



# Agenda

## HISTORIC DISTRICTS REVIEW BOARD FIELD TRIP

TUESDAY, October 23, 2018 at 12:00 NOON

HISTORIC PRESERVATION DIVISION, 1<sup>st</sup> FLOOR CITY HALL

## HISTORIC DISTRICTS REVIEW BOARD HEARING

TUESDAY, October 23, 2018 at 5:30 P.M.

CITY COUNCIL CHAMBERS

\*\*\*AMENDED\*\*\*

- A. CALL TO ORDER
- B. ROLL CALL
- C. APPROVAL OF AGENDA
- D. APPROVAL OF MINUTES: October 9, 2018
- E. FINDINGS OF FACT & CONCLUSIONS OF LAW

Case #H-16-036, 841 West Manhattan Avenue.

Case #H-18-067, 355 Hillside Avenue.

Case #H-18-105, 635 Garcia Street.

Case #H-18-108B, 702 Agua Fria Street.

Case #H-18-110, 505 Apodaca Hill.

Case #H-18-078B, 66 – 70 East San Francisco Street.

Case #H-18-089, 546 Canyon Road.

Case #H-18-108A, 702 Agua Fria Street.

Case #H-18-111, 720 Don Gaspar Avenue.

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

- 1. Case #H-18-122, 504 Apodaca Hill. Downtown & Eastside Historic District. T. Mark Leik and Anne Carlisle, agents/owners, propose to demolish a garage and construct three pergolas totaling 581 sq. ft. to a maximum height of 9'6", install steps, construct a 5' high coyote fence and gate, and other alterations on a non-contributing residential structure. (Gary Moquino, HPD Construction Inspector, [GSMoquino@santafenm.gov](mailto:GSMoquino@santafenm.gov), 955-6657)
- 2. Case #H-17-083, 110 Delgado Street Unit A. Downtown & Eastside Historic District. Architectural Alliance, agent for Thunderbalm Partners, owner, proposes to raise the parapets and install a canale on a non-contributing residential structure. (Nicole Ramirez Thomas, Interim Planner Supervisor, [NARamirez-Thomas@santafenm.gov](mailto:NARamirez-Thomas@santafenm.gov), 955-6660)
- 3. Case #H-18-086, 107 Cienega Street. Downtown & Eastside Historic District. Architectural Alliance, agent for Albert and Kathie Schulz, owners, proposes to construct a 48" high yard wall on a contributing residential property. (Nicole Ramirez Thomas)
- 4. Case #H-18-060B, 310 Otero Street. Downtown & Eastside Historic District. Christopher Alba, agent for Georges and Valentine Feghali, owners, proposes to construct 555 sq. ft. of additions to a height of 15'1", an exterior spiral staircase, replace windows and doors, install a roof deck, and stucco a contributing residential structure. (Carlos Gemora, Planner, [CEGemora@santafenmn.gov](mailto:CEGemora@santafenmn.gov), 955-6670)
- 5. Case #H-17-088, 578 West San Francisco Street. Westside-Guadalupe Historic District. Robert Romero, agent for Gregorio Simental, owner, proposes to alter a previous approval by constructing a 120 sq. ft. addition and on a contributing residential structure and removing the chimney from the non-contributing casita. (Nicole Ramirez Thomas)
- 6. 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 construct a 384 square foot detached carport. (Nicole Ramirez Thomas)
- 7. Case #H-18-118A, 740 Agua Fria Street. Westside-Guadalupe Historic District. HPD Staff requests a historic status review with designation of primary elevations, if applicable, for a non-contributing residential structure. (Carlos Gemora)

RECEIVED AT THE CITY CLERK'S OFFICE

DATE: 10/19/18

TIME: 9:52 AM

8. Case #H-18-118B, 740 Agua Fria Street. Westside-Guadalupe Historic District. Matt Schmidt, agent/owner, proposes to construct 105 sq. ft. of additions and a 105 sq. ft. deck with railing, replace windows and doors, install solartubes and exterior lighting, stucco, and paint a non-contributing residential structure. (Carlos Gemora)
9. Case #H-18-119A, 947 Acequia Madre. Downtown & Eastside Historic District. Hoopes and Associates, agent for Glenn and Julie Davidson, owners, requests a historic status review with designation of primary elevations, if applicable, for a non-contributing residential structure. (Nicole Ramirez Thomas)
10. Case #H-18-119B, 945 and 947 Acequia Madre. Downtown & Eastside Historic District. Hoopes and Associates, agent for Glenn and Julie Davidson, owners, proposes to construct a 1,006 sq. ft. of additions, replace windows and doors, and install skylights, re-roof, removal of yardwalls and fences on the non-contributing 947 residential structure, and construct a 6' high yardwall and vehicle gate at the non-contributing 945 residential structure. (Nicole Ramirez Thomas)
11. Case #H-18-120, 139 Candelario Street. Westside-Guadalupe Historic District. Bernie Romero, agent for Kelly Northington, owner, proposes to alter the roofline by removing overhangs and constructing parapets to a maximum height of 11'6", construct 362 sq. ft. of additions to a height of 11'6", a 139 sq. ft. portal, 56" high fences with gate, remove fencing, gates, portals, buttresses, window sashes, and storage, replace windows and doors, and install exterior lighting on a non-contributing residential structure. (Nicole Ramirez Thomas)
12. Case #H-18-121A, 132 Lorenzo Road. Downtown & Eastside Historic District. Mark Mortier Architect, agent for Jane and Kay Lee, owners, requests a historic status review with designation of primary elevations, if applicable, for a contributing residential structure. (Carlos Gemora)
13. Case #H-18-116, 650 A Old Santa Fe Trail. Downtown & Eastside Historic District. Extraordinary Structures, agent for Karen Terras, owner, proposes to demolish a contributing residential structure. An exception is requested (Section 14-5.2(C)(3)). (Nicole Ramirez Thomas)
14. 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)
15. 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)

**I. MATTERS FROM THE BOARD**

**J. ADJOURNMENT**

Cases on this agenda may be postponed to a later date by the Historic Districts Review Board at the noticed meeting. Please contact the Historic Preservation Division at 955-6605 or check [https://www.santafenm.gov/historic\\_districts\\_review\\_board](https://www.santafenm.gov/historic_districts_review_board) for more information regarding cases on this agenda. Persons with disabilities in need of accommodations, contact the Historic Preservation Division office at (505) 955-6605 five (5) working days prior to the meeting date.



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Case #H-18-092B, 1150 Camino San Acacio.

Case #H-18-102, 124 Quintana Street.

Case #H-18-113, 600 Agua Fria Street.

Case #H-18-117, 1463 Canyon Road

Case #H-18-115, 210 Don Gaspar Avenue.

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

Case #H-18-111, 720 Don Gaspar Avenue.

Case #H-18-022, 1126 ½ Camino Delora.

Case #H-18-108B, 702 Agua Fria Street.

Case #H-18-107, 201 West Marcy Street.

Case #H-18-105, 635 Garcia Street.

Case #H-18-087, 725 Old Santa Fe Trail.

Case #H-18-082, 1469 Canyon Road.

Case #H-16-036, 841 West Manhattan Avenue.

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

Case #H-18-104A, 823 Acequia Madre.

Case #H-18-114, 846 Old Santa Fe Trail

Case #H-18-100, 878 East Palace Avenue.

Case #H-18-116, 650A Old Santa Fe Trail.

Case #H-18-069B, 130-132 Berger Street.

Case #H-18-110, 505 Apodaca Hill.

Case #H-18-109, 833 East Alameda Street.

Case #H-18-108A, 702 Agua Fria Street.

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TIME: 4:50 PM

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7. 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)
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I. **MATTERS FROM THE BOARD**

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**SUMMARY INDEX**  
**HISTORIC DISTRICTS REVIEW BOARD**  
October 23, 2018

<b>ITEM</b>	<b>ACTION TAKEN</b>	<b>PAGE(S)</b>
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C. Approval of Agenda	Approved as amended	2
D. Approval of Minutes - Oct. 9, 2018	Approved as amended	2-3
E. Findings of Fact & Conclusions of Law	Approved as presented	3-4
F. Business from the Floor	Comments	5
G. Communications	None	5
H. Action Items		
1. <b><u>Case #H-18-122.</u></b> 504 Apodaca Hill	Approved partially	5-9
2. <b><u>Case #H-17-083.</u></b> 110 Delgado Street Unit A	Approved as submitted	9-11
3. <b><u>Case #H-18-086.</u></b> 107 Cienega Street	Approved with conditions	11-15
4. <b><u>Case #H-18-060B.</u></b> 310 Otero Street	Approved with conditions	16-19
5. <b><u>Case #H-17-088.</u></b> 578 West San Francisco Street	Approved as recommended	19-20
6. <b><u>Case #H-18-082.</u></b> 1469 Canyon Road	Approved partially	21-25
7. <b><u>Case #H-18-100.</u></b> 878 East Palace Avenue	Postponed	25
8. <b><u>Case #H-18-118A.</u></b> 740 Agua Fria Street	Kept non-contributing	26-28
9. <b><u>Case #H-18-118B.</u></b> 740 Agua Fria Street	Approved with condition	28-31
10. <b><u>Case #H-18-119A.</u></b> 945 and 947 Acequia Madre	Kept non-contributing	31-33
11. <b><u>Case #H-18-119B.</u></b> 945 and 794 Acequia Madre	Approved with conditions	34-38
12. <b><u>Case #H-18-120.</u></b> 139 Candelario Street	Approved with condition	38-40
13. <b><u>Case #H-18-121A.</u></b> 132 Lorenzo Road	Made non-contributing	40-42
14. <b><u>Case #H-18-116.</u></b> 650 A Old Santa Fe Trail	Postponed to Nov 27	42-51
15. <b><u>Case #H-18-106.</u></b> 216 West San Francisco Street	Approved as submitted	51-55
16. <b><u>Case #H-18-107.</u></b> 201 West Marcy Street	Approved as submitted	55-58
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J. Adjournment	Adjourned at 8:16 p.m.	58

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

**October 23, 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 Councilors' 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. Jennifer Biedscheid  
Mr. Edmund Boniface  
Mr. Buddy Roybal

**MEMBERS EXCUSED:**

Ms. Meghan Bayer  
[one vacancy]

**OTHERS PRESENT:**

Ms. Nicole Ramirez Thomas, Senior Planner  
Mr. Carlos Gemora, Senior Planner  
Ms. Theresa Gheen, Assistant City Attorney  
Mr. Gregory Chakalian, Assistant City Attorney  
Mr. Gary Moquino, Historic Districts Inspector  
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 said there was a mistake in the caption on Apodaca Hill - there is no demolition of a garage and there is no construction of a five-foot coyote fence and gate.

