a primary façade.

Ms. Ramirez Thomas clarified that it was already contributing.

Member Powell agreed. So the Board is under a mandate to preserve the building and should discuss a possible downgrade. He asked why the Board should have designated a primary façade if they were just going to demolish it. That would be his motion if he were to make one. We are skipping a lot of steps and there is confusion. He felt the Board should do this systematically and do it the right way.

Member Katz pointed out that by doing it with exceptions is equally valid. That would have been an alternate route but didn't think the Board would want to approve the exceptions if they felt that somehow, they would be losing a building that was really worth preserving.

Member Powell said he was having a hard time understanding why the Board would undo what it just approved.

Member Katz said because it was already contributing, the primary elevation had to be designated, and it was obvious it would be the east.

Member Powell felt it was a lot to go through this process in such a short time.

Member Boniface agreed to a certain extent. But it came to the Board already designated and the Applicant didn't ask for a downgrade because no primary elevations were even assigned. It needed to be done so the Board did it. It seems very convoluted. He was having a problem since this is a nonconforming building. You would hit your head when walking through. It is not a habitable structure but even as storage shed, it would be problematic and as Member Katz pointed out, raising the roof would change the character. And the joists are just stuck in the mud.

Member Powell pointed out that they didn't have concrete in New Mexico until the late 1930's. He didn't walk through it. But do we have room for vernacular small buildings in the neighborhood? He was torn about it. How do we value this building? It is not very usable, but it has a place in our community. He didn't know how many of them there are. If it was the last Model T garage on the street, he would like to know that.

Member Roybal said this is either an exceptional shed or a chicken coop. It is something that is not common in the neighborhood.

Ms. Ramirez Thomas noted that it had an agriculture setting and a chicken coop makes perfect sense. There are not many garages that don't match the house.

Chair Rios thought there should be two motions - one in reference to the out building and one for the remodel.

Public Comment

Mr. Doug Roberts, 302 Lomita Drive, was sworn. He said he and his wife Bobbi, were the parents of the Applicant. They live in San Francisco now, and have a nine-week old granddaughter. So, they couldn't be here for the hearing. He said he grew up on West Houghton three houses down and went by this building which he remembered. Haley grew up here, too. She also walked by this house and remembered it. They hoped to have their granddaughter live in this house. It is just two bedrooms and they need to build a bedroom for her. He had been in this shed, but it is not safe. They would not be able to let his granddaughter go in there or around it. The beams are caving down; the walls are falling in and it is unsafe. So it would be difficult situation for them to have that building on the property. The next-door neighbor couldn't be here but favored demolition.

Ms. Bobbi Sould, 302 Lomita Street, was sworn. She read a letter from her daughter. In the letter, she read, *"806 Don Gaspar has held a special place in our family for what is now at least a collective centennial. My father grew up down the street and attended Wood Gormley as did I. And we walked by the house as kid on our way to school. Since the first time I saw it, 806 Don Gaspar, I was attracted to the beautiful yard and unique architecture of the home. Recently, my husband, Daniel, and I became to our beautiful daughter, Stone, who is twelve weeks old. For a long time, it has been our plan to move back to Santa Fe and raise her where I grew up, in the high desert. In our search for a home in Santa Fe, we learned 806 Don Gaspar was going to be on the market and we put in an offer before it was even listed. They chose us from multiple owners because of our intention to raise our family in Santa Fe, in the*

neighborhood where I and my father both grew up. Daniel and I are designers, artists and entrepreneurs and are anxious to bring our skills back to Santa Fe. We want it to be a functional home for raising our children and for it to stay with our family for future generations. Today, the house and its layout exist in a structural soup. The exterior is enticing and beautiful, but the interior is compromised and lacks functionality and efficiency. The former owners were overwhelmed by the prospects of reconciling these issues and chose to move instead of remodel it. Instead of passing up the house, after seeing its unfortunate layout and the very decrepit outbuilding, or chicken coop, we chose to undertake the challenge as an opportunity and weave together a home with considered modifications to the floor plan and a thoughtful addition, building a home a successful aesthetic, and formal qualities of a historical home while removing the stylistically conflicting aspects of the property amongst the chicken coop. We support the Board's and City's goals by, #1, increasing the density of the property zoned as R-21, a clear indication of the City's desire to densify the area. And it stands, currently, as a two-bedroom, one-bath home with a decrepit, unusable, and structurally unsound building as Mark has shown you in the photographs; #2, maintaining the single-story home in the aesthetic style of Don Gaspar, and #3, increasing the internal stylistic confusion of the property while maintaining and nurturing the front yard, garden, and orchard, #4, fulfilling the City's mandate to attract young people to Santa Fe. Mark presented to you our hard work and collaboration with our neighbors, who fully support the renovation and Palo Santo Designs was chosen for their aesthetic design sense and their contribution to similar historic properties in Santa Fe. We trust that the thought, care, and considerable effort that has gone into our proposal is recognized by the Board. And we look forward to rejoining the community of Santa Fe and to building our lives here with all of you."

Ms. Lisa Martinez was asked to speak.

Ms. Martínez said she thought the Board clearly understands how difficult and complex this case is, especially when looking at the conflicts that exist within Chapter 14 that speak to making a determination as to what is more restrictive, since whatever is more restrictive shall prevail.

This structure sits on a property line and is a nonconformity. Is that more restrictive than that this has been designated a contributing structure? It is preservation's code vs. zoning regulation. The preservation regulation is more restrictive but then the zoning regulations being looked at as no longer nonconforming. But can you change it to become habitable space? As nonconforming, no changes can be made to it. Does historic regulation trump the existing status? We've talked about it internally and how to determine which is more important standard. Ms. Ramirez Thomas made valuable points. The value of the house is that it is set back with a long driveway. It is not so much the architectural style, which doesn't match the main house. So what are the more critical elements of the property and whether it should remain or not is the issue. The structural components are very important.

Action of the Board

Chair Rios summarized the issue is whether to keep the garage or not keep it. Should we hear what the applicant is proposing?

Member Katz commented to Ms. Gheen regarding the more restrictive principle, that he didn't understand why designation of contributing has anything to do with conforming or nonconforming. That's

one issue and being on the property line, both historic code and zoning code have restrictions on what can be done with the building, and they are different things. Zoning says you can't make it habitable because that would increase the nonconformity.

Ms. Gheen said the zoning issue is not about use of it but the zero lot line.

Member Katz asked if they can make changes to their nonconforming building regardless of status.

Ms. Gheen said in the conflict, zoning code would consider it nonconforming and therefore, the zoning code would prevent any intensification. The building code is not an issue. But historic district code, in contrast to zoning issues - the zoning code would encourage its removal, so it would be set back 5'. And the historic code would say, since it is contributing, it should be preserved. So do you want to encourage its demolition or its preservation?

Member Katz said the historic code says no change can be made and zoning says you can't increase it. So in either case, it is uninhabitable. So the Board would say either, it is a nice chicken coop, or that the exceptions for demolition have been met.

Member Roybal said the Board can accept those exceptions as laid out. He believed E4 has been successfully addressed.

Ms. Ramirez Thomas agreed.

Member Roybal reasoned that since those exceptions have been met, the Board has authority to demolish it.

Mr. Rasch agreed. The Board must either ensure the structure meets minimum maintenance requirements since this predated the zoning code. A bonding beam might be required though not always required. We don't have the option of postponing it for downgrading, but the Board could approve removal of historic material. If attached, it would exceed the 50% footprint. Just sitting there is not giving it life. It is either that or getting rid of it.

Chair Rios asked if the historic issue is more restrictive and trumps the zoning issue.

Mr. Rasch clarified that because historic development doesn't follow Euclidian zoning is why we have the conflict today.

Member Biedscheid asked if there is a comparison to be made how the Board looks at the historic code vs. the zoning code. She didn't think the Board has ever denied an exception request for enlarging a bedroom window for egress or maybe removing historic material on a contributing structure. In that case, it seems the building code is trumping the historic code. What is the comparison with zoning?

Mr. Rasch said there is not a consensus among Land Use Staff on what the nonconformity is. Right now, it is not a heated structure, and is on a zero lot line. So the nonconformity is the zero lot line and, to some, that it is not a heated, livable structure. To some staff, attaching it to the main house, or putting on a

new roof, would intensify its use and therefore intensify its nonconformity.

Ms. Ramirez Thomas added that ultimately, it is a zoning issue because zoning can dictate use, where the historic code cannot.

Member Boniface thought what Mr. Rasch brought up is very poetic. If the building is not going to be used, why keep it? We are charged to protect the historic district and to make sure the buildings are usable. It is not usable now. The term "opportunistic" that is was a chicken coop and could be demonstrated by no bond beam, just cobbled together. The owner just used materials picked up and brought home to build it. It is similar to other garages in this area - being set back from the street. But so is the house.

So this house doesn't look like other typical houses that are close to the street. It is shingled and doesn't look like any others on the street. It doesn't seem to match or have much thought or care in its design.

The set back is more by default than by design. The design of the outbuilding is not even in conformity with the design of the main house.

Chair Rios asked for any other comment.

