



# Agenda

**HISTORIC DISTRICTS REVIEW BOARD FIELD TRIP**  
TUESDAY, September 25, 2018 at 12:00 NOON  
**HISTORIC PRESERVATION DIVISION, 1<sup>st</sup> FLOOR CITY HALL**  
**HISTORIC DISTRICTS REVIEW BOARD HEARING**  
TUESDAY, September 25, 2018 at 5:30 P.M.  
CITY COUNCIL CHAMBERS  
\*\*\*SECOND AMENDED\*\*\*

- A. CALL TO ORDER
  - B. ROLL CALL
  - C. APPROVAL OF AGENDA
  - D. APPROVAL OF MINUTES: September 11, 2018
  - E. FINDINGS OF FACT & CONCLUSIONS OF LAW
  - F. BUSINESS FROM THE FLOOR
  - G. COMMUNICATIONS
  - H. ACTION ITEMS
1. Case #H-18-069B, 130-132 Berger Street. Downtown and Eastside Historic District. David Smith, agent for The Estate of Joe Richard Baca, owner, proposes to construct a 500 sq. ft. addition to a height of 14' where the maximum allowable height is 15'6", repair and replace windows, replace roof and skylights, install a 5' high pedestrian gate, a 5' high vehicle gate, and hardscaping to a contributing residential structure and construct a 200 sq. ft. portal and replace doors on the non-contributing garage and additional maintenance on the contributing shed. (Nicole Ramirez Thomas, Interim Planner Supervisor, [NARamirez-Thomas@santafenm.gov](mailto:NARamirez-Thomas@santafenm.gov), 955-6660)
  2. Case #H-16-036, 841 West Manhattan Avenue. Westside-Guadalupe Historic District. Bruce Cebell, agent for Westminster Presbyterian Church, owner, proposes to replace windows on a contributing non-residential structure and add an ADA ramp to a primary elevation. An exception is requested to remove historic material and not replace in kind (Section 14-5.2(D)(5)) and to add to a primary elevation (Section 14-5.2(D)(2)(c)). (Nicole Ramirez Thomas)
  3. Case #H-18-078B, 66 – 70 East San Francisco Street. Downtown and Eastside Historic District. Jeff Seres, agent for G.E. Plaza Galeria, LLC, owner, proposes to alter a primary elevation on a contributing building. Exceptions are requested to change windows to doors (Section 14-5.2(D)(5)(i)), raise the height of the parapet (Section 15-5.2(D)(3)), and to not meet the 3' corner rule (Section 14-5.2(D)(2)). (Nicole Ramirez Thomas)
  4. Case #H-18-082, 1469 Canyon Road. Downtown & Eastside Historic District. Douglas Maahs, agent for Megan Hill, owner, proposes to construct a 330 sq. ft. second floor addition and an elevator shaft addition to 22' where the existing height is 22' on a contributing residential structure. An exception is requested to not meet the 3' corner standard for windows (Section 14-5.2(E)(2)(b)) and to install a door on a primary elevation (Section 14-5.2(D)(5)). (Nicole Ramirez Thomas)
  5. Case #H-18-067, 355 Hillside Avenue. Downtown and Eastside Historic District. Gayla Bechtol, agent for Sarah Tyson, owner, proposes to add 140 square feet to a non-contributing residential structure to a height of 14' where 16'2" is the maximum allowable height. (Nicole Ramirez Thomas)
  6. Case #H-18-089, 546 Canyon Road. Downtown & Eastside Historic District. Joshua Maes, agent for James McManis, owner, proposes to replace windows on non-contributing residential structure. (Nicole Ramirez Thomas)
  7. Case #H-18-105, 635 Garcia Street. Downtown & Eastside Historic District. Architectural Alliance, agent for John and Elizabeth Conely, owners, proposes to construct 1,195 sq. ft. of additions, and fireplaces, enclose a portal, replace windows, construct a yardwall, and screen the HVAC system on a contributing residential structure and construct a 198 sq. ft. portal and replace doors on a non-contributing guest house, construct a 1,724 sq. ft. freestanding garage, and a 1,279 sq. ft. freestanding studio. (Nicole Ramirez Thomas)
  8. Case #H-18-108A, 702 Agua Fria Street. Downtown & Eastside Historic District. Tim Curry, agent for Chris Baker, owner, requests a historic status review with designation of primary elevations, if applicable for a non-contributing residential structure. (Nicole Ramirez Thomas)

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DATE: 09/19/2018

TIME: 11:58 AM

9. Case #H-18-108B. 702 Agua Fria Street. Downtown & Eastside Historic District. Tim Curry, agent for Chris Baker, owner, proposes to construct a 260 sq. ft. portal, replace windows and doors, posts and beams of portal, roof by changing material, replace fascia, construct a 6' high coyote fence and a 36" wood picket fence on a contributing residential structure. An exception is requested to remove historic material and replace it in-kind (Section 14-5.2(D)(1)(a)). (Nicole Ramirez Thomas)
10. Case #H-18-109. 833 East Alameda Street. Downtown & Eastside Historic District. Cassidy's Landscaping Inc., agent for Barbara Banks, owner, proposes to replace windows and stucco on a non-contributing residential structure. (Nicole Ramirez Thomas)
11. Case #H-18-022. 1126 ½ Camino Delora. Downtown & Eastside Historic District. Marc Naktin, agent for James Ortega, owner, proposes to construct a 3,617 sq. ft. residential structure to a height of 19'8" where the maximum allowable height is 15'8" on a vacant sloping site. Two exceptions are requested to construct a pitched roof where a pitch is not allowed (Section 14-5.2(D)(9)(d)), and to not comply with Santa Fe style (Section 14-5.2(E) Downtown & Eastside Historic District). (Carlos Gemora, Planner, [CEGemora@santafenmn.gov](mailto:CEGemora@santafenmn.gov), 955-6670)
12. Case #H-18-110. 505 Apodaca Hill. Downtown & Eastside Historic District. Jenkins Gavin, agent for Iscah Carey, owner, proposes to construct a 10'10" high 370 sq. ft. greenhouse and 6' high fence and gate on a non-contributing residential structure. An exception is requested to greenhouse massing not in the Santa Fe Style (Section 14-5.2(E)). (Carlos Gemora)
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I. MATTERS FROM THE BOARD

J. ADJOURNMENT

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- E. FINDINGS OF FACT & CONCLUSIONS OF LAW

Case #H-18-103. Barrel tile guidelines.

Case #H-16-002. 814 Camino Atalaya.

Case #H-18-095. 309 West San Francisco Street.

Case #H-18-097B. 613 Garcia Street.

Case #H-18-072. 479 Camino de las Animas.

Case #H-17-108. 100 North Guadalupe Street.

Case #H-18-096. 664 Camino del Monte Sol.

Case #H-18-099A. 521 1/2 Calle Corvo.

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

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2. Case #H-18-060B. 310 Otero Street. Downtown & Eastside Historic District. Christopher Alba, agent for Georges and Valentine Feghali, owners, proposes to construct a 273 sq. ft. 12'3" high addition, an exterior spiral staircase, replace windows and doors, install a roof deck, and stucco a contributing residential structure. (Nicole Ramirez Thomas)
3. Case #H-16-036. 841 West Manhattan Avenue. Westside-Guadalupe Historic District. Bruce Cebell, agent for Westminster Presbyterian Church, owner, proposes to replace windows on a contributing non-residential structure and add an ADA ramp to a primary elevation. An exception is requested to remove historic material and not replace in kind (Section 14-5.2(D)(5)) and to add to a primary elevation (Section 14-5.2(D)(2)(c)). (Nicole Ramirez Thomas)
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**RECEIVED AT THE CITY CLERK'S OFFICE**

**DATE:** 09/14/2018

**TIME:** 9:32 AM

7. Case #H-18-087. 725 Old Santa Fe Trail. Don Gaspar Area Historic District. Thomas Ostenberg, agent/owner proposes to construct a 202 sq. ft. portal and alter a coyote fence on a contributing residential structure. (Nicole Ramirez Thomas)
8. Case #H-18-089. 546 Canyon Road. Downtown & Eastside Historic District. Joshua Maes, agent for James McManis, owner, proposes to replace windows on non-contributing residential structure. (Nicole Ramirez Thomas)
9. Case #H-18-105. 635 Garcia Street. Downtown & Eastside Historic District. Architectural Alliance, agent for John and Elizabeth Conely, owners, proposes to construct 1,195 sq. ft. of additions, and fireplaces, enclose a portal, replace windows, construct a yardwall, and screen the HVAC system on a contributing residential structure and construct a 198 sq. ft. portal and replace doors on a non-contributing guest house, construct a 1,724 sq. ft. freestanding garage, and a 1,279 sq. ft. freestanding studio. (Nicole Ramirez Thomas)
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13. Case #H-18-022. 1126 1/2 Camino Delora. Downtown & Eastside Historic District. Marc Naktin, agent for James Ortega, owner, proposes to construct a 3,617 sq. ft. residential structure to a height of 19'8" where the maximum allowable height is 15'8" on a vacant sloping site. Two exceptions are requested to construct a pitched roof where a pitch is not allowed (Section 14-5.2(D)(9)(d)), and to not comply with Santa Fe style (Section 14-5.2(E) Downtown & Eastside Historic District). (Carlos Gemora, Planner, [CEGemora@santafenmn.gov](mailto:CEGemora@santafenmn.gov), 955-6670)
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**I. MATTERS FROM THE BOARD**

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Case #H-17-108. 100 North Guadalupe Street.  
Case #H-18-096. 664 Camino del Monte Sol.  
Case #H-18-097B. 613 Garcia Street.  
Case #H-18-102. 124 Quintana Street.

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

1. Case #H-18-031. 644 Camino del Monte Sol. Downtown & Eastside Historic District. Lorn Tryk, agent for Karen and Scott Malouf, owners, proposes to add 1778 sq. ft. to the main house, add 594 sq. ft. to an existing guest house, and construct a 1,036 sq. ft. free-standing studio to a non-contributing residential property. (Nicole Ramirez Thomas)
2. Case #H-18-060B. 310 Otero Street. Downtown & Eastside Historic District. Christopher Alba, agent for Georges and Valentine Feghali, owners, proposes to construct a 273 sq. ft. 12'3" high addition,, an exterior spiral staircase, replace windows and doors, install a roof deck, and stucco a contributing residential structure. (Nicole Ramirez Thomas)
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RECEIVED AT THE CITY CLERK'S OFFICE

DATE: 09/06/2018  
TIME: 3:45 PM

7. Case #H-18-087. 725 Old Santa Fe Trail. Don Gaspar Area Historic District. Thomas Ostenberg, agent/owner proposes to construct a 202 sq. ft. portal and alter a coyote fence on a contributing residential structure. (Nicole Ramirez Thomas)
8. Case #H-18-089. 546 Canyon Road. Downtown & Eastside Historic District. Joshua Maes, agent for James McManis, owner, proposes to replace windows on non-contributing residential structure. (Nicole Ramirez Thomas)
9. Case #H-18-104A. 823 Acequia Madre. Downtown & Eastside Historic District. Kate Leriche, agent for Paul Roesler, owner, requests a historic status review with designation of primary elevations, if applicable for a contributing residential structure. (Nicole Ramirez Thomas)
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11. Case #H-18-106. 216 West San Francisco Street. Downtown & Eastside Historic District. Amy McKenzie, agent for City of Santa Fe, owner, proposes to construct a telecommunications tower on a non-contributing non-residential structure. (Nicole Ramirez Thomas)
12. Case #H-18-107. 201 West Marcy Street. Downtown & Eastside Historic District. Amy McKenzie, agent for City of Santa Fe, owner, proposes to construct a telecommunications tower on a non-contributing non-residential structure. (Nicole Ramirez Thomas)
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17. Case #H-18-100. 878 East Palace Avenue. Downtown & Eastside Historic District. Reliable Tech Heating and Cooling, agent for Marilyn Halla, owner, proposes to install visible rooftop HVAC on a contributing residential structure. An exception is requested to install publicly visible rooftop appurtenances (Section 14-5.2 (E)(1)(d)). (Carlos Gemora)
18. Case #H-18-110. 505 Apodaca Hill. Downtown & Eastside Historic District. Jenkins Gavin, agent for Iscah Carey, owner, proposes to construct a 10'10" high 370 sq. ft. greenhouse and 6' high fence and gate on a non-contributing residential structure. An exception is requested to greenhouse massing not in the Santa Fe Style (Section 14-5.2(E)). (Carlos Gemora)
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**SUMMARY INDEX**  
**HISTORIC DISTRICTS REVIEW BOARD**  
September 25, 2018

<b>ITEM</b>	<b>ACTION TAKEN</b>	<b>PAGE(S)</b>
B. Roll Call	Quorum Present	1
C. Approval of Agenda	Approved as amended	2
D. Approval of Minutes - September 11, 2018	Approved as amended	2
E. Findings of Fact & Conclusions of Law	None presented	3
F. Business from the Floor	Comments	3
G. Communications	None	3
H. Action Items		
1. <b><u>Case #H-18-069B.</u></b> 130-132 Berger Street.	Postponed	4-8
2. <b><u>Case #H-16-036.</u></b> 841 West Manhattan Avenue	Approved with conditions	8-17
3. <b><u>Case #H-18-078B.</u></b> 66 – 70 East San Francisco Street	Denied	17-25
4. <b><u>Case #H-18-082.</u></b> 1469 Canyon Road	Postponed	25-34
5. <b><u>Case #H-18-067.</u></b> 355 Hillside Avenue	Approved	34-36
6. <b><u>Case #H-18-089.</u></b> 546 Canyon Road	Approved as submitted	37-38
7. <b><u>Case #H-18-105.</u></b> 635 Garcia Street	Approved with conditions	38-42
8. <b><u>Case #H-18-108A.</u></b> 702 Agua Fria Street	Designated Contributing	42-46
9. <b><u>Case #H-18-108B.</u></b> 702 Agua Fria Street	Approved as recommended	46-50
10. <b><u>Case #H-18-109.</u></b> 833 East Alameda Street	Postponed	3-4
11. <b><u>Case #H-18-022.</u></b> 1126 ½ Camino Delora	Postponed with directions	50-57
12. <b><u>Case #H-18-110.</u></b> 505 Apodaca Hill	Denied	57-63
13. <b><u>Case #H-18-111.</u></b> 720 Don Gaspar Avenue	Approved as recommended	63-66
I. MATTERS FROM THE BOARD	Announcement	66
J. ADJOURNMENT	Adjourned at 11:41 p.m.	67



**MINUTES OF THE**  
**CITY OF SANTA FE**  
**HISTORIC DISTRICTS REVIEW BOARD**

**September 25, 2018**

**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

**MEMBERS EXCUSED:**

Mr. Buddy Roybal  
[one vacancy]

**OTHERS PRESENT:**

Ms. Nicole Ramirez Thomas, Senior Planner  
Mr. Carlos Gemora, Senior Planner  
Ms. Theresa Gheen, Assistant City Attorney  
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**

Ms. Ramirez Thomas requested one change to the agenda by moving case # 10, Case #H-18-109 at 833 East Alameda Street to the top of the agenda. There is no proposed and existing drawings on the same page so we need to postpone that case to October 9.