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

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

### **D. APPROVAL OF MINUTES: October 9, 2018**

Member Katz requested a change on page 32, fourth paragraph, it should say, "if wanting a pitched roof."

Chair Rios requested the following changes to the minutes:

On page 9, in the Board discussion, "Chair Rios commended Mr. Flores and the County building on Grant Avenue is one of her favorite buildings in Santa Fe."

On page 10, 10<sup>th</sup> paragraph should read, "Chair Rios asked if the corners are going to be rounded."

On page 33, in the Action of the Board, "Chair Rios said she would vote no and would entertain another motion."

Ms. Gheen requested the following changes to the minutes:

On page 7, third paragraph from the bottom, it should say, "Ms. Gheen replied that through the ordinance 14-5.2-N for historic matters, ~~it does~~ it has a certain jurisdiction."

On page 42, second paragraph from the bottom should read, "Ms. Gheen asked her to provide findings in the motion for making it Contributing."

On the index page, the action taken on Case #6 was partially approved and partially denied.

Member Biedscheid requested a change on page 38, in the second to last paragraph at the end, said she thought a better approach might be a stucco wall on the street rather than the site.

Member Boniface requested the following changes to the minutes:

On page 2, sixth paragraph, the change requested was on page 16 not page 15.

On page 37, last paragraph, change "how" to "now."

**MOTION: Member Biedscheid moved, seconded by Member Katz, to approve the minutes of October 9, 2018 as amended.**

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

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

**Case #H-16-036. 841 West Manhattan Ave.**

**Case #H-18-022. 1126½ Camino Delora.**

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**Case #H-18-115. 210 Don Gaspar Avenue.**

**Case #H-18-116. 650A Old Santa Fe Trail.**

**Case #H-18-117. 1463 Canyon Road.**

**MOTION: Member Roybal moved, seconded by Member Boniface, to approve the Findings of Fact & Conclusions of Law for these twenty-six cases as presented.**

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

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

Stefanie Beninato said regarding Case #H-18-022 at 1126½ Camino Delora, the so-called northern New Mexico project, the Board approved last week when talking about grade and slope and adjusting streetscape and asking Mr. Gemora his opinion, that as far as she knew, Mr. Gemora is not a surveyor or an engineer. Any lay opinion needs to be stated under oath and testing should be done before an opinion is considered. She felt he was unfairly put on the spot to support findings that are unsupportable. There is case law on this with three or four cases on point, so the Assistant City Attorney could advise the Board on it.

She said she appreciated Mr. Katz's thorough findings but his motion, but the motion that carried didn't have any findings; all it did to adopt the Staff report. The Board is supposed to show how what is approved complies with the law. If you thought the neighbors concern was special treatment going on and the whole thing about the grade and slope was totally irrelevant.

There was no other Business from the Floor.

## **G. COMMUNICATIONS**

Ms. Ramirez Thomas announced she is leaving the City. She said, "This is my last meeting. I have enjoyed working with you."

Chair Rios said, "You rose quickly and did well. And you are having new adventures. We wish you all the luck."

Ms. Carol Johnson praised her for how Mr. Ramirez Thomas stepped into the breach when David Rasch left. She is mapping out everything she has been doing in an effort to keep our CLG status intact. She added that some other folks will be here to help. We are working on interim contracts to go forward without a break. It will be very hard to replace her. She has done great things for us.

Chair Rios said she heard a lot of comments from the public and all were positive. "You were kind to people when they came for help."

## **H. ACTION ITEMS:**

Chair Rios limited public comment to two minutes and Ms. Ramirez Thomas is in charge of the clock.

She welcomed Mr. Gary Moquino, our enforcement officer for the City and this is the first time he will present a case report which is a red tag.

Chair Rios announced to the public that anyone wishing to appeal a Board decision to the Governing Body has up to 15 days after the Findings and Conclusions are approved by the Board.

1. **Case #H-18-122. 504 Apodaca Hill.** Downtown & Eastside Historic District. T. Mark Leik and Anne Carlisle, agents/owners, propose to ~~demolish a garage and construct three pergolas totaling 581 sq. ft. to a maximum height of 9'6"~~, install steps, ~~construct a ' high coyote fence and gate,~~ and other alterations on a non-contributing residential structure. (Gary Moquino), HPD Construction Inspector, GSMoquino@santafenm.gov, 955-6657)

Mr. Moquino presented the Staff Report as follows:

## **BACKGROUND AND SUMMARY**

504 Apodaca Hill is a single-family residence located in the Downtown and Eastside Historic District. The historic status of the house is non-contributing. The original structure was built in the late 19970s and was used as a studio and art gallery. The home was built in the vernacular style. The applicant received a red tag on their property (14.3.11 Construction Permit) and has come forward to resolve the violation.

The Applicant proposes the following:

1. Addition of a 180 square foot pergola on the west elevation. The pergola height will be 9' 5" with a wrought iron railing on patio perimeter. Replace the existing French door with a new French door.
2. Replace the 269 square foot front entry pergola with a new pergola in the same square footage footprint to the existing height.
3. Replace the 132 square foot pergola on the south elevation with a new pergola in the same square footage to a height of 9' 6".
4. Maintenance of existing windows and door with new trim paint.
5. Replace existing coyote fence between front yard wall and garage with in-kind material to the height of 5' and a pedestrian gate.
6. Maintenance of front brick patio with cleaned and reused existing brick.

## **STAFF RECOMMENDATION:**

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

### Questions to Staff

Chair Rios asked him which of the six items have already been done.

Mr. Moquino said the removal of front pergola in #2. Also the pergola in #1 has also been built. The French doors have been replaced and the south pergola in #3 has been done. Item #5 has been deleted. The applicant did not want to do the front fence to yard wall.

Member Roybal asked if all of that will be in compliance.

Mr. Moquino agreed.

Member Katz went to the display of two photographs and asked if in the left photo was the south pergola that was going to be replaced.

Mr. Moquino agreed.

Member Katz asked if it was going to be replaced with one that looked like the lower right north pergola picture.

Mr. Moquino agreed.

### Applicant's Presentation

Chair Rios skipped over the Applicant and went directly to public comment.

### Questions to the Applicant

There were no questions addressed to the applicant at this time.

### Public Comment

Ms. Stefanie Beninato, P.O. Box 1601, was sworn. She said she loved Jared Kushner's comment about - they are going to use the facts to come out to what they want to believe. "That was actually what he said - want to believe. They are going to use facts to get to what they want to believe. And sometimes that is considered to be insanity.

She said it would be really helpful to know what was red tagged. "To me, it just sounds like it was red-tagged and then there were these recommendations. But it was hard to understand that these things had already been built and that was why it was red tagged and now there either was some of them actually complied with design standards and others did not and were going to be corrected. I just think that would be a really helpful way to present these things."

"I am really happy that the one for French Doors will be replaced. That is not compatible with tradition or historic design or probably anything that was compatible in that neighborhood."

Chair Rios asked if the owners of the project were present.

The owner raised his hand and Chair Rios asked if he had anything to say.

Mr. Mark Leik, 504 Apodaca Hill, was sworn.

Mr. Leik said he wasn't sure he heard Mr. Moquino accurately but #3 has not been replaced.

"We purchased in May and wanted to make some improvements to get it back in condition. I hired a contractor and saw the design standards we have here. We thought we were headed down the right path. These all are great questions, I guess, because we did not obtain the permit, which was for #1, and then we continued with the construction by demolishing the front pergola before talking with Mr. Moquino and got red tagged. We don't want to change the character of the house. The pergolas were degraded, and we wanted to replace them to improve the home.

Chair Rios said, "You do live in a historic district. And all changes have to go through this Board."

Mr. Leik said he understood that now and you have a very good website.

Member Katz asked if the coyote fence is not happening.

Mr. Leik explained that he understood there were some questions about that and that he needed to present a drawing of what they intended so he would bring that back later.

Member Katz asked if there was an old coyote fence falling down.

Mr. Leik said there was, and he believed there were pictures of it in the Board packet.

Member Katz suggested it would be wonderful if Mr. Leik could use any of the old pieces of Cedar wood that last forever and not have to buy new ones.

Mr. Leik said he would be happy to do that.

#### Action of the Board

**MOTION: Member Boniface moved, seconded by Member Roybal in Case #H-18-122 at 504 Apodaca Hill, to approve the application as recommended by Staff except for the coyote fence.**

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

2. **Case #H-17-083. 110 Delgado Street Unit A.** Downtown & Eastside Historic District. Architectural Alliance, agent for Thunderbalm Partners, owner, proposes to raise the parapets and install a canale on a non-contributing residential structure. (Nicole Ramirez Thomas, Interim Planner Supervisor, NARamirez-Thomas@santafenm.gov, 955-6660)

Ms. Ramirez Thomas presented the staff report as follows:

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

110 Delgado Unit A was constructed in 1962 in a vernacular manner. Historic wood and steel windows are preserved. Removal of character-defining elements on the front façade with non-historic doors and a rear portal massing with Spanish-Pueblo Revival design detract from the historic integrity of the structure. The building is listed as contributing to the Downtown and Eastside Historic District. The east elevation is primary.

The applicant proposes the following:

- 1) The applicant requests to increase the height of the west parapet by 12 inches. The parapet will match the tallest height of the parapets on the building at 12'-6".
- 2) Stucco will be El Rey cementitious "Adobe".

### **STAFF RECOMMENDATION:**

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

#### Questions to Staff

Chair Rios asked if this has already been done.

Ms. Ramirez Thomas said part of it has been done. The house is under construction and Mr. Enfield can discuss further how they came to need more parapet on that elevation.

Chair Rios asked if it was previously approved.

Ms. Ramirez Thomas agreed, but this was more than Staff could approve.

#### Applicant's Presentation

Mr. Eric Enfield, 612 Old Santa Fe Trail, was sworn. He said the store front of the old flower store, which is the primary elevation, remains as is. The non-contributing west side, the Board gave permission to remove the portal. But when they removed it, they were looking at an exposed roof. "In the drawing, you can see there is no parapet there now. The parapet's return on this side, if you look at my drawing, you could see little wing parapets and a little chimney that exists in the corner. But the parapet didn't go all the way across. So there is actually no parapet; just a drain and gutter. We just want to carry that parapet across, so we are not looking at the roofing surface. I think you would prefer not looking at the roofing surface. It was an oversight because we couldn't see it when we removed the portal. Then when we demolished the portal, it became very apparent, we were just looking at the roof up there. So we are just asking to infill that small area with parapet."

