



Agenda

HISTORIC DISTRICTS REVIEW BOARD FIELD TRIP

TUESDAY, February 12, 2019 at 12:00 NOON

HISTORIC PRESERVATION DIVISION, 1st FLOOR CITY HALL

HISTORIC DISTRICTS REVIEW BOARD HEARING

TUESDAY, February 12, 2019 at 5:30 P.M.

CITY COUNCIL CHAMBERS

AMENDED

CALL TO ORDER

- A. ROLL CALL
- B. APPROVAL OF AGENDA
- C. APPROVAL OF MINUTES: January 22, 2019
- D. FINDINGS OF FACT & CONCLUSIONS OF LAW

Case #H-19-006. 841 East Alameda Street Unit C.

Case #H-19-007. 438 Apodaca Hill.

Case #H-19-001. 212 Barela Street.

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

1. Case #H-17-107B. 233 West Manhattan Avenue. Downtown and Eastside Historic District. Virgil and Linda Armer, agent/owners, propose to amend a previous approval to construct an 431 sq. ft. addition to a height of 14'6" where the maximum allowable height is 15'9" on a non-contributing residential structure. (Carlos Gemora, Planner, CEGemora@santafenm.gov, 955-6670)
2. Case #H-18-124B. 636 Garcia Street. Downtown & Eastside Historic District. D. Maahs Construction, agent for David and Rebecca Glover, owners, proposes an 80 sq. ft. addition adjacent to a primary façade; an approximately 80 sq. ft. addition to the rear casita; changes to various doors, windows, walls, and gates; and reroof/restucco maintenance on a contributing residential property. Three exceptions are requested – an addition within 10' of a primary façade (14-5.2(D)(2)(d)); additions which exceed 50% of the historic footprint (14-5.2(D)(2)(d)); and replacement of historic material not in-kind (14-5.2(D)(5)(a)). (Carlos Gemora)
3. Case #H-19-008. 209 Delgado Street. Downtown & Eastside Historic District. David Smith, agent for Next Wave Ventures, owner, proposes to construct 1,030 sq. ft. of additions to a height of 14'0" where the maximum allowable height is 14'3" on a non-contributing structure. (Carlos Gemora)
4. Case #H-19-009. 354 Hillside Avenue. Downtown & Eastside Historic District. Christopher Purvis, agent for Robin King and Brad Burnett, owners, proposes to construct a 3,630 sq. ft. residence to a height of 14'2" where the maximum allowable height is 15'7" on a vacant lot. (Carlos Gemora)
5. Case #H-19-010. 646 East Barcelona Road. Historic Review District. Jose La Cruz-Crawford, agent for Felisa Smith and Scott Elliott, owners, proposes to construct a 946 sq. ft. addition to a height of 17'0" where the maximum allowable height is 14'3" on a sloping site of a non-statused structure. An exception is requested to 14-5.2(D)(9)(c)(ii) to exceed the maximum allowable height. (Carlos Gemora)

H. MATTERS FROM THE BOARD

I. 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 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.

RECEIVED AT THE CITY CLERK'S OFFICE

DATE: February 6, 2019

TIME: 1:27 PM



Agenda

HISTORIC DISTRICTS REVIEW BOARD FIELD TRIP

TUESDAY, February 12, 2019 at 12:00 NOON

HISTORIC PRESERVATION DIVISION, 1st FLOOR CITY HALL

HISTORIC DISTRICTS REVIEW BOARD HEARING

TUESDAY, February 12, 2019 at 5:30 P.M.

CITY COUNCIL CHAMBERS

- A. CALL TO ORDER
- B. ROLL CALL
- C. APPROVAL OF AGENDA
- D. APPROVAL OF MINUTES: January 22, 2019
- E. FINDINGS OF FACT & CONCLUSIONS OF LAW

Case #H-18-124A, 636 Garcia Street.
Case #H-19-007, 438 Apodaca Hill.

Case #H-19-006, 841 East Alameda Street Unit C
Case #H-19-001, 212 Barela Street.

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

1. Case #H-17-107B, 233 West Manhattan Avenue. Downtown and Eastside Historic District. Virgil and Linda Armer, agent/owners, propose to amend a previous approval to construct an 431 sq. ft. addition to a height of 14'6" where the maximum allowable height is 15'9" on a non-contributing residential structure. (Carlos Gemora, Planner, CEGemora@santafenm.gov, 955-6670)
2. Case #H-18-126A, 247 Rodriguez Street. Downtown & Eastside Historic District. Christopher Purvis, agent for Ashok Kaushal, owner, requests a historic status review with designation of primary elevations, if applicable, for a contributing casita structure. (Carlos Gemora)
3. Case #H-18-144, 1413 Paseo de Peralta. Don Gaspar Area Historic District. Evan Geisler, agent for 1413 Paseo LLC, owners, proposes to construct a 70" high stucco and wrought iron yardwall with brick capping on a contributing residential property where the maximum allowable height is 53". An exception is requested to exceed the maximum yard wall and fence height (14-5.2(D)(9)(c)(ii)(C)) (Carlos Gemora)
4. Case #H-18-124B, 636 Garcia Street. Downtown & Eastside Historic District. D. Maahs Construction, agent for David and Rebecca Glover, owners, proposes an 80 sq. ft. addition adjacent to a primary façade; an approximately 80 sq. ft. addition to the rear casita; changes to various doors, windows, walls, and gates; and reroof/restucco maintenance on a contributing residential property. Three exceptions are requested – an addition within 10' of a primary façade (14-5.2(D)(2)(d)); additions which exceed 50% of the historic footprint (14-5.2(D)(2)(d)); and replacement of historic material not in-kind (14-5.2(D)(5)(a)). (Carlos Gemora)
5. Case #H-19-008, 209 Delgado Street. Downtown & Eastside Historic District. David Smith, agent for Next Wave Ventures, owner, proposes to construct 1,030 sq. ft. of additions to a height of 14'0" where the maximum allowable height is 14'3" on a non-contributing structure. (Carlos Gemora)
6. Case #H-19-009, 354 Hillside Avenue. Downtown & Eastside Historic District. Christopher Purvis, agent for Robin King and Brad Burnett, owners, proposes to construct a 3,630 sq. ft. residence to a height of 14'2" where the maximum allowable height is 15'7" on a vacant lot. (Carlos Gemora)

RECEIVED AT THE CITY CLERK'S OFFICE

DATE: January 24, 2019

TIME: 10:42 AM

7. **Case #H-19-010, 646 East Barcelona Road. Historic Review District. Jose La Cruz-Crawford, agent for Felisa Smith and scott Elliott, owners, proposes to construct 946 sq. ft. addition to a height of 20'9" where the maximum allowable height is 14'3" on a sloping site of a non-statused structure. An exception is requested to 14-5.2(D)(9)(c)(ii) to exceed the maximum allowable height. (Carlos Gemora)**

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.santafecn.org/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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February 12, 2019

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MINUTES OF THE
CITY OF SANTA FE
HISTORIC DISTRICTS REVIEW BOARD

February 12, 2019

CALL TO ORDER

A regular meeting of the City of Santa Fe 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 Coronado Conference Room at the Community Convention Center, 200 West Marcy, Santa Fe, New Mexico.

A. ROLL CALL

Roll Call indicated the presence of a quorum as follows:

MEMBERS PRESENT:

Ms. Cecilia Rios, Chair
Mr. Frank Katz, Vice Chair
Mr. Anthony Guida
Ms. Flynn G. Larson
Mr. Herbert Lotz
Mr. Buddy Roybal

MEMBERS EXCUSED:

Ms. Jennifer Biedscheid

OTHERS PRESENT:

Mr. Carlos Gemora, Senior Planner
Ms. Carol Johnson, Land Use Department Director
Ms. Sally A. Paez, Assistant City Attorney
Mr. Carl Boaz, Stenographer

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

B. APPROVAL OF AGENDA

Mr. Gemora announced that the West Manhattan case has been postponed until further notice.

MOTION: Member Katz moved, seconded by Member Lotz, to approve the agenda as amended with Case #H-17-107B postponed.

VOTE: The motion passed by unanimous (5-0) voice vote with Members Katz, Guida, Larson, Lotz and Roybal voting in favor and none voting against.

C. APPROVAL OF MINUTES: January 22, 2019

MOTION: Member Katz moved, seconded by Member Roybal, to approve the minutes of January 8, 2019 as presented.

VOTE: The motion passed by unanimous (5-0) voice vote with Members Katz, Guida, Larson, Lotz and Roybal voting in the affirmative, none voting against.

D. FINDINGS OF FACT & CONCLUSIONS OF LAW

Case #H-19-006. 841 East Alameda Street Unit C.

A copy of the Findings of Fact and Conclusions of Law for Case #H-19-006 is attached to these minutes as Exhibit 1.

Case #H-19-007. 438 Apodaca Hill.

A copy of the Findings of Fact and Conclusions of Law for Case #H-19-007 is attached to these minutes as Exhibit 2.

Case #H-19-001. 212 Barela Street.

A copy of the Findings of Fact and Conclusions of Law for Case #H-19-001 is attached to these minutes as Exhibit 3.

Ms. Paez noted they were working on a covenant to record and it is not yet recorded

so she encouraged postponing it.

MOTION: Member Katz moved, seconded by Member Roybal, to approve the Findings of Fact and Conclusions of Law as presented for Case #H-19-006 and Case #H-19-007 and postpone the Findings of Fact and Conclusions of Law for Case #H-19-001.

VOTE: The motion passed by unanimous (5-0) voice vote with Members Katz, Guida, Larson, Lotz, and Roybal voting in the affirmative, none voting against.

E. BUSINESS FROM THE FLOOR

Mr. Eric Enfield reminded the Board that a presentation of information on the Desert Inn case had been scheduled to be heard at this meeting. He noted the preservation is being done with private money and met with Mr. Gemora. Since no State Capital Outlay money is being used, it is only informational.

A packet was provided to the Board members.

A copy of the packet is attached to these minutes as Exhibit 4.

Mr. Enfield showed rendering of the changes and detailed what is on the exterior. The porte-cochere is 9' high and not legal. So it will be raised to 13' 6" up to 14'. That will be done by raising the existing one with three stone columns as used throughout the site and a simple flat roof with stepped fascia and painting the trim a sage color.

Toward the back, there is an existing exposed column on the site. Bit wing columns and next to left and right are stuccoed columns to add some mass to the center of the building and adding a single rail to the top of existing rails.

Implied under the porte-cochere is to cut out the asphalt and use a concrete block paver under it as an entry feature and replacing the front doors.

All we are doing in this phase is the porte-cochere and remodel the lobby.

Questions came up with OSFA and he clarified their intent to landscape it, although not required to have landscaping. There are no locations for trees and planters yet.

The raising of the porte-cochere will allow it to open next season.

On the site plan, sheet C-2, you can see we are creating a porte-cochere that overlaps the roof a little. The proposed east elevation shows extending the four-foot

overhang over doors and windows to keep the line or fascia and the three columns high up with the wood columns and with glazing and door assembly through the lobby. It has all recessed down lights and the bottom end appeared up much whiter than he wanted. It will really be an off-white.

That is the phase for this season. It will have a small gas fireplace and handicapped access to the building. Sheet A-2 shows a new sloped sidewalk and 5' deep landing so at 1:20, it needs no rails to the lobby landing through the new doors. They are using existing vestibule and door locations there now

Chair Rios asked if, once finished with renovations, it will be basically the same.

Mr. Enfield agreed. "We are not spending \$8 million."

Member Roybal asked if the stone columns will match existing.

Mr. Enfield said they are using the same stone work. They are redoing the planters and two seasonal planters on each side.

Member Katz said it looks very nice and thanked Mr. Enfield.

Mr. Will McDonald welcomed the new Board members. Issues of how the Historic Code works particularly with sustainability like solar panels in historic districts. One of the stories we tell is that we care about history and it is evident in the neighborhoods carefully maintained under the guidance of this Board and another story that is evident is that it is a different place than most any other place in the country. It feeds us and is attractive for visitors and we value it.

Another value is sustainability. Santa Fe cares about the way the City can continue to live. It is evident by the way we use water with one of the lowest per capital water uses. We see proliferation of solar PV arrays around and speaks to want to reduce fossil fuel use.

"What I want to encourage is a blending of some values - of history and sustainability and I believe everyone on the Board believes those are important. I ask you to find ways to allow solar panels to be placed that may not be totally invisible. There are situations where it is very difficult to be totally invisible.

I'd like to see you deal with more leeway to make some borderline cases work. Yet sensitive to historic elements around them. I don't think they are mutually exclusive. I'm not sure how the conversation happens but would like to encourage and be part of it."

Mr. McDonald added one more thing. "I trust Cecilia as the institutional memory on this Board. You have lived the history here and I appreciate your vision and the way

you manage the Board in the process.”

Chair Rios explained that Will McDonald has come many times to HDRB meetings.

She said the Board will be discussing what Mr. McDonald raised.

Member Katz noted there is a bill at the Legislature for community solar this year. There are many people who cannot put a solar collector on their property and that, if passed will allow more flexibility for using solar energy.

Stefanie Beninato said, “I’m a historian and Will’s comments made me stand up. I feel the ordinance is important and that the Board follows the ordinance and not just make it a little easier here and there which leads to a lot of subjectivity and misuse of standards. If the Board decides they want to make changes - When Karen Walker and Sharon Woods were on it, they did a lot of work on amending the Code and nothing happened with it. But if you are unhappy with it, you should not bend it but make recommendations to the Governing Body and make it clear in writing for new standards that are more in keeping with needs today. When I hear someone say what does it matter? I don’t care is not a standard in the ordinance. So instead of coming from the gut, you look at the ordinance and stay within the ordinance confines.

Chair Rios did not think we want to bend the ordinance. We do have to have discussions in the future. I was part of that committee too. Those talks will come in the future and public input.

Ms. Beninato said if you change policy, that should be specified how it will happen and be written down before they are adopted and not a less formal route.

Chair Rios said public input is obvious.

G. COMMUNICATIONS

The new members briefly introduced themselves to the Board, sharing their background and experience.

The Board welcomed them and looked forward to working with them.

Ms. Johnson said regarding staffing, that Lisa has joined us with an emergency hire as a planner manager. We will open up the permit recruitment position. And will become a permanent and open position for a historic planner at the same time.

Ms. Paez announced the Apodaca Hill appeal will be heard tomorrow and 211 Delgado will be coming up later.

Ms. McSherry, City Attorney, said this is her first time to visit here. She wanted to start a conversation about State oversight and might have addenda on Garret's Desert Inn. She heard things that were inconsistent with what was presented on legal authority of this property. She had a couple of handouts for it as Exhibit 2.