The Applicant for that case was not present.

**MOTION: Member Katz moved, seconded by Member Boniface to approve moving Case #10 first on the cases to be heard.**

**VOTE: The motion passed by unanimous (4-0) voice vote with Members Bayer, Biedscheid, Boniface and Katz voting in favor and none voting against.**

**MOTION: Member Katz moved, seconded by Member Biedscheid, to approve the agenda as amended.**

**VOTE: The motion passed by unanimous (4-0) voice vote with Members Bayer, Biedscheid, Boniface and Katz voting in favor and none voting against.**

#### **D. APPROVAL OF MINUTES: September 11, 2018**

Member Katz requested the following changes to the minutes:

On page 15, second to last line, the name is Luca not Luke;

On page 26, top line, it should say "Palace of the Governors," not Inn of the Governors;

On page 27 in the motion on the last line, it should say, "be revised."

Member Biedscheid asked for a change on page 35, sixth paragraph at the end, it should say, "at that particular property."

Member Boniface requested a change on page 31, 5<sup>th</sup> paragraph from the bottom in the last sentence where it should say, "He asked if the window is to be maintained."

**MOTION: Member Biedscheid moved, seconded by Member Katz to approve the minutes of September 11, 2018 as amended.**

**VOTE: The motion passed by unanimous (4-0) voice vote with Members Bayer, Biedscheid, Boniface and Katz voting in favor and none voting against.**

#### **E. FINDINGS OF FACT & CONCLUSIONS OF LAW**

There were no Findings of Fact & Conclusions of Law.

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

Ms. Stefanie Beninato pointed out that at the last meeting, it became clear and she was glad for this in #10 - Staff review has been overlooked and she remembered applicants having to submit window schedules and door schedules before coming in. That technical review is needed. And it is unfair to ask lay staff for legal opinions but that should be from the attorney.

The Dark Sky Act, at the last time, the Staff Attorney did know about the Act but not how to apply it. It is measured from the light source itself. She appreciated that it was read and then postponed but keeping to the rules would be best.

Chair Rios said Staff does provide a guide to all applicants on what they are to submit.

Ms. Ramirez Thomas agreed. There are a variety of things required, but the packet is graphically specific.

## **G. COMMUNICATIONS**

There were no communications.

## **H. ACTION ITEMS**

Chair Rios gave the audience an explanation that appeals of case decisions can be made to City Council up to 15 days after approval of the Findings of Fact and Conclusions of Law.

**10. Case #H-18-109. 833 East Alameda Street. Downtown & Eastside Historic District. Cassidy's Landscaping Inc., agent for Barbara Banks, owner, proposes to replace windows and stucco on a non-contributing residential structure. (Nicole Ramirez Thomas)**

The Applicant for this case was now present. Chair Rios told her that the existing and proposed drawings are a requirement for submittal and in this case that was not submitted.

Ms. Ramirez Thomas added that the Staff and Board do not have a copy of existing drawings. There are drawings of the proposed window and cut sheets of it and the

application must show both existing and proposed presented on the same page.

Ms. Ramirez Thomas suggested postponing this case until the October 9, 2018 Board meeting.

**MOTION: Member Bayer moved, seconded by Member Biedscheid to postpone Case #H-18-109 at 833 East Alameda Street to the October 9, 2018 meeting with directions on drawings provided to the Applicant.**

**VOTE: The motion passed by unanimous (4-0) voice vote with Members Bayer, Biedscheid, Boniface and Katz voting in favor and none voting against.**

1. **Case #H-18-069B. 130-132 Berger Street. Downtown and Eastside Historic District.** David Smith, agent for The Estate of Joe Richard Baca, owner, proposes to construct a 500 sq. ft. addition to a height of 14' where the maximum allowable height is 15'6", repair and replace windows, replace roof and skylights, install a 5' high pedestrian gate, a 5' high vehicle gate, and hardscaping to a contributing residential structure and construct a 200 sq. ft. portal and replace doors on the non-contributing garage and additional maintenance on the contributing shed. (Nicole Ramirez Thomas, Interim Planner Supervisor, [NARamirez-Thomas@santafenm.gov](mailto:NARamirez-Thomas@santafenm.gov), 955-6660)

Ms. Ramirez Thomas presented the staff report as follows:

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

130-132 West Berger Street is a residential duplex located in the Don Gaspar Area Historic District. The property is composed of three buildings: the duplex, the garage, and a small outbuilding/shed.

##### **Duplex (contributing)**

The duplex was constructed in the Pueblo Revival style by 1936. The walls are adobe covered with stucco on a concrete foundation. The duplex retains its historic footprint, massing, and details. Notable changes include the enclosure of two portals on the south elevation and removal of viga tails at the front portals. The portal enclosures appear to have been done prior to 1969 based on the windows used for the enclosure.

The north elevation, including the portals and openings under the portals, and the east elevation of the structure were designated as the primary elevations.

##### **Shed (contributing)**

The shed (might have been a garage) may have been the original garage for the property. The year of construction is unknown. A door and a window were added to the

north elevation at some time. The roof may have at one time had a simple parapet. Presently the roof is a shed roof. The shed is constructed of adobe covered with stucco and is in poor condition.

The north elevation of the shed was designated as primary.

### **The Garage (non-contributing)**

The garage (shop) was built at a later date than the home. It is constructed of CMU block and is stuccoed. Two of the walls are immediately adjacent to the east and south property lines. The west wall has no fenestration. The north elevation has a garage door, a pedestrian door, and two window openings. The exact date of construction of the garage is unknown but it appears to have been built sometime after 1950 and given its construction materials, windows, and doors staff believes the structure predates 1969.

The applicant has applied for a lot consolidation and proposes the following:

### **Duplex**

- 1) Remodel of the south elevation of the duplex to include the addition of 500 square feet to a height of 17'-9" where the maximum allowable height of 17'-11". The existing height of the structure is 15'-6".
- 2) Addition of a pergola/trellis structure. A concrete slab will also be placed in the location of the pergola (south elevation) and the existing flagstone and other patio material will be removed.
- 3) Windows on primary elevations will be repaired. Windows on non-primary elevations and on the addition will be wood clad with simulated divided lites.
- 4) Addition of skylights to the roof of the duplex. The skylights will not be publicly visible.
- 5) Addition of gates to the front yard and addition of a vehicle gate.

### **Shed**

- 6) Perform maintenance and repair on the building including re-roofing and re-establishing the parapets and replacing the window. The door and window on the east elevation are not original.

### **Garage**

- 7) Raise the roof of the garage from 11'-6" to 15'-0" where the maximum allowable height is 17'-11".
- 8) Addition of the portal on the north elevation.
- 9) Add a pergola to the garage on the west elevation.
- 10) Replace the garage doors.
- 11) Replace windows and doors with metal clad simulated divided lite windows and doors.

## **General**

- 12) Repair walls along the property line.
- 13) Stucco for all buildings will be cementitious El Rey "Buckskin".
- 14) Windows will be Jeld-Wen in "Sea Foam".

## **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(H) Don Gaspar Area Historic District.

### **Questions to Staff**

Chair Rios asked if the applicant wants to add 500 square feet to the main house.

Ms. Ramirez Thomas agreed.

Chair Rios asked if the addition would be 2' higher than existing.

Ms. Ramirez Thomas said it would be 2' 5" higher.

Chair Rios asked if it would be publicly visible.

Ms. Ramirez Thomas said it would be minimally visible. With new construction we require story poles but not normally on an addition.

### **Applicant's Presentation**

Mr. David Smith, 231 West Manhattan, was sworn. He said he might have misunderstood your phone call. Was the story pole for the shop?

Ms. Ramirez Thomas said no. It was for the main house.

Mr. Smith understood the code does not require story poles with a remodel.

Chair Rios said the Board felt it would be better to have story poles.

Mr. Smith said, "This is another two-week delay for something I was not apprised of."

Member Katz clarified that it is being required because of the taller addition in the back. If it is not visible, without story poles, the Board is not certain.

Mr. Smith said the only thing publicly visible is the west elevation. The addition would not be visible from the street.

Member Katz believed it would be visible.

Ms. Ramirez Thomas pointed out that if the consolidation had come in, there would be no need to postpone of it. The Board has the purview to postpone a case.

Chair Rios agreed and informed Mr. Smith of it.

Mr. Smith didn't think it was when he talked with Ms. Ramirez Thomas. He didn't know it would help to consider part of it. He added that, for the record, the application for lot consolidation was done on Monday and the hearing was Tuesday night.

#### Questions to the Applicant

Member Katz said, in looking at the east elevation of the garage, there is a portal proposed in front. He didn't think the drawing of the elevation matches the floor plan.

Mr. Smith clarified that is a pergola, not a portal.

Member Katz said it shows as a portal but has no depth number. It is wider in one place than another.

Mr. Smith said there is a gate to enter the courtyard and he left off the portal entirely.

Member Biedscheid asked if there is a violation of the 50% rule.

Ms. Ramirez Thomas said no; it is less than 50%.

Member Biedscheid asked what the additional area amount is.

Chair Rios asked Mr. Smith what size it is now.

Mr. Smith said it is 1,700 square feet.

Ms. Ramirez Thomas thought it was 1735 square feet.

#### Public Comment

No public comment was invited.

### Action of the Board

**MOTION:** Member Katz moved, seconded by Member Biedscheid, in Case #H-18-069B at 130-132 Berger Street, to postpone to date certain for story poles installation for the main house and corrected drawings for the east garage.

**VOTE:** The motion passed by unanimous (4-0) voice vote with Members Bayer, Biedscheid, Boniface and Katz voting in favor and none voting against.

2. **Case #H-16-036, 841 West Manhattan Avenue.** Westside-Guadalupe Historic District. Bruce Cebell, agent for Westminster Presbyterian Church, owner, proposes to replace windows on a contributing non-residential structure and add an ADA ramp to a primary elevation. An exception is requested to remove historic material and not replace in kind (Section 14-5.2(D)(5)) and to add to a primary elevation (Section 14-5.2(D)(2)(c)). (Nicole Ramirez Thomas)

Ms. Ramirez Thomas presented the staff report as follows:

### **BACKGROUND AND SUMMARY:**

The Westminster Presbyterian Church, located at 841 West Manhattan Avenue, requests to replace historic windows. The church was constructed in 1955, and retains its original materials and massing, with the exception of the replacement of six windows in the sanctuary area, as previously approved by the Historic Districts Review Board. The historic status of the structure is contributing in the Westside-Guadalupe Historic District was determined at a previous hearing. The west, south, and east elevations are primary elevations

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

- 15) Propose replacement of steel casement windows with double hung, white aluminum clad windows with removable grills and insulated dual low E glass air, and screens with white frames. An exception is requested to remove historic material and not replace it in-kind (14-5.2(D)(5)). No window opening sizes will change

North Elevation: Six (6) 8/12 lite windows to replace six (6) existing 8/12 lite windows; one (1) exterior door window to replace one (1) existing door window; two (2) 6/6 lite windows to replace two (2) existing 6/6 lite windows.

East Elevation: Nothing proposed

West Elevation: One (1) 8/8 lite window to replace one (1) existing 8/8 lite



window.

South Elevation: Two (2) 4/4 lite windows to replace two (2) existing 4/4 lite windows; four (4) 8/8 lite windows to replace four (4) existing 8/8 lite windows.

16) Propose to install an ADA ramp leading to the vestibule entrance on the south side of the church. An exception is requested for an addition to a primary elevation (14-5.2(D)(2)(iii)).

17) Propose to install one (1) exterior door on the north side of the church. The north elevation is not primary.

18) Propose to install "mini-split" HVAC units in the two offices located on the south side of the church. The HVAC units and line sets will not be publicly visible.

## RELEVANT CODE CITATIONS

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

#### (2) Additions

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

#### 5) Windows, Doors, and Other Architectural Features

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

(i) Historic windows shall be repaired or restored wherever possible. Historic windows that cannot be repaired or restored shall be duplicated in the size, style, and material of the original. Thermal double pane glass may be used. No opening shall be widened or narrowed.

## EXCEPTION RESPONSES

### REMOVAL OF HISTORIC MATERIAL

**14-5.2 (C) (5) (c) (i):** *Do not damage the character of the streetscape.*

**Response:** The windows being removed will be replaced with new windows reflecting the existing street look as closely as possible. In fact, there will be virtually no change in the streetscape look, as is evidenced by the removed windows (previously approved by the Historical Board) on the East Elevation.

*Staff Response: Staff agrees with this response. The window choice will not damage the character of the streetscape.*

**14-5.2 (C) (5) (b) (ii):** *Prevent a hardship to the applicant or an injury to the public welfare.*

**Response:** The windows being removed are less energy efficient than what is being proposed as replacements, causing unnecessary energy usage. In addition, many do not function as originally intended. Some will not open anymore, causing seasonal discomfort to building occupants.

*Staff Response: Staff agrees with this response. The applicant's hardship is the lack of insulation in the windows.*

**14-5.2 (C) (5) (b) (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 District.*

**Response:** Removal of the existing windows will not adversely affect the character of the City or the Historic Districts. Windows are not being added to the building or deleted from the building. The applicant has made effort to insure replacements windows match the existing windows in design and appearance as much as is currently possible.

*Staff Response: Staff agrees with this response. The applicant has replaced windows in the proposed style per Board approval.*

**14-5.2 (C) (5) (b) (iv):** *Are due to special conditions and circumstances which are peculiar to the land or structure involved and which are not applicable to other lands or structures in the related streetscape.*

**Response:** Other than the fact that the windows are aging, and replacement is deemed necessary for the normal maintenance of the church structure, there are no other apparent special conditions or circumstances that can be claimed by the applicant.

*Staff Response: Staff does not agree with this response but does believe the special condition that is peculiar to this structure is its exposure as it sits at the corner of*

*three streets and is on an open lot with little coverage to help the building's insulation.*

**14-5.2 (C) (5) (b) (v):** *Are due to special conditions and circumstances that are not a result of the actions of the applicant.*

**Response:** The building is showing its age. It is approaching 65 years of age, and the structure is beginning to need maintenance.

*Staff Response: Staff agrees with this response. The building, while well maintained, is in need of some upgrades.*

**14-5.2 (C) (5) (b) (vi):** *Provide the least negative impact with respect to the purpose of this section as set forth in §14-5.2 (A) (1).*

**Response:** There will virtually be no negative impact to the purpose as described in §14-5.2 (A) (1).

*Staff Response: Staff agrees with this response. The windows are as similar to the original as the applicant could find.*

#### NOT REPLACING HISTORIC MATERIAL IN-KIND

**14-5.2 (C) (5) (b) (i):** *Do not damage the character of the district.*

**Response:** The proposed window placements are of the same dimensions, have the same exterior color, have the same partitions and function as the original windows. No openings will be widened or narrowed. By keeping the look of the windows as close as is possible to the originals we are avoiding any unfavorable effect to the character of the district.

Observation of other buildings within the immediate vicinity shows that the proposed windows are not out of character with surrounding buildings in the Historic District.