Ms. Sould noted there are two-story houses on either side and the City grew up around this tiny house. The chicken coop was built in 1967 and the house built in 1912 so she didn't understand why this little adobe chicken coop is more important than the house built in 1912. The kids are not planning on a second story for this house. So she really hoped the Board could give them support so they can move here. It is expensive for them and they can't keep doing it forever. If they had to sell it, it would be bad for us all.

MOTION: Member Boniface moved in Case #H-17-057B at 806 Don Gaspar Avenue, to approve the demolition of the garage, recognizing that the exception criteria have been met, especially #4 for special conditions - it was built in 1967 as an opportunistic building cobbled together and in disharmony with the house which was built in 1912 and by default set back from the street and not what is normally found with garages that are set back from the street. Member Roybal seconded the motion and it passed by 5-1 majority voice vote, with Member Biedscheid dissenting.

The Board went to the remodel portion of the case.

Questions to Staff:

Chair Rios asked for the square footage.

Ms. Ramirez Thomas said the house is 1,212 square feet with a proposed 550 square foot addition.

Member Bayer asked if that included what was added at the previous remodel.

Ms. Ramirez Thomas explained that there was no increase in square footage. That was just a remodel.

Member Biedscheid noted that the drawing on pages 27 and 28 showed different square footage that did not match with the Staff reports. On page 27, it shows 1,646 existing square feet and on page 28 it indicates 2,265 square feet.

Mr. Georgetti said the difference represents the historic footprint of the home, which is 1,212 square feet and the renovated portion previously approved makes up the difference.

Chair Rios thought the 1,646 is both historic and non-historic.

Mr. Georgetti apologized and said the renovation would make it 1,646 square feet and the proposed addition is 558 square feet.

Chair Rios said the proposed addition will be in harmony with existing home.

Mr. Georgetti agreed. It is exactly the same style.

Chair Rios asked if the proposed part would be the same height.

Mr. Georgetti said it would be 13' 4½".

Chair Rios asked if it will have any visible rooftop appurtenances.

Mr. Georgetti said no.

Member Biedscheid still had a question on the 50% of footprint rule.

Ms. Ramirez Thomas said the previous approval was 1,653.8 square feet. The request last time was to demolish 122 sq. ft. sunroom and replace with 183 square feet or increase of 56 square feet. Current is 550. So the addition is 635 square feet. The 1,242 was incorrect.

Public Comment

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

Action of the Board

MOTION: Member Roybal moved in Case #H-17-057B at 806 Don Gaspar Avenue, to approve the addition as proposed. Member Boniface seconded the motion and requested a friendly amendment that there be no visible rooftop appurtenances, including skylights, duct work or visible skylights. Member Roybal accepted the amendment as friendly.

Chair Rios asked for a friendly amendment that the lighting fixtures be submitted to Staff for review and approval. Member Roybal agreed the amendment was friendly and the motion passed by 5-1 majority voice vote with Member Biedscheid dissenting.

3. **Case #H-17-101A. 53 and 55 Old Santa Fe Trail. Downtown & Eastside Historic District. HPD Staff requests primary elevation(s) designation for a non-residential contributing structure. (David Rasch)**

Mr. Rasch said this is the first of two cases and presented the staff report as follows:

BACKGROUND & SUMMARY:

53 and 55 Old Santa Fe Trail, known as the Catron Block, was constructed by Bernardinelli and Palladino on the east side of the Santa Fe Plaza in 1891 in the Italianate style during the Americanization Period. The building is listed as contributing to the Downtown & Eastside Historic District.

In the 1968, a Territorial Revival style portal was constructed on the west façade and partially on the north façade. In the 1970s storefronts were changed on the west façade below the portal.

Staff requests primary elevation designation for this structure.

STAFF RECOMMENDATION:

Staff recommends that the Board designate the west and north elevations as primary, including the historic portal and excluding the non-historic storefronts.

Questions to Staff

Chair Rios thought the second story part should be Significant.

Member Powell asked about making the ground floor Significant, with the exception of the portal.

Mr. Rasch explained that the storefronts are nonhistoric and have little or no change. But he had never seen having a second floor as Significant and it would have to exclude the storefront to make that not Significant.

Mr. Rasch added that the Board cannot have the status considered but primary elevations. If the Board made it Significant, all elevations would be primary.

Member Boniface said that in either case, the primary elevations would be the same except for the rear elevation and, if Significant, the back side would have to be primary, but it is a poor elevation.

Mr. Rasch agreed. He agreed that everything up above is very historic and before painting, imagined that it was very colorful. He described how the Palace of the Governors and this building helped gain statehood for New Mexico. It is a very good example of the Americanization period.

Member Boniface wondered what they would have looked like without being painted brown.

Chair Rios said the request is to designate primary elevations.

Applicant's Presentation

Ms. Siobhan Porter was sworn and had nothing to add.

Questions to the Applicant

Chair Rios asked if she agree with Staff recommendations that the west and north be made primary and the storefront remain nonhistoric.

Ms. Porter agreed. She said she is a second-generation retailer in this spot and in the last year, spent much time reading the history of the building. It was a ready to wear store in 1920. For her, it is a very personal connection. It is owned by the Silvers who have been really supportive. We just want to recover some of its former glory in the 1920's and have photos as a guide. To do it completely would be exorbitant but they want to bring harmony by replicating the top at the bottom.

Public Comment

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

Action of the Board

MOTION: Member Katz moved in Case #H-17-101A at 53 and 55 Old Santa Fe Trail, to approve per staff recommendations with the west and north façades, including the portal and excluding the storefronts as primary. Member Roybal seconded the motion and it passed by unanimous voice vote.

- 4. Case #H-17-101B. 53 and 55 Old Santa Fe Trail. Downtown & Eastside Historic District. John Silver, agent/owner proposes to remodel the storefronts and entries on a contributing non-residential structure. (David Rasch)**

Mr. Rasch presented the staff report as follows:

BACKGROUND & SUMMARY:

53 and 55 Old Santa Fe Trail, known as the Catron Block or the James Johnson Building, was constructed in 1891 in the Italianate style during the Americanization Period. The building is listed as contributing to the Downtown & Eastside Historic District and the primary elevation(s) were established in the previous hearing.

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

1. The aluminum door at the north side of 53 (Santa Fe Dry Goods) will be removed and replaced with a similar bronze-colored metal door with a single lite.
2. The storefront at the south side of 53 (Workshop) will be reconfigured. The new design will bring the storefront windows out to the front of the façade, eliminate the angled windows, and maintain to double door entry with bronze-colored metal single lites.
3. The storefront at 55 (Gift & Gourmet) will be reconfigured. The angled brick-finished wall will be removed and replaced with an entry that will match the entry at Workshop.

STAFF RECOMMENDATION:

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

Questions to Staff

There were no questions to Staff.

Applicant's Presentation

Ms. Porter (previously sworn) had nothing to add to the Staff Report.

Questions to the Applicant

Chair Rios asked if the wainscoting is cement.

Ms. Porter said it is cement stucco.

Public Comment

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

Action of the Board

Member Powell asked if Staff had the bronze sample here.

Mr. Rasch showed the bronze sample.

Member Powell said the bulkheads are proposed to be cementitious. Normally they don't hold up after a few years, so normally, they are made of steel. He asked if that was because of cost.

Ms. Porter said they are cement now. The dry goods part is being painted. It behaves like stucco and continues along the bake shop. The gift and gourmet shop has fake brick and skips over Lucchese that has glass to the ground and picks up with Maloof. They are trying to maintain some uniformity there instead of breaking tradition.

Member Powell said they will crack with snow - it freezes and then thaws.

Member Boniface said page 16 showed the proposed conditions. Compare that top drawing with page 15 that shows the existing conditions. On page 16 in the middle, it had something in the center like a half circle. It appears to be a pair of doors and he saw nothing about it in the application.

Ms. Porter asked where it was explained.

Mr. Rasch said page 12 and 13 shows it.

Ms. Porter said that doorway is the entrance to the upstairs law offices. Maybe the discrepancy was having them open or closed.

Member Boniface asked if there was no proposal to change those.

Ms. Porter agreed.

MOTION: Member Boniface moved in Case #H-17-101B at 53 and 55 Old Santa Fe Trail to approve the application as presented and follow staff's recommendations. Member Roybal seconded the motion and it passed by unanimous voice vote.

- 5. Case #H-17-102. 501, 503, 507 Webber St. Don Gaspar Area Historic District. Ross and Katherine Hall, agent/owners, request designation of primary elevation(s) on a contributing non-residential structure. (Nicole Ramirez Thomas)**

Ms. Ramirez Thomas presented the staff report as follows:

BACKGROUND & SUMMARY:

501, 503, and 507 Webber Street represent two mixed-use buildings that are both contributing to the Don Gaspar Area Historic District. The applicant is requesting the designation of primary elevations for both buildings.

501 & 503 Webber Street

501 and 503 Webber are two addresses assigned to a single building. The building is a small, rectangular,

vernacular building. The date of construction is estimated to be before 1912. Few changes are evident on this building. The west, south, and east elevations retain their original massing, concrete window sills, deep insets for the fenestration, and historic wood windows and doors. The north elevation windows were replaced with aluminum sliders at an unknown date.