She briefly reviewed the agreement established by ordinance regarding State property and litigation with the State. The City lost the litigation with the Commissioner of Public Lands along with HOAs to stop development. Subsequent to the lawsuit we re-adopted the ordinance. Through conversations with Mr. Katz, she found out about the interim that did not address the authority. That was for Capital Outlay projects specifically. We updated our code after that statute and there is pending legislation at this session on State Trust Land, etc.

Our position is that our authority does reach the State when we receive an application from the State, but she would not get into that until we do get the application. And we will have prepared questions for that presentation as soon as possible. It will be more demanding - we cannot suspend hearings. WE have 60 days to move on the issues through public hearing before this Board so please review the packet as soon as it arrives.

Member Katz encouraged review of Subsection M in the ordinance which is different than how we normally operate.

The Capital Outlay handout is Exhibit 5.

Member Katz asked, "Shall we collaborate with the State? Preserving functionality is important to keep in mind. An appeal typically would go to the Governing Body but in this case to a hybrid Committee, which he described.

H. ACTION ITEMS

Chair Rios announced to the public the process for appeal. There are time constraints and staff can help. Up to 15 days after FF/CL are adopted.

- 1. Case #H-17-107B. 233 West Manhattan Avenue.** Downtown and Eastside Historic District. Virgil and Linda Armer, agent/owners, propose to amend a previous approval to construct an 431 sq. ft. addition to a height of 14'6" where the maximum allowable height is 15'9" on a non-contributing residential structure. (Carlos Gemora, Planner, CEGemora@santafenm.gov, 955-6670)

This case was postponed under Approval of the Agenda.

2. **Case #H-18-124B. 636 Garcia Street.** Downtown & Eastside Historic District. D. Maahs Construction, agent for David and Rebecca Glover, owners, proposes an 80 sq. ft. addition adjacent to a primary façade; an approximately 80 sq. ft. addition to the rear casita; changes to various doors, windows, walls, and gates; and reroof/restucco maintenance on a contributing residential property. Three exceptions are requested – an addition within 10' of a primary façade (14-5.2(D)(2)(d)); additions which exceed 50% of the historic footprint (14-5.2(D)(2)(d)); and replacement of historic material not in-kind (14-5.2(D)(5)(a)). (Carlos Gemora)

Mr. Gemora presented the Staff Report as follows:

BACKGROUND & SUMMARY:

636 Garcia Street is a Territorial style residential house and Spanish-Pueblo style casita, both designated contributing to the Downtown and Eastside Historic District. The front portion of the main house was built pre-1912, some additions and the casita were built pre-1956, and extensive additions and remodeling were done in the mid-1990's. It is notable that the additions are entirely shielded by the relatively well-preserved street facing eastern façade of the main house (#1).

In November 2018, the Historic Districts Review Board confirmed contributing statuses for both the main house and the casita. The board designated three primary elevations: the eastern, street-facing façade (#1) and the northern façade of the main house (#11), and the northern façade of the casita (#5).

While the street-facing façade of the main house and the northern façade of the casita are considered historic and well-preserved, questions arose during the status review about the extent of historic material on the northern building wall of the main house (façade #11). Brick coping tops about two-thirds of the northern wall extending from the eastern, street-facing façade and the applicant mentioned that portions of the more western corner may not be historic. Historic drawings and correspondence with a previous owner indicate that the footprint is historic but that parapets (without brick coping) were added in the mid-1990's. Staff have determined that the NW corner on façade 11 was re-built in 1994.

The applicant presented the same proposal before the board in January of 2019, but staff erred in not requiring an exception prior to the noticing deadline and the case was postponed. The applicant proposes two areas of building additions, one in close proximity to a primary façade, another connecting the two contributing buildings, and various door, window, and yard wall changes. The proposal is ordered as follows:

1. The first proposed addition is a 5'-0" extension to the northern, primary façade of

the main house. The approximately 80 sq. ft. addition would expand a historic bedroom and a non-historic parapet (without brick coping). The applicant is willing to extend the brick coping across the entire façade, but staff find that replicating historic brick coping would erase the differentiation between historic and non-historic portions of the building. Staff have determined that the corner the addition would attach to is not historic (1994/1995) but require an exception to construct an addition set back less than 10'-0" from a primary façade. The addition also requires an exception to add to a contributing building already more than 50% non-historic (more discussion of exceptions below).

2. The second proposed addition expands the casita area and has two parts:
 - a. The first would be a hallway addition to the casita which would fully connect it with the existing storage/garage area (part of the main house). The contributing casita is partially connected with a small portal to the contributing main house, but this addition would allow the studio/casita and existing storage area to become a one-bedroom unit (see discussion of exceptions below).
 - b. The second part of the addition would expand the storage area approximately 30 sq. ft. for a bathroom area (see discussion of exceptions below).
3. The applicant proposes the following changes to doors, windows, gates, and yardwalls:
 - a. Replace the existing wood front door with an antiqued wood door and speakeasy grill. The existing front door is approximately 2" thick solid wood, is on the primary eastern façade, and is thought to be historic. Staff finds that the applicant met all exception criteria to replace historic material not in-kind. Historic pediment trim will remain, but it is unclear if the front screen door is historic or proposed for replacement.
 - b. Replace the non-historic gate into the eastern, entry courtyard.
 - c. Replace the three non-historic doors on the inner courtyard with a fixed panel and two doors.
 - d. Replace the non-historic gate into the inner courtyard.
 - e. Install a carriage style overhead garage door in the existing carport area.
 - f. Replace the non-historic 6'-0" high coyote fence around the rear casita with a 4'-0" stucco wall and gate.
4. The applicant proposes to install a skylight, HVAC systems and re-roof portions of both the studio/casita and the main house. No skylights, ductwork, mini splits, or HVAC systems will be visible to the public.

5. The existing main house has synthetic stucco similar to a Sto "Adobe" color which was likely installed in the 1990's and cementitious stucco on the casita. The applicant proposes to restucco the contributing casita with cementitious stucco.

EXCEPTION ANALYSIS:

Exceptions were requested for the replacement of the historic front door on the primary eastern façade not in-kind, an addition not set back at least 10'-0" from a primary façade, and to make additions to buildings which would result in or add to a footprint with additions which already exceed 50% of the historic footprint.

For the replacement of a historic door not in-kind, staff agree that all exception criteria have been satisfied and recommend approval of the replacement. The door is considered inoperable by a door manufacturer and a contractor approved by the city to evaluate windows and doors (see attached responses to exception criteria and the door assessment).

For the addition not setback at least 10' from a primary façade, staff recognize that there would be minimal, if any, visual impact from the street and that placing an addition somewhere else might have a greater negative impact. Staff, however, were not able to determine that larger, "modern" or "standard," bedroom/bathroom amenities constituted a hardship in this case. Staff defer to the board a determination of hardship. If the board finds evidence for a hardship, the board could likely find that all exception criteria have been met.

For the additions which would exceed 50% of the historic footprint, staff recognize that the additions are fairly small, make the house more livable, are in relatively underutilized spaces, and are a minimal change to massing (not visible from the street). Non-historic additions already exceed 50% of the historic footprint but it does not take away from historic integrity or contributing status. Nevertheless:

- Staff were not able to determine hardship for the bedroom additions and defer to the board a determination about whether or not the applicant meets the exception criteria.
- For the casita, staff found that changing underutilized space into an apartment unit helps to relieve a hardship to the applicant and an injury to the public welfare and helps provide options for people to reside in the historic districts. For the casita additions, staff find that all the exception criteria are met and recommend approval.

EXCEPTION CRITERIA:

Exception to 14-5.2(D)(5)(a): Proposed replacement of a historic door located on a primary façade and replacement with a door not in-kind.

(i) Do not damage the character of the streetscape

Applicant Response: The design & material of the new door (Photo attached) is in keeping with the historic façade and style. The existing pediment and jamb will remain. The existing style door (flat panel with exposed screw heads), was a popular style of door that was incorporated into many production homes built in the 1950's and 1960's in Santa Fe. From the construction of the door, it might be assumed that the style and intent of the door was to provide an economic solution to an entry door, likely built on site. The proposed replacement door uses the same theme of exposed metal using hammered clavos instead of exposed screw heads. It also incorporates the flat panel design of the existing door as well as finishes and details we believe enhance the character of the streetscape.

Staff Response: Staff agrees with this response.

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

Applicant Response: The existing door for all intents and purposes is inoperable. Previous repairs have been done but the wood slats of the door are separating and no longer stable.

Staff Response: Staff agrees the door is inoperable as testified by a door manufacturer and a contractor approved by the city to evaluate windows and doors.

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

Applicant Response: The design & material of the new door (drawing attached) is in keeping with the historic façade and style. The existing pediment and jamb will remain.

Staff Response: Staff agrees with this response. A working door is required for dwelling units.

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

Applicant Response: The existing door is beyond repair. The style and materials used in the replacement door are in keeping with the structure retaining the viability of its' historic status. Replacement gates on the north elevation and doors on the rear terrace will also be consistent in design & materials. The new door is in keeping with the entire design scope of the remodel.

Staff Response: Staff agrees the door is inoperable as testified by a door manufacturer and a contractor approved by the city to evaluate windows and doors.

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

Applicant Response: The existing door is beyond repair

Staff Response: Staff agrees the door is inoperable as testified by a door manufacturer and a contractor approved by the city to evaluate windows and doors.

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

Applicant Response: The style and materials used in the replacement door are in keeping with the structure retaining the viability of its' historic status. Replacement gates on the north elevation will also be consistent in design & materials.

Staff Response: Staff agrees with this response.

Exception to 14-5.2(D)(2)(d): Proposed 5'-0" Extension of the Master Bedroom not setback at least 10'-0" from the primary, northern façade.

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

Applicant Response: The proposed extension is on the north façade of the structure which parallels a driveway between this residence and set back residences to the north. The solid wall extension does not change the streetscape.

Staff Response: Staff agrees with this response in that the proposed addition will not change the streetscape.

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

Applicant Response: The existing million-dollar home has two small bedrooms, 1 full bathroom on that side of the home and essentially no closet space. What is called Bedroom B in the existing floor plan was separated from the master bedroom by 12 light, double French doors and served as the master sitting area, armoires for additional closet storage and access to the only bathroom directly serving the two bedrooms.

While it is understood that the Board does not weigh real estate costs in historic matters, the client and the design team have striven to provide functional closet space and a master bathroom to meet the family's needs. Having no closet space or master bath does create a hardship to the family and the owners.

Relative to size, it is noted that as a previous family home in 1956, it consisted of the main house, a casita, and a second home, apartment and garage on a portion of the lot that was subdivided in a lot split in 2006.

Staff Response: While modern bathrooms and bedroom amenities are certainly desired by many, especially those who live in a home full-time, staff is unsure to what degree it constitutes a hardship in this case.

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

Applicant Response: The proposed addition is a 5' extension of mass and does not significantly affect the historic values of the structure as it is an extension of a 1995 remodeled wall and is located on the driveway side of the house. It is neutral. It does not strengthen or detract. At the January 22nd HDRB meeting alternative locations for the 5' extension were reviewed and discussed.

Staff Response: Staff recognize that modern and comfortable bedrooms and bathrooms may help to ensure that residents want to reside in historic districts. Staff also recognize that different options have been considered.

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

Applicant Response: The 10' setback is not architecturally feasible. It is noted that the HDRB has determined three elevations to be historic and primary. Any addition to the existing structure would likely involve one or more of the three elevations. Again, relative to size, it is noted that as a previous family home in 1956, it consisted of the main house, a casita, and a second home, apartment and garage on a portion of the lot that was subdivided in a lot split in 2006

Staff Response: Staff agrees with this response in that moving the addition is relatively infeasible without hampering beneficial interior courtyard space.

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

Applicant Response: The 10' setback is not architecturally feasible. It is noted that the HDRB has determined three elevations to be historic and primary. Any addition to the existing structure would likely involve one or more of the three elevations. What is on the existing plan as Bedroom B, was an extension of the master bedroom and served as the closet and sitting area. It is now needed as a bedroom. Again, it is noted that the current structure is hampered for family usage by the inability to add closet space into the bedroom areas and have a master bathroom. It is proffered that this would be the case for any family needs in a home of this value and so therefore are not a result of the actions of the applicant. The clients have chosen to invest in the Santa Fe Historic district and find these minimum alterations to the structure are required for the needs of the family.

Staff Response: Staff agrees with this response in that moving the addition is relatively infeasible but disagrees in that nothing demonstrates need besides the wants and actions of the applicant.

(vi) Provide the least negative impact with respect to the purpose of this section

as set forth in Subsection 14-5.2(A)(1)

Applicant Response: The HDRB approved remodel of this façade in 1995 sought to raise the roof to the height left of the chimney and straighten a wall of what appears to have been angled windows facing west. (See 1994 proposed and existing drawings). The additions meets the square footage requirements of 14-5.2[D][2][d] and will be attached to what is now a noncontributing portion of the structure. An exception is requested to the 10' setback as it is not architecturally feasible and is an extension along the driveway.

The homeowner is amenable to extend the brick coping fully across the parapet right of the chimney to match the historic material to the left of the chimney.

Staff Response: Staff agrees that the placement of this expansion is in the least negative location but does not yet recognize a hardship which would require the addition. Staff recommend against extending the brick coping across the parapet to replicate the historic portions of the building but perhaps a different parapet height could be used to differentiate between the historic and non-historic portions of the building.

Exception to 14-5.2(D)(2)(d): Proposed additions to contributing buildings which will result in non-historic additions exceeding 50% of the historic footprint.

(i) Do not damage the character of the streetscape

Applicant Response-Addition: The 5' extension of the master bedroom is on the driveway side of the structure and is only nominally visible from the driveway entrance as an extension of the existing mass.

Applicant Response- Casita: The additional square footage added to the Casita largely joins the back of the existing storage area to the Casita. It is largely only to the back of the Casita and not visible.

Staff Response: Staff agrees with this response that the proposed additions will not change or damage the streetscape and uses relatively under-utilized space.

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

Applicant Response- Addition: The existing million-dollar home has two small bedrooms, 1 full bathroom on that side of the home and essentially no closet space. What is called Bedroom B in the existing floor plan was separated from the master bedroom by 12 light, double French doors and served as the master sitting area, armoires for additional closet storage and access to the only bathroom directly serving the two bedrooms. This room is needed as a bathroom for the family.