*Staff Response: Staff agrees with this response. Window replacement was approved at the church a couple of years ago and the replacement windows do not damage the character of the district.*

**14-5.2 (C) (5) (b) (ii):** *Are required to prevent a hardship to the applicant or injury to the public welfare.*

**Response:** The original windows are no longer fully operable or efficient. By replacing the windows with high-energy efficient and functional windows, we are attempting to reduce or prevent hardship to the church members (applicant) and, at the same time, contribute to the “greening” of the environment by reducing energy consumption.

*Staff Response: Staff agrees with this response. Steel casement windows have not stood the test of time in many cases.*

**14-5.2 (C) (5) (b) (iii):** *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.*

**Response:** We do not feel that leaving the windows “as-is” is a viable alternative. We have investigated options available that offered solutions and variations on the window replacement. We have chosen windows that offer environmental benefits, duplicate the character of the existing windows as much as is possible, and duplicate the size and location of the existing windows; all without compromising the character of the building in whole, or the character of the Historic Districts. The option we have chosen is of the same manufacturer and design as windows previously approved by the Historical Board.

*Staff Response: Staff agrees with this response. The design proposed matches windows that were already approved for replacement.*

#### ADDITION TO A PRIMARY ELEVATION

*(i): Do not damage the character of the streetscape.*

**Response:** The proposed ramp would be installed as inconspicuously as is practical. It would be installed directly adjacent to the building, extending directly towards designated handicap parking.

*Staff Response: Staff agrees with this response. Aside from the fact that it is at the front entrance of the building, the ramp does not provide a major impact to the streetscape.*

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

**Response:** Our church membership is aging. Negotiating the current steps into the sanctuary is done with difficulty by a growing number of our members. It is only a matter of time before we experience an injury. The ramp will be constructed to ADA standards.

*Staff Response: Staff agrees with the response. The aging congregation may suffer injury.*

*(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 District.*

**Response:** There appears to be no other alternative that would offer quick, safe access to the sanctuary.

*Staff Response: Staff does not agree with this response. The applicant does have an ADA ramp at the west elevation of the building, however the ramp in the proposed location provides more direct access for individuals that are less mobile.*

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

**Response:** Other than the fact that the church is experiencing an aging membership, there are no other apparent special conditions or circumstances that can be claimed by the applicant.

*Staff Response: Staff does not agree with this response but does acknowledge that the special condition peculiar to the land is the relationship between the parking area and the church.*

*(v): Are due to special conditions and circumstances that are not a result of the actions of the applicant.*

**Response:** The building and membership are both showing their age. We are attempting to comply with current ADA standards to insure safe access to the sanctuary.

*Staff Response: Staff agrees with this response. The ADA requirements have changed since the construction of the building.*

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

**Response:** There will be minimal negative impact to the purpose as described in §14-5.2 (A) (1). It is the intent of the church to preserve the historic style of the church, while at the same time exhibiting a general harmony with those more modern buildings that offer ADA compliant access.

*Staff Response: Staff agrees that the proposed ADA ramp provides little negative impact to the building.*

**STAFF RECOMMENDATION:**

Staff finds the exception request to remove historic material and not replace in-kind has been met. Staff defers to the Board to determine if the exception criteria to add to a primary elevation have been met. Otherwise, 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 (I) Westside-Guadalupe Historic District.

**Questions to Staff**

Chair Rios asked what Staff disagreed with.

Ms. Ramirez Thomas said she disagreed with the response to #3 - Special condition peculiar to the structure. The exposure might be a special circumstance. Other than that one, she agreed with the rest.

On the exception for an addition to a primary elevation, she didn't agree with the response to a full range of design options and #4, special conditions and circumstances peculiar to the structure. The special condition is the relationship between the parking area and the church.

Chair Rios suggested the applicant can expound on those.

Member Bayer asked about the removable grills for the windows they are proposing in this application and if they are the same as approved a couple of years ago.

Ms. Ramirez Thomas said they are. But she thought they did request window grilles earlier than that and the Board had denied them.

Member Biedscheid asked if the west elevation drawing for existing was on the computer.

Ms. Ramirez Thomas said no.

Member Biedscheid thought there was one of the proposed. The Board did see it on the site visit earlier today.

Ms. Ramirez Thomas said page 16 shows the ramp there and also the existing ramp on page 17 on the west elevation. So it shows existing and then the proposed.

Member Katz added that it is also shown on page 19.

Member Biedscheid said the existing is not on page 19.

### Applicant's Presentation

Mr. Bruce Cebell, 72 Herrada Road, was sworn. He said the church is in the middle of a three-year renovation project and trying to maintain it by upgrading the windows and doors to the outside and putting in an ADA ramp. The ramp on the west elevation does not meet ADA specs and is not as useful at that location so a new location was chosen.

### Questions to the Applicant

Chair Rios asked what the dimensions of the railing are.

Mr. Cebell said the ramp is about 15' long and the handrail is attached to the church and on the other side it would be 15'. The height will meet ADA specs.

Chair Rios asked if they explored other options. The existing doesn't meet standards.

Mr. Cebell explained that the existing ramp is too steep. And handicapped have to go down a long hallway to get to the sanctuary.

Chair Rios asked, if approved, would you consider painting the railing, which I guess is metal to be the same color as the church.

Mr. Cebell agreed.

### Public Comment

Ms. Stefanie Beninato, P.O. Box 1601 was sworn. She wished they would replace windows in-kind on the primary elevations, but she heard the Board already approved some that are not in-kind. So it is moot.

She appreciated that they want to provide the ramp directly to the sanctuary. Maybe they could have an adobe wall there. It is the most important façade there. With the double doors and portal to the right side and could that be used instead of having the ramp so visible.

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

Member Katz said it is a very beautiful façade and the railing would interfere with that. He didn't know the ADA requirements, but he was really uncomfortable with that.

Member Boniface said it bothered him as well. He didn't look up the ADA requirements. Typically, it needs railing or a guard rail. This railing is 16" high, so he didn't think this ramp would need a railing. In a wheelchair, a slight curb maybe 4-6" high, might perform the same function. He asked if the Applicant would consider that.

Mr. Cebell said yes. The problem is of a new railing on the outside.

He checked with the Pastor in the audience who told him he would accept the alternate suggestion.

Member Katz wondered if perhaps the existing handrail could go away.

Mr. Cebell thought a railing would be needed by some people. He said they could paint the black railing on the wall with the same color as the church stucco.

Member Boniface suggested perhaps it could be a simple railing (pipe) as opposed to all the verticals on there and match the same 12:1 slope of the ramp, if it is needed.

#### Action of the Board

**MOTION:**     **Member Boniface moved, seconded by Member Katz, in Case #H-16-036 at 841 West Manhattan Avenue, that after hearing further testimony, the exception criteria have all been met; to approve a 12:1 ramp on the south side with condition that no handrail is added to the south side of ramp and instead have a 4-6" curb to prevent going off the ramp and that the existing handrail be changed to pipe or typical handrail painted same color as the stucco.**

**Member Bayer asked for a friendly amendment that there be no grill in the windows and that revised drawings be submitted to Staff. Member Boniface accepted the amendment as friendly.**

**VOTE:**       **The motion passed by unanimous (4-0) voice vote with Members Bayer, Biedscheid, Boniface and Katz voting in favor and none voting against.**

- 3. Case #H-18-078B. 66 – 70 East San Francisco Street. Downtown and Eastside Historic District. Jeff Seres, agent for G.E. Plaza Galeria, LLC, owner, proposes to alter a primary elevation on a contributing building. Exceptions are requested to change windows to doors (Section 14-**



**5.2(D)(5)(i)), raise the height of the parapet (Section 15-5.2(D)(3)), and to not meet the 3' corner rule (Section 14-5.2(D)(2)). (Nicole Ramirez Thomas)**

Ms. Ramirez Thomas presented the staff report as follows:

**BACKGROUND & SUMMARY:**

66-70 East San Francisco Street is a non-residential building and is designated as contributing to the Downtown and Eastside Historic District. The building is currently the Plaza Galeria and houses several retail and business suites. The building was the J.C. Penny building before the retailer moved to the De Vargas Mall in the early 1980s. Since that time, the lower portion of the storefront has undergone significant changes but the Mission Revival detail that is iconic to the plaza streetscape has been retained. The north elevation of the property is designated as primary.

The applicant is proposing the following remodel. All work proposed will occur to the north elevation. Relevant code citations and exception responses are provided at the end of the memo.

- 19) Remove four historic windows and replace them with doors. An exception is required to remove historic material and not replace in-kind (14-5.2(D)(5)(i) & (ii)). The applicant is proposing to change the wood windows to aluminum clad doors with transoms in the color "Bronze."
- 20) Increase the north elevation parapet at the portal and add railing to create a balcony area. An exception is requested to raise the height of the parapet on a primary elevation (14-5.2(D)(3)).
- 21) Reconfiguration of the storefront window at the east of the main entry. An exception is requested to not meet the 3' corner rule for windows (14-5.2(E)(2)(b)).
- 22) Addition of a staircase and egress door on the ground level at the north elevation, west wall. The door will be flush with the existing wall. The first floor of the building was excluded as part of the primary elevation at a Board hearing in 2015.
- 5) Addition of an elevator more than 10 feet from the primary elevation and to a height not to exceed the front height of the north elevation. The shaft is also set back significantly from the Water Street elevation of the building and will not be publicly visible. No exceptions were requested for the elevator.
- 6) Stucco will be El Rey cementitious stucco in "Adobe."

**STAFF RECOMMENDATION:**

Staff does find that the exceptions have been met but the Board may find that the exceptions are met with testimony from the applicant. Otherwise, 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 Historic District.

### Questions to Staff

Chair Rios asked what the public visibility of the elevator is.

Ms. Ramirez Thomas said it would have been somewhat visible to the west. Now it is proposed to be absolutely not visible. She agreed that the Board found no visibility.

Member Katz asked if there was a story pole. Today any story pole was not visible at all.

Chair Rios asked what changes were made from last time.

Ms. Ramirez Thomas said the pass-through exception removed and egress door with no additional massing on the front. It is a flush location.

Member Bayer knew the north elevation is primary but excluding the first floor. What are the character-defining features of it?

Ms. Ramirez Thomas said the first floor was excluded because it had already changed so much of the store front.

Member Biedscheid noted the HCPI is from 1985 and there are articles in it. The location, in reading the article, was entirely demolished in 1955.

Ms. Ramirez Thomas agreed. None of the original historic material is still on the building. The photos show it has changed over time. Significant changes were made to the streetscape. At one time, it was very Territorial and then had a Mission style. Mr. Eddy could probably talk to that.

Member Biedscheid said it would have been helpful to know what changes were made since 1955. The Board could ask for that review.

Chair Rios reminded the Board it was, at one time, a church. She was going to make the point that there is nothing left to the church. Archbishop Lamy sold it to Simon Delgado who razed everything except a couple of walls. The Delgado widow sold it later and it was all demolished in 1955.

Member Katz added that the Board doesn't have anything about what was built in 1955. History is important and to some extent, what was there as a church. We just

have zero information about that in our packet to determine if it ruined what was important.

Chair Rios said The Pia Folda was taken from there to Cristo Rey Church in 1939. She remembered this building in the 1950's. What she remembered was that, other than the portales, they put the portales on later in the 1960's. What you see on the top floor is as I remember it.

Ms. Ramirez Thomas said we had photographs in a previous packet. One from one from 1859-1871; another from early 1900's - 1950; and then from 1965. She read from an article about its history that included ecclesiastical architecture.

Member Katz asked who designed the building in the 1950's and what was reminiscent of the church?

Ms. Ramirez Thomas didn't have that information.

#### Applicant's Presentation

Mr. Jeff Seres, P.O. Box 9308, was sworn. He thought all changes made since the last hearing were noted by Ms. Ramirez Thomas. Regarding questions by Member Katz on the 1955 construction, he had drawings from that time. Bradley Fitter was the architect.

What we see above the portal was what was constructed. In 1968, the portal was added. In 1984, the whole store front was reconstructed into the Galeria.

#### Questions to the Applicant

Member Katz asked if the center opening is actually a window.  
Mr. Seres said it might be slightly smaller.

Member Boniface asked if the doors are going to be same width or wider.

Mr. Seres said the doors have to be wider - 1.5 inches on either side.

Chair Rios asked if the Applicant would consider only changing two instead of all four.

Mr. Seres recalled that came up at our first meeting and the Board decided it would be more in keeping with the symmetry to replace all four. He still felt it would be better to keep that.

Member Katz noted on page 33 of the submission, the elevation north side proposed shows the elevator and that may not be the same now.

Mr. Seres agreed. The elevator was lowered to 12' 3". The elevator shaft is 47' back from the façade. There was a story pole and it was lower than first submittal, being cut to 12' 3". Yesterday, he walked all the way to Palace of the Governors and saw a small piece of the story pole there, so we will have to lower a little more. It was 2' 6" and we will lower it to 2' even.

Member Boniface said, to clarify, at the last hearing, you had a story pole with two marks.

Mr. Seres agreed and that is at the six inches.

### Public Comment

Mr. John Eddy, 227 E Palace, Suite D, was sworn. "Do you have these photos in your packet?" He handed out a copy of them for the Board. No copy was provided for the record.

He said, "I lament the fact that a historian such as John Murphy was not brought to bear. It brings good questions to light. What is important here is not necessarily the building. The building of the church was demolished and Meem came in at that time and rebuilt the store front. The photo in 1955 showed four windows on that elevation. No one was here to say what that 'demolished' really meant. I had not seen that photo before, but it was Territorial, maybe with brick coping on top. So what is important for you to consider, the stone retablo or reredo was moved to Cristo Rey - the choir loft ended up at the church on Guadalupe and it is very old.

"So a good part of the building was demolished but if the four windows were left intact on that façade and it just 'missionized' that elevation. It is that Meem was deliberately leaving that imprint. When he went back and missionized the parapet, it was that he was memorializing the chapel there. The point to make is what makes this building historic is that John Gaw Meem was the last person to work on that façade. It is definitely historic and there is no way to work around that.

"Maybe there was a deeper portal on it and the present portal was put in place in 1968 and my father worked with Meem on it."

"The store front is the store front. I have no argument there. But this façade, because of Meem's work on that building, is sacrosanct. This proposal is going to rooftop dining on that portal. The adjacent building was put in by Gerald Peters with roof top pizzeria. From the corner, the Ore House, you can see that. If these plans are allowed to go through, all we are going to see is umbrellas. To me, that is not the way to

go. I'd like for Staff to give a lead in to protect a historic façade. The proposal doesn't do anything to protect that façade and, in fact, destroys it.

"You decided to postpone and now we do know more. The historic nature of this building is very important. So I would encourage you to deny this and protect the historic integrity of this façade."

Chair Rios believed the applicant came forward with four doors already. "In the 1950's picture, you indicated he kept the windows on the second floor. But not at the same locations?"

Mr. Eddy said, "This is something I don't know. And it is something that John Murphy would have been able to bring to this Board. It is interesting. I haven't seen that photograph before. When I look at it, I wonder, how long have those windows been there? Were they there before Meem remodeled that façade? That is something we don't know. That is another layer of historicity of this façade, which is very interesting. But we can fall back to the understanding that Meem created that façade that we look at today probably in the 1950's. When you look at the rest of the Plaza, and all the other buildings of the Plaza, I defy you to show me another façade on the plaza, that has that identity as created by Meem."