507 Webber Street

507 Webber Street is built in the Mission Revival style. The west elevation retains the original porch, entry door and window openings. The porch once had tile over the roof, but the tile was replaced with ProPanel at an unknown date after 1982. The north elevation of the porch has an arched opening as does the west elevation where the steps lead from the sidewalk to the porch. Other features of the home are the retention of historic 4/1 wood windows and deeply inset windows. The building also has square windows on either side of the fireplace (north elevation). This design is commonly seen in construction from the 1930s and on homes in the Don Gaspar Area. The attached carport at the northeast corner of the building that was noted at the time of the 1982 inventory has since been enclosed.

STAFF RECOMMENDATION:

Staff recommends the west elevation of 501 and 503 Webber (façade 1) and the west elevation of 507 Webber (façade 1) be designated as the primary elevations.

Questions to Staff

Chair Rios said that 501 seemed to be one building with two addresses. She asked if it is a duplex.

Ms. Ramirez Thomas said it is just gutted on the inside. Possibly at one time, it was a duplex.

Chair Rios noted that the south elevation has the same deep-set windows and the original door. It also has the concrete sill.

Ms. Ramirez Thomas agreed that the inset and the concrete sill and the window are original but was not sure of the age of the door. She didn't recommend the south elevation because those features are captured on the west elevation.

Applicant's Presentation

Mr. Ross Hall, 507 Webber, was sworn and had nothing to add to the Staff Report.

Chair Rios asked if he agreed with the west elevation as primary for both buildings.

Mr. Hall agreed that it makes sense.

Questions to the Applicant

There were no other questions to the Applicant.

Public Comment

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

Action of the Board

Member Powell had a question on one of the pictures regarding which façade it was.

Ms. Ramirez Thomas said the photo showed the south and west.

Member Powell asked to see the overhead for that recommended façade.

Mr. Rasch said it is the south elevation.

Ms. Ramirez Thomas clarified that on the drawing, façade #1 is south and façade #4 is west.

Member Biedscheid noted there seems to be modulation in the parapet but not on the west façade and the doors on the west have a stoop where the others are ground level. On 507, she wanted to know if the north façade is excluding non-historic portions.

Mr. Hall Ross said, of all the façades of 501 and 503, the south is least visible. It faces into the courtyard and can't be seen until you are directly in front.

Member Biedscheid said that was the direction the Board drove earlier in the day so that was why they saw it.

Member Boniface moved in this case to follow staff's recommendation to make the west elevation of 501 and 503 primary and the west elevation of 507 primary elevation. The motion died for lack of a second.

MOTION: Member Biedscheid moved in Case #H-17-102 at 501, 503, 507 Webber Street, to accept staff recommendations with the addition of façade #1 and #4 as primary elevations for 501 and 503 and façade #1 and #4 as primary elevations for 507. Member Powell seconded the motion.

Member Bayer added, excluding the non-historic portion. Member Biedscheid agreed and stated it in her motion, excluding the non-historic portions that include the back portion of the portal enclosure, which passed by majority (5-1) voice vote with Member Boniface dissenting.

- 6. Case #H-17-104. 960 Acequia Madre. Downtown & Eastside Historic District. Chet Cramin, owner/agent, requests to replace a vehicle gate with a 5' high mechanical vehicle gate on a**

contributing residential property. The gate is 5 ft. in height. (Nicole Ramirez Thomas)

Ms. Ramirez Thomas presented the staff report as follows:

BACKGROUND & SUMMARY:

960 Acequia Madre is a single-family residence built in the Spanish-Pueblo Revival style and located within the Downtown and Eastside Historic District. The house was built by 1935.

No project is proposed for the house. The applicant is requesting to change the vehicle gate at the entrance of the property. Currently the gate is a manual gate with open bars and is made of steel with patina. The applicant is requesting to replace the gate with the same type of iron but with a solid panel of steel with patina and to change the gate from manual to motorized. The proposed gate will be placed in the same opening as the existing gate. The proposed gate will be 5'-0" in height, just as the existing gate is, and will be 13'-9" in length. Included in the redesign of the vehicle gate is the addition of a manual operated pedestrian gate.

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

Chair Rios understood that no part of the vehicle gate can be seen through.

Ms. Ramirez Thomas agreed. It has a solid panel.

Chair Rios asked for its height.

Ms. Ramirez Thomas said it has the same dimensions as existing but is not a see-through design.

Member Bayer said the gate looked like several others nearby, but they were not solid.

Ms. Ramirez Thomas agreed.

Applicant's Presentation

Mr. Chet Cramin, 960 Acequia Madre, was sworn. He said three adjacent properties coming down Acequia Madre, before this one, all have solid gates.

Member Bayer asked if those properties are contributing.

Ms. Ramirez Thomas didn't know but offered to look at the map.

Questions to the Applicant

Chair Rios asked him why he wanted it solid.

Mr. Cramin explained that he has no back yard and all the tour companies come by the house and his dog is out there and barks at the dogs coming by. The only place to enjoy outdoors at his house was in the front yard. It is more of a privacy and safety issue for him.

Member Roybal asked what the age of the existing gate is.

Ms. Ramirez Thomas said it is not historic.

Public Comment

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

Ms. Ramirez Thomas referred to page 5 for the HCPI that shows no gate in 2003.

Action of the Board

Member Powell asked if it would just read as a flat plane.

Mr. Cramin agreed.

Member Powell asked if he had no interest in having a design in the gate.

Mr. Cramin said they would retain the design on the top of each of the panels.

Member Powell understood the applicant's desire for privacy. The drawing doesn't show how it will be executed but he was a little concerned with just a flat panel.

Mr. Cramin said the other gate nearby has wood insets but it is not well maintained.

Member Powell said the City has lots of steel gates with articulation, which the applicant could always add later.

MOTION: Member Powell moved in Case #H-17-104 at 960 Acequia Madre. to approve the application as submitted with encouragement for some fenestration in the gate. Member Katz seconded the motion.

Member Boniface commented that the gate, as drawn, is not pretty. He thought part of their job is to discuss aesthetics and design but not to design it for applicants. He didn't want to redesign it, but many Board members have discussed maintaining public visibility. Mr. Cramin has a dilemma because he has no privacy. But there are two things going on. Allowing visibility of historic old buildings and giving privacy and third, presenting something worthy of design for the public to see. He would encourage the Applicant to look around at other gates and consider embellishing his gate. He was thinking about the gate where the water tank is, at the end of Alameda where it meets Upper Canyon Road. It has openings in the top and is beautifully articulated.

Member Boniface asked for a friendly amendment for alternatives to be submitted to staff for review.

Member Powell agreed the amendment was friendly.

Mr. Cramin thanked him but it is pretty bland.

Member Boniface said it would liven up his house.

Member Biedscheid said the driveway across the acequia is unique and special. What the Board is voting on doesn't seem in harmony with the property.

Member Powell said it is not about the house but the neighborhood.

Member Powell restated his motion that in Case 17-104, he moved to approve the application as submitted with encouragement of revising the gate. Member Roybal seconded the motion.

Mr. Rasch suggested the applicant probably needs more design guidance on that gate. Fenestration is desired in the wall and fence guidelines.

Member Powell added that it could be 3-D without direct see through.

Chair Rios didn't think the discussion was helpful.

Member Boniface said he would make a substitute motion that he redesign his gate and bring it back to the Board.

Member Katz said perhaps the Board could ask the applicant for fenestration. The Board generally does want fenestration to see through and asked if Mr. Cramin would consider a small see-through area at the top to satisfy that normal request.

Mr. Cramin said if he had another yard, he would consider it. He thought about an extravagant gate but decided not to maintain the existing look. The top of the house is very plain. So he wanted the gate to fit in.

The motion failed on a 2-4 voice vote.

MOTION: Member Boniface moved in Case #H-17-104 at 960 Acequia Madre to postpone this application to the January 9, 2018 meeting, to give direction and request the applicant go back and redesign the gate with a little fenestration - not completely open but maybe the top 16". Member Bayer seconded the motion and asked also that the applicant consult the wall and fence guidelines. The motion passed by majority (4-2) voice vote with Member Roybal and Member Powell dissenting.

7. Case #H-17-105. 853 E. Palace Ave. Downtown & Eastside Historic District. Lisa Roach, agent for Vigil Estate, Patsy Vigil Lardizbal, owner, requests historic status review with primary elevation(s) designation, if applicable, for non-contributing residential structure. (Nicole Ramirez Thomas)

Ms. Ramirez Thomas presented the staff report as follows:

BACKGROUND & SUMMARY:

853 Palace Avenue is a Territorial Revival style non-residential structure located within the Downtown and Eastside Historic District. The structure was built around 1963 and served as the Palace Grocery for 50 years. Recently the building has sat vacant. The applicant has provided an updated inventory for the building and is requesting a status review and designation of primary elevations.

RELEVANT CODE CITATION

14-5.2(C) Regulation of Significant and 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; and
- (d) New additions and related or adjacent new construction be undertaken in such a manner that if

removed in the future, the original form and integrity of the historic property and its environment would be unimpaired.