Applicant Response- Casita: At the time of the 1995 remodel, the property consisted of all of the buildings on the north and south of the driveway. A lot split was done in 2006 separating them. The 1995 remodel incorporated a heated laundry room with an exterior entry on the west side of the carport. The purpose of this laundry room was for the use of any occupants of the three units north of the

driveway. Now that the lots have been split, this laundry room no longer has a function as facilities for the family exist inside the existing structure. The family's need is for longer term family usability of the casita. Converting the laundry and storage area and to finish connecting them to the casita, provides a full bedroom enhancing it from its' current status as a studio.

Staff Addition Response: While modern bathrooms and bedroom amenities are certainly desired by many, especially those who live in a home full-time, staff is unsure to what degree it constitutes a hardship in this case. Staff recognize that the exception would be required for any addition to the existing home.

Staff Casita Response: Staff recognizes that transitioning a studio and a relatively unused storage space into housing can alleviate a hardship and/or injury for both the applicant and the greater public.

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

Applicant Response: The proposed addition is a 5' extension of mass and does not significantly affect the historic values of the structure as it is an extension of a 1995 remodeled wall and is located on the driveway side of the house. It is neutral. It does not strengthen or detract. At the January 22nd HDRB meeting alternative locations for the 5' extension were reviewed and discussed. The consolidation at the rear of the connection between the casita and laundry storage area only enhances the casita by converting it from a studio to a full one-bedroom unit. It in no way impacts the historic elevation.

Staff Response: Staff recognize that modern and comfortable bedrooms and bathrooms may help to ensure that residents want to reside in historic districts and also that different options have been considered. Staff particularly recognize that changing the studio and storage space into a one-bedroom apartment directly increases the opportunity for residents to live in the historic districts.

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

Applicant Response: According to the perforated plans of the 1995 remodel dated 11/30/94, the calculation used for determining how many sq. ft were to be added included all of the buildings on the existing lot. That was the main structure, the casita and the apartments to the north of the driveway. According to that calculation, the new lot coverage was 26%.

Since the lot split and if the method of calculation is now different, then the new owner must meet a standard that has changed, if The HDRB even considered it in 1994. We do not know. We also note from the HCPI that if the undated, pre-1994 portion of the main structure were to be included as part of the foot print, the proposed additions along with the 1995 additions would still not equal 50%.

Staff Response: Compliance with the interpretation of existing codes is categorically not a special condition. The need for the additions is also not directly due to special conditions. Staff recognize, however, that if the addition is determined to prevent an applicant hardship or public injury, any addition to the main house would require an exception because non-historic construction already represents more than 50% of the total footprint. This could be construed as a special condition or circumstance but one more related to whether an addition resolves a hardship or public injury (see criterion ii).

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

Applicant Response: According to the perforated plans of the 1995 remodel dated 11/30/94, the calculation used for determining how many sq. ft were to be added, included all of the buildings on the existing lot. This was the main structure, the casita and the apartments to the north of the driveway. According to that calculation, the new lot coverage was 26%.

Since the lot split and if the method of calculation is now different, then the new owner must meet a standard that has changed, if The HDRB even considered it in 1994. We do not know. We also note from the HCPI that if the undated, pre-1994 portion of the main structure were to be included as part of the foot print, the proposed additions along with the 1995 additions would still not equal 50%.

Staff Response: Compliance with the interpretation of existing codes is categorically not a special condition. Staff recognize, however, that the applicant argues for what could be construed as standard or modern amenities. The board may extrapolate that such amenities are needs (satisfying a hardship) and that such needs are not the result of the actions of the applicant.

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

Applicant Response - Addition & Casita: The proposed changes provide a minimal impact to the existing historic façades while enhancing the livability needs of the family. The overall impact of the less than 130 sq. ft. being added to a structure already indicated as exceeding the 50% rule, does not create any negative impact to the structure with respect to the purpose of this section as set forth in Subsection 14-5.2(A)(1).

Staff Response: Staff agrees that both the bedroom and casita additions do not diminish the historic integrity of the house, are comparatively very small additions, and make the house more livable. Staff further recognize that the additions are not visible from the streetscape, are in relatively underutilized spaces, and are a minimal change to massing from the parking lot perspective. Staff do not believe that other additions would have as minimal an impact.

RELEVANT CODE CITATIONS:

14-5.2(A)(1) General Purpose

In order to promote the economic, cultural, and general welfare of the people of the city and to ensure the harmonious, orderly and efficient growth and development of the city, it is deemed essential by the governing body that the qualities relating to the history of Santa Fe, and a harmonious outward appearance, which preserve property values and attract tourists and residents alike, be preserved, some of these qualities being: _

- (a) The continued existence and preservation of historical areas and buildings; _
- (b) The continued construction of buildings in the historic styles; and _
- (c) A general harmony as to style, form, color, height, proportion, texture and material between buildings of historic design and those of more modern design. _

Proximity of Addition to Primary Façade:

14-5.2(D)(2)(d) Additions are not permitted to the side of the existing footprint unless the addition is set back a minimum of ten (10) feet from the primary façade. The addition shall not exceed fifty percent of the square footage of the existing footprint and shall not exceed fifty percent of the existing dimension of the primary façade. To the extent architecturally practicable, new additions shall be attached to any existing noncontributing portion of structures instead of attaching them to the significant or contributing portion.

Windows & Doors:

14-5.2(D)(5) Windows, Doors, and Other Architectural Features

- (a) For all façades of significant and landmark structures and for the primary façades of contributing structures:
 - (i) Historic windows shall be repaired or restored wherever possible. Historic windows that cannot be repaired or restored shall be duplicated in the size, style, and material of the original. Thermal double pane glass may be used. No opening shall be widened or narrowed.
 - (ii) No new opening shall be made where one presently does not exist unless historic documentation supports its prior existence.
 - (iii) No existing opening shall be closed.
- (b) For all façades of significant, contributing and landmark structures, architectural features, finishes, and details other than doors and windows, shall be repaired rather than replaced. In the event replacement is necessary, the use of new material may be approved. The new material shall match the material being replaced in composition, design, color, texture, and other visual qualities. Replacement or duplication of missing features shall be substantiated by documentation, physical or pictorial evidence.

14-12 Contributing Structure:

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

14-5.2(E) Downtown and Eastside Design Standards

(1) Old Santa Fe Style

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

- (a) With rare exception, buildings are of one story, few have three stories, and the characteristic effect is that the buildings are long and low. Roofs are flat with a slight slope and surrounded on at least three sides by a firewall of the same color and material as the walls or of brick. Roofs are never carried out beyond the line of the walls except to cover an enclosed portal or porch formed by setting back a portion of the wall or to form an exterior portal, the outer edge of the roof being supported by wooden columns. Two-story construction is more common in the territorial than in other sub-styles and is preferably accompanied by a balcony at the level of the floor of the second story. Façades are flat, varied by inset portales, exterior portales, projecting vigas or roof beams, canales or water-spouts, flanking buttresses and wooden lintels, architraves and cornices, which, as well as doors, are frequently carved and the carving may be picked out with bright colors. Arches are almost never used except for nonfunctional arches, often slightly ogive, over gateways in freestanding walls;
- (b) All exterior walls of a building are painted alike. The colors range from a light earth color to a dark earth color. The exception to this rule is the protected space under portales, or in church-derived designs, inset panels in a wall under the roof, in which case the roof overhangs the panel. These spaces may be painted white or a contrasting color, or have mural decorations;
- (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;
- (d) The rule as to flat roofs shall not be construed to prevent the construction of skylights or installation of air conditioning devices, or any other necessary roof structures, but such structures other than chimneys, flues, vents and aials, shall be so placed as to be concealed by the firewall from the view of anyone standing in the street on which the building fronts;
- (e) True old Santa Fe style buildings are made of adobe with mud plaster finish. Construction with masonry blocks, bricks, or other materials with which the adobe effect can be simulated is permissible; provided, that the exterior walls are not less than eight (8) inches thick and that geometrically straight façade lines are avoided. Mud plaster or hard plaster simulating adobe, laid on

smoothly, is required; and

(2) Recent Santa Fe Style

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

- (a) No building shall be over two stories in height in any façade unless the façade shall include projecting or recessed portales, setbacks or other design elements;
- (b) The combined door and window area in any publicly visible façade shall not exceed forty percent of the total area of the façade except for doors or windows located under a portal. No door or window in a publicly visible façade shall be located nearer than three (3) feet from the corner of the façade;
- (c) No cantilevers shall be permitted except over projecting vigas, beams, or wood corbels, or as part of the roof treatment described below;
- (d) No less than eighty percent of the surface area of any publicly visible façade shall be adobe finish, or stucco simulating adobe finish. The balance of the publicly visible façade, except as above, may be of natural stone, wood, brick, tile, terra cotta, or other material, subject to approval as hereinafter provided for building permits;
- (e) The publicly visible façade of any building and of any adjoining walls shall, except as otherwise provided, be of one color, which color shall simulate a light earth or dark earth color, matte or dull finish and of relatively smooth texture. Façade surfaces under portales may be of contrasting or complimentary colors. Windows, doors and portals on publicly visible portions of the building and walls shall be of one of the old Santa Fe styles; except that buildings with portals may have larger plate glass areas for windows under portals only. Deep window recesses are characteristic; and
- (f) Flat roofs shall have not more than thirty (30) inches overhang.

STAFF RECOMMENDATION:

Staff does not find that the applicant has met the two sets of exception criteria for the bedroom addition, but the Board may find that they have upon further testimony. Staff finds that the applicant has met the exception criteria for the replacement of a historic door and for an addition which would connect the casita, or studio, to house.

Aside from the bedroom addition with insufficient exception criteria, staff recommends approval of proposal project which otherwise complies with 14-5.2(D)(9) General Design Standards for all H Districts, Height, Pitch, Scale, and Massing, and 14-5.2(E) Downtown and Eastside Design Standards.

Questions to Staff

Chair Rios asked if the main house footprint is historic except the portion without brick coping.

Mr. Gemora agreed but the parapet and corners are not historic, and it is unclear what walls are historic, but the parapets and corners are not.

Chair Rios asked if any historic windows will be changed.

Mr. Gemora thought not, except the door will.

Applicant's Presentation

Mr. Douglas Maahs, 2108 Calle Tecolote, was sworn. He said this has been a real experience and welcomed the new members. Obviously, we started the project by determining a HCPI was needed. All research is completed. We started last Fall. There is a lot here and obviously a project with a lot involved. We think the scope of work we want to do will create an east side gem on exterior and interior when finished. Owners want to maintain historic integrity with a n outstanding renovation.

For the front entry, the screen door has been verified by the previous owner as not historic. It was installed in 2004 and then a replacement done in 2014. The report documenting the condition of the existing door does verify it needs to be replaced. He provided a photo as Exhibit 7. It was not of high quality when first built. It is an excellent representation of what we propose there. It was hand made here in Santa Fe by a nationally known company.

The bedroom addition we discussed it a lot at the January 22 meeting. We believe because of their size with pets, that it will benefit the family. He made a point in revising exception criteria that middle bedroom where master bath and closet were originally part of the original master bedroom and the only access from master bedroom to the one bathroom on this side of the house. So it lends great livability by making use of that space and closet space.

The one new item was a new response for the 50% rule. He did not know when the rule came into effect but the original plans from 1994 were based on the combined buildings that existed on the lot including other buildings on it. He said they are at the mercy of the Board on what they want to do and would love to see it go forward.

Questions to the Applicant

Chair Rios asked him to describe the existing door they want to replace.

Mr. Maahs had photos which are Exhibit 8.

Mr. Gemora said the evaluation was done by Scott Cherry who is certified.

Mr. Maahs said he provided a good description of it. It was not cross laminated and lost all of its integrity, so he could push on it and have it bow. It was created in a substandard manner.

Chair Rios said the picture helps a lot. So what you are saying is correct. It seems very unstable. The door you are replacing does reiterate features of the existing door.

Mr. Maahs agreed. It carries forth the style and design as we will do throughout the home. Doors and gates are all in this same style.

Board Discussion

Member Guida asked if the rest of garage doors will have the same finish.

Mr. Maahs agreed. It will be very thematic.

Member Guida asked if the gates at the north courtyard are non-historic.

Mr. Maahs agreed.

Chair Rios asked at the casita, how far out the storage unit will protrude. She thought the casita should stand proud to identify it as a contributing building.

Mr. Maahs said on the existing plan, the casita does not stand proud at all with the carport now.

Chair Rios asked about with the portion added as a bedroom.

Mr. Maahs said the jut out is the bathtub. The primary remodeling happens behind the façade where we join the laundry and storage room to west of the carport and fill the open space that separates them from the casita portal back. We need to bring the bathroom section out about 5'.

Mr. Gemora said it is out from the casita.

Mr. Maahs said the only way we have been able to design it is to bring out the nonhistoric part to the portal.

Public Comment.

Mr. John Eddy 227 E Palace was sworn. He wanted clarification but had not studied

it. They are seeking amendments to previous changes.

Chair Rios said it was postponed.

Mr. Eddy said in the exception, hardship came up and he encouraged the Board to explore that concept. When a property is purchased by people who know full well the restrictions and cannot convince you going forward of a hardship. It is a self-imposed hardship by their purchase.

Ms. Beninato, PO Box 1601 was sworn. She agreed with John Eddy on the exceptions and hardship and that you are not supposed to create the problem yourself. The ordinance says the applicant must conclusively prove they met all exceptions.

What they are trying to add is 80 square feet to a bedroom and what that provides is a little sitting area and it doesn't matter that it isn't visible from the street. They have to destroy the wall to have the added 80 square feet. So they will destroy part of the primary façade to have it. It is 2,700 square feet already and the push out will obscure the casita. It doesn't have anything to do with livability. It is totally livable as it is. When people buy historic structures, they should live with the historic structure. How many family members are always there that you need 80 square feet in the bedroom rather than to sit elsewhere in the house? So please be careful with it. Maybe they could have a shower instead of bath tub. It is not who cares - you can't see it. This is not hardship by any stretch of imagination. It is what wealthy people want.

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

Chair Rios said they do have to answer all six criteria. Can you address staff rejections of responses?

Mr. Gemora said #1 - prevent hardship - a five-foot extension and casita had similar responses. For hardship of bedroom extension, staff had trouble determining what was bathroom and what were amenities and if what they wanted was truly a hardship by wanting more closet and bath space.

In Section 5 and 6 of the same exception, staff didn't find a hardship - special conditions not the result of the applicant and for 50% of historic footprint, staff did not find those amenities were required to constitute a hardship. Similarly - #4 and #5 - special conditions were a potential change in new regulations; compliance with codes is not a special exception. If there was a hardship to have to add square footage, then special conditions could follow. I was not able to find the hardship on either exception.

Chair Rios asked Mr. Maahs if he had anything else to add.