Ms. Barbara Fix, 610 Alicia Street, was sworn. She said "Ditto what John Eddy said. The purpose is to protect the history and that is exactly what John Gaw Meem was doing in the 1950's. La Castrense - they have the same feeling. If it is used for dining, you won't see the window or doors on that façade. It will be lost to us if this is approved - a loss of culture and continuity. It is a shame we don't know what went on from the 50's to this century. There is a quietness to the façade now and you don't recognize it until it is really recognized. I ask you to not lose it."

Mr. Raymond Herrera, 357 Hillside Avenue, said La Castrensa was the second military chapel built here. The first was at corner of the Palace of the Governors, at least beside the Palace of the Governors. After the Pueblo Revolt, La Castrense was built to replace that chapel around 1760. The Reredo that is there was commissioned by the Governor at the time and was paid for by the Governor and his wife and was named La Capilla de la Luz - Nuestra Senora de Luz, Our Lady of Light. After Archbishop Lamy took over, and he wanted to designate all the historic buildings in Santa Fe. This building was sold under that pretense and the Reredo was taken off and reassembled behind the Cathedral and was there for 46 years until transferred to Cristo Rey Church as it was built in 1939. The church was actually built for that reredo. So that piece of property is historic. The true meaning of the property itself and eliminating the building - the history should be a reason for preserving its architecture by John Gaw Meem. I talked with Hilario Romero, former State Historian, who is out of town and could not attend tonight. By doing this, it will change the whole streetscape for that part of the Plaza. For Fiestas and Spanish Market or whatever and you see all the umbrellas and heat fixtures up there and this proposal means just a continuation of that. And that

would ruin things on San Francisco, the main entrance into Santa Fe. I hope that this façade will not be changed for those reasons.”

Ms. Beninato (previously sworn) said, “I appreciate all the comments of previous speakers. What was taken out of the chapel and put in the cathedral building and forgotten about. The reredo was discovered just in time, as Cristo Rey was being built. I understand the parishioners there petitioned the archdiocese to have the reredo put in there. It is really a beautiful piece. I too, would be very disappointed to have this façade changed. I think it is reflective of the history of that building. I’m afraid that because you approved second floor space of the adjacent building, that this one would be approved too. I thought it was a bad idea when you did it.

“I would also say there is more than one historian in this town. It bugs me, as a professional historian with over 35 years of experience doing these kinds of research projects, that you think only one person is qualified to do the historic research. I would suggest that you keep the middle section unchanged with no ability to have a porch there and it should railings that keep people off of that part where there can be no tables, no umbrellas in order to see that mission part of the chapel and what is extremely reminiscent of the chapel. I appreciate the architect’s integrity that he made an effort to make sure the elevator would not be visible. I think it might still be visible to Water Street but appreciate that he took the time to go over to the Palace and acknowledged it would still be visible and was willing to lower it six inches more.”

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

Mr. Seres said he had the drawings from 1955. The architect was Bradley Kidder and his drawings are complete for a new building on this site. There is no indication on this elevation of remodeling on the second floor. They show the work of Bradley Kidder (not Meem). His seal shows it as 1955 and shows the elevation that is there right now. The other drawings show sections and the developer’s work.

Mr. Seres showed the drawings to the Board members.

Chair Rios asked if he was suggesting it was Kidder and not Meem who did the design.

Mr. Seres said he was.

Chair Rios asked John Eddy what proof there was of Meem doing that.

Mr. Eddy said everything he read pointed to Meem and stood corrected if it isn’t so. Maybe this architect was working for Meem. A lot of more information needs to come out. But, if Mr. Kidder was the one who built it, it is still historic building.

Mr. Seres said Kidder is the architect of record. "In my work on this building, it corroborates everything I've said. Dimensionally and other indications of structure on inside or up above is all accurate to these drawings."

Chair Rios mentioned that the Plaza has changed and continues to change. Looking at them back at the 1700's and 1800's, the porches - and these are difficult decisions we have to make. Think about your home - especially with vernacular homes that change to accommodate the family.

Member Bayer pointed out that some interesting questions were raised and no HCPI. 1955 is well over 50 years old. So it is historic, and the same façade is still there and contributing to this building. It is worth preserving. I have a lot of hesitancy about this proposal and fear it will make it non-contributing and would like the project to be less aggressive. So I can't in good faith approve this.

Chair Rios asked if it would be restaurant.

Mr. Seres said there is no lease, but it is looking to that as one possible use. It is not set in any contractual agreement.

Member Biedscheid said, other than the drawings, it appears there is a gap in our knowledge between 1955 and today. She would appreciate an updated HCPI by any qualified historian be done before proceeding with this case.

Mr. Seres was not sure another HCPI would show anything since 1955. What would it show?

Member Biedscheid said it could explain what happened with the demolition - what part was demolished. In addition, what happened inside the physical building.

Mr. Seres said the information was provided by Mr. Eddy. He read further from the article Ms. Ramirez Thomas had read from.

Member Biedscheid felt another historian could get other references.

Ms. Ramirez Thomas said Staff considered whether another HCPI was needed. It is already considered contributing and a primary elevation was assigned. Preservation standards apply to it. Would a HCPI offer more for us?

Member Biedscheid noted that it is intact since 1955.

Ms. Ramirez Thomas asked if a HCPI would offer more insight.

Chair Rios remembered Mr. Kidder's name. There was Philippe Register, John Gaw Meem and Mr. Kidder. She remembered shopping at Penney's. Whether it was designed by Meem or Kidder, it is a historic building.

Member Boniface felt the more information and more testimony he heard, the more hesitant he was to move forward to the application approval. There are holes in the history and conflicts. "Also, I am concerned that the effect of this remodel, turning the windows into doors; the parapet and railing; feels we are moving away from a contributing building. To be real, it is just a one-dimensional building. Just the north side. Sure, the south is an elevation and is the back door for delivery. It is really a prime example of beautiful piece of architecture affiliated with this building is that north side. And that is the one thing that is being changed the most. So I'm leaning toward not approving it. I've come 180 degrees. We've heard some very interesting testimonies. Mr. Eddy brought a lot to the table. But we could use more and maybe I could be convinced otherwise. But at this moment, I'm hesitant to improve it."

Member Katz said, "I feel somewhat the same as Member Boniface. I like the idea of life on the Plaza. And I agree with our Chair that needs change and buildings change. But our job is to make sure that they are not changed without a very good reason. The rooftop café on the building next door is a brand-new building and those umbrellas hide nothing historic. They do a great job. There is a rooftop café where the Ore House used to be, now called the Thunderbird. I don't know how long that was there and don't know the process that went on in getting it there. It has a roof. It doesn't feel so awkward. Ultimately, what we are supposed to look at are exception criteria and I feel this is damaging to the streetscape. The more I've looked at that building, the simplicity really is important. That is the essence of the building. It is sort of an echo with the history of the building. The church was originally upset that it was going to be used as a courthouse and that kind of the worldly use proposed is very different from the feeling that it has now. The railing, particularly, damages the streetscape and you lose its plainness. Another criterion is hardship and no hardship is recognizable here. Perhaps the owners could make more money with a restaurant up there. But that is something we are not allowed to look at. Will we have restaurants above every portal on the Plaza. I hope not. I don't think it is an injury to the public welfare. Lots of people would like to dine in such an atmosphere. But depriving them of that is not an injury to the public welfare.

The third criterion makes no sense for a commercial building, so it doesn't apply here.

Special conditions peculiar to the land or structure - this is no different from many other buildings on the Plaza. Probably many of them could be changed to increase their profitability but they are all built out - all full-sized. This building could be expanded; it could have a restaurant upstairs and an outdoor patio upstairs in the back. So there are no special conditions that apply just to this property.

The sixth is least negative impact. They could certainly have a restaurant upstairs with five nice windows to look out at the Plaza and would not have to sit outside there. Forcing it to be outdoors is certainly not the least negative impact. With those findings, I would make a motion on this case to deny...



Chair Rios said, "Most of you know, and if you don't, you will this evening, that the charge of this Board is to uphold the ordinance we have in place. With a historic building, we are charged to preserve that building. I said that changes do occur. Last time, we had a 2-2 vote and I felt an obligation to vote to not change the building. Sometimes there is very little time to digest everything and I needed to be conservative.

#### Action of the Board

**MOTION: Member Katz moved, seconded by Member Biedscheid in Case #H-18-078B at 66 – 70 East San Francisco Street, to deny the application on the basis he just stated - that this proposal would be damaging to the streetscape; that no hardship would result; that there are no special conditions peculiar to this property; and that the proposal is not the least negative impact.**

**VOTE: The motion passed by unanimous (4-0) voice vote with Members Bayer, Biedscheid, Boniface and Katz voting in favor and none voting against.**

Mr. Seres asked about the Chair voting only in case of a tie.

Chair Rios explained the Chair could also vote to create a tie and neither of those applied this time.

- 4. Case #H-18-082, 1469 Canyon Road. Downtown & Eastside Historic District. Douglas Maahs, agent for Megan Hill, owner, proposes to construct a 330 sq. ft. second floor addition and an elevator shaft addition to 22' where the existing height is 22' on a contributing residential structure. An exception is requested to not meet the 3' corner standard for windows (Section 14-5.2(E)(2)(b)) and to install a door on a primary elevation (Section 14-5.2(D)(5)). (Nicole Ramirez Thomas)**

Ms. Ramirez Thomas presented the staff report as follows:

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

1469 Canyon Road is a single-family residence 6,443 square foot home located within the Downtown and Eastside Historic District. The current style of the home could be described as vernacular in that it has undergone several style changes over the years including the Spanish-Pueblo and Territorial Revival styles. The home was originally built of adobe some time before 1941 and has undergone distinctive changes since that time which have resulted in a modern Spanish-Pueblo Revival type of building. At their

hearing in January 2018 the Board upgraded the historic status of the property to contributing and made the solarium on the west elevation the primary elevation.

The applicant requests the following items for remodel.

23) Addition of 330 square feet to the west elevation second story which will feature non-divided light windows and doors to match the existing. The windows under the portal exceed the 30" lite rule, however since they are under a portal they are allowed by code. The windows on the west elevation exceed the 30" lite rule and an exception is requested per 14-5.2(E)(2)(b). The relevant code citations and exception responses are provided at the end of the memo. The height will match the existing height of 22'-0". The addition is more than 10 feet back from primary elevation, so no exception was requested.

24) Addition of a door to a primary elevation. An exception is requested to remove historic material and not replace in-kind (14-5.2(D)(5)).

25) Construct an elevator shaft on the west elevation. The addition is more than 10 feet back from the primary elevation. The height of the shaft will not exceed the existing height of the building. No exception is requested for the elevator.

#### RELEVANT CODE CITATIONS

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

5) Windows, Doors, and Other Architectural Features

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

(i) Historic windows shall be repaired or restored wherever possible. Historic windows that cannot be repaired or restored shall be duplicated in the size, style, and material of the original. Thermal double pane glass may be used. No opening shall be widened or narrowed.

(ii) No new opening shall be made where one presently does not exist unless historic documentation supports its prior existence.

(iii) No existing opening shall be closed.

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

#### 14-5.2(E) Downtown and Eastside Standards

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

##### EXCEPTION RESPONSES

##### **Request to Exceed the 30" Lite Rule**

(i) Does not damage the character of the district.

There is no visibility of the structure from the streetscape.

*Staff Response: Staff agrees with this response. The house is tucked far back from the streetscape.*

(ii) Are required to prevent a hardship to the applicant or an injury to the public welfare. The windows and doors on the entire existing structure are non-conforming.

*Staff Response: Staff agrees with this response. The windows would be mismatched to the rest of the house and would create a hardship.*

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

Home owner is amenable to doing an overhang on the west exposure windows or replace the design with 24'x24' awnings.

*Staff Response: Staff agrees that the applicant has provided other design options.*

##### **Request to Remove Historic Material and Not Replace In-kind**

The applicant proposes to create an entryway in the north western panel of the west facing solarium by removing 3 glass panels and the cinder block below. The material used for the entry will be a custom designed Marvin door with three glass panels and fixed sidelights finished in Cascade Blue color, matching existing structure. See attached drawing. The purpose of the entry is to create a no step, entrance from the driveway to the home and proposed elevator area for aging in place and wheel chair accessibility.

(i) The proposed change does not impact the character of the district or streetscape as the request for exception includes a modest change keeping congruent vernacular design character intact. The structure is not visible from the street.

*Staff Response: Staff agrees with this response. The house is not visible from the street.*

(ii) Past health issues required Ms. Hill to use a wheelchair for approximately two months. During this time accessing areas on the first floor of the home were difficult and, in some cases, impossible. This included kitchen, bedrooms, and bathrooms. As Ms. Hill; mobility decreases with age she is concerned, and therefore, planning for her needs such that she can continue to occupy her home of 39 years. Implementing the applicants request to create an opening in the atrium, which requires minimal grade differentiation as compared to other assessed areas, and installing a residential elevator to the second floor, which does not and will not have transition step, will prevent mobility hardship.

*Staff Response: Staff agrees with this response. The level changes on the first floor pose a hardship.*

(iii) Extensive consideration has been given to four additional areas of ingress/egress.

1. Creating an opening at the kitchenette area north of the solarium would require navigating 10" grade difference measured from outside grade to window sill and interior slab to window sill. The area does not contain enough footage to create a ramp nor does it provide enough footage to allow for the use of a wheelchair to negotiate turns and passages.

2. Creating an entrance through the existing north east studio is limited due to a step and narrow transition from the studio through the kitchenette. Existing clearance from the studio transition through the kitchenette is 30" use of a wheelchair through transition areas require a minimum 32". There is a permanent metal divider installed from the kitchenette to the solarium which has a clearance of 29" and a turn.

3. Fabricating the main entrance of the home to accommodate no steps would create a significant design change to the exterior primary elevation steps and interior steps leading to the solarium. Air circulation routing which is an integrated aspect of the interior step which leads to the solarium would call for extensive designing and installation requirements.

*Staff Response: Staff agrees with this response. Other design options have been considered.*

4. Consideration for creating an entrance on the east elevation has been reviewed and would require extensive grading, installing hard service approach material, and removing substantial mature foliage which frames the south elevation.

(iv) The structure is unique and creative in character and layout which was designed and created before the current owner's occupancy. Specific conditions of the structure, when deciding where to place the elevator shaft, is the uniqueness of the basement. The structure is supported in numerous areas with compacted earth walls and shotcrete with mechanical/electrical/plumbing woven in place from previous additions rendering most areas in the house unsuitable for an elevator shaft. Whereas the solarium is constructed slab on grade, making it an ideal location to create the required 8" elevator pit. Additionally the structures ceilings are created with vigas and barrel vaults. Extensive structural design and implementation would be required to pursue this option.

A unique and creative response is now needed such that Ms. Hill can continue to occupy her home with ease. The requested exception involves minimal change to the exterior and interior to create/continue the most cohesive ingress/egress to the structure from the main parking area.