#### Questions to the Applicant

Member Biedscheid asked him to clarify that it is only the west parapet where he wanted to add on and that the east parapet remains unchanged.

Mr. Enfield said, "Yes, and at the same height. You see where it returns around on the proposed west elevation that was approved? It is only on the west side and just matching the existing height. And the east remains as previously approved.

Member Katz surmised he was seeking approval for the north part of the west façade.

Mr. Enfield agreed. What was already approved part remains as is.

#### 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 Roybal, in Case #H-17-083 at 110 Delgado Street Unit A, to approve the application as presented.**

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

3. **Case #H-18-086. 107 Cienega Street.** Downtown & Eastside Historic District. Architectural Alliance, agent for Albert and Kathie Shulz, owners, proposes to construct a 48" high yard wall on a contributing residential property. (Nicole Ramirez Thomas)

Ms. Ramirez Thomas presented the staff report as follows:

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

107 Cienega Street is a 2,093 square foot single family residence built in a Territorial Revival style. The structure was built in the 1940s. The historic status of the building was reviewed by the Board in 2013 and the building was designated as contributing to the district. The east elevation and the north elevation were designated as primary.

Defining features of the structure include the pattern of the brick coping and the crisp corners of the building which are a signature of the Territorial Revival style.

The applicant proposes the following items for remodel.

- 1) Construct a yard wall at the east property line. The wall will be constructed of CMU and stuccoed. A previous yard wall design was requested, and the applicant has revised the design of the wall to include more stepping.
- 2) The wall will have a wood gate and a vehicle gate that do not exceed the height of the wall's pilasters.
- 3) The stucco color will be El Rey cementitious "Sandalwood".

**STAFF RECOMMENDATION:**

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

Questions to Staff

Chair Rios asked if the wall is in harmony with other walls on that street in terms of height

Ms. Ramirez Thomas agreed.

Member Biedscheid asked if the application is only for the front.

Ms. Ramirez Thomas agreed. The side wall is already approved.

Applicant's Presentation

Chair Rios asked if there were questions to the Applicant.

Mr. Enfield (previously sworn) said, "I would like to address the Staff Report, if that is okay."

Chair Rios said yes.

Mr. Enfield said, "We came to the Board on front wall and got approval. What happened was we had to show a 15-foot area at 3' high for a visibility triangle. So when

we presented the 15 feet of three-foot wall to meet the visibility triangle, my client had requested a 4' high wall along the front to match both houses on each side, basically."

"I just wanted to clarify that we did get a three-foot wall approved all the way across. I'm asking for a small portion of it to be four feet high instead of three-feet. It was because we only presented three feet because we were forced to lower the four-foot wall for the visibility triangle. And we thought we would just step the wall up to four feet and the Board would be fine. But then, in the meeting, you guys said, 'well, I think you need to cut that wall and just make it straight across at 3 feet.' So that's why we are here tonight – to try to get back that section at four feet."

### Questions to the Applicant

Chair Rios asked if the gate is solid.

Mr. Enfield thought that might have been left to Staff, but the Applicant is fine with see-through fenestration.

Mr. Enfield reminded the Board that Member Boniface asked if he could have it all at 3'. We included some photos that showed the wall (A copy if attached to these minutes as Exhibit 1.)

He said the wall at Radio Plaza is 51" high and steps up to meet our wall. It is 48" at the south end and steps up to 51" at Radio Plaza. The- Next photo is of the adjacent house and buttresses are 50" high and the wall is 42" at the low end close to his house and 48" overall.

There is a buttress at the end of the wall and used by us for our gate. Then we show the required 3' for visibility and then step up to 4'. The Staff could approve it, but Ms. Ramirez Thomas is sharp and told him the Board has already approved it, so it has to come back to the Board.

Ms. Ramirez Thomas noted that the Bank photo is on page 32.

Mr. Enfield showed it on the overhead projector.

Member Katz asked if there was any difference in the sight triangle because it is a one-way street.

Mr. Enfield said they argued that at the City and they said someone might be driving the wrong way. I understand the need for safety and I lost.

Member Boniface said, "Thanks for clarifying it, but it was not the crux of my opposition to this. Hunter was saying there is a fence next door, and they were trying match the neighbor's height. I was not objecting to your attempt to match the neighboring wall. I was objecting to the arbitrary height change. It just seems to pop up to 4'. I understand your client wants four feet, but the Traffic Department won't allow four feet. I suggested pilasters as a good way to help break up the wall and eliminate an arbitrary step."

He asked regarding the gate, how tall it is.

Mr. Enfield said, "It would be 51". I'm sorry. I did have that note to specifically say we added pilasters for the HDRB – both sides and I didn't say that in my little chat with you. So thank you, Ed. You are right. We did change that wall.

Member Boniface said it is not on our drawing.

Mr. Enfield said, "You are looking at the wrong drawing."

Member Boniface found it and thanked him. He asked if the gate slides or swings.

Mr. Enfield said it swings in.

Member Biedscheid, to clarify, noted in the application that it refers to a six-foot yard wall that goes from the side to the rear. And the zoning worksheet says all walls shall be at four feet, max. She asked if somebody could clarify that. She wanted to clarify that we are not talking about a six-foot wall on any part of the property because the worksheet says all walls are to be a maximum of four feet.

Ms. Ramirez Thomas believed there was a six-foot coyote fence on the north side and in back the wall is raised, using coyote fencing to six feet. She was not sure about the comment on the PBR was indicating.

Mr. Enfield said that was approved in the previous meeting. Those are existing walls and one of them they would have to rebuild.

Mr. Gemora read that the underlying zoning is four feet for all walls, fences and hedges.

Ms. Ramirez Thomas explained that the six-foot wall was already approved and not part of this application. For consistency, until there is a better clarification from zoning, the Historic code is always the more restrictive and walls and fences come under that. It must be clarified by the Land Use Director. If Zoning does not grant a permit, it would be a reduction in height.

Mr. Enfield said the Board could look at the minutes to verify that.

Member Biedscheid said she understood.

#### Public Comment

Ms. Beninato (previously sworn) said where the wall goes up to four feet, that corresponds with the change in building and makes visual sense. I don't like the gate and it seems to be too much at 51". It should be a little lower.

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

#### Board Discussion

Member Biedscheid said for harmony in the street, the neighboring wall to the south is also a residential building and is 3' around the pedestrian gate. It would be more harmonious at that height.

For the solid vehicle gate, there is one other that is metal and highly fenestrated, so I would recommend this be fenestrated.

Mr. Enfield reiterated that the client already agreed to that.

#### Action of the Board

**MOTION: Member Katz moved in Case #H-18-086 at 107 Cienega Street, to grant the application per staff recommendation with the condition that the vehicle gate be fenestrated with substantial see through. Member Biedscheid seconded the motion with a friendly amendment that the gate be brought to staff for review and approval. Member Katz accepted the amendment as friendly.**

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

Mr. Enfield applauded Ms. Ramirez Thomas for the way she took charge here. He really appreciated her time here.

4. **Case #H-18-060B. 310 Otero Street.** Downtown & Eastside Historic District. Christopher Alba, agent for Georges and Valentine Feghali, owners, proposes to construct 555 sq. ft. of additions to a height of 15'1", an exterior spiral staircase, replace windows and doors, install a roof deck, and stucco a contributing residential structure. (Carlos Gemora, Planner, CEGemora@santafenmn.gov, 955-6670)

Mr. Gemora presented the staff report as follows:

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

310 Otero Street is a single-family residence constructed in 1953 by Allen Stamm & Associates in the Pueblo-Spanish Revival style. Before 1969, the garage vehicle door was removed and infilled with a fixed window and the yardwalls were constructed. In 1978, two portals were constructed on the front and rear elevations. The front elevation included infilling of the original portal and removal of steel casement windows and the primary entry door.

In June 2018 the Board designated the residence as Contributing to the Downtown and Eastside Historic District with the street-facing east façade as primary, excluding the non-historic front portal. The rock portions of the front yardwall are additionally designated Contributing.

The applicant proposes to construct a 556 square foot addition (313 square feet of additional footprint) to a height of 15'-1" where the maximum allowable height is 15'-1". The proposal adds a study and bathroom to the southwest corner of the residence with a basement underneath and a roof deck above the addition. The applicant also proposes to replace small bedroom windows on the non-primary southern façade with larger, egress windows. No changes are proposed to the primary façade or the front yardwall.

The following design features are requested:

1. "Pueblo" colored El Rey Cementitious stucco to match existing building walls.
2. 3'-0" stucco parapet walls setback 10'0" from the side property line to comprise roof deck railing to a height of 15'-1".

3. Addition will have “brown” colored aluminum clad windows and doors. All proposed windows will have divided lites.
4. Two existing bedroom windows on the non-primary south elevation will be replaced with larger, egress windows to match the addition.

### **STAFF RECOMMENDATION:**

Staff recommends approval of the proposed project as the application 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 Staff to show where the parapet is.

Mr. Gemora said it is at the maximum height per calculation and the height is stepped back per zoning requirement. He said the parapet of 3' would be there for a roof deck.

Member Katz said if there was just a railing, would the parapet be straight across?

Mr. Gemora agreed it would be approximately straight across.

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

Mr. Philip Alba, 1800 Old Pecos Trail, Suite E-4, was sworn.

He said the owner is an older couple who plan to retire into this modest house. It has little storage, so the basement, which is accessed from the outside, helps. Both are doctors who were practicing in Dubai and she is also an artist.

#### **Questions to the Applicant**

Member Katz asked if they would be okay with a railing instead of the higher parapet. He explained that he was not wild about a railing, but it would be less obstructive.

Mr. Alba said they would accept that. They just put in a parapet to match the design. He asked what kind of railing Member Katz envisioned.

Member Katz said he envisioned one that is as invisible as possible. Wrought iron would be acceptable.

Member Boniface said, to expand on that, it would look better if not just attached to the top of the parapet but set back a foot or two behind it from an aesthetic point of view. It is very visible from Otero Street, but more visible from Paseo with the parking lot there.

Mr. Alba said he knew the railing idea has been discussed but not the setback and he couldn't say yea or nay to that. But the clients really want this to be approved and are willing to compromise, but he couldn't give a clear agreement on that possibility.

Member Boniface said it is not a deal breaker, but he saw the necessity of the railing.

Member Katz asked Member Boniface if he was envisioning it right against the parapet. He thought if it was to be attached on the inside of the parapet, it would not compromise the deck size.

Member Boniface agreed that would be a good compromise. Having it just attached to the top of the parapet would be similar to the shortcut of adding latillas to a yard wall. Member Katz's suggestion was fine with him.