Mr. Maahs said at present, three bedrooms have access to only one bathroom and

that does present a hardship on how the space is currently allocated. So taking that small room to create a master bath is a solution to not having it.

They have four children and four adults spending time in this house and we felt it was justified.

From the reconstruction of the north façade of the master bedroom, the original west facing portion was different with angled windows and a different concrete wall inside the structure that was waist high. So that entire corner is a completely new structure in 1994.

Member Katz said the whole discussion of bedroom and bath on the right is what you are proposing and not adding the first feet does not change the closet or bath. So is it a hardship? That makes a mockery. It would be nicer but to say that is hardship I really have trouble with.

Mr. Maahs said we think it does constitute a hardship. They have two very large dogs, not just chairs. And this is making it a comfortable home for them.

Member Katz asked what the plans are for the courtyard.

Mr. Maahs said he had said in January we might extend the wall into the courtyard. We only have 42" there and would eliminate the possibility of having the gate there.

Member Katz thought it could be done.

Mr. Maahs said in what is called the Teresita, we propose two doors instead of 3 there now and would shrink it and eliminate 30% of the sunlight.

Chair Rios asked what the existing square footage of the bedroom is there.

Mr. Maahs did not have it exactly. He thought it was 13 x 16 and in the 16 feet is a concrete wall left in place and built in bookshelves, taking out 18" with 2x6 framing.

Member Katz asked if that could be removed.

Mr. Maahs agreed.

Chair Rios calculated it was 224 square feet.

Member Roybal said his concern is for the tremendous responsibility. I don't have a problem with the addition. It would be sad for all of us if we had to live in little space.

Member Katz was struggling because he would like these people to have the space, they need but could not ignore the Code. When the Board identified the northern façade as historic, it did so with an understanding of what it looked like. That whole

back portion of the north façade is completely different. And when we identified that façade as primary, we excluded nonhistoric materials. You do see it from the street from an angle. What we look at today on that back portion is not historic and it is extended five feet. It is not historic at all. And It does not offend me. That non-historic portion we didn't exculpate when determining the primary façade. I'm much more comfortable with that motion than just to say it is not a hardship. I offer that as an alternative if you want to go that way.

Member Guida noted there are two exceptions. One is for setback and also exceeding the 50% rule. He asked if the bedroom exception tips it over.

Mr. Maahs said it was already exceeded with the 1994 remodel.

Member Guida asked if other design options were explored when looking at the historic part of the façade.

Mr. Maahs said that was discussed at the January meeting.

Member Guida knew other treatments were proposed. Were there any other ways to differentiate such as a different topping?

Mr. Maahs said there was no discussion on altering the five-foot mass. We thought it was a more finished look and understood the coping might not match.

Member Guida asked if he could you lower the parapet.

Mr. Maahs said the vigas are only 8' off the floor now. When they did it, they brought up the ceilings to standard heights.

Action of the Board

MOTION: Member Roybal moved to approve parts 1 and 5 as having met the exception criteria. There was no second and the motion died.

MOTION: Member Katz moved, seconded by Member Guida, in Case #H-18-124B at 636 Garcia Street, predicated on finding that the portion of the north side that does not have coping from 1995 is not historic, to approve the bedroom there on the basis that no exception is needed.

Chair Rios asked for a friendly amendment that the applicant not have brick coping there, and no visible rooftop appurtenance. Member Katz accepted the amendment as friendly.

VOTE: The motion passed by unanimous (5-0) voice vote with Members Katz, Guida, Larson, Lotz and Roybal voting in favor and none voting against.

- 3. Case #H-19-008. 209 Delgado Street.** Downtown & Eastside Historic District. David Smith, agent for Next Wave Ventures, owner, proposes to construct 1,030 sq. ft. of additions to a height of 14'0" where the maximum allowable height is 14'3" on a non-contributing structure. (Carlos Gemora)

Mr. Gemora presented the Staff Report as follows:

BACKGROUND & SUMMARY:

209 Delgado Street is a single-family home that was constructed in a vernacular manner before 1928. The existing, approximately 1,500 sq. ft. building features a cross-gabled roof and a lower shed roof addition on the east side. In 2004, the board approved a 300 sq. ft. addition and remodel and vinyl windows were installed without permission. In 2013, the board downgraded the status to non-contributing after finding that very little historic elements remained (13-087). In 2015, the board approved a 430 sq. ft. wooden pergola, a free-standing fireplace, and a 6' high coyote fence with stuccoed pilasters (15-040).

The applicant now proposes to remodel and raise the existing building, construct a living room addition, an attached carport, and change the front wall and gate.

The existing building has a pitched roof with a peak height of about 13'-6" but will be remodeled with parapet walls between 12'-6" and 14'-0" in height (maximum allowable height 14'-6"). Most of the vinyl windows will remain, one on the front façade will be replaced with glass block.

The proposed 550 sq. ft. living room addition will have parapet building walls to a height of 14'-0" with El Rey "Adobe" stucco to match the existing structure. New windows will be mostly wood-clad casement windows with divided lites and painted desert tan to match the French door on the rear elevation.

The 480 sq. ft. carport will have parapets built to a height of 13'-8" with stucco to match the existing structure and the proposed living room addition. The attached carport will be open on three sides with approximately 1'-9" thick stucco pillars and "brown" stained wooden lintels spanning the openings.

The existing non-historic front wall and gate are mostly built to the boundary of a driveway easement, but a portion has a small, setback planter area which provides

space for a large tree and a gate. To accommodate the living room addition the applicant plans to remove the tree and rebuild the wall and gate along the easement boundary.

RELEVANT CODE CITATIONS:

14-5.2(E) Downtown and Eastside Design Standards

(1) Old Santa Fe Style_

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

- (a) With rare exception, buildings are of one story, few have three stories, and the characteristic effect is that the buildings are long and low. Roofs are flat with a slight slope and surrounded on at least three sides by a firewall of the same color and material as the walls or of brick. Roofs are never carried out beyond the line of the walls except to cover an enclosed portal or porch formed by setting back a portion of the wall or to form an exterior portal, the outer edge of the roof being supported by wooden columns. Two-story construction is more common in the territorial than in other sub-styles and is preferably accompanied by a balcony at the level of the floor of the second story. Façades are flat, varied by inset portales, exterior portales, projecting vigas or roof beams, canales or water-spouts, flanking buttresses and wooden lintels, architraves and cornices, which, as well as doors, are frequently carved and the carving may be picked out with bright colors. Arches are almost never used except for nonfunctional arches, often slightly ogive, over gateways in freestanding walls; _
- (b) All exterior walls of a building are painted alike. The colors range from a light earth color to a dark earth color. The exception to this rule is the protected space under portales, or in church-derived designs, inset panels in a wall under the roof, in which case the roof overhangs the panel. These spaces may be painted white or a contrasting color, or have mural decorations; _
- (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; _
- (d) The rule as to flat roofs shall not be construed to prevent the construction of skylights or installation of air conditioning devices, or any other necessary roof structures, but such structures other than chimneys, flues, vents and aerials, shall be so placed as to be concealed by the firewall from the view of anyone standing in the street on which the building fronts; _
- (e) True old Santa Fe style buildings are made of adobe with mud plaster finish. Construction with masonry blocks, bricks, or other materials with which the adobe effect can be simulated is permissible; provided, that the exterior walls are not less than eight (8) inches thick and that geometrically straight façade lines are avoided. Mud plaster or hard plaster simulating adobe, laid on

smoothly, is required; and _

(2) Recent Santa Fe Style _

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

- (a) No building shall be over two stories in height in any façade unless the façade shall include projecting or recessed portales, setbacks or other design elements; _
- (b) The combined door and window area in any publicly visible façade shall not exceed forty percent of the total area of the façade except for doors or windows located under a portal. No door or window in a publicly visible façade shall be located nearer than three (3) feet from the corner of the façade; _
- (c) No cantilevers shall be permitted except over projecting vigas, beams, or wood corbels, or as part of the roof treatment described below; _
- (d) No less than eighty percent of the surface area of any publicly visible façade shall be adobe finish, or stucco simulating adobe finish. The balance of the publicly visible façade, except as above, may be of natural stone, wood, brick, tile, terra cotta, or other material, subject to approval as hereinafter provided for building permits; _
- (e) The publicly visible façade of any building and of any adjoining walls shall, except as otherwise provided, be of one color, which color shall simulate a light earth or dark earth color, matte or dull finish and of relatively smooth texture. Façade surfaces under portales may be of contrasting or complimentary colors. Windows, doors and portals on publicly visible portions of the building and walls shall be of one of the old Santa Fe styles; except that buildings with portals may have larger plate glass areas for windows under portals only. Deep window recesses are characteristic; and _
- (f) Flat roofs shall have not more than thirty (30) inches overhang. _

STAFF RECOMMENDATION:

Staff recommends approval of the proposed project and finds that 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 Design Standards.

Questions to Staff

Member Roybal asked if the property is noncontributing.

Mr. Gemora agreed. It was designated noncontributing in 2013.

Applicant's Presentation

Mr. David Smith, 231 W. Manhattan was sworn and welcomed the new Board members. He said this project, after it was designated noncontributing, was when his clients did a lot split for this structure and the front wall was built to conform to city requirements and brought it into compliance with code. Subsequently, an addition was built on the back and landscaping and pergola in the back.

It is about 980 square feet instead of 1,500 square feet but addition sizes are correct. The addition on the west is a living room and an attached carport is on the east.

Questions to the Applicant

Member Katz said he looked at it on Google Earth before the field trip. The portion visible on Delgado is the west side and doesn't seem overwhelming. And you are proposing a large blank wall with just one small window. That saddened him and he wished there was something that could be done to make that wall more interesting.

Mr. Smith was sure there would be. He did not think the porch could be seen.

Member Katz said it is quite visible except for the little gazebo there now.

Chair Rios asked how far back it is.

Mr. Smith said it is 230' back from Delgado Street.

Mr. Gemora said the property line is 150-175 feet.

Mr. Smith asked if more fenestration would be requested.

Member Katz said yes. You are bringing the building to the setback limit.

Mr. Smith said they considered moving the room forward to the north to avoid the change in the front wall. The downside is trying to maintain the back yard as a large outdoor space. So that led them to just move it toward the south.

Member Katz asked if he could keep the tree. It is a significant tree.

Mr. Smith said the report he got is that it is diseased and, on the way, out. The tree is not a long-term thing.

Member Katz thought some fenestration could help a lot.

Chair Rios asked if it would have rounded corners.

Mr. Smith agreed. It would have a 3" radius on vertical corners and step the parapet in with a slight slant.

Chair Rios asked about window inset dimension.

Mr. Smith said it would be approximately 3" at this point and they would have stuccoed insulation on the outside.

Chair Rios asked if he would be willing to put in another window. Would it be the same or a different size?

Mr. Smith said at one time, they did have windows on both sides of the fireplace. The existing window is from an old part going to the new part of the house. On the floor plan, the small room is a dining room to see the sky from the inside. Their initial plan had an 18" by 5' window by the fireplace on each side.

Member Katz thought two windows on each side of the fireplace would be nice. He would also want a window at the kitchen if he was working in that kitchen.

Mr. Smith said the kitchen sink looks out to the back yard. He would be willing to articulate the fireplace. A window on each side might make it more interesting.

Public Comment

Ms. Beninato (previously sworn) understood that it is noncontributing but at some time people put in windows that were not acceptable. It seems we are losing more and more historic structures to a noncontributing status. Like the last case, suddenly deciding that what was a primary wall is no longer primary façade. I am amazed that this house keeps changing and growing. It was perfectly fine but not historic and imitates what was historic.

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

Chair Rios asked what the interior ceiling height is.

Mr. Smith said it is 12' to the bottom of the beams in the living room. The bathroom on the south and the two bedrooms on the south and the room that opens to the pergola are all at 8.5'.

Member Guida asked if there is any consideration for replacing the vinyl windows.

Mr. Smith said yes. There are only two vinyl windows left. With the new additions and the changes on the back already, only two of them left on the small bedroom on the

northwest corner.

Mr. Gemora asked if there is a vinyl window or door on the east.

Mr. Smith agreed. The mechanical room door and the small bedroom. So there is one on the east and one on the south. He didn't know if they are egress windows. There is one closed off from the inside where the storage room was. He said he would be glad to submit the plans for that and a permit for egress.

Member Guida asked if there is there a front door.

Mr. Smith said the main entry is from the pergola so there is none on the south side. The easement line is the wall. There is no room for a traditional front door because of the wall.

Chair Rios agreed with Ms. Beninato. People want to make houses bigger and unfortunately; this house was downgraded. They are simpler and vernacular with pitched roofs. This is 1,530 square feet now, so it is much bigger. But most houses in that area were smaller.

Mr. Smith agreed but said their intent was not to exploit a noncontributing status but to have a modest home on a small lot.

Action of the Board

MOTION: Member Katz moved, seconded by Member Roybal, in Case #H-19-008 at 209 Delgado Street, to approve the application as recommended by staff with a condition that the living room on the west wall have at least one additional window and articulated on the outside, that the design of those windows be brought to staff.

Member Guida requested a friendly amendment that remaining vinyl windows be replaced to match the new windows.

Chair Rios requested a friendly amendment that vertical corners be rounded, the parapet be canted, the window inset be at least 3" and new drawings be submitted to Staff for review and approval.

Member Katz accepted both amendments.

VOTE: The motion passed by unanimous (5-0) voice vote with Members Katz, Guida, Larson, Lotz and Roybal voting in favor and none voting against.

4. **Case #H-19-009. 354 Hillside Avenue.** Downtown & Eastside Historic District. Christopher Purvis, agent for Robin King and Brad Burnett, owners, proposes to construct a 3,630 sq. ft. residence to a height of 14'2" where the maximum allowable height is 15'7" on a vacant lot. (Carlos Gemora)

Mr. Gemora presented the Staff Report as follows:

BACKGROUND & SUMMARY:

354 Hillside is a vacant lot set back about 60'-0" from Hillside Avenue and located in the Downtown and Eastside Historic District. The applicant requests approval to build a 3,600 sq. ft. (roofed) Spanish-Pueblo Revival style home and attached garage with the following design features:

1. Parapet building walls with El Rey "Buckskin" cementitious stucco and built to a maximum height of 14'-2" above finished grade (15'-7" maximum allowable height).
2. True-divided-lite windows and doors painted "white."
3. A 10'-0" wide garage door painted "white."
4. A 6'-0" high coyote fence and gate on either side of the house and enclosing the backyard. The fence will be setback from the front of the house by 18'-0" to 30'-0" and is not included as part of the streetscape. The coyote fence will have irregular and varying heights.