*Staff Response: Staff agrees with this response. There are few places where an elevator can be placed.*

(v) The existing layout, with the exception of the North West studio and portals, were completed before the current owner bought the property in 1979. The numerous steps, mechanical placement and narrow transition areas are the result of previous owners.

*Staff Response: Staff agrees with this response. The placement of structures on the property are not the result of the applicant.*

(vi) The requested exception will have the least negative impact as it applies to the historical nature of the structure by way that the west elevation being originally designed as the service, servant, and delivery entrance. In essence, were asking to continue using the west elevation as a service entrance used by the occupants to access the home from its least constricted area to its least constricted area, the second floor. Creating a modest single door entry into one of the seven the solarium panels adds to the welfare of the owners' access of the home that she has enjoyed for 39 years and desires to enjoy for as long as possible.

*Staff Response: Staff agrees with this response. The option proposed offers the least negative impact in the context of the responses to the other criteria.*

#### **STAFF RECOMMENDATION:**

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

#### **Questions to Staff**

Chair Rios asked if the primary façade is the solarium.

Ms. Ramirez Thomas said it is and only the solarium.

Chair Rios asked if for the elevator location, the applicant explored other possibilities.

Ms. Ramirez Thomas said yes. She lives on the main floor and there is concern she won't be able to get to the second level. And she identified other locations for the elevator shaft.

Member Biedscheid said on #3 exception responses, they did talk about exterior steps at the front door. She asked for confirmation that the front door is not a primary façade.

Ms. Ramirez Thomas agreed.

Member Biedscheid said for #5, special conditions, could you clarify your response to theirs? She didn't feel the elevator was a special condition.

Ms. Ramirez Thomas said her response was based on the location of the house. There is no other driveway option and the west side is where the entrance is which was her read on it.

Chair Rios concluded she felt the elevator location is the best location.

Ms. Ramirez Thomas said she did. She liked the suggestion to have it in the kitchen area, but it doesn't work for the applicant. There are not many suitable locations for the elevator. "I do know there are a number of levels and elevations that would make it difficult to get around. I'm not sure there is a good location."

#### Applicant's Presentation

Ms. Linda Mortensen, 1807 Second Street, Suite 20, was sworn. She thanked the Board for considering their case. Speaking to the criteria for the exception that the response to #2 presenting hardship was congruent with staff remarks, the level of the main floor is a hardship. The client fell while descending from the kitchen on September 1 and hurt her hip. She is okay now, but we want to make sure she can safely continue to occupy the home where she had been 39 years.

With #3 criterion, the kitchenette was a possibility but there is not enough room for a slope and minimal clearance to allow wheelchair turns. She was in a wheelchair for two months and that was mentioned in the packet. We did explore that area and felt it was good but has difficulty inside to maneuver.

The others that were explored posed difficult engineering and structural changes or external modifications needed. A southern exposure would require a lot of ramps.

For #4 - special conditions - she pointed out that the hardship would be the engineering needs for modifications.

For #5 - the structure is unique with various levels and flows at the first floor. With the thought of installing an elevator in some other location, it would require creation of barrel roofs or radiant heating within one of the ceilings and would require considerable engineering, but the solarium is at ground level.

For #6, general purpose, we focused on general welfare for allowing her to continue to enjoy her home not only in comfort but also with safety. We provided a sample for finish of the atrium door and design styles consistent with the structure and the district. And we highlighted that she be allowed to occupy in a safe manner and ask the exception to be approved.

### Questions to the Applicant

Chair Rios asked Staff to please describe public visibility and access.

Ms. Ramirez Thomas said the driveway accesses many properties and this is at the end. It is not visible from Canyon Road.

Member Katz asked how far it is from the next property.

Ms. Ramirez Thomas briefly described them. One house is below to the west. The parking lot is hers.

Member Katz understood it is virtually zero visibility.

Member Katz asked Ms. Mortensen, as you come into the driveway, I assume you would want a hard surface to get out of the car and onto a wheelchair.

Ms. Mortensen agreed that is the long-range plan. She is not in a wheelchair yet.

Member Katz said the Board certainly wants her to be able to stay in the house. When we looked at the house today, it looked easy to get in the front door with a ramp at little expense. One step below is the living room into the atrium, a ramp could be put there. There is one façade that is primary, and this would mess it up and I hope the Board would deny that.

Ms. Mortensen said they did look at that as a possible entry. But there is lots of mechanical equipment in that area and that is when we determined it would require a lot of change.

Member Katz asked what is there.

Ms. Mortensen said partly, it is a matter of keeping the air circulation in that opening.

Member Katz did not understand that.

Member Boniface referred to photo #5 and asked what the circles are.

Ms. Mortensen said it is the circulation of air.

Member Boniface said that makes sense.

Member Katz couldn't believe they couldn't figure it out.

Member Biedscheid asked if they could make the elevator door face the living room.

Ms. Mortensen said no.

Member Katz suggested a door on the other side would allow access to the living room.

Chair Rios asked if that was a possibility.

Ms. Mortensen said she would need to re-evaluate that in person. It is worth looking at but would change the second-floor design.

Member Boniface didn't understand how that door was on the east side.

Ms. Mortensen said the door is on the west side.

Member Katz didn't see the second-floor plan.

Ms. Mortensen added that the wall is adobe to create the entrance to the elevator.

Chair Rios asked what the shaft dimensions are.

Ms. Mortensen said the shaft is approximately 50" square.

Member Katz went to page 65 at the proposed south elevation and said, "If you walked out at the west you would be on the roof of the solarium, so I think Member Boniface is right."

Ms. Mortensen said that with two doors, the entrance on the west is at the first floor and at the top would be on the west side. They couldn't put a door in an adobe wall.

Member Boniface responded that it is done all the time. Adding an opening to adobe wall is simple and done all the time. And an elevator with only one door would save money.

Chair Rios asked if that seemed viable. Or do you need to go back to the drawing board?



Ms. Mortensen said they would go to the drawing board for it. That was originally an exterior wall so there is consideration for what is inside that wall.

#### Public Comment

Ms. Beninato (previously sworn) did not think the exception criteria have been met. We are all ageing and Ms. Hill is not disabled now. She was for two months. People fall down stairs all the time. They are talking about using the second floor. Perhaps the first floor could be all at one level. The ramp to the door makes sense. And making an opening on an adobe wall is very easy. It can be done easily. She hoped the Board would be consistent here. If you allow the door on the west side in the solarium, that would cause it to lose its contributing status. There are many other options for exit from the house.

In terms of needing the elevator, another option would be to have a chair lift for the stairs and they wouldn't even need an elevator shaft.

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

Ms. Mortensen pointed out that the stairs has a 90 degree turn so the chair is not possible.

Member Bayer would like to see a plan that does not change the primary elevation.

#### Action of the Board

**MOTION: Member Bayer moved, seconded by Member Biedscheid in Case #H-18-082 at 1469 Canyon Road, to postpone to a date certain of October 9 for redesign.**

**VOTE: The motion passed by unanimous (4-0) voice vote with Members Bayer, Biedscheid, Boniface and Katz voting in favor and none voting against.**

5. **Case #H-18-067, 355 Hillside Avenue. Downtown and Eastside Historic District. Gayla Bechtol, agent for Sarah Tyson, owner, proposes to add 140 square feet to a non-contributing residential structure to a height of 14' where 16'2" is the maximum allowable height. (Nicole Ramirez Thomas)**

Ms. Ramirez Thomas presented the staff report as follows:

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

355 Hillside is a noncontributing residential structure located in the Downtown and Eastside Historic District. The building is constructed in the Pueblo Revival style with simple massing and parapets. The building has undergone many changes since 1999 which include changes in window and massing, as well as the addition of a carport. The current square footage of the structures is 216 square feet.

The applicant proposes the following for remodel.

- 1) Add 70 square feet to the north elevation for a bathroom, hall, and storage closet. A larger window with divided lites will be added to the north elevation to provide more light into the studio.
- 2) Increase the height of the ceiling and add skylights. The maximum allowable height is 16'-2" and the proposed parapet will not exceed 14'-0".
- 3) Add a CMU and stucco yard wall between 355 and 357 to a height of 6'-0".
- 4) Add canals to the parapet for better drainage.
- 5) Install a patio between the studio and the main house. No details were provided.
- 6) Refresh the stain on the wood at the carport with Minwax "Dark Roast."
- 7) Stucco will be Sto in the color "Adobe."
- 8) Windows and doors will be wood clad in the color "Summer Sage."

### **STAFF RECOMMENDATION:**

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

### **Questions to Staff**

Chair Rios asked what the reason is for the wall requirement.

Mr. Gemora said, in working with the lot line dimension, it is to retain the compound.

### **Applicant's Presentation**

Ms. Gayla Bechtol, 418 Montezuma, was sworn. She said the patio is not yet designed. Once the shed is gone, the client will have a landscape person design it. They will install a water harvesting, 5,000-gallon tank and then do a patio with a deck.

There are no details yet. We ask for an 8' wall between properties and not six feet as in the staff report.

Ms. Ramirez Thomas agreed that 8' is allowed because it is a compound.

Ms. Bechtol stood for questions.

#### Questions to the Applicant

Member Biedscheid asked if the skylights would be visible.

Ms. Bechtol said they are flat and not visible.

Member Biedscheid asked if there are shutters for the window at the bath.

Ms. Bechtol said the window is a casement opening but will have no shutter. It is a divided lite window.

Member Boniface said the drawing looks like it has a shutter there on Sheet A-3.

Ms. Bechtol said it looks like the mullions are all vertical. She would have to research that. She wanted to emulate the 2 over 3 pattern of the existing windows.

Member Katz asked what was shown on the wall.

Ms. Bechtol clarified, on sheet A-1 near the studio, toward the south, there is a note that says CMU wall.

Chair Rios asked what the length of the wall is.

Ms. Bechtol said it is approximately 50' or less.

Member Boniface asked if it would have any pilasters to break up that length.

Ms. Bechtol said they could do that. It does step down and has buildings on both sides, but they could do pilasters.

Member Boniface noted the wall guidelines are pretty clear about that requirement.

Ms. Ramirez Thomas clarified that the wall and fence guidelines is only for streetscapes.

Member Boniface was looking for the wall location but maybe this is a good time to put it up.

Ms. Ramirez Thomas said the laser doesn't work on the monitors.

Ms. Bechtol pointed it out on the screen. The dog leg is part of it.

#### Public Comment

Ms. Beninato (previously sworn) wondered about it being a compound and 8' wall. She was not sure this is a compound because it is separate lots and separate ownership. An 8' wall is like a prison wall and not being a neighbor. The drawings of the portal seem to overwhelm the building and seems to be out of proportion.

#### Action of the Board

**MOTION: Member Boniface moved, seconded by Member Katz, in Case #H-18-067 at 355 Hillside Avenue, to approve the application as recommended.**

**Member Bayer asked for a friendly amendment that revised drawings be submitted to Staff. Chair Rios asked for a friendly amendment that skylights be flat.**

**Member Boniface agreed both amendments were friendly.**

**VOTE: The motion passed by unanimous (4-0) voice vote with Members Bayer, Biedscheid, Boniface and Katz voting in favor and none voting against.**

- 6. Case #H-18-089, 546 Canyon Road. Downtown & Eastside Historic District. Joshua Maes, agent for James McManus, owner, proposes to replace windows on non-contributing residential structure. (Nicole Ramirez Thomas)**

Ms. Ramirez Thomas presented the staff report as follows:

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

546 Canyon Road is a non-contributing residential structure located in the Downtown and Eastside Historic District. It is built in a simple Pueblo Revival style with some "hippy vernacular" elements such as sloped walls to create passive solar. The house has had numerous additions and the windows and doors are non-historic, possibly installed in the early 2000s.

The applicant requests the following:

- 26) Addition of a small pergola structure on the east elevation.

- 27) Addition of a yard wall patio wall on the north elevation.
- 28) Two windows will be added to the north elevation.
- 29) Remodel of the north elevation to remove the passive solar angled wall with non-compliant windows. The applicant intends to flatten the wall and replace the windows with compliant lites.
- 30) Replace the existing windows and doors. The windows will be wood clad divided lite windows.
- 31) The clad color will be "Green Tea Leaf".
- 32) The stucco will be cementitious El Rey "Adobe"

**STAFF RECOMMENDATION:**

Staff recommends approval of the application as it complies with 14-5.2(D)(9) General Design Standards for All H Districts and 14-5.2(E) Downtown and Eastside Historic District.

Questions to Staff

Chair Rios asked for the wall height.

Ms. Ramirez Thomas was not sure. There was no discussion of wall in the letter.

Applicant's Presentation

Mr. Joshua Maes, 518 Old Santa Fe Trail, was sworn. He observed that a pergola was mentioned but they are not doing a pergola.

Ms. Ramirez Thomas said it was drawn on the east elevation and, on the north, a new patio wall was drawn.

Mr. Maes said those are all existing. The only changes are the windows and doors.

Questions to the Applicant

Chair Rios asked if all windows will be divided lites.

Mr. Maes agreed.

Public Comment

Ms. Beninato (previously sworn) pointed out that the doors were not noticed in the agenda and indicated it was only to replace windows. As noncontributing - it needs to

pay attention to the notices. On Don Cubero they got demolition when it was not noticed.

#### Action of the Board

**MOTION: Member Bayer moved, seconded by Member Bayer, in Case #H-18-089 at 546 Canyon Road, to approve the application as submitted.**

**VOTE: The motion passed by unanimous (4-0) voice vote with Members Bayer, Biedscheid, Boniface and Katz voting in favor and none voting against.**

- 7. Case #H-18-105. 635 Garcia Street. Downtown & Eastside Historic District. Architectural Alliance, agent for John and Elizabeth Conely, owners, proposes to construct 1,195 sq. ft. of additions, and fireplaces, enclose a portal, replace windows, construct a yardwall, and screen the HVAC system on a contributing residential structure and construct a 198 sq. ft. portal and replace doors on a non-contributing guest house, construct a 1,724 sq. ft. freestanding garage, and a 1,279 sq. ft. freestanding studio. (Nicole Ramirez Thomas)**

Ms. Ramirez Thomas presented the staff report as follows:

[No Staff Report was provided.]

#### Questions to Staff

Chair Rios noticed the maximum allowable height is 15' 11". Are they building it that high?

Ms. Ramirez Thomas agreed it is that high at the workshop. The owner is a sculptor, so he needs that height for his work.

Chair Rios asked if this application meets the open space regulations.

Ms. Ramirez Thomas said it does. The lot coverage is at 27%.

Member Katz asked if the workshop is at the same height as garage.

Ms. Ramirez Thomas agreed.

#### Applicant's Presentation

Mr. Eric Enfield, 612 Old Santa Fe Trail, was sworn. He read his prepared statement that reviewed the character of Garcia Street as they came up with the site plan. It allows all existing trees on the Street to remain. It included use of wood grilles similar to across the street at the School for American Research, and a predominance of higher walls up to the sidewalk. He created 5' 3" walls and the walls vary from 7' to 12' away from the property lines, so they can be landscaped against the walls. None of them are on the setbacks required, offsetting 10' 2". They kept the front back 13' from the street. The improvements will step up. You can see the 2-story house in the back and walls with pilasters. Real windows with wood grilles are in front. The gate is hollow metal frame with wood.

