



# Agenda

## HISTORIC DISTRICTS REVIEW BOARD FIELD TRIP

TUESDAY, April 23, 2019 at 12:00 NOON

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

## HISTORIC DISTRICTS REVIEW BOARD HEARING

TUESDAY, April 23, 2019 at 5:30 P.M.

SANTA FE COMMUNITY CONVENTION CENTER

LAMY CONFERENCE ROOM

\*\*\*Second Amended\*\*\*

### CALL TO ORDER

- A. ROLL CALL
- B. APPROVAL OF AGENDA
- C. APPROVAL OF MINUTES: April 9, 2019
- D. FINDINGS OF FACT & CONCLUSIONS OF LAW

Case #H-19-025, South Guadalupe Street.

Case #H-18-136B, 525 Camino Cabra.

Case #H-19-026A, 404 Montezuma Avenue.

Case #H-19-018, 940½ East Palace Avenue.

Case #H-19-023, 576 ½ West San Francisco Street.

Case #H-19-024, 207 West San Francisco Street at Burro Alley

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

1. Case #H-19-017, 460 Camino de las Animas. Downtown & Eastside Historic District. Lightfoot Inc., agent for Robbin and Alice Dawson, owners, proposes to construct a 51 sq. ft. addition and to replace windows and doors, amending an approval to remodel a significant structure. Exceptions are requested to change windows, doors, and openings on primary facades of a significant structure (Section 14-5.2(D)(5)(a)), and to construct an addition to a non-historic portion of a primary façade (Section 14-5.2(D)(2)(c)). (Carlos Gemora, cegemora@santafenm.gov, 955-6670)
2. Case #H-19-020B, 920 Paseo de Peralta and 250 East Alameda Street. Downtown & Eastside Historic District. John Padilla, agent for El Castillo Retirement Communities, owner, proposes to construct an approximately 6,500 sq. ft. addition to a non-contributing, multi-unit residential structure to the existing height of 27'0". (Carlos Gemora)
3. Case #H-19-028, 9 and 10 Montoya Circle. Downtown & Eastside Historic District. Carol Ware, agent for Triple W LLC, owner, proposes to construct a 1,158 sq. ft. and a 1,696 sq ft. residence to a height of approximately 17' and 18'6" on a sloping site where the maximum allowable height is 15' 10" on a vacant lot. (Lisa Roach, Planner Manager, lroach@santafenm.gov, 955-6657)
4. Case #H-19-030, 535 Camino del Monte Sol. Downtown & Eastside Historic District. Trey Jordan agent for Brian Bershad and Helen Schoch, owners, proposes to enclose a carport on a non-contributing residential structure. (Carlos Gemora)
5. Case #H-19-031, 645½ East Palace Avenue. Downtown & Eastside Historic District. Keith Gorges, agent/owner, proposes to construct a detached trellis to a height of 9'1" in front of the primary façade of a contributing residential structure. (Lisa Roach)
6. Case #H-19-022A, 300 Sena Street. Don Gaspar Area Historic District. Staff requests the designation of primary façades on a contributing residential structure and a contributing garage. (Carlos Gemora)
7. Case #H-19-022B, 300 Sena Street. Don Gaspar Area Historic District. William Beck, agent for Julie Gallegos, owner, proposes to replace windows on a contributing residential structure and contributing garage. An

exception is requested to replace historic windows on a primary façade (Section 14-5.2(D)(5)(a)(i)). (Carlos Gemora)

8. Case #H-19-029, 107 Cienega Street. Downtown & Eastside Historic District. Robert Watson, agent for Albert and Kathy Schultz, owners, proposes to replace windows and doors on a contributing residential structure and amend previously approved window replacements. An exception is requested to replace historic windows on a primary façade not in-kind (Section 14-5.2(D)(5)(a)(i)). (Carlos Gemora)
9. Case #H-19-027, 503 Camino del Monte Sol. Downtown & Eastside Historic District. Christopher Purvis agent for Gail Gilbert, owner, proposes to construct a new garage, to build an addition connecting two structures, to increase the height of a yardwall to the maximum allowable height of 57", to replace windows and doors, and install an eyebrow over a door on a contributing residential structure. Exceptions are requested to alter opening dimensions on a primary façade and to place an addition on a primary façade (Section 14-5.2(D)(2 and 5)). (Lisa Roach)