#### Public Comment

Ms. Beninato (previously sworn) said, "I hope you will take his suggestion and Member Boniface's as well, because the parapet is out of proportion and a railing would be better."

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

#### Action of the Board

**MOTION: Member Katz moved, seconded by Member Boniface, in Case #H-18-060B at 310 Otero Street, to approve the application as recommended by Staff with a condition that the parapet around the studio be uniform height and the railing around the roof deck be on the inner edge of the parapet so as to not diminish the size of the roof deck and be wrought iron and be submitted to Staff for approval.**

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

- 5. Case #H-17-088. 578 West San Francisco Street.** Westside-Guadalupe Historic District. Robert Romero, agent for Gregorio Simental, owner, proposes to alter a previous approval by constructing a 120 sq. ft. addition and on a contributing residential structure and removing the chimney from the non-contributing casita. (Nicole Ramirez Thomas)

Ms. Ramirez Thomas presented the staff report as follows:

**BACKGROUND & SUMMARY:**

578 West San Francisco is a single-family residence that was constructed in the Spanish-Pueblo Revival style by 1940. The building is listed as contributing to the Westside-Guadalupe historic District and the north and west façades are designated as primary.

578½ West San Francisco is a casita and garage at the rear of the property that was constructed in a vernacular manner by 1942. The building is listed as non-contributing to the district.

A river rock yard wall was constructed at an unknown historic date. The wall is listed as contributing to the district and the north elevation and northwest corner are designated as primary.

The applicant requests the following:

- 1) To add 120 square feet to the south elevation of 578 West San Francisco. The addition will not exceed the existing height of the structure.
- 2) To remove a chimney at 578½ West San Francisco.
- 3) Stucco will be cementitious El Rey "La Luz".

**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(I) West Side-Guadalupe Historic District Standards.

#### Questions to Staff

Chair Rios asked if Ms. Ramirez Thomas agreed with her that this house is in need of repair.

Ms. Ramirez Thomas agreed. Right now it is unlivable.

#### Applicant's Presentation

Mr. Robert Romero was sworn. Mr. Romero said his client looked into how to add on to the house. He decided to redesign the interior and the guesthouse and decided not to do a fireplace, after all.

#### Questions to the Applicant

There were no questions to the Applicant.

#### Public Comment

Mr. Gordon Levingham, 576 West San Francisco Street, spoke in support of the redevelopment of the house which has been a blight for a long time. It has a beautiful apricot tree in front and he encouraged the Board to support it too. It has been there many years.

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

#### Action of the Board

**MOTION: Member Roybal moved seconded by Member Boniface, in Case #H-17-088 at 578 West San Francisco Street, to approve as submitted and recommended.**

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

6. **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 ' corner standard for windows (Section 14-5.2(E)(2)(b)) and to construct an addition within 10' of a primary elevation (Section 14-5.2(D)(2)). (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.

1. 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 3' corner 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.
2. Addition of a door to the west elevation on a non-primary façade. The door will allow entry into the solarium from the north. The elevator shaft will remain in the previously proposed location and will be more than 10 feet back from the primary elevation. The height of the shaft will not exceed the height of the building. No exception is required.

3. Addition of a 384 square foot carport. The carport will be located in the parking area west of the home and will be detached.
4. Extension of portal on the east elevation, second floor.
5. Windows will be "Cascade Blue."
6. Stucco will be El Rey elastomeric "Hacienda."

## RELEVANT CODE CITATIONS

### 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 amendable 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.*

### **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 exception responses were agreed to.

Ms. Ramirez Thomas agreed.

Chair Rios asked what the public visibility is.

Ms. Ramirez Thomas said there is very little visibility. It is at the end of the non-gated residential lot. It is the last house at the end of the street. It might not be visible at all.

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

Ms. Linda Mortensen, 1807 2<sup>nd</sup> St., was sworn. She said the redesign should bring in the exterior door into the solarium, moving it to the north side. Who got to work in the least visible location from the driveway and the front of the house? They are matching the design of that single door. It is the door in the middle. They were trying to duplicate the windows in the solarium and adding side lights and adding a light box on the side. That is all.

#### **Questions to the Applicant**

Member Katz thanked her for moving the entry door to the primary façade and being sensitive to it.

Chair Rios thanked her for the aerial elevation.

#### **Public Comment**

Ms. Beninato (previously sworn) said, "I know the applicant has come several times with changes, and I guess this is the one that will work. It is not interfering with the primary façade. I just find it hard to use the whole thing about aging in place and a garage not even attached to the structure. I understand that is not part of your consideration. If you want something added, just say that you want to add it. We are all aging in place."

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

### Board Discussion

Member Biedscheid asked how far the carport is from the solarium.

Ms. Mortensen said it is two feet from it.

Member Biedscheid knew it isn't attached. Another carport was previously proposed, even when the entry door was directly into the solarium, and she wondered if another configuration would work. There seemed to already be a structure near the new proposed door there. She thought it could double as a garage or carport. In her opinion, moving anything away from the solarium façade would be a plus. Even if it was just a small structure with the roof, and it seems to have an angled roof at that. Even a higher flat roof that would allow you to see through to the front would be a better design.

Ms. Mortensen said she would take that to the client. She said they chose a shed roof because the studio in back has a shed roof.

Member Katz asked if the large tree for the carport is going was going to be removed.

Ms. Mortensen said the owner is requesting to remove the large tree.

### Action of the Board

**MOTION: Member Roybal moved, seconded by Member Boniface, in Case #H-18-082 at 1469 Canyon Road to approve the application as recommended.**

Member Biedscheid said she wondered if he might consider a redesign of the carport. She would like a design that would allow the tree to not be removed.

Member Roybal asked how obstructive the large tree is now to the solarium as to the carport. He wanted to know the difference between the destruction of the tree and putting the carport there.

Ms. Mortensen said it is a fair amount, given the root system is starting to create concrete damage in the studio behind where the proposed carport would go.

Member Boniface asked if the large tree was an elm tree.

Ms. Mortensen was not sure what it is.

Member Roybal agreed with Member Biedscheid's condition.

Chair Rios asked her to be state her condition.

Member Biedscheid asked if the applicant would consider a redesign of the carport.

Ms. Mortensen asked if the rest could be approved.

Chair Rios said yes.

Ms. Gheen asked if the motion is to approve with postponing the carport consideration.

Member Biedscheid said she thought denying it as it interferes with the primary façade.

Member Katz pointed out that postponing it leaves it hanging. He understood they wanted to get on with construction for the main part of the house and that the elevator they wanted is not finished yet. Do not leaves it open for them to come back after everything else is done and they could get a better feel for the redesign.

Chair Rios said the motion is approving everything except the carport and the applicant can come back.

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

- 7. 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)

This case was postponed under Approval of the Agenda.

8. **Case #H-18-118A. 740 Agua Fria Street.** Westside- Guadalupe Historic District. HPD Staff requests a historic status review with designation of primary elevations, if applicable, for a non-contributing residential structure. (Carlos Gemora)

Mr. Gemora presented the staff report as follows:

**BACKGROUND & SUMMARY:**

740 Agua Fria Street is an approximately 2,000 square foot single-family residence designated as Non-contributing to the Westside-Guadalupe Historic District. Historic property documents suggest that the building was probably constructed in 1932 and staff suspects that it may have been an accessory building that was split off to become its own property.

Reviewing the building's structural condition, it appears that the building was originally constructed as a two-room adobe and that by 1967, additions had been added to the front and rear. In the 1980's a front portal and second story were added along with a pitched roof and external staircase to the second floor. It is estimated that a sunroom was added in the last ten years and that the existing vinyl windows on the first floor were installed approximately 15-20 years ago.

While the front portal can be considered a sympathetic addition to the historic footprint, the pitched roof, second story, external staircase, and sunroom are not minor alterations and appear to envelope, dominate, and/or detract from the structure's historic significance. Due to the noted additions and lack of either historic materials or historic features which contribute to the Westside-Guadalupe district, staff recommends the historic status of the structure be maintained as non-contributing.

**STAFF RECOMMENDATION:**

Staff recommends the historic status of the structure be maintained as non-contributing per 14-5.2(C) Designation of Significant and Contributing Structures.

**Questions to Staff**

Chair Rios asked if Staff could explain what was built in 1932.

Mr. Gemora said the central two rooms were original construction and then additions to front and rear.

Chair Rios understood those two rooms are compromised.

Mr. Gemora said all of the first floor is historic but was compromised by the front portal and second floor, staircase and windows. He wasn't sure if the openings were changed.

### Owner's Presentation

Mr. Matthew Schmidt, 740 Agua Fria Street, was sworn. He said he and his wife moved here seven years ago and one year later bought this house. "We knew that it needed to be fixed up from the start. We have two children now and one small bedroom. As you see on the bottom right there. They are three and five years old. At some point, the children would like to have their own bedrooms. The second floor was a rental that is very unsafe for children or anyone, with a rickety staircase. We are trying to make it, so we can continue to enjoy it. You can see how unsightly the roofline is and we would like it to be contributing and bring it up to the standards it should have.

### Questions to the Applicant

Chair Rios noted that it has a porch and then a sloped, pitched roof and then a two-story adobe Pueblo Revival style building. "As Mr. Gemora indicated and I tend to agree with his recommendation that a lot of things have been added and subtracted to this building.

Member Boniface said what Mr. Gemora portrayed in his observations and ours today on-site, I feel it is not a candidate for a contributing building. I think staff recommendations should be followed.

### Public Comment

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

### Action of the Board

**MOTION:** Member Katz moved, seconded by Member Roybal, in **Case #H-18- 118A at 740 Agua Fria Street**, to accept the staff recommendation and keep it noncontributing.

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

9. **Case #H-18-118B. 740 Agua Fria Street.** Westside-Guadalupe Historic District. Matt Schmidt, agent/owner, proposes to construct 1,005 sq. ft. of additions and a 105 sq. ft. deck with railing, replace windows and doors, install solar tubes and exterior lighting, stucco, and paint a non-contributing residential structure. (Carlos Gemora)

Mr. Gemora presented the staff report as follows:

**BACKGROUND & SUMMARY:**

740 Agua Fria Street is an approximately 2,000 square foot single-family residence designated as non-contributing to the Westside-Guadalupe Historic District. While most of the footprint is historic, the windows, second floor, front portal, rear sunroom, and external staircase are not considered historic. The applicant requests two additions, various window and door changes, and small changes to the exterior.