On the garage, only a small portion is at 18' and he only found out today that the maximum height is 15' 11". So he would drop the garage and the studio to 15' 11". He talked with Ms. Ramirez Thomas about it. We did an aerial overlay to show before and after to show how it meets the character of the neighborhood. He showed the two aerials and the proposed breakup of the house into three structures.

Mr. Enfield said this proposal meets all setbacks and has only 27% lot coverage and not exceeding heights. It is Pueblo Revival with 3" reveals. It now has snap-in muntins built in 1990's in our renovation, for the main house. For existing and proposed, it now has several window designs and they are going to a unified style. On the north elevation, they incorporate the garage into the home. They are also taking down the arched entry with a 4' wall around the house. On the back side, east elevation, they are building a deck over the portal. The colors are per submitted in the application. He shared a sample of the colors for the Board's inspection.

He said the show a six-foot coyote fence in the northwest corner and would like the option of a solid wall because they noticed dust from the dirt road. He later corrected himself that it is the northeast corner.

#### Questions to the Applicant

Chair Rios asked if it would have exposed vigas.

Mr. Enfield said yes.

Chair Rios asked how high there and also on the north elevation -

Mr. Enfield thought it was the existing height of the deck right now, but it could be lowered. The other elevation might make more sense to the Board with the north elevation that comes around. That parapet is the 36" above the roof surface and turns into a deck which makes it the required height of the railing. At the south and west they have no decks.

Member Biedscheid referred to the north wall where there is a vehicle gate on the west end and asked if the other gate was where the coyote is.

Mr. Enfield said yes, that it would be just like on Garcia Street. The gate is 5' 3" and the coyote could be six feet high.

Member Boniface asked where the coyote is located.

Mr. Enfield said it is at the northeast corner above the guest house.

Chair Rios asked if the garage and workshop would have round corners.

Mr. Enfield agreed.

Member Katz said it is a very good job. You did it well.

Mr. Enfield said it will be nice. They did a good job on landscaping.

#### Public Comment

Ms. Beninato (previously sworn) said the report says it is a contributing residential structure.

Chair Rios corrected that it is non-contributing.

Ms. Ramirez Thomas agreed it is non-contributing. The two other existing structures were demolished in 1990's.

Ms. Beninato said there was no discussion of it. It is a big property and they will make the buildings look better. But they are still big mansions, even though broken up. It is a loss because people without money cannot live on Garcia.

Mr. Eddy (previously sworn) asked if the portales are they visible from street.

Chair Rios said yes.

Mr. Enfield thought some of them are but not all.

Mr. Enfield said not the studio portal but maybe at the gate. But the garage portal is not. You might see the top of it, but it has a 9' wall along there between the two houses.

Mr. Eddy brought it up because he was looking at the drawings and it has pencil sharpener viga posts. They are slightly tapered at the top to match the viga but do not



taper the whole viga. He asked the Board to discuss that. It is a lazy innovation in Santa Fe to taper just the top and it looks ridiculous. It is easy to taper them from the ground and it is not noticeable. He showed an example of the sharp taper.

The other detail he was curious about was downspouts off canales. He asked if that has been discussed or in the code.

Chair Rios said yes.

Mr. Enfield pointed out that it is now required by the green code to harvest the water. And on the front, they have buried cisterns to capture the water. The downspouts will be painted to match the stucco. He added that Ms. Redmon has it tapered way below the usual taper at the top. Sheet A-12 shows it. The existing photo shows that is there but we are tearing them off and rebuilding them all.

Mr. Eddy appreciated the full answers from the architect. In code is there an item describing the downspouts?

Ms. Ramirez Thomas said there is not.

Mr. Herrera (previously sworn) said he was familiar with this property and really pleased with the layout for proposed additions. His only objections are the walls and gates that do away with community. There are no others above there.

Mr. Enfield agreed with Mr. Herrera. He spent time there too, but at 5' 3" are not nearly as high as others that exist. It goes well with the SAR. He understood the need for the wall. It is truly open space now. And he was just trying to develop a nice residential property for their client.

Member Biedscheid asked about fenestration for the vehicle gate.

Mr. Enfield said it is low enough to look over. And we also kept open space outside the walls for landscaping - from 7' to 12' and setbacks for the gates. So it is elegant.

Chair Rios thought the studio was big.

Mr. Enfield said he didn't know what medium the sculptor uses. He is here but doesn't want to speak.

#### Action of the Board

**MOTION: Member Katz moved, seconded by Member Boniface, in Case #H-18-105 at 635 Garcia Street, to approve the application as recommended by Staff with changes testified to.**

**Member Boniface asked for a friendly amendment that new drawings such as lowered heights of walls and the gate at 5' 3" instead of six feet and also to show the changes that were misdrawn on the parapets to be submitted to Staff.**

**Member Katz agreed to the amendment as friendly and to allow the solid wall as requested by the applicant at six feet high in the northeast corner instead of coyote fencing.**

**Member Biedscheid asked for a friendly amendment that the garage and workshop be no higher than 15' 11". Member Katz agreed that is friendly.**

**VOTE: The motion passed by unanimous (4-0) voice vote with Members Bayer, Biedscheid, Boniface and Katz voting in favor and none voting against.**

- 8. Case #H-18-108A. 702 Agua Fria Street. Downtown & Eastside Historic District. Tim Curry, agent for Chris Baker, owner, requests a historic status review with designation of primary elevations, if applicable for a non-contributing residential structure. (Nicole Ramirez Thomas)**

Ms. Ramirez Thomas presented the staff report as follows:

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

702 Agua Fria is a single-family residence located in the Westside-Guadalupe Historic District. The house existed on the property by 1912 according to the King's Map and the property is listed as non-contributing to the district due to alterations. The defining characteristics of the property and the house are the long front yard with retaining wall and the porch. The porch crosses the front of the house and covers a concrete slab porch. The roof of the porch is supported by four pylons. It is uncertain that the pitched roof with eaves is native to the house or if the roof was at one time flat with a parapet. The doors and windows were changed sometime before 1985, though the openings under the portal may be historic. The applicant is requesting a historic status review with the designation of primary elevations if appropriate.

#### **STAFF RECOMMENDATION:**

Staff recommends the house retain its historic status of non-contributing to the Westside-Guadalupe Historic District as it appears to retain little historic material. Should the Board wish to upgrade the historic status of the home, staff recommends the north and the east elevations as the primaries.

NOTE: Ms. Ramirez Thomas changed her recommendation verbally. She recommended the status be changed to Contributing to the Westside-Guadalupe Historic District and that the north and east elevations be designated as primary.

### Questions to Staff

Chair Rios asked how she would characterize this architectural style. Would it be considered Craftsman?

Ms. Ramirez Thomas said yes. This is in keeping with other homes, with rock pylons, thin posts, including the pitched roof.

Member Bayer observed the HCPI was done in 1985 and Staff seem to be uncertain about what is original. And an updated HCPI could eliminate some of that uncertainty.

Chair Rios pointed out that the house was from 1912.

Ms. Ramirez Thomas clarified that there was a house there in 1912, but perhaps not this one.

Member Bayer said. if upgrading the house, we should do a HCPI to know what to preserve.

Ms. Ramirez Thomas pointed out that the streetscape has houses already contributing. The other element is concrete sills on windows under portals Two on the east don't look original to the house. However, the roof style indicates two elevations be primary So the east elevation. Is also recommended.

Member Katz asked how much of the portal on the north side is original or over 50 years old. We exclude nonhistoric elements and the Board is flying blind here.

Ms. Ramirez Thomas agreed. Staff didn't have a question about whether the portal was original to the building. For that reason, it did not occur.

Member Katz asked why Staff didn't have a question about it.

Ms. Ramirez Thomas said it was because it is just like the other contributing homes there.

Chair Rios saw her point. It is 50 years old or older and maintains the streetscape. So it meets the criteria in her book for Contributing. It can still have minor alterations.

Member Bayer said the Board doesn't really know but we don't have an updated HCPI.

Ms. Ramirez Thomas asked if the Board wants all these inventories from 1985 to have a new HCPI. We didn't want to be over burdensome to the Community. That is a question. It is okay if you want to do that. But it should be discussed also.

Chair Rios asked if she said anything at 1985.

Ms. Ramirez Thomas recommended updates for anything before 1992. We have used them when Staff thinks it is appropriate, but the Board can always ask for them.

Chair Rios pointed out that with better information, the Board can make better decisions.

Member Bayer it seems the HCPI is not a very useful tool when they are from that period because they lack detail.

#### Applicant's Presentation

Mr. Tim Curry, 1415 W Alameda, was sworn. He said with regard to hiring a historical architect to evaluate an old assessed house, if major changes are proposed, it makes sense to have that as a requirement. With this project it doesn't matter with the small changes we are proposing. I'm not sure the information would impact your decision. It is just to install new windows.

Chair Rios explained the Board is just considering the status now.

Mr. Curry pointed out that it is apparent this is just an addition and at some point, it was added on.

#### Questions to the Applicant

Chair Rios said the Board doesn't know when it was added on.

Mr. Curry said on the south elevation, the south east portion, there is an exterior door and an indication on the drawing that it has a sloped ceiling inside and that is not consistent with the roof above. So it appears that portion was modified at some point and the hip roof place over the existing structure.

Member Katz asked if he agreed there should be a new HCPI.

Mr. Curry said not necessarily. He was just not sure that was relevant for the changes they propose. He would like to move it forward.

Member Bayer said the Board must consider the status, but we cannot consider what is proposed for the structure yet.

Ms. Ramirez Thomas explained that because it has a pitched roof, two elevations must be considered primary. Otherwise, she would have just recommended the north elevation and also the east side because it retains more historic character than the west side.

Mr. Curry thought the west elevation would be more appropriate for the second because there is only one window on the east and it is apparent from the inside that the west has had no modification but there was an addition there on the east side.

Member Biedscheid said the window on the west has a concrete sill.

Mr. Curry agreed.

Member Biedscheid asked if the windows are the same as the two on the north elevation and the larger window on the east elevation.

Member Boniface liked that suggestion for west as primary. In looking at the floor plan, it is educational to see the location of the thick walls and where the walls get thin at the southeast corner. The existing utility has the walls thinner, it was maybe just a porch, but we don't know. So making it contributing with north and west would make sense to him.

#### 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, seconded by Member Biedscheid, in Case #H-18-108A at 702 Agua Fria Street, to designate this structure as Contributing, with north and west façades as primary and making the entire yardwall contributing.**

**VOTE: The motion passed by unanimous (4-0) voice vote with Members Bayer, Biedscheid, Boniface and Katz voting in favor and none voting against.**

#### **9. Case #H-18-108B. 702 Agua Fria Street. Downtown & Eastside Historic District. Tim Curry, agent for Chris Baker, owner, proposes to construct a**

**260 sq. ft. portal, replace windows and doors, posts and beams of portal, roof by changing material, replace fascia, construct a 6' high coyote fence and a 36" wood picket fence on a contributing residential structure. An exception is requested to remove historic material and replace it in-kind (Section 14-5.2(D)(1)(a)). (Nicole Ramirez Thomas)**

Ms. Ramirez Thomas presented the staff report as follows:

### **BACKGROUND & SUMMARY:**

702 Agua Fria is a single-family residence located in the Westside-Guadalupe Historic District. The house existed on the property by 1912 according to the King's Map and the property is listed as non-contributing to the district due to alterations. The defining characteristics of the property and the house are the long front yard with retaining wall and the porch. The porch crosses the front of the house and covers a concrete slab porch. The roof of the porch is supported by four pylons. It is uncertain that the pitched roof with eaves is native to the house or if the roof was at one time flat with a parapet. The doors and windows were changed sometime before 1985, though the openings under the portal may be historic.

The applicant requests the following:

- 33) Remodel the existing portal on the north elevation. The style of the portal will remain the same, however the portal must be re-built because it is structurally unsound. The applicant has requested an exception to remove historic material (14-5.2(D)(5)) and replace it in-kind contingent on the status designation of the previous case. The relevant code citations and exception responses are provided at the end of this memo.
- 34) Addition of 260 square foot portal on the south elevation. The existing square footage of the home is 1400 square feet including the portal.
- 35) Replace the existing windows and doors.
- 36) Addition of a 36" high picket fence at the front yard area.
- 37) Replace the asphalt shingle roof with a metal standing seam roof.
- 38) Replace fascia and cover it with a metal clad material to match the roof.
- 39) Window clad color will be "Hampton Blue".
- 40) Wood trim will be painted "Hampton Blue".
- 41) Stucco will be cementitious El Rey "Sahara".

### **RELEVANT CODE CITATION**

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

(5) Windows, Doors, and Other Architectural Features

(b) For all façades of significant, contributing and *landmark structures*, architectural features, finishes, and details other than doors and windows, shall be repaired rather

than replaced. In the event *replacement* is necessary, the use of new material may be approved. The new material shall match the material being replaced in composition, design, color, texture, and other visual qualities. *Replacement* or duplication of missing features shall be substantiated by documentation, physical or pictorial evidence.

#### EXCEPTION RESPONSES

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

The portal will be replaced in-kind with an upgraded roof material type, which will be metal standing seam. The style and dimensions of the roof will remain the same.

*Staff Response: Staff agrees with this response. The style of the portal will not change.*

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

The portal is currently unsafe and must be replaced.

*Staff Response: Staff agrees with the response. The portal being unsafe is a hardship and could cause injury.*

- (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;

No other design option was considered as the objective is to replace the portal in-kind. The standing seam roof is the only change, and this is thought to be true to the style of the house.

*Staff Response: Staff agrees with this response. The design is intended to remain the same.*

#### **STAFF RECOMMENDATION:**

Staff finds the exception criteria have been met and recommends approval of the application as it complies with 14-5.2(D) General Design Standards for All H Districts and 14-5.2(I) Westside-Guadalupe Historic District.

#### **Questions to Staff**

There were no questions to Staff.

#### **Applicant's Presentation**

Mr. Curry was not asked to present his application.

### Questions to the Applicant

Chair Rios asked if he considered other roof options.

Mr. Curry explained why they chose this style roof. The problem with corrugated is that fasteners have to be replaced every few years. They just don't have the life span that standing seam does.

Chair Rios said she had seen some standing seam roofs with tall connectors.

Mr. Curry clarified that with standing seam, there are a variety of profiles and possible to get ridges as low as 3/4" and also other spacing between ribs.

Chair Rios felt a big statement is a negative.

Mr. Curry agreed, and, on this roof, it is relatively low slope and a low rib closer together would be better.

Member Biedscheid asked if the rib material requires an exception.

Ms. Ramirez Thomas didn't think it was historic material but would not require an exception. We do have an additional exception of an addition within ten feet of a primary elevation.

Mr. Curry commented that he shot himself in the foot.

Member Boniface asked if he could just flip the addition, so he would not be within ten feet of a primary elevation.

Mr. Curry thought they could get very close to that.

Chair Rios wondered if those metal roofs were long lasting.

Ms. Ramirez Thomas showed some examples of tin roofs on Don Gaspar.

Mr. Curry couldn't speculate on longevity of those roofs.