#### H. MATTERS FROM THE BOARD

1. Case #H-19-019. Consider motion to rescind HDRB action made on March 26, 2019, regarding historic status of 105, 112, 114, 115, 118, 120, and 121 Camino Santiago (Plaza del Monte Subdivision).
2. 2019 Santa Fe Heritage Preservation Awards Selection

#### 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](https://www.santafenm.gov/historic_districts_review_board) for more information regarding cases on this agenda. Persons with disabilities in need of accommodations, contact the Historic Preservation Division office at (505) 955-6605 five (5) working days prior to the meeting date.

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DATE: April 17, 2019

TIME: 1:34 PM



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

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TIME: 11:20 AM

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1. **2019 Santa Fe Heritage Preservation Awards Selection**

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DATE: April 4, 2019

TIME: 2:32 PM

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1. 2019 Santa Fe Heritage Preservation Awards Selection

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**SUMMARY INDEX**  
**HISTORIC DISTRICTS REVIEW BOARD**

April 23, 2019

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2. <b>Case #H-19-020B</b> 920 Paseo de Peralta/250 E Alameda	Postponed with directions	18-31
3. <b>Case #H-19-028</b> 9 and 10 Montoya Circle	Approved with conditions	31-38
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**MINUTES OF THE**  
**CITY OF SANTA FE**  
**HISTORIC DISTRICTS REVIEW BOARD**

**April 23, 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 Council Chambers at City Hall, 200 Lincoln Avenue, 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  
Ms. Jennifer Biedscheid  
Mr. Anthony Guida  
Ms. Flynn G. Larson  
Mr. Herbert Lotz  
Mr. Buddy Roybal

**MEMBERS EXCUSED:**

**OTHERS PRESENT:**

Mr. Carlos Gemora, Senior Planner  
Ms. Lisa Roach, Planner Manager  
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**



Ms. Roach pointed out an error in the caption for the third case.

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

**VOTE: The motion passed by unanimous (6-0) voice vote with Members Biedscheid, Katz, Guida, Larson, Lotz and Roybal voting in favor and none voting against.**

### **C. APPROVAL OF MINUTES: April 9, 2019**

Member Katz requested a change on page 42 in the discussion on motion, it should say, "those façades are in the historic district."

Member Lotz requested a change on page 14, last paragraph, second sentence, where "menacing" should be "amazing." Amazing was how he found the sign ordinance.

Member Biedscheid requested two changes. On page 6 in the sixth paragraph, to strike the last part of the sentence and insert, "number of total exceptions required for a single project." And on page 13 in public comment, the name of the person speaking was "Christian Snyder."

Chair Rios requested the following changes:

On page 9, 3<sup>rd</sup> paragraph, Chair Rios suggested ~~like~~ such as a change to a primary façade.

On page 12, 5<sup>th</sup> paragraph, it should say, "Chair Rios asked if it belongs to the City."

On page 14, 8<sup>th</sup> paragraph, should say, "Chair Rios said the statue at the church evokes a different feeling for her."

On page 15, Raymond Herrera sat on the Guadalupe Parish Council, not on the HDRB.

On page 45, second paragraph, it should say, "The Board asked why minor modifications come to the Board."

Member Larson requested a change on page 33, second paragraph which the stenographer could not find.

**MOTION:** Member Katz moved, seconded by Member Biedscheid, to approve the minutes of April 9, 2019 as amended.

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

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

<u>Case #H-19-025</u>	South Guadalupe Street
<u>Case #H-19-018</u>	940½ East Palace Avenue
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<u>Case #H-19-026A</u>	404 Montezuma Avenue
<u>Case #H-19-024</u>	507 West San Francisco Street at Burro Alley

**MOTION:** Member Biedscheid moved, seconded by Member Katz, to approve the Findings of Fact and Conclusions of Law as presented.