RELEVANT CODE CITATIONS:

14-5.2(E) Downtown and Eastside Design Standards

(1) Old Santa Fe Style_

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

- (a) With rare exception, buildings are of one story, few have three stories, and the characteristic effect is that the buildings are long and low. Roofs are flat with a slight slope and surrounded on at least three sides by a firewall of the same color and material as the walls or of brick. Roofs are never carried out beyond the line of the walls except to cover an enclosed portal or porch formed by setting back a portion of the wall or to form an exterior portal, the outer edge of the roof being supported by wooden columns. Two-story construction is more common in the territorial than in other sub-styles and is preferably

accompanied by a balcony at the level of the floor of the second story. Façades are flat, varied by inset portales, exterior portales, projecting vigas or roof beams, canales or water-spouts, flanking buttresses and wooden lintels, architraves and cornices, which, as well as doors, are frequently carved and the carving may be picked out with bright colors. Arches are almost never used except for nonfunctional arches, often slightly ogive, over gateways in freestanding walls;_

- (b) All exterior walls of a building are painted alike. The colors range from a light earth color to a dark earth color. The exception to this rule is the protected space under portales, or in church-derived designs, inset panels in a wall under the roof, in which case the roof overhangs the panel. These spaces may be painted white or a contrasting color, or have mural decorations;_
- (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;_
- (d) The rule as to flat roofs shall not be construed to prevent the construction of skylights or installation of air conditioning devices, or any other necessary roof structures, but such structures other than chimneys, flues, vents and aerials, shall be so placed as to be concealed by the firewall from the view of anyone standing in the street on which the building fronts;_
- (e) True old Santa Fe style buildings are made of adobe with mud plaster finish. Construction with masonry blocks, bricks, or other materials with which the adobe effect can be simulated is permissible; provided, that the exterior walls are not less than eight (8) inches thick and that geometrically straight façade lines are avoided. Mud plaster or hard plaster simulating adobe, laid on smoothly, is required; and_

(2) Recent Santa Fe Style_

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

- (a) No building shall be over two stories in height in any façade unless the façade shall include projecting or recessed portales, setbacks or other design elements;_
- (b) The combined door and window area in any publicly visible façade shall not exceed forty percent of the total area of the façade except for doors or windows located under a portal. No door or window in a publicly visible façade shall be located nearer than three (3) feet from the corner of the façade;_
- (c) No cantilevers shall be permitted except over projecting vigas, beams, or wood corbels, or as part of the roof treatment described below;_
- (d) No less than eighty percent of the surface area of any publicly visible façade shall be adobe finish, or stucco simulating adobe finish. The balance of the publicly visible façade, except as above, may be of natural stone, wood, brick, tile, terra cotta, or other material, subject to approval as hereinafter provided for building permits;_
- (e) The publicly visible façade of any building and of any adjoining walls shall,

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

(f) Flat roofs shall have not more than thirty (30) inches overhang. _

STAFF RECOMMENDATION:

Staff recommends approval of the proposed project and finds that 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 Design Standards.

Questions to Staff

There were no questions to Staff.

Applicant's Presentation

Mr. Christopher Purvis, 200 W Marcy, was sworn. Mr. Purvis said he wanted to make a couple of changes. He decided not to paint garage door white but to stain it a dark brown with some variation with medium brown and the same with the windows.

He said that although he had noted a two-car garage, it is a one-car garage.

Questions to the Applicant

Chair Rios asked what kind of windows he proposed. It appeared to be an industrial type with horizontal dividers but no vertical dividers.

Mr. Purvis said they were just a simple variation with the new house and not to look like the others and not to achieve anything other than slight variation.

Chair Rios read the definition of Recent Santa Fe Style.

Mr. Purvis asked if vertical mullions were okay.

Chair Rios said yes. She felt the windows looked industrial without them. She offered several lite patterns and suggested the windows should be something more characteristic of old Santa Fe style.

Member Katz and Member Lotz agreed with her.

Member Guida said, for another point of view. He has seen other examples of this divided lite pattern in Santa Fe. Particularly because of the design, the windows add a little interest. But he suggested Mr. Purvis address the distinction of windows with door style - the patio doors in the back should have the lit pattern applied to those doors also.

Member Katz asked if the windows will meet the 30" rule. He pointed out that 1 over 2 would not work. He wanted as much glass while meeting the 30" rule. He favored a vertical bar.

Member Larson asked if he would paint or stain the windows and doors.

Mr. Purvis said the garage door will be stained.

Public Comment

Mr. Eddy (previously sworn) said he appreciated that focus on the windows. It is about restoring Santa Fe style - Recent Santa Fe style. He agreed the horizontal and vertical windows are a striking departure from old Santa Fe style. The window with six lites are squarer than the horizontal windows. He agreed that the three-lite windows are more jarring. But six lites would work instead of three.

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

Member Guida asked if they are all casement windows.

Mr. Purvis agreed, and he would propose a center mullion on each of the windows.

Action of the Board

MOTION: Member Roybal moved, seconded by Member Katz, in Case #H-19-009. 354 Hillside Avenue to approval as staff recommended except with a central mullion in all windows and that revised drawings be sent to staff for review and approval.

Chair Rios requested a friendly amendment that the garage door color and window color be dark brown.

Member Roybal accepted the amendment as friendly.

VOTE: The motion passed by majority (4-0-1) voice vote with Members Katz, Larson, Lotz and Roybal voting in favor and none voting against. Member Guida abstained.

- 5. Case #H-19-010. 646 East Barcelona Road.** Historic Review District. Jose La Cruz-Crawford, agent for Felisa Smith and Scott Elliott, owners, proposes to construct a 946 sq. ft. addition to a height of 17'0" where the maximum allowable height is 14'3" on a sloping site of a non-statused structure. An exception is requested to 145.2(D)(9)(c)(ii) to exceed the maximum allowable height. (Carlos Gemora)

Mr. Gemora presented the Staff Report as follows:

BACKGROUND & SUMMARY:

646 E Barcelona is a 2,500 sq. ft. (building footprint) single-family home located in the Historic Review District. The home was likely built in the 1950's and is styled with simple and Territorial-Revival features like brick coping.

The applicant requests approval for an approximately 1,000 sq. ft addition with 1 ½ stories and built 4'-0" higher than the existing, single-story building and set back from the street about 40' to 50' like the front porch of the existing building. All colors and styles, including additional brick coping, will match those on the current exterior and will comply with the Historic Review Design Standards as reviewed by staff. The applicant plans to relocate two windows from the existing house to the addition and would like to install a 10' high antique door with transom windows facing the rear yard.

Additions and alterations in the Historic Review District are generally reviewed and approved by staff in accordance with district standards but a request to exceed the maximum allowable height may only be granted by the board. The existing height is 13'-0", the maximum allowable height is 14'-3", and the proposed height is 17'-0" (as measured from the midpoint of the street-facing elevation). Because the lot slopes more than two feet over the building's footprint the board may allow, without an exception, additional height not to exceed 18'-3" on any façade. The eastern side of the building, however, has a façade with over 20'-0" of height, and thus a height exception is required. Staff has determined that the applicant must apply for an exception to exceed the maximum allowable height by 2'-9".

EXCEPTION CRITERIA

Exception to 14-5.2(D)(9)(c)(ii): Exception to build to a height of 17'-0" where the maximum allowable height is 14'-3".

(i) Do not damage the character of the streetscape

Applicant Response: We believe the proposed addition will enhance, not damage the character of the streetscape. Not only does it better balance the existing house, which has a tall entry/kitchen, but it adds considerable architectural interest. In terms of the height, there are a number of two-story homes on our street and on the streets adjacent to our home. In fact, of the 47 homes in the 3 blocks bounded by Camino Corrales and Old Pecos Trail and on either Old Santa Fe Trail, East Barcelona Road or Armenta Street, 21.3% are either two story or more than 1.5 story (e.g., using the grade to obtain sufficient height for a second floor). Some of these have extensive two-story builds that far exceed what we propose.

Staff Response: Staff agree that other buildings in the neighborhood are more than a single story and do not find that additional height will not damage the character of the streetscape.

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

Applicant Response: By building this addition as proposed, we will be able to fit a full bathroom, bedroom, closet and small office into a fairly compact space. This is important because of the layout of our house and where the house is situated on the lot. If we had to build all of this out, rather than some of it 'up', we would need to cut down mature conifer trees and/or compromise an old septic field that was original to the house. Moreover, our build would necessarily be much closer to our neighbor and to the alley that runs behind our house. The addition is sorely needed; our current house has two smallish bedrooms and one full bath, and almost completely lacks closets.

Staff Response: Staff agree that an addition to a modest house on a large lot may relieve a hardship and that the nature and characteristics of the lot would be better preserved by building up rather than out.

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

Applicant Response: We carefully considered a number of options. Many of these were not feasible because of how the living space in the house is configured. The driveway bisects our lot and the kitchen, dining room and living room are all connected and adjacent to the driveway. Thus, we can only build out to the west (unless we completely gutted the house and rebuilt from scratch, which would be prohibitively expensive). Our choices were to either build a long one-story addition or build up. The first option was not desirable for a number of reasons. These included the need to cut down some mature conifer trees, the disruption of a filled old septic field, and the proximity to an alley and our neighbor. We believe the design we ended up with is an excellent solution, which also enhances the architectural character of our house and our street. By taking advantage of the slope on the lot, we only increase the height of our home by 4'11" while minimizing the footprint of the addition

and gaining a second floor. The massing elements strengthen the unique character of the city and our particular historic district. The plans cannot be flipped because of privacy issues; that would put our bedroom and bathroom facing the street, rather than the fenced backyard. Because we plan to install French doors in the bedroom to mimic the other sets of French doors in the dining room and kitchen, we would not wish those to face the street. Moreover, if the plans were flipped, the patio would look out over the alley, rather than the mountains and city. Not much of a view.

Staff Response: Staff agree that the applicant has considered other options but are skeptical that the massing cannot be setback a little further from the street. Staff further recognize that expanding the structure into a three-bedroom instead of a two-bedroom house can provide space for future residents (especially families) to reside within the historic districts.

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

Applicant Response: Our lot has a sloping site, which should increase the allowable height. To reiterate: we have a number of reasons for proposing a second floor. The first is aesthetic – we believe it greatly adds to the character of our house and provides a much nicer street view consistent with the architectural style. The second is that we would greatly enjoy the views we would achieve from this structure. The third is pragmatic – because our lot slopes so much, we would either need to greatly step the house down -which we feel would not look good and moreover, would cause problems with the plumbing- or more likely, we would end up with a useless half-height crawl space. The fourth is also pragmatic. Because of where our house is situated on the lot and the layout of the house, if we built our bedroom complex out instead of up, we would either need to cut down some mature conifer trees or else build where an old septic system was originally situated. These are not good alternatives, nor do we want to build any closer to our lot line and our only direct neighbor (we are on a corner with an alley behind the house).

Staff Response: Staff agree that the slope of the lot, the existence of mature conifer trees, the presence of higher buildings which are not credited in the height calculation, and the configuration of the existing building may constitute special conditions and circumstances.

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

Applicant Response: We are much in need of the additional square footage and any potential addition is generally limited to the west side of the property. Please see response to question (iv).

Staff Response: Staff agree that the special conditions and circumstances are not a result of the applicant.

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

Applicant Response: A preliminary design was reviewed on several occasions with the Historic preservation division starting last May. We have made an effort to ensure that the design of the addition and the height exception provide the least negative impact. The height exception we are seeking is for approximately 24" above the allowable height requirement and we have designed the building to limit the height exception as much as possible without compromising the utility of the building.

Staff Response: *Staff agree that the applicant has met this criterion. While the applicant may still be able to reposition portions of the massing, building up instead of out may better work with the design of the lot and the surrounding homes.*

RELEVANT CODE CITATIONS:

Sloping Sites:

14-5.2(D)(9) Height, Pitch, Scale, Massing and Floor Stepbacks_

(c)(ii)(F) The board may increase the allowable height for proposed buildings and additions located on a sloping site where the difference in the natural grade along the structure's foundation exceeds two (2) feet. In no case shall the height of a façade exceed four (4) feet above the allowable height of the applicable streetscape measured from natural or finished grade, whichever is more restrictive. This increase in height shall be constructed only in the form of building stepbacks from the street._

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14-5.2(D)(9)(c) Height

(iii) In historic districts, height shall be the vertical distance measured between the highest part of a structure and the existing grade or finished grade, whichever is more restrictive, at the midpoint of the street facing façade, excluding rooftop appurtenances, the increased height of walls or fences over pedestrian and vehicular openings, and gates (either in opened or closed position)._

- **14-5.2(F) Historic Review District**

(2) District Standards

(a) The following structural standards shall be complied with whenever exterior features of buildings and other structures subject to public view from any public street, way, or other public place are erected, altered, or demolished:

(i) Slump block, stucco, or stone shall be used as exterior wall materials. Wood and other materials may be used for details. Aluminum siding, metal panels, mirrored glass, and unstuccoed masonry units or unstuccoed cement shall not be used as exterior wall materials; and

- (ii) The color of stuccoed buildings shall predominantly be brown, tan, or local earth tones. This does not include chocolate brown colors or white except dull or matte off-white (yeso). Surfaces of stone shall be in the natural color. Entries and portals may be emphasized by the use of white or other colors or materials. Painting of buildings with bold repetitive patterns, or using buildings as signs is prohibited.
- (b) It is intended that buildings be designed to be "wall dominated". "Wall dominated" means that the building's geometry is more defined by walls than by roofs. Buildings with flat, gabled, shed, and hipped roofs can be designed as "wall dominated" solutions and are allowed. However, gabled, shed and hipped roofs are only allowed if sufficient evidence is provided by the applicant showing that there are pitched roofs extant before December 12, 1983 (date of enactment) within the related streetscape, as viewed when standing in the public street in front of the site. The height of the roof above the wall shall be no greater than the height of the walls. Folded plate, hyperbolic, mansard, or red tile roofs are not allowed. Roofs in local earth tones are preferred.
- (c) The use of solar and other energy collecting, and conserving strategies is encouraged. The use of large glazed areas on south-facing walls for trombe walls or other solar collectors, direct gain, or other collecting purposes is allowed. When in view from any public street, way, or other public place, solar equipment shall be screened as follows:
 - (i) Raising the parapet;
 - (ii) Setting back from the edge of the roof;
 - (iii) Framing the collector with wood;
 - (iv) In pitched roofs, by integrating the collector into the pitch;
 - (v) In ground solar collectors by a wall or vegetation;
 - (vi) In wall collectors or greenhouses, by enclosing by end or other walls;
 - (vii) Other means that screen the collector or integrate it into the overall structure. Non-glare materials shall be used in solar collectors.
- (d) Roof-mounted mechanical, electrical and telephone equipment and other obtrusive structures shall be architecturally screened with opaque materials by raising the parapet, boxing in the equipment or other appropriate means. The equipment shall be of a low profile to minimize the screening problem._

- (e) No cantilever or long apparently unsupported openings are allowed except over the projecting vigas, beams, or wood corbels or as part of the roof. The use of arches is discouraged except in freestanding walls._
- (f) In order to emulate traditional Santa Fe architecture and construction traditions, it is intended that structures be designed to appear essentially as structures with massive walls which are defined as being built or appearing to be built of adobe construction, wall thickness appearing massive in relation to wall height, and where applicable, the depths of windows, doors and entry opening showing the massiveness of the structure. Solid wall space shall be greater in any façade than window or door space combined. Exceptions are allowed for south facing walls for solar equipment as provided in Subsection (F)(2)(c) of this section and under portales. The mass elements that make up the building composition shall appear as single blocks. Buildings with ground coverage of over twenty thousand 20,000 square feet and over one story shall be designed to appear more as an aggregation of smaller "building blocks" rather than a single large box or block. (Ord. No. 2002-37 § 28)_
- (g) Walls and fences visible from the street shall be built of brick, adobe, rock, masonry, wood, coyote fencing, wrought iron, slump block, or similar materials. Walls of unstuccoed concrete block or unstuccoed concrete, chain link, metal wire, or similar materials are prohibited, except where the wall or fence is not visible from the street._

STAFF RECOMMENDATION:

Staff finds the applicant has met all the exception criteria for additional height and recommend approval of the application which otherwise complies with 14-5.2(D)(9) General Design Standards for all H Districts, Height, Pitch, Scale, and Massing, and 14-5.2(F) Historic Review District.