The applicant requests the following two additions:

1. Replace the external staircase on the east façade (side) with an interior staircase on the west façade (side). The addition will add 50 square feet to the historic footprint and approximately 105 square feet total. The addition will not raise the height of the building. Additional roofing will match existing materials.
2. Install a 105 square foot wood/composite deck off the second story on the south façade (rear) to be painted white (Behr "Falling Snow" semi-gloss). A new doorway will be added to access the deck (details below).  
The building currently has a couple different window styles and materials, none of which are considered historic. The applicant requests the following window and door changes which would match the first-floor vinyl windows, and would all be colored white (Behr "Falling Snow):
3. Replace the front wooden door which has a single pane 9-lite divided window and a black, metal security door with a fiberglass, wood-patterned door with the same window style and a white metal security door of the same style (north elevation). The front door would be relocated by about 2'-0" to allow a reorganization of the interior floor plan.

4. Install a double-hung window in the stairway addition on the north elevation to match the existing north-facing windows.
5. Replace a north-facing window and install an additional window on the second floor to match the existing north-facing windows on the first floor.
6. Relocate the laundry door on the north elevation to the west elevation (will still access the laundry room).
7. Relocate a west-facing window on the first-floor laundry room to the southern elevation to accommodate the changing laundry door.
8. Replace the west-facing window on the first floor and a small west facing bathroom window where the new stairway will be constructed with a similarly sized window on the first floor in two double-hung windows on the second floor to match existing windows.
9. Replace a south-facing single hung window with a sliding window. Install a sliding window in the bathroom and install a ten-lite window to access the proposed second deck.
10. Replace the east-facing second floor window and door with a single double-hung vinyl window to match existing east-facing windows on the first floor.

The Applicant additionally requests the following exterior modifications:

1. Restuccoing the structure with cementitious El Rey La Luz stucco will.
2. Installing an additional canale and metal downspout and repaint the existing canale and metal downspout white.
3. Install a 10-inch solar tube skylight which will not be visible from the street.
4. Install a new matte black outdoor wall lantern with a second-floor deck door which will match the light outside the laundry door

### **STAFF RECOMMENDATION:**

Staff recommends approval of the proposed project as the application complies with Section 14-5.2(D)(9) General Design Standard word ds for all Historic Districts, Height, Pitch, Scale, and Massing, and 15-5.2(I) Westside-Guadalupe Historic District.

### **Questions to Staff**

Member Katz noted in front of house in the parking area is a metal shed and asked if that is legal.

Mr. Gemora said the metal shed was not included in this application. It was not reviewed. He assumed the metal shed warrants the required setbacks.

Chair Rios asked if there are any visible rooftop appurtenances.

Mr. Gemora said nothing is visible that is being proposed.

#### Applicant's Presentation

Mr. Schmidt (previously sworn) said all of this is making the house much more livable. By moving the front door, they will have two bedrooms in through the hallway which will make it very usable for them. Additionally, there is almost 500 square feet of unused space upstairs and they would like to use it.

"The window changes will bring more symmetry and energy efficiency to the house. We chose La Luz because it is complementary to neighbors. And we are trying to bring things up to date and have much more usable space for our four-member family.

#### Questions to the Applicant

Chair Rios asked if he would be willing to change the color of downspouts to be more compatible with the color of the house.

Mr. Schmidt said yes. "I will make them whatever color you want. There are windows trimmed in white, but okay. It doesn't matter to me."

Member Biedscheid asked regarding the choice for vinyl windows. She asked if there were nine windows being replaced or some that are not being replaced. We usually prefer wood or wood clad in the historic district.

Mr. Schmidt said there were a couple of reasons. First, the existing vinyl windows on the north elevation. He wanted to mimic that for the upstairs. So he chose that material. And also, the divided light it shows to the front-facing. And on the back, he chose to have it more open for the sun coming in.

Chair Rios reminded the Board that in this district, divided lites are not required.

### Public Comment

Ms. Beninato (previously sworn) said, "I think the changes will be an improvement and the exterior staircase is unusable. I agree with Member Biedscheid on using vinyl. I understand those windows were changed rather recently in additions or changes to the house. And if there are only a few that are vinyl clad, maybe they out to be changed to wood or vinyl clad wood."

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

### Action of the Board

**MOTION: Member Roybal moved, seconded by Member Boniface, in Case #H-18-118B at 740 Agua Fria Street to approve as recommended and that downspouts match color of the house.**

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

Ms. Gheen asked for clarification on the motion that it was with a condition that the downspouts match house color and not white.

Member Roybal said yes.

10. **Case #H-18-119A. 945 and 947 Acequia Madre.** Downtown & Eastside Historic District. Hoopes and Associates, agent for Glenn and Julie Davidson, owners, 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:**

947 Acequia Madre are is a single-family residence built in the Spanish-Pueblo Revival style and is located in the Downtown and Eastside Historic District. The house is listed as non-contributing. A house existed in this location prior to 1940. The house appears to have undergone many renovations, including the addition of a second story and changes to windows, doors, and the overall fenestration. Most of the window appear to

be of a 1980s wood vintage. The applicant has provided information indicating that the second story of the home was added in 1974, making it less than 50 years old and providing an overwhelming change to the original structure. The applicant is requesting that the status of the property remain non-contributing.

### **STAFF RECOMMENDATION:**

Staff recommends the status of the house remain non-contributing per 14-5.2(C) Regulation of Significant and Contributing Structures as it has little historic integrity or unique characteristic.

### **Questions to Staff**

Chair Rios asked if Staff knew the 1940 footprint. She would guess it was much smaller and had no second story.

Ms. Ramirez Thomas agreed. Sometimes from the interior it could be determined. She guessed the northern part was older.

Member Boniface asked, if it is already non-contributing, why the Board is now deciding that it is non-contributing.

Ms. Ramirez Thomas said it was because at least a portion of the house is 50 years old or older. This house is on the verge, so we wanted to make sure we established it as non-contributing.

Member Biedscheid asked if there is information on the yard wall.

Ms. Ramirez Thomas said she didn't but maybe the applicant would.

Member Biedscheid asked if the wall was included in the non-contributing status.

Ms. Ramirez Thomas said it usually is included as part of the property when considering non-contributing or contributing status.

### **Applicant's Presentation**

Mr. Craig Hoopes, 333 Montezuma, was sworn.

Chair Rios asked if he agreed with the Staff recommendation.

Mr. Hoopes said they don't know the original configuration was. He assumed it was just a two-room house with a carriage house added onto the end of it.

The wall on house side is stone up to a certain point and then stucco above that. He said, "We value that portion of the wall and want to keep it. The portion we are asking to take away is a curved portion that crosses over a property line between the two houses. It was some sort of lane between the two houses and we don't know when that wall was added."

#### Questions to the Applicant

Chair Rios said she knew this portion of Acequia Madre well and the houses on that portion did not have high walls. Maybe one house did. They were small vernacular style homes. It was not what the walls are today with lots of density.

Mr. Hoopes said, judging from the trees there that are rather ancient, the retaining wall along the street has been there a long time.

Chair Rios agreed that was a long time ago.

#### Public Comment

Ms. Beninato (previously sworn) said, "I'm sorry the house isn't older. It is a beautiful house and I think it is a good example of solar in the historic district.

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

#### Action of the Board

**MOTION: Member Katz moved, seconded by Member Roybal, in Case #H-18-119A at 945 and 947 Acequia Madre to follow the Staff recommendation and keep it noncontributing.**

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

**11. Case #H-18-119B. 945 and 947 Acequia Madre.** Downtown & Eastside Historic District. Hoopes and Associates, agent for Glenn and Julie Davidson, owners, proposes to construct a 1,006 sq. ft. of additions, replace windows and doors, and install skylights, re-roof, removal of yardwalls and fences on the non-contributing residential structure, and construct a 6' high yardwall and vehicle gate at the non-contributing 945 residential structure. (Nicole Ramirez Thomas

Ms. Ramirez Thomas presented the staff report as follows:

**BACKGROUND & SUMMARY:**

945 Acequia Madre is a non-contributing residential structure built in the Spanish-Pueblo Revival style. The home is located in the Downtown and Eastside Historic District and underwent renovation in the 2000s.

947 Acequia Madre are is a single-family residence built in the Spanish-Pueblo Revival style and is located in the Downtown and Eastside Historic District. The house is listed as non-contributing. The house existed in this location prior to 1940. The house appears to have undergone many renovations, including the addition of a second story and changes to windows, doors, and the overall fenestration. Most of the window appear to be of a 1980s wood vintage. The applicant has provided information indicating that the second story of the home was added in 1974, making it less than 50 years old and providing an overwhelming change to the original structure. The previous application affirmed the non-contributing 1status of the property.

The applicant proposes the following for remodel to the family compound:

**945 and 947 Acequia Madre (Renovations to Yards)**

- 1) Remodel of existing yard walls.
- 2) Rework the existing brick driveway.
- 3) New yard wall, pedestrian gate, and vehicle gate to the maximum allowable height of 6'-0".
- 4) Stucco will be cementitious El Rey "Buckskin."
- 5) Wood elements will be stained in the color "Woodbridge."
- 6) Metal sconces added to opening. Design is provided.

## **947 Acequia Madre**

1. Addition of 1,006 square feet to the existing 2,147 square foot home. The addition will be a single story in the Spanish-Pueblo Revival style. The addition will have two skylights. The applicant proposes a roof deck on top of the addition.
2. Removal of the existing portal and mechanical room on the west elevation.
3. Window openings and exposed lintels will remain, but the windows will be replaced.
4. Replace doors.
5. Re-roof the structure with a tan TPO roof system.
6. Windows will be wood clad in the color "Medium Bronze."

### **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 Standards.

### **Questions to Staff**

Member Roybal asked if all windows are being replaced.

Ms. Ramirez Thomas agreed.

Member Katz asked if there is a roof deck.

Ms. Ramirez Thomas said it is on the new addition.

### **Applicant's Presentation**

Mr. Hoopes (previously sworn) said they agree with the staff report and are trying to be sympathetic with the existing structure. The large door is out in mid-air at the moment and they want to keep it as a door to the roof deck. We are trying to keep it as simple as we can.

### Questions to the Applicant

Chair Rios asked if the skylights will be low profile.

Mr. Hoopes said they are and will be screened from the street.

Chair Rios asked what color Woodbridge is.

Mr. Hoopes said it is a darker brown, similar to what is there now. The wood is in desperate need of stain treatment.

Ms. Ramirez Thomas had a color sample and shared it with the Board members.

Member Roybal asked what kind of deck would be there and if there would be a parapet around it.

Mr. Hoopes said there is a parapet around it and it is of wood.