### Public Comment



Mr. Eddy (previously sworn) was glad the Board is homing in on roof material. It is unfortunate to lose the asphalt tile there. It is tricky, but he was sure the applicant is careful with that. Leaping to corrugated would be a big mistake.

Ms. Beninato (previously sworn) was happy they are replacing most of it in-kind. Asphalt shingles don't work well but she didn't have an opinion between corrugated and standing seam. The screws do get loose, but you can screw them back down. She just appreciates that they want to preserve this for the most part and very much in keeping with the others.

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

### Action of the Board

Member Biedscheid asked if the windows are not historic as it says in the Applicant's letter.

Mr. Curry said they are metal frame inside and out and not historic.

Member Biedscheid asked if the white surrounding the door would be kept.

Mr. Curry said no. We plan to stucco them into place and have blue trim, including on the portal.

Member Biedscheid asked if removing the historic roof material would require an exception.

Ms. Ramirez Thomas opined that the roof material was not historic.

Member Biedscheid asked about the picket fence.

Mr. Curry said the picket fence will be only on the north side. There is a coyote fence on the south side.

**MOTION: Member Katz moved, seconded by Member Bayer, in Case #H-18-108B at 702 Agua Fria Street, to approve the application as recommended and accepting that exception criteria have been met and with a standing seam roof with 12" width, low rib profile.**

**Ms. Gheen asked for an amendment that new revised drawings be submitted to Staff.**

**Member Biedscheid requested the Applicant flip the addition to the other side so the portal would meet the rule to be ten feet from the west primary elevation.**

**Member Katz accepted the amendments as friendly.**

Member Katz asked if the roof would have a galvalume finish. Mr. Curry agreed.

**VOTE: The motion passed by unanimous (4-0) voice vote with Members Bayer, Biedscheid, Boniface and Katz voting in favor and none voting against.**

Mr. Curry asked if the 10' set back if it included the roof. Ms. Ramirez Thomas said no.

**11. Case #H-18-022. 1126 ½ Camino Delora. Downtown & Eastside Historic District. Marc Naktin, agent for James Ortega, owner, proposes to construct a 3,617 sq. ft. residential structure to a height of 19'8" where the maximum allowable height is 15'8" on a vacant sloping site. Two exceptions are requested to construct a pitched roof where a pitch is not allowed (Section 14-5.2(D)(9)(d)), and to not comply with Santa Fe style (Section 14-5.2(E) Downtown & Eastside Historic District). (Carlos Gemora, Planner, [CEGemora@santafenmn.gov](mailto:CEGemora@santafenmn.gov), 955-6670)**

Mr. Gemora presented the staff report as follows:

**BACKGROUND & SUMMARY:**

1126 ½ Camino Delora is a property with a non-contributing pitched-roof garage in the Downtown and Eastside Historic District. The applicant proposes to construct a 3,617 sq. ft. residential structure to a height of 19'8" where the maximum allowable height is 15'8". An extra four feet of height is requested due to the lot sloping approximately 15'0" over the property and 5'0" over the proposed foundation. Due to the slope of the lot, the majority of the house will not be visible from Camino Delora with the exception of the front portal and some of the sloping roofs.

The applicant proposes the following design elements:

42) A self-described "Northern New Mexican" rather than a Pueblo or Territorial Santa Fe architectural style.

43) El Rey "Desert Rose" colored cementitious stucco.

44) A pitched, metal roof colored "Taupe" green.

45) "Summer Sage" colored casement windows with divided lites.

46) "Summer Sage" colored garage door.

47) Natural wood exposed timbers and portal posts.

48) Solartube skylights which will not be publicly visible.

The applicant requests an exception to allow a pitched roof and an exception to style.

**STAFF RECOMMENDATION:**

Staff finds that all exception criteria have been met and thus recommends approval of the proposed project which otherwise complies with Section 14-5.2(D)(9) General Design Standards for all Historic Districts, Height, Pitch, Scale, and Massing, and 14-5.2(E) Downtown and Eastside Historic District.

Questions to Staff

Chair Rios asked for a description of a Solar tub.

Mr. Gemora deferred to the applicant.

Member Katz asked if they meet the standard for pitched roof.

Mr. Gemora said there was not the required number in the area but those that are pitched are dominant in the streetscape. There were not quite 50% as required for a pitched roof.

Chair Rios noted on the field trip we saw lots of them in that area.

Mr. Gemora agreed.

Chair Rios asked if they will disturb the grade.

Mr. Gemora said the Applicant would respond.

Applicant's Presentation

Mr. Marc Naktin, 1305 Luján, was sworn. He said the owner's family lives there and most of the pitched roofs in the area are close to this house and the family has pitched roofs. They want to keep it maintenance-free and are in the foothills with a lot more moisture and snow. It has a northern New Mexico flavor to it. The part that faces the street will have 12" thick walls and it all will be bullnosed, so it will have a good adobe feel with a pitched roof. Our code books don't say much about pitched roofs.

We are asking for a height exception just for the peak of the roof which goes 4' above. It is on a sloped property. It feels better to have the main mass of living room have that peak and some of the house is into the hillside.

### Questions to the Applicant

Chair Rios asked if they are disturbing the grade.

Mr. Naktin said not really. The dotted line shows the grade down to the portal. The back needs a grade cut to get in and out of the garage and the French doors. It is a very light cut. It gets tucked in between the existing garage and the tree line.

Chair Rios said it shows a lot of the roofline.

Mr. Naktin pointed out that while standing on Delora it will be fairly obscured and the view seen is more of just the right side. The lower image will see the portal mostly up the driveway. The house is angled on the lot also.

Chair Rios asked for standing seam style.

Mr. Naktin said it is more of a ProPanel. We chose a style and color but are willing to listen to the Board's recommendation.

Member Boniface said regarding height, it appears it is tucked back up the hill. Can you give a dimension from the north portal to Delora?

Mr. Naktin estimated 150'.

Mr. Gemora said it is about 150' to other family houses but more like 75' to the street.

Mr. Naktin said the major view would be right at the driveway and then at the berm. That house will be tucked away pretty much. It is a narrow property. The house directly across the street is a contemporary house with sharp edges and a sloped roof.

Chair Rios asked if the roof color could be tan.

Mr. Naktin agreed. They are open to a different color than green. The green was to blend in with the trees which is the whole background of the property.

### Public Comment

Ms. Nancy Cook, 1112 San Acacio was sworn. She said, "I have lived in my house for 27 years and watched a lot of neighborhood change. I'm just finishing up a two-year renovation on my property that is adjacent to this one. It remains historic in style and nature. We went by the letter of the law on everything. I am concerned with this. That it does not adhere to Santa Fe style; that the neighborhood dictates."

Chair Rios asked if she could be more specific.

Ms. Cook said, "There is so much roof. The elevations - the south-facing coming up the street and the west elevation that all of my neighbor's homes will look at it. I don't know why it needs to be four feet higher than the maximum. Why not put it down in the ground so it doesn't have the same impact, exposing that much roof line from virtually all sides of it? I don't know if it is on a single lot. I thought part of it is in the escarpment."

Mr. Gemora said they consolidated two lots, so they could stay outside of the escarpment. It was pushed north toward Camino Delora. They tried to have it further from Delora, but the escarpment regulations pushed it outside a little.

Ms. Cook asked about lot coverage.

Mr. Gemora said even before lot consolidation it was at 40%.

Ms. Cook said, "I have a proxy from my neighbors who are immediately west. They are second homeowners and not in Santa Fe at the moment. They asked me to express their extraordinary concern with the roof height and the lack of Santa Fe style, not only as maintaining their property values but the whole ambiance of the neighborhood, which everyone has worked hard to maintain."

Chair Rios thanked her for her statement.

Chair Rios asked Mr. Gemora about whether this is a family compound. She asked if he would say this house is in harmony with those houses in the compound.

Mr. Gemora said it depends on how you consider the compound. The Applicant definitely referenced not just the three family properties up on the hill but the three family properties with pitched roofs on the other side of Camino Delora. If those on the other side were included, this one would fit in with that. But if it was only the two on the hill, it would only be the garage. He supposed this design fits in with that garage.

Chair Rios asked if the other family homes have pitched roofs.

Mr. Gemora agreed. And most of them were excluded from the pitched roof calculations. That kind of hurts their chances of getting a pitched roof.

Ms. Beninato (previously sworn) agreed with Ms. Cook that it is incredibly roof dominated, rather than wall dominated. She said there are elevations that look like suburbia. The Board didn't believe the house on Camino Delora and looks more like suburbia. In that case, the Board asked the owners if they wanted to be contributing status and they said no, and the Board didn't make it Contributing.

This doesn't look like northern New Mexico style. It really looks to be suburban style. And with some lots across the street, it is not a family compound. There are only two lots there on that side of the street. It doesn't have a compound on that side. And you really need to be clear about what is going to be seen. I don't think this should be treated any differently. They need to erect story poles for the Board, especially when asking to go above the height limit."

Mr. Eddy (previously sworn) thought story poles would be a good idea. The difficulty here is the angle of the pitch. Northern New Mexico style homes are more steep pitch and these people are trying to keep it down to meet the code. Also the chimney appears to be river stone and don't know if there are any homes in this neighborhood with that element. The chimney points to suburban style. Stone chimneys are usually on the side of the house and stone just visible on top of the roof throws me. I'd like to hear a discussion on how that might fit in the character of the streetscape."

Mr. Adam Ortega, 1132 Camino San Acacio, was sworn. He spoke in favor of the project. His brother is building the home. He said his home was one of three on the other side of Delora and they all have pitched roof with the same stone chimney on his home. And a metal roof surrounds the stone chimney and has been incorporated into the home. It was originally on the side, but another room was added. There is another home on Camino Delora where Arturo Sanchez, his uncle, lived and he was the one who put that stone. The pitched roof fits in harmony with the garage already on the property and coming up Delora, seems harmonious to him as you drive up there.

Mr. Philip Ortega, 1123½ Camino San Acacio was sworn. He said he has the same design in his house. It was approved in 2002 with the same pitch. All exterior walls were bullnosed; same eaves and with two fireplaces with rock. All corners are bullnosed and a tin roof. They have lived there for 55 years. It was the first house there was with a pitched roof. It was approved by the HDRB at that time. Also, the property had a log cabin with a pitched roof which was moved.

Chair Rios asked what kind of tin roof he had.

Mr. Phil Ortega said it was best seen as dark ProPanel.

Mr. Peter Ortega, 1130 Camino San Acacio, was sworn. He said he also was a brother to James - brother to James and I have a pitched roof. My father was a roofer and put on a pitched roof. We are strong supporters of pitched roofs because our father was a roofer. He recommended having pitched roofs and it was he that recommended a pitched roof. Including the garage, he built it in 1987 and was roofed by my father. Because on that hill it was highly recommended. It would get snow packed and would have a problem with a flat roof there. His house was approved in 1996 by this Board.

Mr. Ed Breitlizer, 1112 Camino San Acacio was sworn. He said, "I take exception to the construction or to pitched roofs. I do object to the exception for the height. This property is very visible and do object to the height of the roof. It is very visible and

creates more visual impact because the additional height of the roof. At the very least, let's make it an earth tone to blend in with the neighborhood.

Mr. Gemora pointed out that the Applicant originally thought they were applying for an exception to height. But it is not an exception. It is just asking for four additional fields because of slope. It is still the Board's purview.

Chair Rios asked if any neighbors wrote letters for or against the project.

Mr. Gemora agreed there are others and all are from family members in support of the project.

Peter Ortega wrote one of the letters was from Gil Sanchez, who gave support and also one from Manuel Trujillo in support.

Ms. Cook came back to say.

Since I have lived in this neighborhood I've tried hard to maintain good relationships with neighbors, especially the Ortega's. I would want the best for them. I stood up here in 1996 and stood up for Peter. I want nothing but the best for them if the rules applied to everyone. I still think it is the fair way to adjudicate anything. If I could have had a pitched roof on all or part of it. It wasn't even an option for me. I'm not suggesting a flat roof for James. But I'm concerned about the mass of the roof and the tremendous visibility of it. Maybe a solution would be to put it down in the ground."

Mr. Herrera (previously sworn) said he has wanted these young men to be able to live there as a family. "I knew the dad and when he built the garage there, He told me about pitched roofs. I wanted one 50 years ago but couldn't because of the HDRB. I don't think where it is situated will make a difference.

Member Katz was disappointed that we have no story poles, since height is a big issue.

Mr. Gemora said he was not aware he was to ask the applicant to have story poles.

Ms. Ramirez Thomas said she didn't tell him either. We share the responsibility for that oversight.

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

Member Bayer said she was not opposed to a pitched roof, but this doesn't appear to be northern New Mexico in style, especially the north side. I would propose a redesign that if you go to northern New Mexico to have more elements for northern New Mexico style.

Mr. Naktin said in defense of it that Northern New Mexico homes are usually long and narrow which keeps the roof lower. The other homes have a pitch like this one. He felt they had leeway there. Part of it would not be seen because it is a private drive there. He thought, in reality, in person, it won't have that suburban look.

#### Action of the Board

Member Boniface also felt story poles were needed here. Considering the conversation for visibility, it would be helpful to see them.

Chair Rios asked if that was okay with applicant.

Mr. Naktin said he was okay with it. He asked if the story poles would be placed at the roof peak. Because of slope and garage in front, the garage will appear taller because it is in the foreground.

Member Biedscheid thought it is difficult to consider the street. While it is similar to other family homes, the others are very different in style. Maybe the Board could get a happy medium.

Mr. Naktin said he is flexible with design elements but wanted to keep the pitch. The windows are set in deep.

Chair Rios appreciated his cooperative spirit. Having been here a long time, we don't get a lot of long-term families who live here where their ancestors lived. It doesn't happen often.

Another person asked to speak, and Chair Rios reopened the public hearing part.

Ms. Cecilia Robertson was sworn. She appreciated the Board's comments about family history there. In addition to the issue over roof height, for her, it is as much style to look as a style that belongs. The north that would face the street looks more out of keeping than any of the other elevations. You see the portal with a flat piece above it. That is less in keeping. I know the pitch changes because it is a big house. Perhaps more than one pitch would be necessary.

**MOTION: Member Katz moved, seconded by Member Biedscheid in Case #H-18-022 at 1126 ½ Camino Delora, to postpone to the October 9 meeting so the Board can see story poles and the applicant to consider if they could lower it some.**

Member Biedscheid asked to include that the Applicant consider some of the comments made at this hearing.



Mr. Gemora asked what elements of style the Applicant should consider including.

Member Katz said the large floor plan makes it look so big and look like an 1870's tract home. The living room is very large. That may be one of the issues and don't know how it gets remedied.

Member Biedscheid noted the Appl provided some photos of northern New Mexico style and may take more consideration of those.

Ms. Ramirez Thomas informed the applicant of the deadline to submit by Friday at 5:00.