DEFINITIONS

NONCONTRIBUTING STRUCTURE

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

CONTRIBUTING STRUCTURE

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

SIGNIFICANT STRUCTURE

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

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

STAFF RECOMMENDATION:

Staff recommends the historic status the historic status of contributing per 14-5.2(C) Regulation of Significant and Contributing Structures in the Historic Districts and that the south elevation of the building including the portal (façade 1) is assigned as the primary elevation.

Questions to Staff

Chair Rios asked if she heard Staff say the sign was included as primary.

Ms. Ramirez Thomas said no – excluding the sign.

Applicant's Presentation

Ms. Lisa Roach was sworn and agreed with the Staff recommendations.

Questions to the Applicant

Member Biedscheid asked how old the Palace Avenue Grocery sign had been there.

Ms. Ramirez Thomas understood it had been there for the entire time.

Member Biedscheid felt the sign, at this point, was character defining.

Ms. Ramirez Thomas agreed.

Ms. Roach was not certain that a sign that can be detached is included as part of the primary façade.

Mr. Rasch said the Board could consider it character-defining but would still caution the Board. If he lived there, he wouldn't want people coming to his door thinking they would buy groceries.

Ms. Roach said they discussed what problems might arise having the grocery sign stay there. The buyers might be willing to preserve the sign, but they discussed what problems that might arise if the sign is kept. She didn't think there was any specific mention of the date of the sign in the HCPI. So the age is not a certainty.

Ms. Ramirez Thomas referred to page 14 in the packet to the older photo of the store and a newer photo of the store. There was no sign on the older photo.

Chair Rios asked what the date of the photo is.

Ms. Ramirez Thomas said there is no date but probably 1963.

Ms. Roach said it was at some date between 1963 and 1967.

Ms. Ramirez Thomas said that makes the sign 50 years old.

Member Katz asked when was the article on page 10 was published.

Ms. Roach did not believe they had a date on the news articles.

Member Powell pointed out an early 1960's truck is in the photo.

Ms. Roach reminded the Board that this building has been vacant for ten years and they have potential buyers now. She emphasized that anything we can do to facilitate that purchase and preservation of that building would be ideal for the neighborhood and the community.

Public Comment

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

Action of the Board

MOTION: Member Boniface moved in Case #H-17-105 at 853 E. Palace Ave., to follow staff recommendations to maintain the building as contributing and that the primary façade be the south elevation, including the portal. Member Biedscheid seconded the motion and it passed by unanimous voice vote.

8. **Case #H-17-106. 345 Delgado St. Downtown & Eastside Historic District.** Lorn Tryk, agent for Charles and Theresa Niemeier, owners, requests historic status review with primary elevation(s) designation, if applicable, for non-contributing residential structure. (Nicole Ramirez Thomas)

Ms. Ramirez Thomas presented the staff report as follows:

BACKGROUND & SUMMARY:

345 Delgado Street is a Spanish-Pueblo Revival style single family residence located within the Downtown and Eastside Historic District. The building currently has no historic status assigned to it. The applicant has provided an updated inventory of the property which details the history and dates and types of alterations to the property. The applicant is requesting a status designation for the residence.

RELEVANT CODE CITATION

14-5.2(C) Regulation of Significant and 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; and
- (d) New additions and related or adjacent new construction be undertaken in such a manner that if removed in the future, the original form and integrity of the historic property and its environment would be unimpaired.

DEFINITIONS

NONCONTRIBUTING STRUCTURE

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

CONTRIBUTING STRUCTURE

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

SIGNIFICANT STRUCTURE

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

(A) for its association with events or persons that are important on a local, regional, national or global level;
or

(B) if it is listed on or is eligible to be listed on the State Register of Cultural Properties or the National Register of Historic Places.

STAFF RECOMMENDATION:

Staff recommends the historic status the historic status of noncontributing per 14-5.2(C) Regulation of Significant and Contributing Structures in the Historic Districts.

Questions to Staff

Chair Rios asked when the changes were made.

Ms. Ramirez Thomas said it was from 1984. The HCPI is on page 5 and it looks significantly different than in 1982.

Chair Rios concluded that nothing is original there.

Ms. Ramirez Thomas agreed.

Member Biedscheid noted that whoever did the renovation, did a great job of recreating historic elements. She asked if the Board could recognize that in a contributing status although the façades don't appear to be original.

Ms. Ramirez Thomas said if they had tried to restore it, maybe it could be contributing. It doesn't resemble what was there originally, but is Santa Fe style.

Mr. Rasch said the Board would need to find the structure had only minor alterations but historic integrity remains.

Ms. Ramirez Thomas read briefly from its history. On page 10, Mr. Murphy described where you could see the older from newer elements.

Applicant's Presentation

Mr. Lorn Tryk, 436 W San Francisco, was sworn. He said that what Ms. Ramirez Thomas said is essentially correct. One corner room was shown on page 23 in the floor plan of the staff report. The lower left-hand corner is the original room. About 1/3 was demolished and reconstructed.

He pointed out the section that was added, where the additions were made and when. The whole look and feel of the house is different. The original addition was in 1970's and it was torn down in 2006 and rebuilt. Three outbuildings were taken down in 2006. It has a very tall street wall that hides the entire unit. So, it has lost all historic integrity. Less than 50 years ago, it was several structures. Their plans are primarily to replace doors and windows and provide a weather cover to the rear.

Questions to the Applicant

There were no questions to the Applicant.

Public Comment

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

Action of the Board

MOTION: Member Roybal moved in Case #H-17-106 at 345 Delgado St., to approve the application per staff recommendations and maintain a noncontributing status. Member Biedscheid seconded the motion and it passed by unanimous voice vote.

9. **Case #H-17-107. 233 West Manhattan Ave. Downtown & Eastside Historic District. Linda Armer, owner/agent, requests historic status reviews with primary elevation(s) designation, if applicable, for a contributing residential and a non-statused residential structure. (Nicole Ramirez Thomas)**

Mr. Ramirez Thomas presented the staff report as follows:

BACKGROUND & SUMMARY:

233 West Manhattan Avenue consists of two unoccupied residential structures that are located at the southwestern edge of the Downtown and Eastside Historic District. The structures were constructed in a simple vernacular style after 1940 and were occupied by a single owner until 2009. The buildings have sat unoccupied since that time. Over the course of their lifetime the buildings were poorly maintained, and changes occurred to the property as needed. Some windows are still wood while others are aluminum sliding windows. Openings to the buildings have also changed through time.

The applicant is requesting a status review of both buildings. The building to the east will be referred to as the "Bunk House" and the building to the west will be referred to as the "Dominguez House." The Bunk House currently has a historic status of contributing and the Dominguez House has no status.

The King's map shows the lot was owned by Charles Hines in 1912. No structures are shown on the property at that time. The 1951 aerial photograph provided by the applicant shows the property in relatively the same configuration as is seen today. The 1969 aerial photograph is easier to read and shows the same footprint as that in the 1951 photo. The room that once existed on the south elevation of the Bunk House collapsed and was removed in the 2012 as per the Board's approval. The status of the Bunk House was not reviewed at that time and for this reason is now coming forward.

RELEVANT CODE CITATION

14-5.2(C) Regulation of Significant and 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; and
- (d) New additions and related or adjacent new construction be undertaken in such a manner that if removed in the future, the original form and integrity of the historic property and its environment would be unimpaired.

DEFINITIONS

NONCONTRIBUTING STRUCTURE

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

CONTRIBUTING STRUCTURE

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

SIGNIFICANT STRUCTURE

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

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

STAFF RECOMMENDATION:

Staff recommends the historic status of the Bunk House be downgraded to noncontributing and that the Dominguez House be given the historic status of noncontributing per 14-5.2(C) Regulation of Significant and Contributing Structures in the Historic Districts. The recommended bunk house status was not reviewed when a wall was demolished. The requested status is noncontributing.

Questions to Staff

There were no questions to Staff.

Applicant's Presentation

Mr. Steve Shaw, 1061 Bishop's Lodge Road was sworn. He agreed with the Staff recommendation. He shared some history of the property. The photo on the left showed it once had an outhouse. Historically, it was an outhouse. It had no indoor plumbing in the building until last week when a homeless man dug into the wall. And the outhouse was removed. The photo on the right was when it was constructed in 2012.

Questions to the Applicant

There were no questions to the Applicant.

Public Comment

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

Action of the Board

MOTION: Member Katz moved in Case #H-17-107 at 233 West Manhattan Ave., to follow the recommendation of Staff and downgrade the status to noncontributing of the bunk house and give noncontributing status to the Dominguez House. Member Boniface seconded the motion and it passed by unanimous voice vote.

- 10. Case #H-17-108. 100 N. Guadalupe St. Downtown & Eastside Historic District. Descartes Labs, agent for Firestone 100, LLC, owner, proposes to remodel a non-contributing, non-residential structure by installing three windows, constructing a screen for existing mechanical equipment, and install signage. Two exceptions are requested to exceed the three-color maximum (14-8.10(B)(4)) and to place signage above 15' from grade (14-8.10(H)(26)(D)). (David Rasch)**

Mr. Rasch presented the staff report as follows:

BACKGROUND & SUMMARY:

100 North Guadalupe Street is a two-story non-residential structure that was built in the Spanish-Pueblo Revival style around 1994. The building is listed as non-contributing to the Downtown & Eastside Historic District.