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

#### **E. BUSINESS FROM THE FLOOR**

Ms. Stefanie Beninato said the Board will be talking about interpretations later on. "How I look at the ordinances is that you are separate from LUD and not in the direct chain of command under Carol Johnson's control." What concerned her was not having a place in the ordinance that defined the functions the staff may have been given. Over the years, the Board did that little by little. Her interpretation was that it is the Board who delegate powers to the Staff. Heritage Hotels have come several times and instead of talking about design and data on hardship, they talk about what a great community partner they are. Three weeks ago, in Albuquerque, it was reported they engaged in theft. They underpaid their workers who were on overtime and fine was more than the amount paid to employees.

## F. COMMUNICATIONS

It was announced that Ms. Roach is now officially the Planner/Manager for HPD.

The Board congratulated her.

## G. ACTION ITEMS:

Chair Rios explained to the public how to appeal a decision of the Board and asked applicants to remove the large notice sign after their case has been acted on by the Board for up to 15 days. She asked speakers to be succinct in their comments.

1. **Case #H-19-017. 460 Camino de las Animas.** Downtown & East Robbin and Alice Dawson, owners, proposes to construct a 51 square foot addition and to replace windows and doors, amending an approval to remodel a significant structure. Exceptions are required to change windows, doors, and openings on primary façades of a significant structure (Section 14-5.2 D 5(a)) and to construct an addition to a non-historic portion of a primary façade (Section 14-5.2 D 2(c)). Carlos Gemora, [cegemora@santafenm.gov](mailto:cegemora@santafenm.gov), 955-6670)

Mr. Gemora presented the Staff Report as follows:

### **BACKGROUND & SUMMARY:**

460 Camino de las Animas is a residential structure and garage designated significant to the Downtown and Eastside Historic District. Originally constructed with Territorial features and inhabited by artist B.J.O. Nordfeldt around 1921, the home has since endured major renovations including large additions in 1958, a rear breakfast room addition in the 1970's, and the transition from Territorial to Spanish-Pueblo Revival details. Character defining features include a recessed portal with wooden viga posts; hand-carved corbels, lintels, and trim; simple block massing, and undulating parapets (historic but not original).

At a status review in May 2013, the board focused on the cultural importance of B.J.O. Nordfeldt. Though the building has changed over time, the Board upgraded the building to significant with the recognition that façades 6 - 8, and 10 - 12 did not contribute to the significance of the structure (H-13-030A). The Board also approved two rear additions totaling about 730 sq. ft. and exceptions to replace, infill, and/or expand most of the historic windows and doors not in-kind (H-13-030B). The applicant did not move forward with the board-approved actions.

In March 2018, a new applicant requested similar but less intensive modifications to windows and doors. The Board approved multiple maintenance and repair requests along with

exceptions to infill basement windows and to add a chimney to the non-historic breakfast room. The Board postponed action on requests to replace, add, and alter windows and doors and also a request to add a small addition to the breakfast room. For the replacement of windows and doors, the board asked the applicant to consider repairing historic material when possible rather than using replacements and for wood replacements when necessary. For the addition to the breakfast room, the Board discussed minor design changes and asked for revised drawings to be brought back for approval.

The applicant returns to the Board with eight items (no longer grouped) requiring an exception and twelve items which do not require an exception. Each change is presented individually to allow the board to consider the specifics of each feature. All window and door replacements would now be with thermal pane, divided-lite units painted "linen" white. Though the applicant originally proposed clad units of a different style, they now propose wood windows in kind (same size, style, material, and color). Windows originally considered irreparable are proposed to be replaced in kind in accordance with the code (14-5.2(D)(5)(a)(i)) and as requested by the Board in March. Potentially repairable windows which the applicant proposes to replace are argued to not match, to be of inferior quality, or to be with less historic integrity.