Questions to Staff

Chair Rios asked Mr. Gemora to describe streetscape.

Mr. Gemora said the streetscape has 1.5 and 2-story homes. Most are one story and set back on large lots like the existing site plan. Most have simplified Pueblo Revival with some post-war era.

Chair Rios asked, as defined by ordinance, if there are any 2-story buildings.

Mr. Gemora pointed out that we don't include two-story buildings that are over 16' high in the calculation but agreed to try to find some. There is probably at least one at the end of the block and some 1.5 stories nearby. There may be over ten homes on

that block.

Member Roybal asked if they are on a slope also.

Mr. Gemora couldn't tell.

Member Roybal assumed it doesn't overwhelm the streetscape.

Mr. Gemora said that is up to the Board. We saw story poles and exaggerated visibility. We did see quite a bit of added height there.

Chair Rios asked if this is more forward than existing houses.

Mr. Gemora said the old addition does come forward, but the balcony sets it back somewhat.

Member Guida asked if there is any lot coverage issue.

Mr. Gemora said no. The lot coverage is at 14%.

Applicant's Presentation

Mr. La Cruz-Crawford was sworn. He said, as Mr. Gemora mentioned, we provided as part of application, a map showing the 1.5 and 2-story buildings along there. I have only one copy of the picture of the two. They are much larger than what we are proposing here. He commented on them briefly as he shared his only copy.

As part of design process, we tried to minimize the footprint as much as possible and preserve the trees on the lot. On sheet A -3 are 3-D massing studies. And you can see the façade pops out a little, but majority is still set back from the front and stepped it back so not so significant from street side.

Ultimately what we are doing is an elegant design and fits the street and would be beneficial to the streetscape and owners.

Questions to the Applicant

Chair Rios asked if they considered a one-story design.

Mr. La Cruz-Crawford said they did, and it would step down a lot. It would have much lower massing on one side and higher on the kitchen addition done a few years ago. He thought this was a better solution.

Member Guida asked him to tell the Board about the balcony rail.

Mr. La Cruz-Crawford said it would be a wood stained rail. Currently, they have wood stained elements on the house and the rail would be the same or similar treatment.

Member Guida asked if they had other considerations or always a wood railing.

Mr. La Cruz-Crawford said they kept it as characteristic with the house.

Member Guida said that in his reading of massing and design, what happens is the wedding cake aspect and with that rail in wood, it accentuates the height of the building. At the rear, we don't understand it as a two-story building. I'm wondering if taking the parapet up to become the rail would diminish it as two full stories and might be in better harmony with the parapet on the portal.

Mr. La Cruz-Crawford thought they might consider that as hiding the massing behind it.

Mr. Gemora suggested they could always put fenestration on the parapets, so it did not seem to be 15' feet high.

Mr. La Cruz-Crawford thought the vertical elements on the railing makes it a band in the rendering. He did not think you would read it as much when built.

Chair Rios asked Member Guida to describe his proposal.

Member Guida said a two-story house would look out of character but it could read better by removing the railing and extending the stucco instead and add a window at the lower level also.

Mr. Gemora said the only problem on the window element is that a closet is on that side. With a parapet extension, it could have a pilaster to break up the stucco along the balcony and have openings a bit. Having a window in that side would be a problem.

Member Katz asked what the average heights are.

Mr. Gemora said the average is a little over 12" and the maximum at 13' 4" to 13' 7".

Member Katz said, "This is way too high and out of the character of the neighborhood. I would not be willing to grant the extra four feet and stick to the maximum of 14' and perhaps take it down in the back. It is a very large lot with plenty of room to do a one-story. I can't support this plan as it is."

Mr. La Cruz-Crawford noted that, in the general area, there are many 1.5 and 2 story houses.

Mr. Gemora said it was just along east Barcelona and you included the whole neighborhood. Where we saw the house height map, it came to 12'.

Member Lotz noticed on the second story is an open office and asked how high that ceiling is.

Mr. La Cruz-Crawford said it is 8'. We were very conservative with heights. The master bedroom is about 16' and a two-foot section for trussing as we haven't developed that yet. And a parapet height is 1' 4". So we allocated some additional height there so it might be lower than that. We could do that.

Member Guida asked for the height in the exercise room.

Mr. La Cruz-Crawford said it is 8' 4" for height of the elliptical machine. We could shave some of that height. We could lower the office height. To proof framing for lower and above the master bedroom as essentially a two-foot space and could go down 1' 4". So we could shave about 12" to 16" off.

Member Larson agreed with Member Katz that the additional height is not good. He would like to see an alternative proposed that is lower.

Chair Rios agreed with Member Katz and Member Larson. The Board considers the streetscape but most of those are lower. We do want to work with applicant on this but need to achieve harmony with streetscape.

Public Comment

Mr. Eddy (previously sworn) said, "I believe you are going the right way on this - the proposed elevation on the west - the shading make it stand out more. Although it may not be that egregious, but it overwhelms the original structure. It is too tall and affects the overall character of the neighborhood. This is low and slow with prairie style. I would urge you to deny and ask the applicant come back with not going up as vertically."

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-19-010. 646 East Barcelona Road, to postpone to March 26, 2019 for redesign.

VOTE: The motion passed by unanimous (5-0) voice vote with Members Katz, Guida, Larson, Lotz and Roybal voting in favor and none voting against.

Mr. La Cruz-Crawford was okay with that.

H. MATTERS FROM THE BOARD

There were no other matters from the Board.

I. ADJOURNMENT

The meeting was adjourned at 8:00 p.m.

Approved by:



Cecilia Rios

Submitted by:



Carl Boaz for Carl G. Boaz

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

Case #H-19-001

Address – 212 and 212 1/2 Barela Street

Agent's Name – Robert Duran

Owner/Applicant's Name – Estate of Ernest Barela

THIS MATTER came before the Historic Districts Review Board ("Board") for hearing on January 8, 2019.

212 and 212 ½ Barela Street is a property with two residential structures built in a vernacular style in the Westside-Guadalupe Historic District. The front building, 212 Barela, is currently listed as contributing, but staff have no records of a decision by the HDRB, and a historic inventory by Spears Architects listed the building as non-contributing in 1998. Inventories for both buildings (1985 & 1998) estimate the date of construction in the 1930's, with moderate to major remodeling and good (1985) to fair (1998) condition.

Glancing at the buildings' exterior, they appear to be in poor to fair condition. A tour inside, however, revealed that both buildings are actually in extremely poor condition. The City's Building Official and Historic Preservations staff have identified substantial structural failures on both buildings. A report by a real estate appraiser documented collapsing roof, walls, floors, and door frames. A report from a professional engineer documented settling and separation of foundation elements and stated a professional opinion that "the whole structure is inadequate and irreparable."

At the January 8, 2019 hearing, the applicant proposed to demolish both buildings on the property. Because 212 Barela Street (front structure) is listed as a contributing building, the applicant requested an exception to Santa Fe City Code Section 14-5.2(D)(1), which requires that contributing structures must be retained and preserved.

FINDINGS OF FACT

1. After conducting public hearings and having heard from the Applicant and all interested persons, the Board hereby FINDS, as follows:
2. Zoning staff determined that the Application meets underlying zoning standards.
3. Staff recommended approval of the proposed demolition and found that all exception criteria had been met, that all the demolition considerations in Section 14-3.14 Demolition Historic or Landmark Structure were met, and that the application otherwise complied with Section 14-5.2(D), General Design Standards for all H Districts.
4. The project is subject to requirements of the following sections of the Santa Fe Land Development Code:
 - Section 14-5.2(D)(9) General Design Standards, Height Pitch Scale and Massing (of any structure);
 - Section 14-5.2(D) General Design Standards; and

Findings of Fact and Conclusions of Law

- Section 14-5.2(C), Regulation of Significant and Contributing Structures.
5. The property is located in the following district and subject to the related sections of the Santa Fe Land Development Code: Westside-Guadalupe Historic District (Section 14-5.2(I)).
 6. There has not been a condemnation citation on this structure.
 7. Under SFCC Sections 14-2.6(C), 14-5.2(C)(3)(a), and 14-3.14, the Board has authority to review and approve or deny all applications for new construction and exterior alteration and demolition of structures in the historic districts in accordance with the standards set forth in SFCC Chapter 14.
 8. City staff provided to the Board information on the two structures under consideration for demolition, pursuant to Section 14-3.14(C).
 9. The information contained in the Application and provided in testimony and evidence establishes that all applicable requirements for Board review have been met.
 10. Under Section 14-3.14(G), in determining whether a request for demolition in a historic district should be approved or denied, the Board shall consider whether the structure is of historical importance, whether the structure is an essential part of a unique street section/block front, whether the street section/block front will be reestablished by a proposed new structure, and the state of repair and structural stability of the structure.
 11. Regarding historical importance, Staff reported that 212 Barela Street may have a contributing status, but it was unclear how that determination was made. The Board notes that historical reports, created when the structure was in fair condition, list the building as being noncontributing. Because of the extremely poor condition of both structures and the poor documentation concerning the designation of 212 Barela Street as contributing, the Board agrees with Staff that the historical importance of both buildings is minimal.
 12. Regarding the street section or block front, Staff reported that the street section or block front is characterized by low, compact structures relatively close to the narrow street. 212 Barela Street meets this description and is an essential part of a unique street section or block front. 212 ½, which is located at the rear part of the property, is not an essential part of the street section or block front.
 13. The Applicant has not provided plans or otherwise demonstrated that, if 212 Barela Street is demolished, then the street section or block front will be reestablished by a proposed new structure.
 14. Regarding the state of repair and structural stability of the structure, the Board agrees with historic preservation and building inspection staff that the structures are in extremely poor condition with substantial structural failure. A professional engineer found the structures to be inadequate and irreparable.
 15. The factors set forth in Section 14-3.14(G) support demolition of both structures as long as the street section or block front is reestablished with a proposed new structure to replace 212 Barela Street.
 16. 212 Barela Street has been listed as a contributing structure. Section 14-5.2(D)(1) requires that contributing structures must be retained and preserved. An exception to Section 14-5.2(D)(1) must meet the six criteria set forth in Section 14-5.2(C)(5)(c).
 17. The first exception criterion in Section 14-5.2(C)(5)(c) states, "Do not damage the character of the streetscape." The streetscape is characterized by structures placed relatively close to the front property line. Because the current structures are in disrepair

- and possibly irreparable, demolition would improve the streetscape as long as the street section/block front is reestablished by a proposed new structure.
18. The second exception criterion in Section 14-5.2(C)(5)(c) states, "Prevent a hardship to the applicant or an injury to the public welfare." The current state of the structures presents a hardship to the Applicant. Staff reports that an appraiser has judged the structures as being relatively unlivable and that an engineer has judged that the buildings are probably irreparable.
 19. The third exception criterion in Section 14-5.2(C)(5)(c) states, "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." Demolition and new construction would allow more residents to live and stay within the historic district.
 20. The fourth exception criterion in Section 14-5.2(C)(5)(c) states, "Are due to special conditions and circumstances which are peculiar to the land or structure involved and which are not applicable to other lands or structures in the related streetscape." Compared to surrounding lands and structures, the particular structures at issue are in extremely poor condition, and many of the foundations appear to be unstable or lacking.
 21. The fifth exception criterion in Section 14-5.2(C)(5)(c) states, "Are due to special conditions and circumstances which are not a result of the actions of the applicant." The property is owned by the Barela Estate, which asserts that the prior owner, Ernest Barela, was mentally ill and neglected the property. The estate had no formal control over the manner in which the prior owner maintained or altered the structures.
 22. The sixth exception criterion in Section 14-5.2(C)(5)(c) states, "Provide the least negative impact with respect to the purpose of this section as set forth in Subsection 14-5.2(A)(1)." Evidence has been presented that the structures are irreparable. Demolition would be less negative than to permit further vacancy and deterioration of the existing structures. The Board finds that demolishing the structures would further the purposes of Section 14-5.2(A)(1) as long as the street section or block front is reestablished.
 23. The information contained in the Application and provided in testimony and evidence establishes that all applicable requirements for Board approval for demolition of 212 Barela Street and 212 ½ Barela Street as herein described have been met, subject to the condition that the street section or block front must be reestablished for 212 Barela Street.

CONCLUSIONS OF LAW

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

1. The Board has the authority to review and approve the Application.
2. The Board approves the Application to demolish the existing structures at 212 Barela Street and 212 ½ Barela Street, subject to the following conditions for 212 Barela Street, which shall run with the land: (1) subsequent construction shall replace the three south and east street-side façades in a similar L-shape, built within 1'-2' of the current locations of the south and east façades; and (2) no vehicle entrances shall be built or established on the south or east façades.
3. To ensure these conditions are met, prior to Board approval of these findings of fact and conclusions of law, the Applicant shall file and record a "Declaration of Covenants Running with the Land" with the Santa Fe County Clerk and shall provide proof of

recording to the City of Santa Fe. The Declaration of Covenants Running with the Land shall be acknowledged, i.e., notarized, as provided in NMSA 1978, Section 14-8-4. The Declaration of Covenants Running with the Land shall convey a servitude to the City of Santa Fe and shall state as follows: (1) if the existing structure at 212 Barela Street is demolished, subsequent construction shall replace the three south and east street-side façades in a similar L-shape, built within 1'-2' of the current locations of the south and east façades; (2) no vehicle entrances shall be built or established on the south or east façades; and (3) the servitude conveyed to the City of Santa Fe shall terminate upon the construction of a replacement structure at 212 Barela Street that meets the preceding conditions.