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

1. Window openings will be created on the south and west elevations. Two sets of paired 4-lite

windows will be installed with an exposed stained header on the south elevation and one similar pair will be installed on the west elevation.

2. A wooden balustrade screen will be installed on the south elevation lower roof parapet to screen existing mechanical equipment. The stained balustrade will match others on the structure.
3. Signage will be installed at the on the building with visibility on both street frontages. The signs will have more than three colors and be mounted at 26' 9" above grade. Another option for the Guadalupe frontage is to install the sign on a lower parapet at 17' 7" above grade. Two exceptions are requested to exceed the three-color limit (Section 14-8.10(B)(4)) and to install signs above 15' from grade (Section 14-8.10(H)(26)).

RELEVANT CODE CITATIONS

14-8.10 SIGNS

(A)(1) Purpose

Section 14-8.10 is intended to establish a comprehensive and balanced system of sign control that accommodates the need for a well-maintained, safe and attractive environment within the city, and the need for effective communications including business identification. It is the intent of this section to promote the health, safety, general welfare, and aesthetics of the city by regulating signs that are intended to provide reasonable communication to the public to achieve the following specific purposes:

- (a) To eliminate potential hazards to motorists and pedestrians using the public streets, sidewalks, and rights-of-way;
- (b) To safeguard and enhance private investment and property values;
- (c) To control public nuisances;
- (d) To protect government investments in public buildings, streets, sidewalks, traffic control and utility devices, parks, and open spaces;
- (e) To preserve and improve the appearance of the city through adherence to reasonable aesthetic principles, in order to create an environment that is attractive to residents and to nonresidents who come to live, visit, work, or trade;
- (f) To eliminate excessive and confusing sign displays; and
- (g) To encourage signs which by their design are integrated with and harmonious to the surrounding environment and the buildings and sites they occupy.

(B) General Provisions

(4) Maximum Number of Colors and Lettering Styles

For any one sign, including frame and poles, there shall be no more than three colors and no more than two lettering styles. At least one of the colors shall match one of the predominant colors in the building.

(H) Special Sign Regulations in the H Districts

(1) Purpose

- (a) The purpose of the sign regulations in this section is to establish and carry into effect regulatory procedures governing signs in historic districts of the city. These regulations pertain to permits, colors, texture and finish, materials and design, location and size. They are set forth to preserve the special qualities inherent in the city that attract tourists and residents alike and that are the basis of the city's economic stability and growth. Signs excessive in size, illumination and of commonplace design will defeat the purpose of the preservation of characteristic areas in this, the oldest capitol in the United States.

(26) Wall Signs

(a) Area Limitations

(i) A wall sign is subject to the following limitations:

- A. The maximum allowable size is fifteen percent of the façade on which the sign is to be placed. In no case shall the sign area exceed twenty (20) square feet except in the AC and RAC districts where the maximum allowable size is six (6) square feet;
- B. Maximum size of letters shall be twenty (20) inches in height, except in the AC and RAC districts where the maximum size shall be eight (8) inches in height;
- C. There shall be no restriction on the number of letters, words or lines of any sign as long as its overall area is within the maximum allowable square feet; and
- D. No sign shall be permitted fifteen (15) feet or more above street grade measured in front of the façade where the sign is to appear.

EXCEPTION TO HAVE MORE THAN THREE COLORS ON SIGNAGE

(i) Do not damage the character of the district

Response: 100 N. Guadalupe St. is a non-contributing structure in Downtown and Eastside Historic District, designed in Spanish Pueblo Revival style. The stucco and wood stain are earth tone colors. We request to place two signs including our logo that has more than three colors, these colors are saturated tones and take up a fraction of each façade, therefore do not damage the character of the structures within this district. Moreover, there are a few examples of existing signage in Downtown and Eastside Historic District

a few blocks down on E. Alameda St. with more than three colors, one of which is not a color on the building. Cowgirl sign and Café Sonder sign, though not in Downtown and Eastside Historic Districts, just a couple of blocks on Guadalupe St. also have nonconforming signs.

Staff response: Staff agrees with this statement.

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

Response: Our logo design is our unique identity and branding. The overlapping colors identify and represent the processes reflective of day to day functions in our work. By eliminating the number of colors in our logo will be a disservice to our identity. We have gone through several rounds of public funding and have used our branding for each phase; thus far our logo design has been our unique identity and would be a hardship for the organization to change the branding at this point.

Staff response: Staff agrees with this statement.

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

Response: Our unique established logo design placed at this corner of the district offers a unique addition to existing signage within the district and strengthens the unique heterogeneous character of the City by providing a full range of design options to this part of the district. We have explored other design options including reducing the number of colors to three colors, which does not work for our organization's identity since the overlapping colors identify and represent the processes reflective of day to day functions in our work. In that regard using brown and white or black and white colors does not work for our organization's identity either.

Staff response: Staff agrees with this statement.

EXCEPTION TO INSTALL SIGNAGE ABOVE 15' FROM GRADE

(i) Do not damage the character of the district

Response: Placing our two proposed signs at the second level wall does not damage the character of the district since there is a range of sign height, including Café Sonder sign. The sign is sized and placed in a manner as not to obstruct or disfigure the existing architectural elements of the two building facades. Moreover, there are a few examples of existing signage in Downtown and Eastside Historic District around the Plaza area that do not meet sign mounting height requirements, one of which is Lucchese bootmaker. Café Sonder sign, though not in Downtown and Eastside Historic Districts, just a couple of blocks on Guadalupe St. also exceeds the allowable mounting height for a sign in Historic Districts.

Staff response: Staff agrees with this statement.

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

Response: The lower parapet on the east portal is very narrow and does not allow enough room for a sign that is visible and readable from the corner of Guadalupe and Alameda, the existing established trees along Guadalupe Street block this parapet. Moreover, the building is set back from the property line substantially and is not easily visible; it is detrimental for the location to be higher than the lower parapet.

The south-east building corner along Alameda St. and Guadalupe St. is the most visible corner and lends itself for the most visible location for a sign. The lower parapet at the portal is limited in size to take a sign that is visible to moving traffic on Guadalupe for ease of visibility and location identification. The proposed locations will allow the signs to be visible from both Guadalupe St. and Alameda St.

Staff response: Staff agrees with this statement.

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

Response: The placement of our sign in a publicly visible manner strengthens the unique heterogeneous character of the City by provides a full range of design options in the district. We have explored other design options including placing the sign on the lower parapet on the east portal, this location is not visible and readable from the corner of Guadalupe and Alameda, the existing established trees along Guadalupe street block this parapet. Placing the signs at the two proposed locations will allow the sign to be visible from both Guadalupe St. and Alameda St.

Staff response: Staff agrees with this statement.

STAFF RECOMMENDATION:

Staff finds that the exception requests to have more than three colors and mount signage above 15' grade have been met. In addition, Staff recommends approval of this application which complies with Section 14-5.2(D)(9) General Design Standards, Height Pitch Scale and Massing and (E) Downtown & Eastside Historic District.

Questions to Staff

Chair Rios asked where the signs are.

Mr. Rasch said the signs are requested to be put at the east and the south. And at the southeast corner an option would be not putting the one high on the east but on the middle parapet which would still be

higher than fifteen feet. So either way, they would still need a height exception.

Member Katz asked if on the south elevation, the sign couldn't go lower between the first and second floor.

Mr. Rasch read the intent of the sign code in historic districts. The intent was to not distract from historic quality of the architecture. He described the limitations on signage.

Member Powell asked if Staff agreed with the exception responses.

Mr. Rasch agreed. There are other signs that are above 15'. He also wondered where the 15' came from.

Chair Rios asked, to make the sign less prominent on the south elevation, if he might suggest putting the sign under those windows.

Mr. Rasch agreed that would be a better location for aesthetics of the structure.

Chair Rios asked where the sign would be on the east elevation.

Mr. Rasch said it would be facing Guadalupe and between the floors would still require an exception.

Member Powell thought the blank façade would be a better location on the south.

Applicant's Presentation

Mr. Carmino Baker was sworn.

Questions to the Applicant

Member Powell asked if the signs would be multicolored at night.

Mr. Baker agreed.

Member Biedscheid asked how big they are.

Mr. Baker provided a handout showing the sign design. [A copy of the handout is attached to these minutes as Exhibit 3.] He said the logo would be 3' x 3' with lettering individually lit probably with white. The caps are 18" and small caps 12" high.

Member Powell said 14" for caps is the industry standard.

Mr. Rasch said the max size for sign lettering in the historic districts is 20" in height. At the proposed

height, it will be legible from far away.

Member Powell said a normal person could read a 14" letter from 100' away. He asked the Applicant how he felt to use that blank façade for the location.