Member Biedscheid thought the walls on the Acequia side were very defining on that street, more so on the Acequia side. For these two properties, the stone wall looks as though it could be historic. She was concerned about adding onto the top of the wall at 945. She would prefer a coyote fence, that would look less permanent and the vehicle gate is being put on a very open property. Vehicle gates on that street have fenestration, which is more historic and not obscuring the property. So she recommended either coyote or something with more fenestration would be better.

Mr. Hoopes had no argument with making it a more open gate and wall. The house has been broken into and his clients concerned about their own security. That was why the owners want a gate to limit access into the property.

Member Roybal asked what the high point would be on the roof deck on the south side.

Mr. Hoopes said it is on the proposed west elevation. To the right you see it. That would be the high point.

### Public Comment

Ms. Beninato (previously sworn) said, " I'm in support of Member Biedscheid's comment. Roof decks are becoming more popular in the historic zone. This time is less

of a real roof deck with it being on top of the structure, itself. Please think about those that are publicly visible. They might not serve well for historic preservation.

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

### Board Discussion

Member Biedscheid asked if there are other roof decks on Acequia Madre.

Ms. Ramirez Thomas recalled that there is one just off Don Miguel. She thought they were common. Pergolas are not native to New Mexico earlier.

Member Biedscheid asked if the Applicant could describe the style of the pedestrian gate.

Mr. Hoopes said they were we matching the style of the vehicle gate in the pedestrian gate. They are actually using the existing pedestrian gate and moving it from the rear to the front. It is a wrought iron open gate.

### Action of the Board

**MOTION: Member Biedscheid moved, seconded by Member Katz, in Case #H-18-119B at 945 and 947 Acequia Madre to approve the application as submitted with conditions:**

- 1. That the stuccoed yard wall in front of 945 be a coyote fence with the support structures on the interior of the property, and**
- 2. That the vehicle gate be of wrought iron design, similar to the pedestrian gate, as proposed and,**
- 3. That the revised drawings be taken to Staff for approval.**

Chair Rios added that it should be see-through.

Member Biedscheid said wrought iron would be see-through.

Member Katz noted that the pedestrian gate is shown on page 40.

Member Boniface thought the roof deck works and actually improves the exterior elevation on the west. On the right-hand side is a portal which is lower and an entry square projecting out at a slightly different type and behind it, the roof deck parapet. To

him it is very indicative of the vertical stepping and massing found in many Spanish Revival style homes.

Mr. Hoopes said that was designed and worked on by Charles Rosenberg.

Chair Rios asked for low profile skylights as another condition.

Member Katz thought the roof deck worked beautifully and a second floor opens out onto it.

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

**12. Case #H-18-120. 139 Candelario Street.** Westside-Guadalupe Historic District. Bernie Romero, agent for Kelly Northington, owner, proposes to alter the roofline by removing overhangs and constructing parapets to a maximum height of 11'6", construct 362 sq. ft. of additions to a height of 11'6", a 139 sq. ft. portal, 6" high fences with gate, remove fencing, gates, portals, buttresses, window sashes, and storage, replace windows and doors, and install exterior lighting on a non-contributing residential structure. (Nicole Ramirez Thomas)

Ms. Ramirez Thomas presented the staff report as follows:

**BACKGROUND & SUMMARY:**

139 Candelario Street is non-contributing residential structure located in the Westside-Guadalupe Historic District. The house is an L-shaped home with a portal and was built in the vernacular style. In 1985 the building inventory notes the addition of frame construction from the 1970 and for that reason the house was designated as non-contributing. The house also has a shed roof and aluminum sliding windows. Given the changes to the home and the severity of some of the disrepair, staff did not request a status review.

The applicant requests the following items for remodel of the property:

- 1) Addition of 266 square feet of heated space to the west elevation.
- 2) Addition of a 141 square foot portal to the west elevation. The portal will be constructed of wood and be stained in a "Natural" stain.

- 3) Remove the existing shed roof and replace the roof. Change the style of the roof to one with a parapet. Skylights will be added. The addition of a parapet will raise the height to 11'-6" and the skylights will be concealed.
- 4) Replace windows with true divided lite wood units painted "White".
- 5) Addition of a wood front door at the west elevation which will be stained with a "Natural" stain.
- 6) Addition of a 4'-10" CMU and stucco yard wall to the west property line.
- 7) Remove crumbling buttresses on the building, remove existing picket fence and gates at front of property, and remove the storage buildings on the property.
- 8) Re-stucco in cementitious El Rey "Adobe".
- 9) Sconces are proposed at the exterior doors, but a design has not been chosen. The applicant requests that staff approve the sconces administratively.

#### **STAFF RECOMMENDATION:**

Staff recommends approval of the application as it complies with 14-5.2(D)(9) General Design Standards for All H Districts, Height, Pitch, Scale, and Massing and 14-5.2(I) Westside-Guadalupe Historic District.

#### **Questions to Staff**

There were no questions to Staff.

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

Mr. Bernie Romero was sworn. He said, "The house is in need of a lot of repair. Buttresses are separating and were filled in with foam. We want to eliminate the buttresses. On the north, we are just replacing sash in-kind and on the east. One window must be for egress and we are replacing aluminum windows with wood windows with the same divided lite pattern."

#### **Questions to the Applicant**

Chair Rios observed it is a nice improvement.

### Public Comment

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

### Action of the Board

**MOTION: Member Katz moved, seconded by Member Biedscheid, in Case #H-18-120 at 139 Candelario Street to approve the application as recommended by staff with a notation that the sconces at the doors will come to staff for review and approval.**

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

**13. Case #H-18-121A. 132 Lorenzo Road.** Downtown & Eastside Historic District. Mark Mortier Architect, agent for Jane and Kay Lee, owners, requests a historic status review with designation of primary elevations, if applicable, for a contributing residential structure. (Carlos Gemora)

Mr. Gemora presented the staff report as follows:

### **BACKGROUND & SUMMARY:**

132 Lorenzo Road is an approximately 2,500 square foot residential structure constructed in a vernacular manner and listed as contributing to the Downtown and Eastside Historic District. The current structure is a single story with a low pitch gable roof and a portal extending over portions of the north and east facades. Most windows are aluminum sliders and doors are of modern wood or metal construction. The interior of the structure is currently unfinished, and a roofing project is underway.

Though the exact date of construction is unknown, aerial images show that a portion of the structure clearly existed by 1960 and that by 1967, approximately 50% of the building footprint was present. A 2018 report completed by a historic architectural research consultant documents portions of a historic adobe building on the southwest corner of the building but finds that both the pre-1960 historic adobe and the 1960's historic additions have been heavily altered. The architectural report concurs with staff's initial presumption that the historic portions of the building do not retain sufficient historic integrity to establish or maintain the character of the historic district.

### **STAFF RECOMMENDATION:**

Due to the fact that neither staff nor the architectural consultant can find historic portions which help to establish or maintain the character of the Downtown and Eastside Historic District, staff recommends downgrading the status of the structure from contributing to non-contributing.

#### **Questions to Staff**

There were no questions to Staff.

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

Mr. Mark Mortier, 1936 Cerros Colorado, was sworn.

#### **Questions to the Applicant**

Chair Rios asked if he agreed with staff recommendations to downgrade it to non-contributing.

Mr. Mortier agreed. There was probably a small adobe portion and almost none of it is left. It doesn't satisfy the definition of contributing.

#### **Public Comment**

Ms. Beninato (previously sworn) said, "I lived on Lorenzo Road and there are a number of odd buildings on that road. I'm not saying it should be contributing - just reflecting that we are not protecting more vernacular idiosyncratic buildings. And we are going to lose some structures that actually contribute to what I would have called the funkiness of Santa Fe which is a real attraction."

There were no other 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 Katz, in Case #H-18-121A at 132 Lorenzo Road to follow the staff recommendation and make it noncontributing.**

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

- 14. Case #H-18-116. 650 A Old Santa Fe Trail.** Downtown & Eastside Historic District. Extraordinary Structures, agent for Karen Terras, owner, proposes to demolish a contributing residential structure. An exception is requested (Section 14-5.2(C)(3)). (Nicole Ramirez Thomas)

Ms. Ramirez Thomas presented the staff report as follows:

**BACKGROUND & SUMMARY:**

650 Old Santa Fe Trail is a contributing accessory structure located in the Don Gaspar Area Historic District. The building is listed as contributing. The original building is a simple box constructed of adobe and has a unique brick coping pattern at the parapet, giving it a Territorial Revival style. The original building also has vigas, some of which are still projecting, and has a rough stucco exterior. The original building is estimated to be constructed sometime before 1930. Surrounding the south and west side of the building is a frame shed.

The applicant is requesting an exception to demolish a contributing structure. The relevant code citations and exception responses are provided. The applicant has also provided a structural engineers report.

**DEMOLITION STANDARDS**

Per 14-3.14 Demolition of Historic or Landmark Structure, staff has provided responses to the demolition standards below.

**G) Standards**

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

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

*Staff response: There is no known historic importance.*

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

*Staff response: The structure is not unique to the streetscape. Small buildings exist along Old Santa Fe Trail and are found at the back of larger properties. The proposed design for what will be built in place of the structure has not been presented.*

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

*Staff response: A structural engineer's report has been provided for the Boards review.*

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

- (a) The historical importance of the *structure*; and
- (b) The state of repair and structural stability of the *structure*.

#### RELEVANT CODE CITATIONS

#### **(C) Regulation of Significant and Contributing Structures in the Historic Districts** (Ord. No. 2004-26)

- (1) Purpose and Intent

It is intended that:

- (a) Each *structure* to be recognized as a physical record of its time, place, and use. Changes that create a false sense of historical *development*, such as the addition of conjectural features or architectural elements from other *buildings*, shall not be undertaken;
- (b) Changes to *structures* that have acquired historic *significance* in their own right shall be retained and preserved, recognizing that most *structures* change over time;
- (c) Distinctive features, finishes, and construction techniques or examples of craftsmanship that characterize a *structure* be preserved; and
- (d) New additions and related or adjacent new construction be undertaken in such a manner that if removed in the future, the original form and integrity of the historic *property* and its environment would be unimpaired.

(2) Designation of Significant, Contributing, or Noncontributing Status within Historic Districts

(a) Status Designation

*Structures* within historic districts may be designated a status of "significant," "contributing," or "noncontributing" based upon the definitions of these terms in Article 14-12. Staff shall maintain a record as to the current status of *structures* located in the Historic Districts.

(b) Board Authority to Review Status Designation

(i) The Board is authorized to change the status of a *structure* or to designate a status for a *structure* with no status designated.

(ii) A change in status or the designation of a status shall be based upon an evaluation of data provided through survey or other relevant sources of information and the definitions of "significant," "contributing," or "noncontributing."