IT IS SO ORDERED ON THIS 13TH DAY OF FEBRUARY 2019, THE HISTORIC DISTRICTS REVIEW BOARD OF THE CITY OF SANTA FE.

Chairperson

Date:

FILED:

Yolanda Y. Vigil
City Clerk

Date:

APPROVED AS TO FORM:

Assistant City Attorney

Date:

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

Case #H-19-007

Address – 438 Apodaca Hill

Owner/Applicant's Name – Lee Lewin

THIS MATTER came before the Historic Districts Review Board ("Board") for hearing on January 22, 2019.

438 Apodaca is a two-story residential structure built in 1988 in the Spanish-Pueblo Revival style and designated noncontributing to the Downtown and Eastside Historic District. In 2015, the applicant received approval and built a 1,300 sq. ft. addition and 160 sq. ft. portal to the north and west elevations (rear & side) (H-08-047), which resulted in a 3,600 sq. ft. roofed and 4,400 sq. ft. heated building.

The applicant requested retroactive approval for a 72 sq. ft. addition and a 51 sq. ft. portal extension. The addition and portal are located on the southeast corner of the building where there was once an approximately 75 sq. ft. uncovered patio. The addition is stuccoed with cementitious El Rey "adobe" colored stucco to match the existing house and is approximately 12'-0" high (the building is approximately 24'-0" high). Two true-divided-lite windows, a door, and a sconce light were relocated on the addition and are at least 3'-0" from the corner. A skylight is installed behind the parapet. The new portal has a treated-to-rust corrugated tin shed roof to match the existing portals on the west elevation. The portal is supported by two 8" diameter wooden columns and an 8" x 10" cross beam, all stained with a natural oil finish to match the existing portals.

FINDINGS OF FACT

1. After conducting public hearings and having heard from the Applicant and all interested persons, the Board hereby FINDS, as follows:
2. Zoning staff determined that the Application meets underlying zoning standards.
3. Staff recommended approval of the proposed project and found that the application complied 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 Design Standards.
4. The project is subject to Section 14-5.2(D)(9) of the Santa Fe Land Development Code, governing General Design Standards, Height, Pitch, Scale, and Massing (of any structure).
5. The property is located in the Downtown and Eastside Historic District and is subject to Section 14-5.2(E) of the Santa Fe Land Development Code.
6. An Exception Request was not included in this Application.
7. Under Sections 14-2.6(C), 14-2.7(C)(2), 14-5.2(A)(1), 14-5.2(C)(2)(a-d & f), 14-5.2(C)(3)(a-b), and 14-5.2(D), the Board has authority to review, approve, with or without

conditions, or deny, all or some of the Applicant's proposed design to assure overall compliance with applicable design standards.

8. Under Section 14-5.2(C)(3)(b), the Board has the authority to approve an application for alteration or new construction on the condition that changes relating to exterior appearance recommended by the Board be made in the proposed work, and no permit is to issue until new exhibits, satisfactory to the Board, have been submitted.
9. The information contained in the Application, and provided in testimony and evidence establishes that all applicable requirements for Board review as herein described have been met.
10. The information contained in the Application, and provided in testimony and evidence establishes that all applicable design standards for Board approval as herein described have been met.

CONCLUSIONS OF LAW

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

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

IT IS SO ORDERED ON THIS 13th DAY OF FEBRUARY 2019, THE HISTORIC DISTRICTS REVIEW BOARD OF THE CITY OF SANTA FE.

Chairperson

Date:

FILED:

Yolanda Y. Vigil
City Clerk

Date:

APPROVED AS TO FORM:

Assistant City Attorney

Date:

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

Case #H-19-006

Address – 841 East Alameda Street Unit C

Agent’s Name – D. Maahs Construction

Owner/Applicant’s Name – Patrick Rayes Family Partnership Ltd.

THIS MATTER came before the Historic Districts Review Board (“Board”) for hearing on January 22, 2019.

841 East Alameda Street Unit C (also recorded as Unit #3) is part of a six-unit condominium designated noncontributing to the Downtown and Eastside Historic District. Built in 1983 between East Alameda and Palace Avenue, the building is a mix of one and two stories built to a height of 21’-0” with modern, simplified design features and characteristic brick coping on most of the parapets. The applicant proposed a 205 sq. ft. addition and various changes to windows and doors.

The 205 sq. ft. addition would expand an existing second story bedroom and would have brick coping at the same parapet height to match the existing second story. The addition will replace the existing second-story deck area, and a new deck will be built on top of the existing sunroom roof. The addition would remove two rooftop chimneys and would be setback approximately 80’-0” from East Alameda. The addition and all infilled areas would use El Rey cementitious “Buckskin” colored stucco.

The applicant also proposes the following changes to doors and windows, all using a dark bronze finish, divided lites, and being at least 3’-0” from outside corners to match existing:

1. A wooden storage unit door and four small (~6”) windows facing the courtyard on the first floor will be replaced with four medium-sized windows on the first and second stories (east and south elevations).
2. The bedroom addition on the second floor will replace two doors and two windows that open onto the second floor deck with a similar arrangement (south elevation).
3. The existing first floor sunroom will be infilled and two new doors and windows will be installed on the south elevation with an additional window on the east elevation.

A smaller window on the east elevation would be infilled, and three medium-sized windows would be installed on the first and second floors.

FINDINGS OF FACT

1. After conducting public hearings and having heard from the Applicant and all interested persons, the Board hereby FINDS, as follows:
2. Zoning staff determined that the Application meets underlying zoning standards.

3. Staff recommended approval of the proposed project and found that the application complied 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 Design Standards.
4. The project is subject to requirements of Section 14-5.2(D)(9) of the Santa Fe Land Development Code, governing General Design Standards, Height, Pitch, Scale, and Massing (of any structure).
5. The property is located in the Downtown and Eastside Historic District and subject to Section 14-5.2(E) of the Santa Fe Land Development Code.
6. An Exception Request was not included in this Application.
7. Under Sections 14-2.6(C), 14-2.7(C)(2), 14-5.2(A)(1), 14-5.2(C)(2)(a-d & f), 14-5.2(C)(3)(a-b), and 14-5.2(D), the Board has authority to review, approve, with or without conditions, or deny, all or some of the Applicant's proposed design to assure overall compliance with applicable design standards.
8. Under Section 14-5.2(C)(3)(b), the Board has the authority to approve an application for alteration or new construction on the condition that changes relating to exterior appearance recommended by the Board be made in the proposed work, and no permit is to issue until new exhibits, satisfactory to the Board, have been submitted.
9. The information contained in the Application, and provided in testimony and evidence establishes that all applicable requirements for Board review as herein described have been met.
10. The information contained in the Application, and provided in testimony and evidence establishes that all applicable design standards for Board approval as herein described have been met.

CONCLUSIONS OF LAW

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

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

IT IS SO ORDERED ON THIS 13th DAY OF FEBRUARY 2019, THE HISTORIC DISTRICTS REVIEW BOARD OF THE CITY OF SANTA FE.

Chairperson

Date:

FILED:

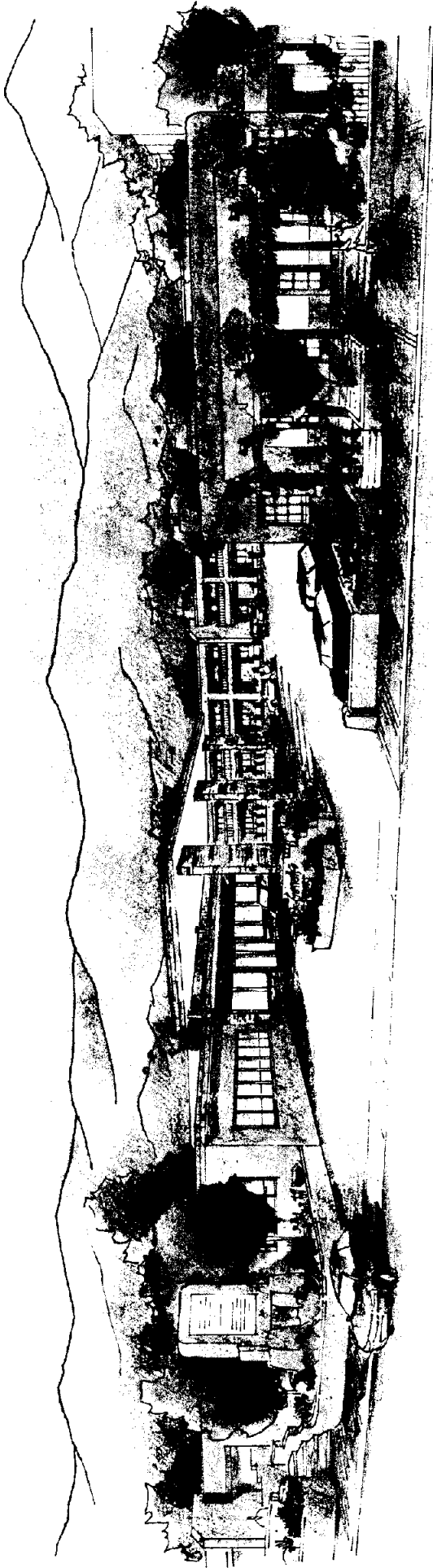
Yolanda Y. Vigil
City Clerk

Date:

APPROVED AS TO FORM:

Assistant City Attorney

Date:



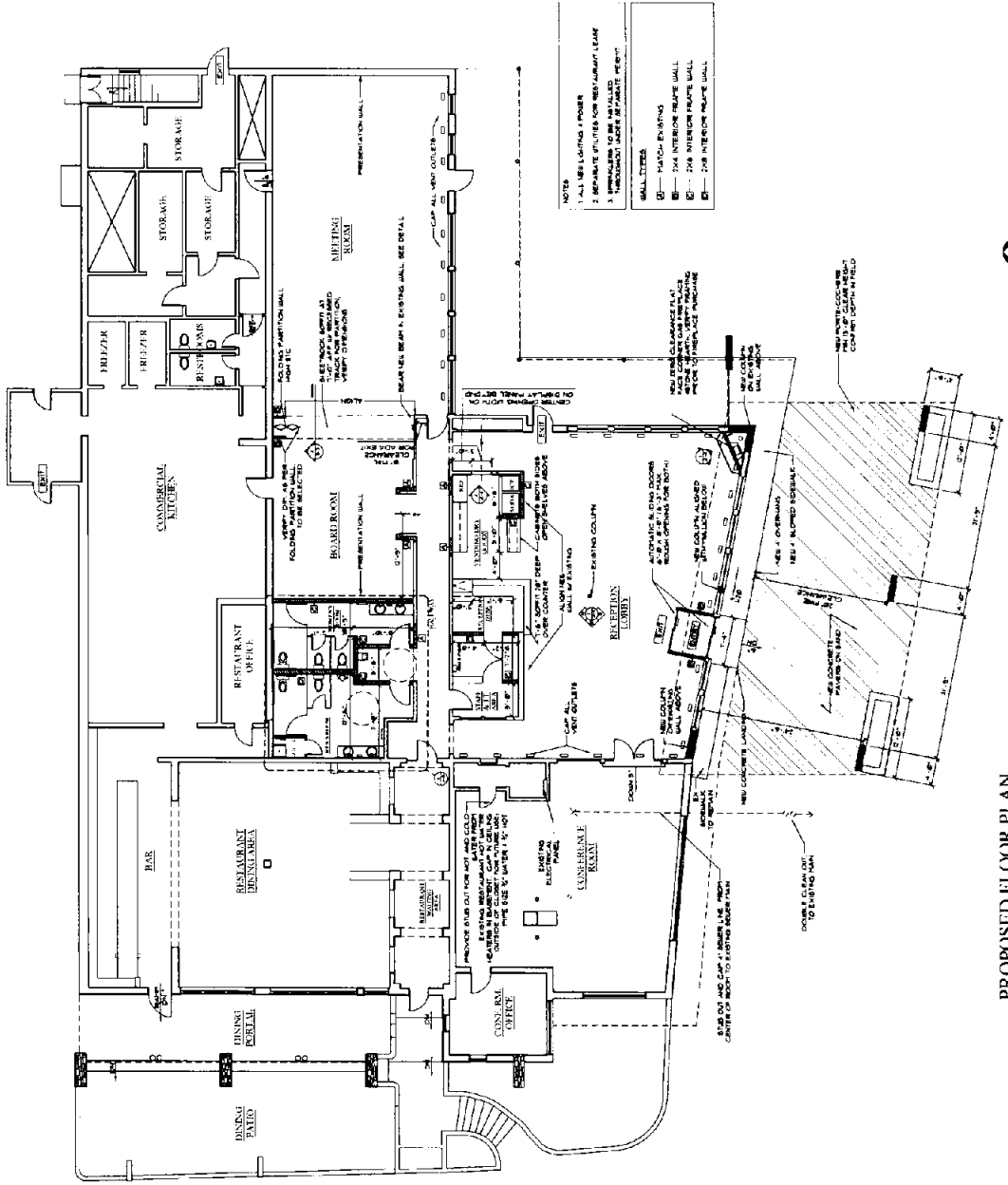
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PROJECT TITLE
Garrett's Desert Inn Motel
 311 Old Santa Fe Trail
 Santa Fe, New Mexico