Mr. Baker said for them, the big thing is visibility. They will have a lot of people coming down Guadalupe. He thought that would be acceptable, as opposed to the top of the building. They are landing here as their home and the Guadalupe corridor is key to that. He would be okay with it. It could serve the signage. The eastern façade is more important, and the parapet has a problem from trees in front of it. They would prefer it on the corner. They looked at the signs at Cowgirl Hall of Fame and Sonder which were approved. He asked if the Board was still talking about two signs and just relocating them.

Member Boniface agreed.

Member Powell asked if we are pushing the envelope with these signs. They are not part of the character. The Board needs to be judicious and we can't have many like that. They might set a precedent for future businesses.

Mr. Baker said that for height, the dotted line is the finished floor elevation at 15'. If we were to use that space, he asked if it could be the same height at the east portal (at 17').

Member Katz pointed out that the window to the right edge of it, in the drawing is inaccurate. And that actually helps because it would allow it to be more visible from the south.

Mr. Baker said he would update the drawing and would be happy with the blank space at the same height. So both signs would match the height. That building is 26' high.

Member Powell said they should use cardboard cutouts to place in the location and the Board would say the maximum height and Applicant could put the signs in the best place under that height.

Chair Rios added that the Board must address the lighting part of it.

Member Boniface said it seems like everyone is in favor of the signs, but he was not. The signs across the street are painted signs not illuminated signs. The one at Café Sonder was a special case. This Applicant is not proposing neon, but the drawing is 2.5 by 2.5. He was having a problem with it being so bright, so high and so visible.

He asked Mr. Baker to talk about it being "self-illuminating."

Mr. Baker said the letters would be white, but the logo is multi-colored.

Member Boniface understood the letters are solid and back lit.

Mr. Baker agreed. Descartes can take satellite images to map all the corn in the world and all the soy in the world. It was done by the man who designed the apple logo. So the logo is integral to what they do. It

was proposed as stained glass in those colors to impart what they are doing. The letters glowing at night is not as important, but the medallion is important.

Member Boniface said the work of the company sounds great and the logo does speak to that. He asked about the code allowing back lit signs.

Mr. Rasch said Santa Fe is seeing more backlit signs but they are not very large and typically, at first floor level.

Member Katz asked if the level of light would make a difference.

Mr. Rasch agreed.

Member Powell clarified that the Board doesn't want to take away the logo but how it is illuminated is important. There are ways to illuminate without being just backlit. He thought it would be best to ask the Applicant to resubmit the proposal and consider the illumination. It could be a more elegant building and more in keeping with the ordinance.

Mr. Baker said he was not opposed to having opaque letters with light behind them.

Member Boniface had no problem with letters being backlit. But what bothered him the most is the logo blasting out high in the air. He thought it would stand out in a bad way and they would get bad feedback. He liked the logo and encouraged Mr. Baker to stick with it. He liked what it represents for the company. But the Board might require him to return with a more subtle and friendly way.

Member Roybal compared it with REI and suggested the location might be right in the parking lot in front where people walk by and right in front where you drive up on Guadalupe.

Mr. Baker said okay. He said they could revisit the design as long as the medallion stays.

Member Katz was not convinced they could figure out a way of lighting them softly. He would probably need to mock it up.

Mr. Baker said they would figure it out.

Member Boniface said they could bring down the level of lighting. As an architect, 150-foot-candles didn't mean anything to him. A gooseneck would be a compromise, but he didn't like the look of gooseneck to convince the Board of a way to go.

Member Katz asked if those panels could be luminescent.

Mr. Baker said they would talk about it.

Chair Rios pointed out this case has three requests and asked the Board to address the first two parts.

Public Comment

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

Action of the Board

MOTION: Member Boniface moved in Case #H-17-108 at 100 N. Guadalupe St., to approve items 1 and 2 for wooden openings and wooden balustrade and screening of rooftop appurtenances and to postpone to January 9, 2018, the signage for further consideration. Member Roybal seconded the motion and it passed by unanimous voice vote.

Chair Rios thanked him for his flexibility.

- 11. Case #H-17-109. 431 Camino de las Animas. Downtown & Eastside Historic District. Scott Cherry, agent for Russell and Sandra Osterman, owners, proposes to construct a 198-square foot addition on a non-contributing residential property. An exception is requested to exceed the 3' corner standard (14-5.2(E)(2)(b)). (David Rasch)**

Mr. Rasch presented the staff report as follows:

BACKGROUND & SUMMARY:

431 Camino de las Animas is a single-family residence that was constructed in the 1930s. Major alterations have caused the building to be listed as non-contributing to the Downtown & Eastside Historic District.

The applicant proposes to construct a 198-square foot addition on an existing sunroom. The addition will duplicate the existing character of the sunroom with windows placed close to the corners. An exception is requested to install windows nearer than 3' to a corner (14-5.2(E)(2)(b)) and the required exception criteria responses are at the end of this report.

RELEVANT CODE CITATION

14-5.2(E) Downtown and Eastside Design Standards

(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:

- (b) No door or window in a publicly visible façade shall be located nearer than three (3) feet from the corner of the façade;

EXCEPTION TO HAVE OPENINGS AT LESS THAN 3' FROM CORNERS

- 1. *Do not damage the character of the streetscape;***

1.1. The proposed new east facade replicates what exists in regard to the location of the windows to the corner.

- 1.2. The proposed addition is similar to other neighboring houses in regard to there are other sunrooms with windows closer than three feet from the corner

Staff response: Staff agrees with this statement.

2. *Prevent a hardship to the applicant or an injury to the public welfare;*

- 2.1. The owner requires the extended space and access through the east to allow for "universal access" to age in place.

Staff response: Staff agrees with this statement.

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

- 3.1. The Sunroom is unique in style yet in keeping with the vernacular of the Downtown Eastside District
- 3.2. Differentiation of multiple unique building materials, in the facade, wood corbels round wood posts hewn wood beam and exposed vigas, strengthen the building heterogeneously.
- 3.3. Additions to the north or south would to widen the corners block circulation and create problems for universal access as well as cover other parts of the existing structure that strengthen its character.
- 3.4. Massed corners would prevent the doors opening to the east from opening completely creating access obstacles.

Staff response: Staff agrees with this statement.

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

- 4.1. The unique special relationship of the existing living room, and existing east facade would be compromised by adding additional mass to the north or south, reducing the stepped massing of the facade.
- 4.2. To preserve which doesn't exist in other buildings the western light in the sunroom as it exists.

Staff response: Staff agrees with this statement.

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

- 5.1. The existing sunroom preexists in its current location.

Staff response: Staff agrees with this statement.

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

- 6.1. We have chosen a design that reuses and or replicates the materials and integral look the existing space but also meets the owners' needs.

Staff response: Staff agrees with this statement.

STAFF RECOMMENDATION:

Staff finds that the exception request to place windows closer than 3' to a corner has been met and recommends approval of this application which otherwise complies with Section 14-5.2(D) General Design Standards, Height Pitch Scale and Massing and (E) Downtown & Eastside Historic District. recommended approval and that the exceptions were met.

Questions to Staff

There were no questions to Staff.

Applicant's Presentation

Mr. Scott Cherry was sworn and agreed with the recommendation. They are extending the western façade outward and the 3' rule is already existing on what they are extending out. It is the same façade but extended ten feet west.

Questions to the Applicant

There were no questions to the Applicant.

Public Comment

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

Action of the Board

MOTION: Member Powell moved in Case #H-17-109 at 431 Camino de las Animas to approve as submitted and find exceptions requested were met. Member Boniface seconded the motion and it passed by unanimous voice vote.

I. MATTERS FROM THE BOARD

Member Katz said he would not be at the meeting on January 9, 2018.

J. ADJOURNMENT

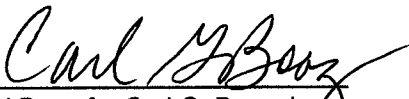
The meeting was adjourned at approximately 9:06 p.m.

Approved by:



Cecilia Rios, Chair

Submitted by:



Carl Boaz for Carl G. Boaz, Inc.

Historic Districts Review Board
December 12, 2017

EXHIBIT 1

Jorge Gonzalez, P.E.

P.O. Box 5483
Santa Fe, NM 87502

Telephone (505) 695-6008
e-mail: n261jgpe@aol.com

December 7, 2017

Palo Santos Design LLC
Mark Giorgetti
2356 Fox Rd. # 200
P.O. Box 2657
Santa Fe, NM 87504

RE: 806 DON GASPAR - DANIEL STRONGWATER AND HALLEY ROBERTS
RESIDENCE - Adobe Shed or Garage Structural Investigation

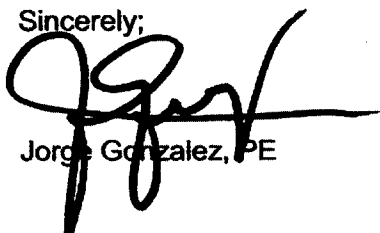
Dear Mr. Giorgetti:

Per your request, a detailed investigation of the above referenced structure was performed today.
The following are my findings:

- The existing ceiling height is 6 feet - 2 ¾ inches". By Code, the ceiling height for the structure to be habitable a minimum of 7 1/2 feet to 8 feet is required.
- The 2X6 wood joists have been exposed to moisture and are inadequately sized to carry the 30 pounds per square foot roof load. Existing deflection on the joists indicates the roof system is structurally unsafe.
- The roof joists will need to be increased to 2X8 over a needed concrete bond beam on top of the adobe wall.
- The concrete bond beam is required to structurally tie the top of the adobe wall and provide the bearing plate for the roof joists. These required roof structure modifications would result in the total building height to be increased by between 28 to 36 inches minimum.
- Although the condition of the foundation is unknown, based in other similar structures, the footing is made up of large river rock with some concrete rubble. The footing is normally shallow and subjected to water damage. Concrete keys and reinforcement is needed to provide support and protection.