(c) Initiation of Review of Status Designation

The Board may review the status designation in response to the following:

- (i) An *application* for construction or **demolition** as set forth in Section 14-5.2 as follows:
  - A. Prior to the *application* being placed on a board agenda or prior to issuance of a *building permit*, if Board approval is not required, staff shall determine whether or not the board should review the status of the *structure*. Staff's determination shall be made within thirty days of submittal of the *application*. If staff's determination is not completed within the thirty days, the *application* shall be forwarded to the board. Review by the board as to the *structure's* status shall be made at the earliest practicable date. The board or staff (as applicable) may consider the *application* immediately following the determination of status. The *application* shall be reviewed based upon the status of the *structure* following the determination of status.
  - B. Prior to action by the board on the *application*, the board itself may decide to review the status of the *structure*. The board's determination as to the status shall be made within forty-five days of the decision of the board to review the status. The board or staff (as applicable) may consider the *application* immediately following the determination of the status. The

*application* shall be reviewed based upon the status of the *structure* following the determination of status.

(ii) A request from the *property owner*, or

(iii) A request initiated by the *city*. Staff shall notify the *property owner* prior to initiating the request.

## EXCEPTION RESPONSES

### **Do not damage the character of the streetscape**

The structure in question, while listed as contributing is not significantly contributing to the streetscape for the following reasons.

- It is at the far back of the lot from the streetscape
- The bulk of what is visible are components of an illegal addition
- Even if the addition were removed, the view of the building is blocked by established fencing and still far from the streetscape
- The structure is in derelict condition
- It is in a different historic district from the streetscape (the lot is split between districts)

Because of these factors, removing the building will improve the streetscape in the short term and allow for a compatible and streetscape-enhancing structure to potentially be proposed in the future.

*Staff response: Staff agrees with this response. The original building is obscured by buildings closer to the Old Santa Fe Trail street frontage.*

### **Prevent a hardship to the applicant or an injury to the public welfare**

The current structure is attracting rodents and the owner's consultation with a pest service resulted in advice that there is currently no feasible way to prevent recurring pest intrusion.

Additionally, human trespassers have been detected on site and have both removed (stolen) items and left their own debris and refuse. Because of the poor condition of the building, it is very possible for a trespasser to injure themselves, creating additional liability for the owner.

In its current condition, the building's presence makes almost a third of the property functionally unusable.

*Staff response: Staff does not agree with the response but acknowledges that the current state of the building is not functional.*

**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**

Prior to submitting an application for demolition, various types of remodeling and restoration were considered and proved to be both cost-prohibitive for the applicant and not genuine--the extent of work required to restore the building will functionally be entirely new reconstruction. A great deal of effort has been put into figuring out how to preserve and celebrate the existing structure, but the building is so compromised that such an endeavor would be mere pretense at this point.

The removal of the derelict building will allow the applicant to fully use the property, remove the eyesore of the illegal addition and ensure the property is safe and well-maintained.

In the future, the applicant could return to propose a range of options for a structure that would complement the aesthetic of the original building.

*Staff response: Staff does not agree with this response but knows other design options have been considered. The applicant may wish to discuss these with the Board at the hearing.*

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

No other structures in the related streetscape that are currently visible have been so extensively compromised by such aggressive illegal additions.

*Staff response: Staff does not agree with this response. There are no specific cases provided to make the case that this is the most derelict or that there are no other buildings with terrible, unpermitted additions.*

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

The poor condition of the structure was pre-existing at the time the applicant purchased the property. The applicant has attempted to secure the structure from trespass, has consulted pest control companies, and has investigated options for remodel and

restoration. Despite these good faith efforts, none of these avenues have provided satisfactory solutions and have, in fact, revealed the need for demolition.

*Staff response: Staff agrees with the response. The building has been in this condition for at least 20 years and it may be that the applicant purchased it in its current condition.*

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

The applicant chose this property with an appreciation for the historic character of the area and the values of preservation cherished by the Santa Fe community. The historic overlay in the city's land development code emphasizes preservation, continuous style in new construction and maintaining general harmony.

The applicant's primary residence, although of newer construction, achieves this style consistency and harmony with the existing streetscape. The small building at the back of the lot, which is actually not of uniform historic designation with the property's street-front but rather shares a designation with the buildings behind it, is designated contributing, but is derelict and all but invisible.

The demolition of the structure will not compromise the style or harmony of the streetscape but will allow for the eventual construction of a building that achieves the desired style and harmony.

For health, safety, financial and liability reasons, the applicant is not content to let the building sit while it further deteriorates. At the same time, restoration has proven to be costly and not genuine, as it would be demolition and replication instead of restoration.

Having allocated significant financial resources to considering options for preserving and restoring the structure, and facing the cost of demolition, the applicant is not currently in a position to commit to replacing the structure.

*Staff response: Staff agrees with this response. The demolition of the building will have little impact on the streetscape.*

**STAFF RECOMMENDATION:**

Staff does not find that all of the exception responses have been met but upon further testimony the Board may find they have been. Staff does find that the demolition standards in 14-3.14 have been met, though the engineer's report is inconclusive. Staff defers to the Board for a decision on the demolition of this structure.

**Questions to Staff**

Chair Rios said the engineer's report said is inconsistent and asked if Staff could elaborate?

Ms. Ramirez Thomas said the original structure was compromised but not that it could not be repaired.

Chair Rios said on the field trip, we actually went inside it. She asked if they wan to demolish all of it, both frame and adobe?

Ms. Ramirez Thomas agreed. They once talked about demolishing only the frame part but found it hard to figure out what to do with it.

#### Applicant's Presentation

Mr. Zane Fisher, 2879 All Trades Road, was sworn. He said to clarify, and as mentioned here, the building is actually in the Don Gaspar Area Historic District, and the owner is here and would like to speak. We approached the owner with a design for an accessory structure but when we looked at it, we decided we could not preserve it. It is too dilapidated, and the building would collapse if we tried.

#### Questions to the Applicant

Chair Rios asked for its size.

Mr. Fisher said it is 200 square feet.

Member Biedscheid wondered what it was used for originally. It looked quite tall and perhaps was a garage or some other kind of out building.

Mr. Fisher said they didn't know, and the owner asked neighbors unsuccessfully. As to the height of the coping, it is a little over 11 feet and the illegal addition is higher.

Member Roybal asked what they went through to make it preservable.

Mr. Fisher said it is largely supported by stucco with no foundation or adobe close to the ground level. And the area above the vigas was done so poorly that it would be difficult to replace the vigas and preserve the wall. "We would have proposed that it would have a legal addition and would have to deal with what the priority elevation would be and how to properly support it while walls were being repaired. The coping is

the only feasible part of it but would deteriorate with remodeling. We propose to document the coping."

Member Katz said Mr. Fisher did a good job in explaining the difficulties. "When we walked in, we were surprised that it looked as good as it is. I suspect there is limited money available. He asked if there are tax credits available to stabilize things until such time as it could be restored."

Ms. Ramirez Thomas said the New Mexico Historic Preservation Division does offer tax credits and some other periphery items such as Habitat for Humanity, which doesn't apply here.

Member Katz said his inclination now is to keep the adobe structure as contributing with the east elevation as primary. So the owner could possibly expand it to be a guest house in the future. I don't know.

Chair Rios explained that any tax credit must be obtained through SHPO and the adobe portion could be contributing, and the applicant couldn't do any changes until they apply for the tax credit.

Member Boniface agreed with Member Katz. "Looking at it today, it is a sweet little building. I like the brick cap on top. We stepped inside because it was so intriguing. I do see the rotting inside. But I'm not sure it lacks a foundation. I didn't see that in the structural engineer's report. That leads me to believe it could be salvaged. That is not specifically addressed, and that report was vague. I know it isn't what you want to hear.

Member Biedscheid agreed with what was said. The coping is really unique and well preserved. That is the best part of the building. The angles and design are such a good quality.

#### Public Comment

Ms. Beninato (previously sworn) said she was happy that three board members were interested in preserving it. There should be efforts made to preserve it and not taking the easy way out. It is a rather small structure, so it would not take as much to actually preserve it.

The owner, Ms. Karen Terras, was sworn. She said, "I am on a fixed income. As we tried to fix the building, I didn't realize the floor was in such bad shape and termites in it. Someone is coming into it, perhaps over the back wall. Things get moved and she has found cigarette butts there. That really does frighten me. I understood if we kept the old adobe, the addition would have to be four feet away.

Ms. Ramirez Thomas clarified it is either ten feet back from the primary elevation or would need to ask for an exception.

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

### Board Discussion

Mr. Fisher asked if Member Katz had said the east elevation would be the primary elevation. If that could be clarified tonight, that would be helpful.

Ms. Ramirez Thomas said the challenge of designating that at this time is that it was not publicly noticed as a status hearing; it is a demolition hearing for a contributing structure. It could also be postponed to a date certain of November 13.

Member Katz thought the Board could postpone it and give them a chance to contact the SHPO office and get some direction.

Member Boniface said, to clarify, about anything needing to be separated, that it doesn't need to be separated but needs any addition to be ten feet back from the primary elevation. It could be attached to the south wall and come out. The rule is not to be separated but to be stepped back. And sometimes, the Board gives exceptions to be closer than ten feet to the primary elevation. So there are options to consider.

"And when I said easier, I speak from experience and I've done this before. It is doable, and I understand limited budgets and we do work with applicants."

Member Biedscheid reminded the Board that no elevation was previously designated as primary.

Ms. Ramirez Thomas said that is correct. It could be done in the future.

Mr. Fisher said they were once told south would be primary.

Ms. Ramirez Thomas said she would have recommended the east as primary.

Chair Rios clarified that primary elevation is not the subject tonight.

Ms. Ramirez Thomas pointed out, for clarity – "Let's say the south and east became primary elevations. By exception, the applicant could still ask for an exception."

Member Katz asked if the Board could approve a demolition of the frame part and postpone the rest. It would only be the adobe portion as contributing.

Ms. Ramirez Thomas agreed.

Ms. Ramirez Thomas explained that the frame structure surrounds the building.

Chair Rios commented that it seems to be flimsy.

Member Biedscheid asked then, if the adobe is designated contributing, but the frame is not.

Ms. Ramirez Thomas agreed.

Member Biedscheid reasoned that the demolition criteria would not require exception responses.

Ms. Ramirez Thomas said that it wouldn't require them to address the exception responses.

Member Biedscheid said it seemed they have not met the criteria for a demolition. She wanted to make sure the exception responses were taken into account.

Ms. Ramirez Thomas explained that, had they come for a remodel to remove nonhistoric material, it would just be part of that remodel and not a demolition.