**VOTE: The motion passed by unanimous (4-0) voice vote with Members Bayer, Biedscheid, Boniface and Katz voting in favor and none voting against.**

**12. Case #H-18-110. 505 Apodaca Hill. Downtown & Eastside Historic District. Jenkins Gavin, agent for Iscah Carey, owner, proposes to construct a 10'10" high 370 sq. ft. greenhouse and 6' high fence and gate on a non-contributing residential structure. An exception is requested to greenhouse massing not in the Santa Fe Style (Section 14-5.2(E)). (Carlos Gemora)**

Mr. Gemora presented the staff report as follows:

**BACKGROUND & SUMMARY:**

505 Apodaca Hill is a single-family residence and free-standing casita that were constructed in a vernacular manner. The primary residence is listed as non-contributing to the Downtown and Eastside Historic District and both structures are shielded from the street by a 6'6" to 8'0" masonry wall on the streetscape. In 2014, the property owner received approval from the Historic Districts Review Board to make alterations to both buildings. In 2017, the property owner constructed a fence and greenhouse without city approvals.

The applicant retroactively requests approval for the following:

49) A 6'0" to 6'11" fence and stone retaining wall with horizontal wooden boards and an oil-rubbed bronze frame. The fence sits between the street and the residence. The fence is not visible from the street and is not restricted by streetscape standards.

50) A 21'8" diameter, 10'10" tall greenhouse located in the northeast corner of the property, behind the main residence. The structure is a prefabricated kit of transparent polycarbonate panels and 2x4's constructed on top of a circular 2'0" pony wall. The structure is not visible from the street.

Because the greenhouse does not conform to typical wall massing and because greenhouses are not given specific design standards in the Downtown and Eastside Historic District as they are in other historic districts, the applicant requests an exception to massing.

### **STAFF RECOMMENDATION:**

Staff finds that all exception criteria are met and recommends approval of the proposed project as the application otherwise complies with Section 14-5.2(D)(9) General Design Standards for all Historic Districts, Height, Pitch, Scale, and Massing, and 14-5.2(E) Downtown and Eastside Historic District.

#### **Questions to Staff**

Chair Rios asked if the ordinance mention greenhouses.

Mr. Gemora said the Code doesn't say allowed or not.

Chair Rios asked if the fence was already constructed.

Mr. Gemora agreed. It is a bronze frame metal fence with horizontal wooden boards. They are stained in a light color like pine.

Chair Rios asked if Staff has seen this type of fence on the east side.

Mr. Gemora said he hadn't. It doesn't quite conform as Santa Fe Style. At one time, the Staff recommended an exception for this style. But we did not request an exception for it.

Chair Rios asked for the style of the gate.

Mr. Gemora said it proposes a coyote gate and a masonry wall.

Chair Rios asked for its location.

Mr. Gemora estimated it is about 40-50 feet back.

Chair Rios asked about the material handed to the Board.

Mr. Gemora said the letter is from someone not mentioned, but a neighbor at 503 Apodaca, who is quite upset about a geodesic dome visible from the property and is

reflective and not conforming to Santa Fe style and also an extra pole that is not in the application. They are upset with the green house that they called a geodesic dome.

Member Bayer suggested that if the coyote fence was not there, it would be highly visible from the street.

Ms. Gheen reminded the Board that walls, fences, trees and gates are considered temporary structures so not obscuring the vision of the property.

Mr. Gemora reasoned that it would be visible, then.

Member Bayer thought it sounded like we should consider it publicly visible.

Member Biedscheid was not sure why it was not considered in the streetscape.

Mr. Gemora said it usually is a maximum of 20'. Regarding style, it is debatable whether the style should be considered. He would consider it an interior yard wall.

Member Biedscheid asked what the Board's jurisdiction of temporary structures and our jurisdiction of interior yard walls.

Mr. Gemora said the jurisdiction is limited to style.

Member Katz accepted that the wall and the dome need to be considered within the style.

Ms. Ramirez Thomas said the greenhouse exception is because it doesn't meet the standards. The standards for walls and fences are very unspecific. Usually materials include coyote, CMU, etc.

Member Katz remembered that St. John's College wanted to continue wire fencing and had to request an exception. It was not chain link. The discussion on greenhouses and fences that are 20 feet back was not clear and did not remember what the code says. He thought applicants have to be conforming to Santa Fe style.

Mr. Gemora said the walls don't have to conform to wall and fence guidelines but do with the Santa Fe style. We have allowed wood style without exception in the case.

#### Applicant's Presentation

Ms. Colleen Gavin (and Jennifer Jenkins), 130 Grant Avenue, were sworn. Ms. Gavin said they agree with Staff recommends for approval. Ms. Jenkins handed out three letters in support of this application. Regarding fence and greenhouse guidelines, It was clear we are not trying to avoid any of these requirements.

Ms. Jenkins pointed out that the Downtown and Eastside standard is silent on style and that is why the Division adopted wall and fence guidelines. It is still light of the code and the guidelines become the go to reference.

For Purpose and Intent, they offered to provide continuity and harmony with streetscape design. So they are clearly intended to address streetscape. This is not part of the streetscape because it is over 50' back.

#### Questions to the Applicant

Member Katz liked the fence and it is clearly Santa Fe style. So what is harmonious with the area. I have not seen a fence like that anywhere on the east side. As far as the greenhouse is concerned, he loved greenhouses, "but boy does this not comply. They can build a greenhouse and might need an exception. Mine has large panes of glass. South-facing large glass with more on the façade than Santa Fe style but exceptions could be granted. It definitely is not Santa Fe style.

Member Boniface agreed almost 100% with what Member Katz just said. It looks like a UFO that just landed and looks completely out of place. I don't see any way an argument could be made that it is.

I've even been on the Board for six years. Landscaping and yard walls should not be used as an excuse for allowing something just because it is behind a tree or yard wall. Yes, it is further back but still needing to comply with the Santa Fe style. It is a nice-looking wall. But people do things and want to come back for approval. A lot is wrong with this project.

Member Biedscheid had trouble with the logic that a fence could be used to obstruct another fence. I feel the same about the greenhouse. It looks temporary and she wondered about the foundation.

Ms. Ramirez Thomas said, generally speaking, anything that needs a permit is subject and not temporary. The fixed location on the ground is the language in the code. We have sometimes competing or overlapping which is about streetscape and public visibility.

Member Katz understood the argument that if not visible it doesn't need to be Santa Fe style. Am I wrong?

Ms. Ramirez Thomas said no. It needs to be Santa Fe style.

Mr. Gemora said there are instances where the code doesn't apply where no public visibility exists. But it says harmonious outward appearance. The Board does not look on the interior...

Member Katz said the code is very clear, if not publicly visible. Maybe it should be, but it isn't now.

Mr. Gemora said the 3' rule is only for publicly visible instances, but divided lites are for anywhere.

Ms. Gheen said we don't have clarity here. We could get a legal interpretation on it if the Board would postpone it.

Member Katz said that would have been helpful tonight and he really appreciated that. It doesn't help when we can't bring answers to those very fundamental situations.

Chair Rios said harmony is key. I think we have been here long enough to understand what is in harmony in the streetscape or in the yard. Fortunately, when applicants go ahead without coming to the Board, it is not avoiding headaches.

Member Katz said there is a temptation to say no, but that is wrong. Let's consider if we would agree to it regardless of whether built or not. But we should not lean to approval just because it is already built.

Chair Rios agreed. She asked if the fence and greenhouse are in harmony.  
Member Bayer asked if we have enough clarity to vote on it.

Ms. Ramirez Thomas said if there was not consideration on it this evening, we haven't yet formulated what needs to be considered.

Member Katz said that is for Council to decide.

Ms. Ramirez Thomas pointed out that there are things completely not in the ordinance and you might consider they are not allowed. What is the thing to do?

Member Katz didn't need further advice.

Chair Rios agreed but she thought a decision could be made this evening.

Member Biedscheid had just one other element from 14-5.2 (A) (5) - beginning of overlay districts, and she quoted it. Uses are governed by the underlying zoning. Here, it would be impossible to establish what kind of greenhouse would comply.

Member Katz clarified that we are not talking use but design of structures. You could get pretty damned close.

### Public Comment

Ms. Beninato (previously sworn) didn't think the Board should allow either of these things. There is no exception. You have an overlay ordinance and part of it says what you do with greenhouses in a subdistrict. If you could make it harmonious, you might get away as a sun room. I also think that a house can be 50' back and you would still evaluate it on style and harmony. It is a Japanese style fence, obviously. She recalled a Japanese style entry that had to be taken back to a harmonious style.

She mentioned erroneous information that had been given by a City Manager. But the Board cannot allow this to stand on the east side.

Mr. Henry Carey was sworn and said it is my daughter and granddaughter who live there. So I'm biased. He mentioned the places he has lived, and the historic style is why he is still living in Santa Fe and the H Board's work is much appreciated. He had strong feelings about the importance of the style here. His office is on Upper Canyon Road and has done a lot through his nonprofit, the Forest Trust, to preserve the amenities of the east side such as trail access, etc. He was grateful when they were able to work out with the Armijo Family to move his daughter into the 505 Apodaca Hill. He recognized the wisdom in the Board's activities this evening. The wall is a very nice wall and the greenhouse is a temporary structure and you cannot see them from a public road. The letters are from neighbors who look down on this property and are all in support of leaving those structures in place, except for a neighbor who is lower than this property.

Member Katz understood that temporary structures must come down after 90 days.

Ms. Ramirez Thomas agreed. And if they want it longer, they must ask approval from the Board.

Member Katz asked if the greenhouse comes down after 90 days.

Ms. Gavin said it stays up all year round. It doesn't have a foundation. We were told it would have to be moved around the property every 90 days by Staff.

### Action of the Board

**MOTION: Member Katz moved, seconded by Member Boniface, in Case #H-18-110, 505 Apodaca Hill to deny the application, finding the criteria for an exception for the greenhouse has not been met.**

Member Katz said it has plenty of alternative designs available. And there was no request for an exception on the wall. He didn't know it would meet the criteria for an exception.

**VOTE: The motion passed by majority (3-1) voice vote with Members Bayer, Boniface and Katz voting in favor and Member Biedscheid voting against.**

**13. Case #H-18-111. 720 Don Gaspar Avenue. Don Gaspar Area Historic District. Kate Leriche, agent for Jill Herman, owner, proposes to replace a roof not in-kind on a contributing residential structure. An exception is requested to not replace in-kind (Section 14-5.2(D)(5)(c)). (Nicole Ramirez Thomas)**

Ms. Ramirez Thomas presented the staff report as follows:

NO REPORT was provided.

#### **STAFF RECOMMENDATION:**

Staff finds that all exception criteria have been met and thus recommends approval of the proposed project which otherwise complies with the Code requirements.

Ms. Ramirez Thomas said all exception responses were accepted by Staff with three options to choose among.

#### **Questions to Staff**

Chair Rios understood this has a tin tile roof painted red. Would you say it was not red originally?

Ms. Ramirez Thomas said she had no idea.

Chair Rios asked if Staff would agree it is the dominant feature. Ms. Ramirez Thomas agreed.

#### **Applicant's Presentation**

Ms. Kate Leriche, 814 Camino Acoma, was sworn. She said she was open to questions but wanted to clarify that the owners do need a new roof. There is no warranty on a stamped tin roof now. And it would be considered an inferior material on

the market. We had an assessment done and her client said painting does not hold up and allows ??

The tile has a lifetime warranty. An asphalt warranty is only for 15 years. To replace a roof on this house is very expensive at approximately \$49,000. Of the houses surveyed, 23 houses, but only two are shiny tin roof and two have standing seam roofs.

The existing roof has the original stamp pattern, but that pattern is totally obliterated and what this house has looked like for many years. Any of the options are acceptable but the owner is intrigued with the metal tile option. The metal shingles have a factory paint almost identical to what we see now. There are two other buildings on the lot and the casita once was a garage.

Ms. Leriche passed around an image on her I-pad. She showed the existing house and an image with stamped metal and then the metal tile they would like to use.

Chair Rios thanked her for suggesting three options. She felt metal shingles most closely mimicked what is there. It appears to be more matte than shiny.

#### Questions to the Applicant

Member Katz asked if Ms. Leriche had an example of the actual tile.

Ms. Leriche said she did not have one.

Mr. Francis McCortland, 3600 Cerrillos Road, Unit 1004B, the vendor of the roof material, was sworn. He explained that it is a matte color and the only one that is able to come pre-painted at the factory.

Member Biedscheid asked how it compares with the carport roof.

Mr. McCortland said it is very similar and over time, it will get duller. They have a lifetime warranty.

Chair Rios recalled the Applicant said it is like a ProPanel.

Mr. McCortland said it is a manufacturer's matte finish and would not have any sheen and it is very similar to the color on the house now.

Member Bayer noted the HCPI talks about the stamped design there now.

Ms. Leriche said it is very difficult to see the stamped pattern on the roof now because it has so many layers of paint. But if you get up close, you can still see it. There might be closeup pictures in the packet. And she pointed it out in the packet.



To Member Boniface she said it will have a wood shingle appearance.

Chair Rios felt it is better than standing seam.

#### Public Comment

Ms. Beninato (previously sworn) believed this property came in before and got an exception on the carport but it got a zero-lot line and you can clearly see the pattern on the roof now. It is very distinctive and part of the character. It is part of that house and she felt strongly that the design should be preserved. If it was new, it might be in keeping but it really destroys the character of the house. She could clearly see that pattern. It was not obscured at all.

Member Bayer said the pictures taken today, she wouldn't expect it to have a patina yet.

Ms. Ramirez Thomas believed it was approved before she arrived, probably 3-5 years old.

Mr. McCortland said he bid on it and that is the stamped tile and it will not dull. It will keep that sheen for 25-35 years.

Ms. Leriche clarified that was the shiny one the Applicant did not want to use. She shared a couple more pictures of the roof that were on her phone. It is very hard to see the pattern.

Chair Rios asked if, on the stamped roof shown, they could you do something to make it dull.

Mr. McCortland said the manufacturer would not and he would have a hard time finding a produce to change the color.

Member Biedscheid asked if this is the only option for a stamped tin roof.

Mr. McCortland agreed.

Ms. Jill Herman, 720 Don Gaspar Avenue, was sworn. She said she is the property owner and we need a new roof. We get water damage every time it rains. We have gone to great lengths to find a roof that will maintain the aesthetics. Only two houses on our street have the shiny metal roof and it would not be in harmony with anyone.

The red metal shingle roof is virtually in-kind with what we have now. She showed pictures taken from across the street. The red roof has been there maybe from the beginning and the pattern is obliterated by paint.

Chair Rios thought Option A was the best.

#### Action of the Board

**MOTION: Member Katz moved, seconded by Member Boniface, in Case #H-18-111 at 720 Don Gaspar Avenue, to approve the application as recommended, stating that the exception criteria were met and choose Option A with the red finish.**

Member Boniface added that it will be a dull finish. Member Katz agreed.

**VOTE: The motion passed by unanimous (4-0) voice vote with Members Bayer, Biedscheid, Boniface and Katz voting in favor and none voting against.**

#### **I. MATTERS FROM THE BOARD**

Member Bayer announced she will be gone for both October meetings.

#### **J. ADJOURNMENT**

Having completed the agenda and with no further business to come before the Board, the meeting was adjourned at 11:21 p.m.

Approved by:

  
Cecilia Rios, Chair

Submitted by:

  
Carl Boaz for Carl G. Boaz, Inc.