Should you have any questions or need additional information please feel free to call.

Sincerely;



Jorge Gonzalez, PE



Historic Districts Review Board
December 12, 2017

EXHIBIT 2

Setback and separation requirements 806 Don Gaspar

ST

SMITH, GREGORY T. <gtsmith@ci.santa-fe.nm.us>

Mon 11/20, 1:31 PM

RASCH, DAVID A. <darasch@ci.santa-fe.nm.us>; +3 more ↕

👍 1 🔄 Reply all | ⋮

Inbox

You forwarded this message on 12/8/2017 11:34 AM

You like this

Conclusions

1. An addition that connects the house and garage, or that reduces the separation between them, would be permitted. There is no minimum separation requirement in the R-21 district. Connection would be permitted as a conforming addition or alteration to a nonconforming building.
2. The existing garage may not be converted to heated space, because to do so would require structural modifications, which are prohibited.

Background

The property is zoned R-21. Applicable setback regulations for side and rear yards are contained in Subsection 14-7.2(D)(2)(b); and in Table 14-7.2-1, including Note 5:

14-7.2(D)(2) (b) except as otherwise provided in Table 14-7.2-1 Notes 13 and 14, the other *required yards* shall be a minimum of five (5) feet subject to the setback requirements of Section 14-7.1(C)(1)(c) General Height Standards and Table 14-7.2-1 Note 6. For all *structures* other than *multiple-family buildings* containing six or more *dwelling units*, zero-foot other yards are allowed with the concurrence of adjoining *property owners* as provided in Table 14-7.2 Note 5.

Note 5. *Side and rear required yards*, including the requirements in Note 6 of this Table 14-7.2-1, may be reduced with the concurrence of adjoining *property owners* as shown on a recorded agreement, *plat* or other recorded declaration signed by the adjoining *property owners* in a form approved by the *land use director*, and in compliance with the Building Code as set forth in Article 7-1 SFCC 1987 Building Codes; General Provisions. The *yard* reduction must be offset by provision of a corresponding increase in the *yard* provided on the adjoining *lot*.

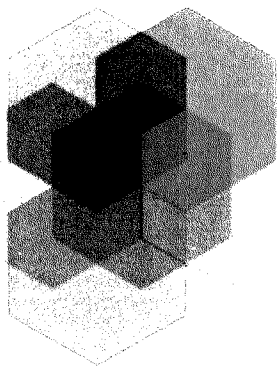
Analysis

1. The existing garage at the south property line is legally nonconforming because it has a zero side setback where a five-foot setback would be required by current standards either a principal or an accessory structure. A "corresponding increase in the yard provided on the adjoining lot," per Note 5, is not feasible because the adjoining lot also has a zero-setback building at the property line.
2. Subsection 14-10.3(A) prohibits enlarging or altering a structure "in a way that increases the degree or extent of its nonconformity," but permits "additions or alterations that do not increase the nonconformity." An addition that connects the house and garage, or that reduces the separation between them, would be permitted.
3. Subsection 14-10.3(E)(3) prohibits "alterations to the *building structure*" except to bring it into conformity. The letter from the applicant's engineer, which has been reviewed by city building officials, confirms that structural modifications would be required to bring the building up to IRC requirements for heated space. [Building structure is defined as "the load-bearing portions of a *building*, including decking and sheathing for floors, walls and roofs."]

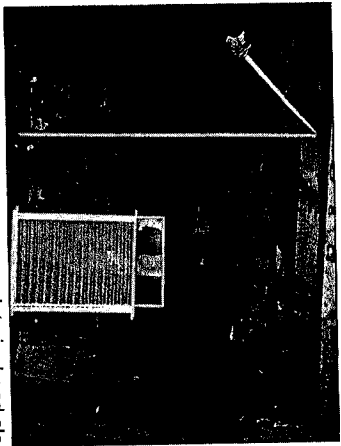
Greg Smith, AICP
Director, Current Planning Division
City of Santa Fe Land Use Department
PO Box 909
Santa Fe, NM 87504-0909
Office: 505-955-6957
Email: gtsmith@santafenm.gov

Historic Districts Review Board
December 12, 2017

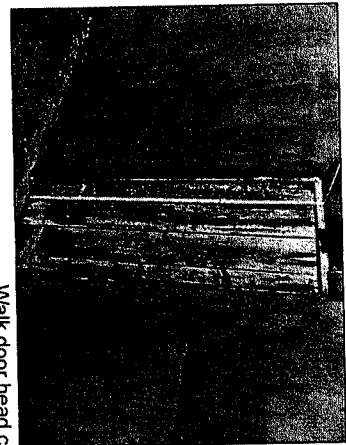
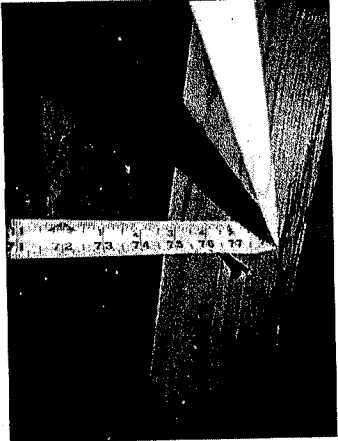
EXHIBIT 3



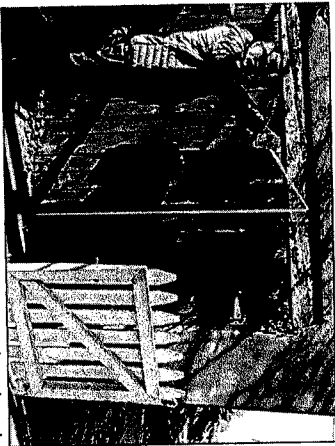
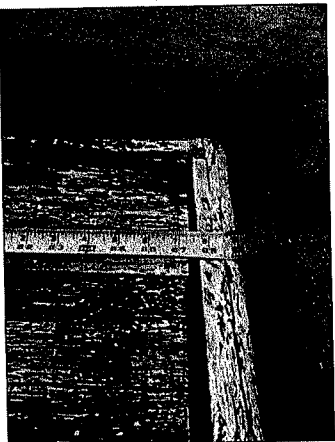
**Descartes
Labs**



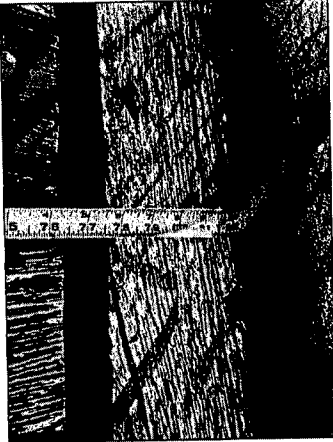
Interior head clearance is 6' 2-3/4"
(7' 0" is code minimum)



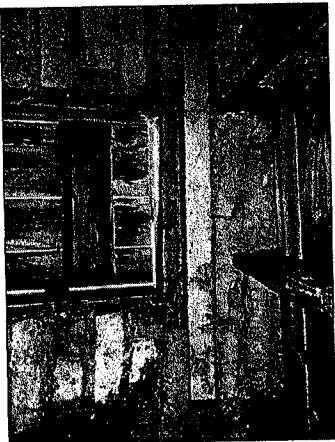
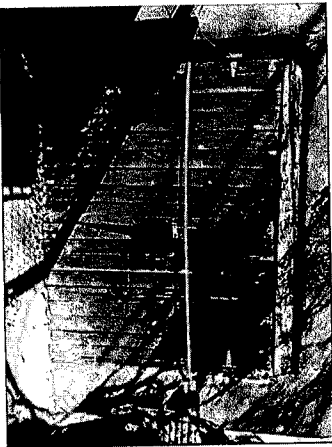
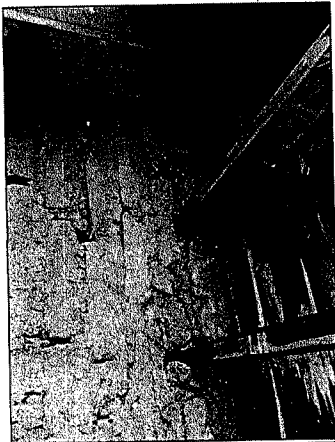
Walk door head clearance is 5' 7-5/8"
(6' 8" is code minimum)



Double door head clearance is 6' 5-1/2"
(7' 0" is recommended for a garage entry)