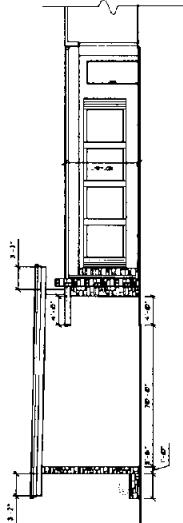
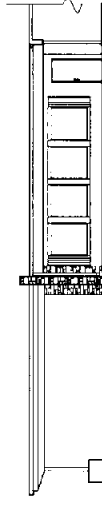
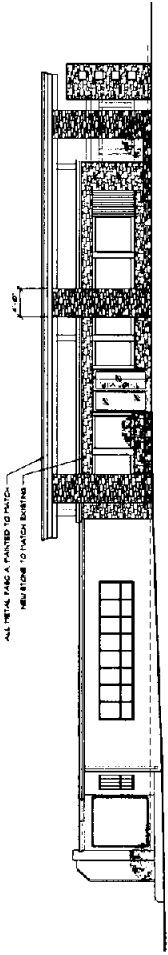
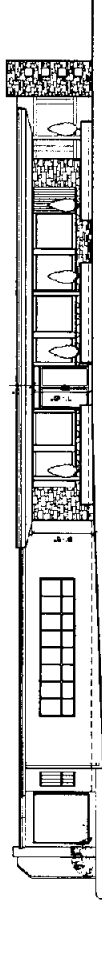
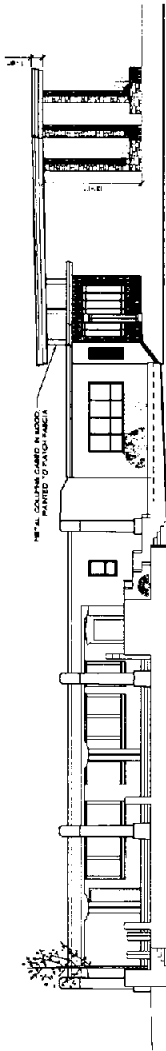
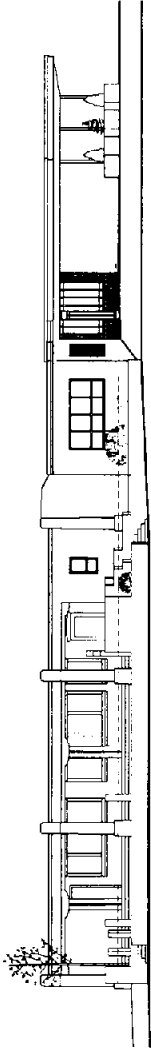
PROJECT NO.	18-31
DATE	10/1/01
DESIGNER	ARCHITECT
CLIENT	OWNER
SHEET NO.	10/1/01

Proposed Floor Plan

A-2



PROPOSED FLOOR PLAN
 SCALE: 1/8" = 1'-0"



Timeline:

- 1927** The State authorized municipal zoning pursuant to statute.
- 1957** The City of Santa Fe adopted a Historic Preservation Ordinance pursuant to the municipal zoning statute.
- 1961** The State adopted the Historic District Act, Sections 1-5.
- 1965** The State readopted the Historic District Act, Sections 1-5.
- 1981** *Armijo* case: The City and neighborhood associations sued the Commissioner of Public Lands to stop the Commissioner from maintaining an oil field pumping rig on the State Land Office Building, pursuant to its Historic Preservation Ordinance.

The Court held that the City did not adopt its Ordinance pursuant to the State's Historic District Act because it the City adopted it *before* the Historic District Act.

The majority opinion did not address the question of whether the Historic District Act allowed the regulation of State land by a municipality. One Justice's concurring opinion, however, stated that the Historic District Act demonstrated the intent for municipalities to zone State land lying within historic areas.

- 1982** The City updated its ordinance pursuant to the Historic District Act.
- 1983** The State adopted a new version of the Act, this time as the "Historic District and Landmark Act" ("Act"), adding and protecting, "landmarks", defined as "structures or sites of historical interest."

[1983 to 2009] Informal collaboration between City and State avoided litigation on the issue of jurisdiction. For example, the City collaborated with the State and County on the following projects:

- County Courthouse;
- State Capitol Parking Garage; and
- Carlos Gilbert Elementary.

- 2009** The State adopted Section 6 to the Act, providing a process for "State Capital Outlay Projects".
- 2009** The City adopts updated sections to its Historic Districts Code, in particular, 14-5.2(A)(2) and 14-5.2(M), to include the process described in Section 6 of the Act.
- 2019** The Legislature is currently reviewing proposed amendments to the Historic District and Landmark Act.

(M) State Capital Outlay Projects

(Ord. No. 2009-46 § 2)

(1) Purpose

- (a) Recognizing the fragility of the city's historic heritage, the purpose of Subsection 14-5.2(M) is to activate the procedure established in Section 3-22-6 NMSA 1978 under which the city and the state will collaborate in good faith and work jointly to preserve and protect the historic districts of Santa Fe as well as contributing, significant and landmark structures.
- (b) State capital outlay projects in historic districts shall be carried out pursuant to the procedures set forth in Section 3-22-6 NMSA 1978 and Subsection (2) below and in a manner that is harmonious and generally compatible with the design standards set forth in Subsection (3) below. These procedures and standards apply to new structures and additions to and alterations and demolition of existing buildings.

(2) Procedures

- (a) Before commencing with the design phase of a capital outlay project, the state and the historic districts review board shall consult as to the appropriate design standards and how those design standards would impact costs and the operation or manner in which the project will ultimately be expected to function. **The historic districts review board shall work collaboratively with the state to arrive at compatibility of the project with the design standards, considering reasonable costs and preserving essential functionality.** The state shall also make every reasonable effort to obtain input from members of identifiable community groups involved in historic preservation in Santa Fe before commencing the design phase.
- (b) After the design phase and before soliciting a bid or proposal for design-build or lease-purchase for a capital overlay project, the state shall submit the plans to the historic districts review board for review and comment. The historic districts review board in conjunction with the state shall conduct a public meeting to receive public input. Notice of the public meeting shall be given to any identifiable community groups involved in historic preservation in Santa Fe.
- (c) Within sixty days after the public meeting the historic districts review board, any identifiable historic preservation community group or any other interested party shall communicate recommendations and comments in writing to the state. The state shall consult with the historic districts review board or other entity to resolve any issues raised. If at the end of the sixty-day period unresolved issues remain, the city may within five days after the end of the period, notify the state that the issues remain unresolved and these issues shall be finally determined as set forth in Section 3-22-6(G) NMSA 1978, provided that if notice is not timely given, the state may, after incorporating those provisions to which the state and the city have agreed, proceed with the project.
- (d) The state shall not take any irrevocable action on the capital project in reliance on the plans until the procedures set forth in Section 3-22-6 NMSA 1978 have been followed.

(3) Design Standards

(a) General Standards

A state capital outlay project shall be designed appropriate to the seat of government and with the intent of achieving harmony with existing buildings by the use of similar materials, color, proportion, and general details to the existing buildings in the applicable streetscape. The applicable streetscape shall be determined as set forth in Subsections 14-5.2(D)(9)(a)(ii) A., B., C., D., and E. A new structure or proposed alteration or addition shall not cause an adjacent contributing, significant or landmark structure to lose its status. Alterations and additions shall be in character with the style, detail and massing of the existing building. The dominating effect is to be that of adobe construction as follows:

(i) Roofs

Roofs, generally, shall be flat with a slight slope and surrounded by a parapet of the same color and material as the walls or of brick. Roofs shall generally not be carried out beyond the line of the walls except to cover an enclosed portal or porch formed by setting back a portion of the wall or to form an exterior portal, the outer edge of the roof being supported by columns, posts or other vertical supports. No cantilevers shall be permitted except over projecting vigas, beams, or wood corbels, or as part of the roof treatment not to exceed an overhang of thirty (30) inches. The restriction as to flat roofs shall not be construed to prevent the construction of skylights or installation of air-conditioning devices, or any other necessary roof structures, but such structures other than chimneys, flues, vents and aerals, shall be so placed as to be concealed by the parapet from any public way.

(ii) Walls and Windows

The combined door and window area in any publicly visible facade generally shall not exceed forty percent of the total area of the facade except for doors or windows located under a portal. No door or window in a publicly visible facade shall be located nearer than three (3) feet from the corner of the facade except in circumstances where the unique purpose of the space may warrant special design considerations. Windows, doors and portales on publicly visible portions of the building and walls shall be of one of the old Santa Fe styles. Glass and window trim shall be nonreflective. Windows shall be similar in proportion to the fenestration pattern in the streetscape. Deep window recesses are characteristic.

(iii) Finishes

Construction shall be with materials with which the adobe effect can be simulated provided that the exterior walls are not less than eight (8) inches thick. Mud plaster, hard plaster or other materials simulating adobe, laid on smoothly, is required. No less than eighty percent of the non-fenestration surface area of any publicly visible facade shall be adobe finish, stucco or other material simulating adobe finish. The balance of the publicly visible facade may be of natural stone, wood, brick, tile, terra cotta, or other material. Materials shall convey a sense of substance and permanence.

(iv) Colors

The publicly visible facade of any building and of any adjoining walls generally shall be of one color but no more than three colors and simulate a light earth or dark earth color, matte or dull finish and of relatively smooth texture. However, facade surfaces under portals or inset panels in a wall under a roof overhangs, in church-derived designs, may be painted white or be of contrasting or complimentary colors or have mural decorations.

(v) Other Features

Facades shall be flat, varied by inset portals, exterior portales, projecting vigas or roof beams, canales or water-spouts, flanking buttresses and wooden lintels, architraves and cornices. Depending upon the existing streetscape and if permitted otherwise in this chapter, a portal may cover the entire sidewalk with the columns set at the curbline.

(vi) Height

The height shall be limited to the average height of institutional buildings as measured within the applicable streetscape. When determining an applicable streetscape, vacant lots or parcels shall not be included in the calculation for allowable height. If no institutional buildings are included in the streetscape, the maximum height shall not exceed the average height of existing buildings in the streetscape. The land use department staff shall determine the applicable streetscape as set forth in Subsections 14-5.2(D)(9)(a)(ii) A., B., C., D., and E. Height shall be measured as set forth in Subsection 14-5.2(D)(9)(c)(iii). Heights of existing structures shall be as set forth on the official map of building heights. If the height of an existing building is not given, the state shall submit a statement from a NM licensed surveyor of the actual height. No building facade shall be over two stories in height unless the facade includes projecting or recessed portales, balconies, setbacks or other design elements.

(b) Contributing, Significant and Landmark Buildings

State capital outlay projects that involve contributing, significant or landmark structures shall be undertaken in such a manner as to preserve the status of the structure and in accordance with the standards for alterations or additions to contributing, significant or landmark buildings as set forth in Section 14-5.2. Historic materials and architectural features and spaces that embody the status shall be preserved. A proposed alteration or addition shall not cause the structure to lose its status.

(4) Demolition of Historic and Landmark Structures; Minimum Maintenance Requirements

- (a) A request for demolition of an historic or landmark structure shall include the report required in Section 14-3.14(C) and follow the standards set forth in Section 14-3.14(G). If there is a disagreement as to demolition, the procedures set forth in Section 3-22-6(G) NMSA 1978 shall be followed.
- (b) The minimum maintenance requirements for historic or landmark structures set forth in Subsection 14-5.2(B) shall be met.

Historic Window and Door Assessment
Location Address:
636 Garcia St.
Santa Fe NM 87501

Prepared for: D Maahs Construction
P.O. Box 5061
Santa Fe, NM 87502



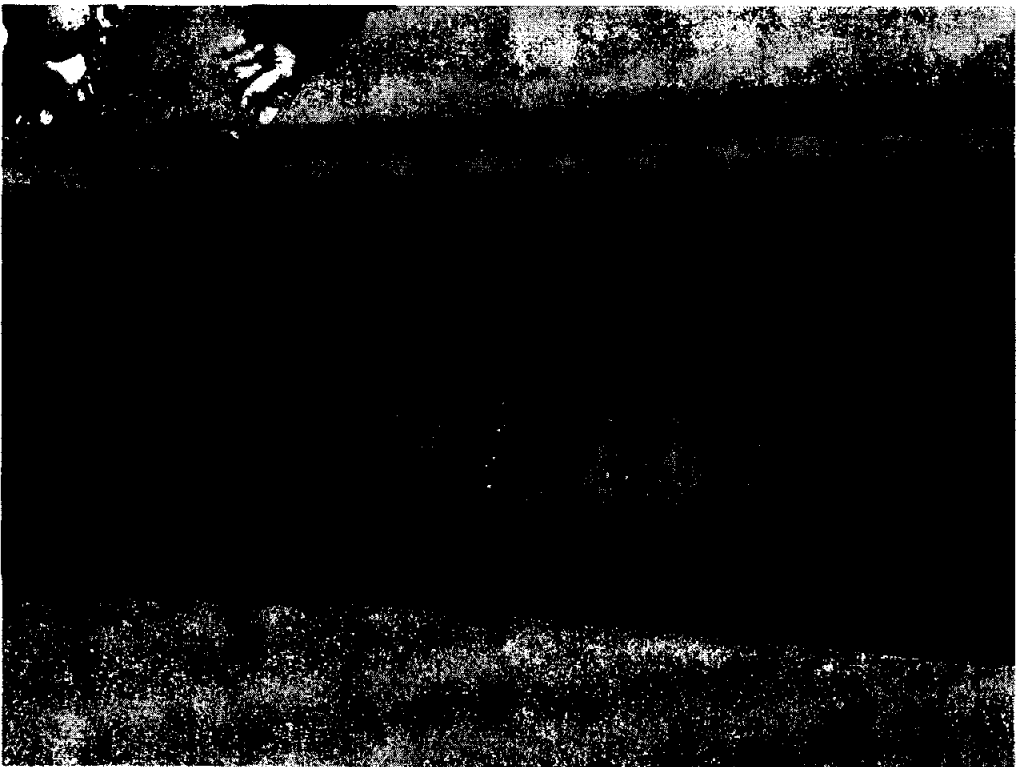
Detail of paint and wood condition



Detail of laminations

Historic Window and Door Assessment
Location Address:
636 Garcia St.
Santa Fe NM 87501

Prepared for: D Maahs Construction
P.O. Box 5061
Santa Fe, NM 87502



Location	Entry
Type	Single solid passage door
Molding Profile	Flat
Measurements	33" X 79 " X 2-1/4
Glass Condition	N/A
Wood Condition	90%
Glazing Putty	N/A
Screen Conditions	N/A
Finish Conditions	Fair
Sill Conditions	N/A
Jamb Conditions	Good
Overall Condition	Poor
Overall Degradation	15%
Component Degradation	15%
Recommendations	Replace Door
Notes: Degradation between vertical laminations.	

Summary:
Flat panel door with exposed screw heads is constructed of 3 layers of laminated 1X4 T&G soft wood material, that is, **not** cross-laminated. The door is constructed in a substandard manner of vertical lamination causing the door to rack and bow into a constantly changing shape and renders the door inoperable. Although the material that makes up the door is not decayed refurbishment of the door in kind would not repair the construction design flaw that causes the door to be inoperable.

636 Garcia

Custom Manufacturing and Architectural Antiques



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ORIGINALS

Glover Finish 11042-02 and 11062-08 Please
ask if you have any questions regarding the
finish



Approval Name _____

Date _____

505/984/8164 fax 505/986/5838
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