#### Action of the Board

**MOTION: Member Katz moved, seconded by Member Roybal, in Case #H-18-116 at 650 A Old Santa Fe Trail ,to postpone this case to a date certain of November 27, 2018 in order to allow for a request for a primary façade and not take action on the shed around it.**

He commented that the Board would be happy to see that shed go.

Mr. Fisher said November 13 was not a good date for them.

Ms. Ramirez Thomas said it would be November 27. She said they could discuss options tomorrow with the applicant.

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

**15. 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)

Ms. Ramirez Thomas presented the staff report as follows:

**BACKGROUND & SUMMARY:**

216 West San Francisco Street is a non-contributing structure located in the Downtown and Eastside Historic District. The structure is a municipal parking garage that was constructed in the 1970s. Currently there is a temporary wireless communications tower located on the top floor of the structure. The applicant is requesting to create a permanent concealed structure. Per 14-6.2(E)(3)(c) this application is required to be heard by the HDRB as administrative approval is not allowed. The Board shall perform the following review per 14-6.2(E)(4) to determine if the application is in compliance. The relevant code citations indicate what the Board should consider in their review of this application.

The applicant proposes the following:

- 1) Create a concealed wireless communications facility that will conceal four-foot antennas on the north facing wall of the parking structure.
- 2) Conceal the associated wireless equipment in the northwest corner of the upper floor of the parking garage. An 8-foot-tall CMU wall with a door for access to the equipment will be constructed for the concealment of the equipment.
- 3) The applicant will use elastomeric El Rey "Coral" where stucco is required.

**RELEVANT CODE CITATION**

14-6.2(E)(4) Planning Commission and Historic Design Districts Board Review Required

- (b) A *tower* or *antenna* that is located in a historic district and is not otherwise permitted or administratively approved shall be reviewed and approved by the historic districts review board in accordance with applicable requirements of Section 14-5.2 (Historic Districts) and in accordance with this Subsection 14-6.2(E) as follows. In approving an *application*, the historic districts review board shall determine that:

- (i) the *application* complies with applicable requirements of Section 14-5.2 and this section; and
- (ii) the *applicant* has demonstrated that no other less intrusive means or alternative to the proposed *telecommunications facilities* siting is practicable.
- (c) The planning commission or the historic districts review board may not regulate the placement of *telecommunications facilities* on the basis of the environmental effects of radio frequency emissions where such *telecommunications facilities* comply with 47 C.F.R. 1.1310 et seq.
- (d) The planning commission or the historic districts review board may place conditions upon its approval of an *application*, but the conditions shall not prohibit or have the effect of prohibiting the provision of *telecommunication services*.
- (e) A denial of an *application* or an approval of an *application* with conditions not approved by the *applicant* shall:
  - (i) be in writing;
  - (ii) cite to the administrative record; and
  - (iii) shall not become final until the writing is approved by the planning commission or historic districts review board, as applicable, at its next regularly scheduled meeting.

#### **STAFF RECOMMENDATION:**

Staff recommends approval of the application as it complies with 14-5.2(D)(9) General Design Standards for All H Districts, Height, Pitch, Scale, and Massing, 14-5.2(E) Downtown and Eastside Historic District, and 14-6.2(E) Telecommunications Facilities.

#### **Questions to Staff**

Chair Rios asked how long the temporary antenna has been there.

Ms. Ramirez Thomas thought it was since March.

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

Ms. Amy McKenzie was sworn. She said Verizon Wireless installed the temporary antenna in February. Previous Mayor Gonzales issued an emergency proclamation for lack of 911 service in Santa Fe to get emergency service up to par for the City. It has been working wonderfully and improved things greatly. We now ask for it to be a permanent installation and, to meet the Historic Ordinance - this is not visible - put inside walls to cover the hotels, plaza and businesses. We would take out a section of

the stucco wall, put the antennas inside and cover with an RF panel - to allow signal to pass through the wall. And then stucco and paint to match existing color but do the whole side of the wall to make it blend nicely. There are two installations. The one on top of the garage has equipment cabinets and worked with planners to come up with an aesthetic design. Staff recommended a hard wall and a metal door, so it is not unattractive or obstructive to cars.

She showed the roof design. We worked with parking director and this would not take away any parking area.

Ms. Ramirez Thomas clarified with Ms. McKenzie that the temporary installation will go away and people walking on the sidewalk will not see any antennas or equipment.

#### Questions to the Applicant

Member Roybal asked if this is strictly Verizon or if it will help other providers.

Ms. McKenzie said it is just Verizon.

#### Public Comment

Ms. Beninato (previously sworn) was happy that the ugly cell phone tower that has been there for far too long will be gone. And it sounds like an interesting way by putting them inside walls. I'm more concerned with health issues and glad the public against the cell phone antennas didn't show up here. My other concern is with equipment housing. I assume part of that is already there. It would be helpful if it is in the central part of the floor to make it the least visible. I understand different cell phone companies are supposed to work with each other to minimize towers, but I would assume they might one day not have any parking on the roof. I wish the City would require underground equipment instead of on roofs. Aesthetically, it would be more pleasing and safer.

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

#### Board Discussion

Member Boniface asked if there are only two walls and one is a double gate.

Ms. McKenzie agreed.

Member Boniface asked if it is 8' tall.

Ms. McKenzie agreed.

Member Boniface asked how that height compares with what it is attached to...

Ms. McKenzie said Verizon originally proposed a 6' wall, but David Rasch recommended an 8' wall instead, so we are going with the Staff recommendation.

Member Boniface

Ms. McKenzie said the public won't be able to see the tops.

Member Boniface said he was looking at Verizon's page E-3 and saw the enclosure on the drawing. It appears it matches an existing wall on the west side of the parking structure. It looked taller than what was there previously.

Ms. McKenzie said they went with lower profile equipment that is shorter to alleviate any appurtenance being seen.

Member Boniface understood the equipment structure was open with no roof.

Ms. McKenzie agreed.

#### Action of the Board

**MOTION: Member Roybal moved, seconded by Member Boniface, in Case #H-18-106 at 216 West San Francisco Street, to approve the application as submitted.**

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

**16. Case #H-18-107. 201 West Marcy Street.** Downtown & Eastside Historic District. Ms. 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)

Ms. Ramirez Thomas presented the staff report as follows:

## **BACKGROUND & SUMMARY:**

201 West Marcy Street is a non-contributing structure located in the Downtown and Eastside Historic District. The structure is the Santa Fe Community Convention Center and municipal parking garage that was remodeled in the early 2000s. Currently there is a temporary wireless communications tower located on the top floor of the structure.

The applicant is requesting to create a permanent concealed structure. Per 14-6.2(E)(3)(c) this application is required to be heard by the HDRB as administrative approval is not allowed. The Board shall perform the following review per 14-6.2(E)(4) to determine if the application is in compliance. The relevant code citations indicate what the Board should consider in their review of this application.

The applicant proposes the following:

- 1) Create a concealed wireless communications facility that will conceal four-foot antennas within the elevator shaft and parapet at the elevator tower that provides access to the municipal parking under the Convention Center.
- 2) Conceal the associated wireless will be located on the roof of the elevator shaft and will not be visible above the parapet.
- 3) The applicant will use elastomeric El Rey "Suede" where stucco is required.

## **RELEVANT CODE CITATION**

14-6.2(E)(4) Planning commission and Historic Design Districts Board Review Required

- (b) A *tower or antenna* that is located in a historic district and is not otherwise permitted or administratively approved shall be reviewed and approved by the historic districts review board in accordance with applicable requirements of Section 14-5.2 (Historic Districts) and in accordance with this Subsection 14-6.2(E) as follows. In approving an *application*, the historic districts review board shall determine that:
  - (i) the *application* complies with applicable requirements of Section 14-5.2 and this section; and
  - (ii) the *applicant* has demonstrated that no other less intrusive means or alternative to the proposed *telecommunications facilities* siting is practicable.
- (c) The planning commission or the historic districts review board may not regulate the placement of *telecommunications facilities* on the basis of the environmental effects of radio frequency emissions where such *telecommunications facilities* comply with 47 C.F.R. 1.1310 et seq.

- (d) The planning commission or the historic districts review board may place conditions upon its approval of an *application*, but the conditions shall not prohibit or have the effect of prohibiting the provision of *telecommunication services*.
- (e) A denial of an *application* or an approval of an *application* with conditions not approved by the *applicant* shall:
  - (i) be in writing;
  - (ii) cite to the administrative record; and
  - (iii) shall not become final until the writing is approved by the planning commission or historic districts review board, as applicable, at its next regularly scheduled meeting.

### **STAFF RECOMMENDATION:**

Staff recommends approval of the application as it complies with 14-5.2(D)(9) General Design Standards for All H Districts, Height, Pitch, Scale, and Massing, 14-5.2(E) Downtown and Eastside Historic District, and 14-6.2(E) Telecommunications Facilities.

#### Questions to Staff

There were no questions to Staff.

#### Applicant's Presentation

Ms. McKenzie (previously sworn) said this project is similar to the previous one and has two faces for panels - south and east. It will also have the same type of treatment. The entire wall will be stuccoed to match existing colors. But in this application, it has a big equipment box on the ground now and all of the equipment will be moved to the roof below the parapet wall, so equipment and antennas won't be seen from anywhere.

#### Questions to the Applicant

There were no questions to the Applicant.

#### Public Comment

Ms. Beninato (previously sworn) said she was glad this ugly thing will go away nor look like any other city in the world. Still wished more underground could be used.

Ultimately, we will realize how harmful it is. She didn't know why we need telecommunication in the parking facility.

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

Ms. McKenzie clarified that the telecommunications equipment and antenna were not for phones in the parking structure but around it.

Action of the Board

**MOTION:** Member Katz moved, seconded by Member Biedscheid, in Case #H-18-107 at 201 West Marcy Street, to approve the application as recommended by Staff.

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

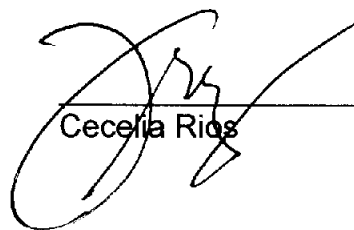
**I. MATTERS FROM THE BOARD**

Member Katz and the Board members invited Ms. Ramirez Thomas out to celebrate he work at the City and to offer best wishes for her future.

**J. ADJOURNMENT**

The meeting was adjourned at 8:16 p.m.

Approved by:

  
Cecelia Rios

Submitted by:


  
Carl Boaz for Carl G. Boaz, Inc.



EXHIBIT "1"