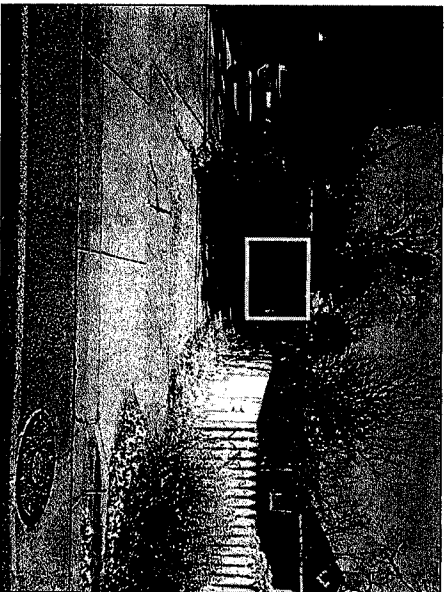
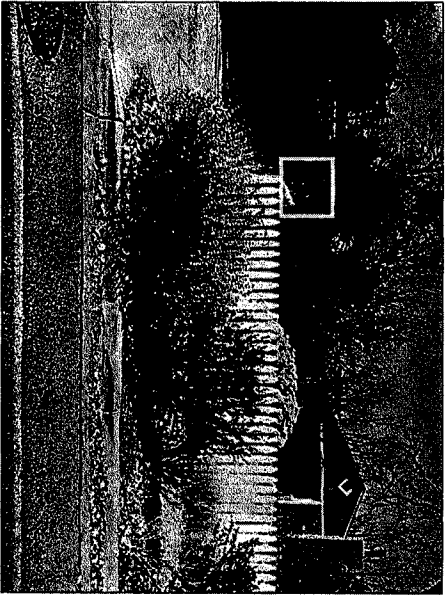
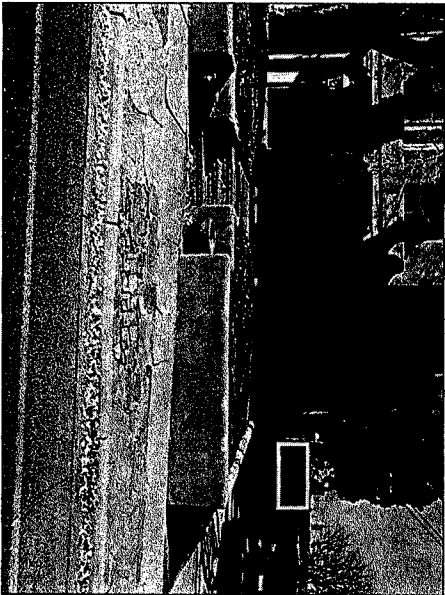
Ceiling joists are undersized, there is no bond beam

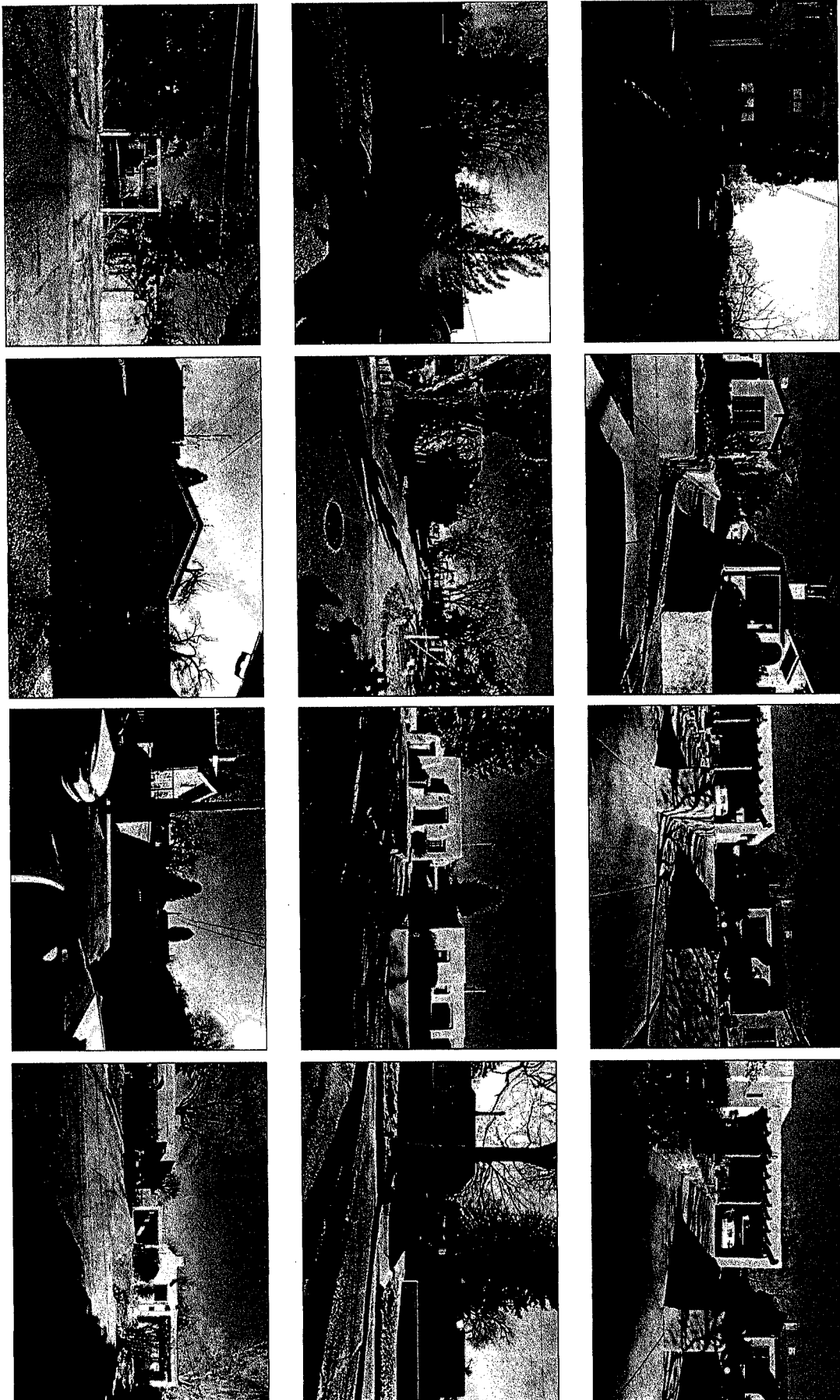


Double door width is 7' 1" which is not suitable for "garage" use



		<p>PALO SANTO DESIGNS LLC</p> <p>Committed to Building a Sustainable World</p> <p>www.palosantodesigns.com 505-988-7230</p>	<p>December 12, 2017</p>	<p>986 Don Gaspar Santa Fe NM 87505</p>	<p>Photos (3)</p>
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			<p>PALO SANTO DESIGNS LLC</p> <p>Committed to Building a Sustainable World</p> <p>www.palosantodesigns.com 505-988-7230</p>	<p>December 12, 2017</p>	<p>806 Don Gaspar Santa Fe NM 87505</p>		<p>Photos (4)</p>
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for man

Historic Districts Review Board
Santa Fe County Courthouse
Santa Fe, New Mexico

OTHER ORIGINAL DOCUMENTS
Date
Mr. David R.
Nicole R.

November 30, 2017

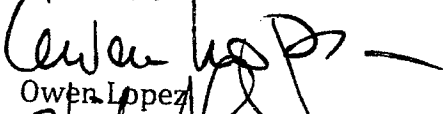
Dear Ladies and Gentlemen:

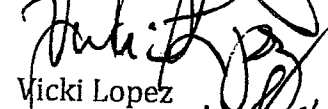
We write with respect to the issue of the garage demolition at 806 Don Gaspar Avenue, Case # H-17-057. We live next door at 812 Don Gaspar and have lived here since 1976. We fully support the applicants' request and agree that this structure should be taken down. It is attached on its south side to our stand-alone garage. We believe this out-building is unstable and a potential structural liability to our property. In all the years we have lived in our residence, the subject structure has never been used to house automobiles. It has only been used as a storage shed.

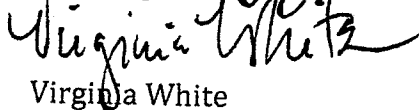
Further, it has no architectural resemblance to the residence. We welcome our new neighbors and applaud their plans to modify and improve the existing house which has its own unique architectural features, but which bear no relation to the dilapidated garage under consideration. The removal of said structure will enhance the value of properties in the neighborhood.

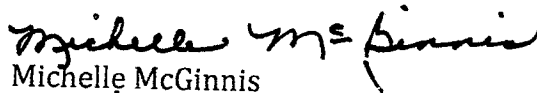
Our neighbors, Virginia White(811 Don Gaspar), Michelle McGinnis (805 Don Gaspar) and Jessica Doyle(804 Don Gaspar whose residence abuts the 806 property on the north side), join and support our request that the garage under consideration be demolished as requested by the applicants so that the subject property can be greatly improved.

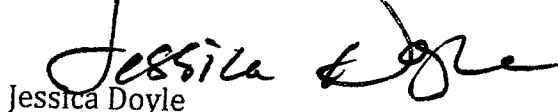
Sincerely yours,


Owen Lopez


Vicki Lopez


Virginia White


Michelle McGinnis


Jessica Doyle