Items requiring an exception to change doors and windows on primary façades (14-5.2(D)(5)(a)):

1. Replace historic window W2 and sill within existing trim in-kind. W2 is in fair condition but is an infill window of mediocre quality, does not match the original windows, and is without operators.
2. Replace historic window W3 and sill within existing trim in-kind. W3 is in fair to poor condition, suffers from rot and degradation, and is without operators.
3. Replace historic window W4 and sill within existing trim in-kind. W4 is in fair to poor condition, suffers from rot and degradation, was installed without counter weights and is of mediocre quality and installation which does not match the original windows.
4. Replace door D4 with new wood ½ light door. D4 is in fair condition but is of mediocre quality and suffers from degradation.
5. Add a new door (D20) to the west elevation (#9) with new wood raised panel ½ light door. The door would allow handicap access to the backyard without necessitating a large ramp.
6. Replace non-historic door and window D5 & W11 on the south elevation of the 1970's addition with a wood, divided-lite door and sidelight with a screen to match other existing screen doors. The existing door and window is in poor condition and suffers from significant degradation.
7. Replace door D6 on the north elevation with a new wood ½ light door. D6 is in fair condition but may not be historic, is of mediocre quality, and does not appear to contribute towards or match the significant building.

Item requiring an exception to add onto a primary façade (14-5.2(D)(2)(c)).

8. Add an approximately 50 sq. ft. laundry room addition to the non-historic, non-publicly visible breakfast room addition. When last discussed by the Board, the applicant agreed to make minor design changes and re-present the proposal.

Items not requiring an exception:

9. Remove non-historic plastic covers on doors D2 & D3 and replace with replica screen doors to match the existing screen door at D1 and which were historically present.
10. Refurbish historic doors D2 & D3 and repaint in white to match existing. Doors are in good condition and need to be re-fitted to operate better.
11. Replace screen door at D4 with new screen door matching the existing screen at D1.
12. Replace historic window W5 and sill within existing trim in-kind. The window is in poor to fair condition and is recommended for replacement.
13. Replace historic window W6 and sill within existing trim in-kind. The window is in poor to fair condition and is recommended for replacement.
14. Replace historic window W7 and sill within existing trim in-kind. The window is in poor to fair condition and is recommended for replacement.
15. Replace historic window W8 and sill within existing trim to match in-kind and as an operable awning window. The window is in poor to fair condition and is recommended for replacement. The change in operability will have no visual impact on the structure.
16. Replace historic windows W9 and W10 and sill within existing trim in-kind. The window is in poor to fair condition and is recommended for replacement.
17. Replace non-historic window W12 and sill within existing trim in-kind. The window is in poor to fair condition and can be replaced in-kind without an exception.
18. Replace screen door at D6 with new screen door matching the existing screen at D1.
19. Replace tile base board at front portal with El Rey "Adobe" stucco.
20. Add a non-publicly visible skylight in bedroom 2.

**EXCEPTION CRITERIA:**

**Exception to 14-5.2(D)(5)(a):** Proposed replacement of windows, doors, and openings (historic and non-historic) located on the façades (primary) of a significant building (items 1-7):

- (i) Do not damage the character of the district.

Applicant Response: All proposed widow and door alterations would not damage the character of the district. They are sized and configured to replicate, and mimic the existing units to be replaced, in kind, and were specifically designed to fit within, and not disturb the existing historic trim and lintels, in the most minimal way, preserving the character of the district. The design and finish of the windows and doors has been selected to match, replicate and follow the existing design of the original construction and thus provide the least negative impact.

Staff response:

All items: *Staff note that the Board appeared to have designated a significant status*

*primarily because of the property's association with Nordfeldt, perhaps recognizing moderate/major alterations since Nordfeldt lived there, and that the Board approved window and door changes, infilling openings, and additions in 2013. Staff also note that all historic trim and hand-carved lintels which embody the significant character will remain.*

Items 1-4 & 7 (Replacement of historic windows and doors): *Staff agree that the in-kind replacement of windows and doors will not damage the character of the district.*

Item 5 (Adding a new doorway): *Staff agree that a new doorway would not affect the overall, outward-facing historic character and significant historic association of the home.*

Items 6 (Replacing a non-historic window and doors): *Staff agree that changing non-historic windows and doors on a non-historic addition will not damage the character of the district and will not damage the historic integrity of the building. Further, staff recognize that the new door & window would better match existing doors on the building.*

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

**Applicant Response:** The proposed windows and door alterations (items 1-7) are requested to prevent the hardship of unsafe and difficult operation to the applicant excessive thermal bypass, unintended air leakage and excessive maintenance, Restoring the current, proposed to be replaced windows, would leave the windows with an inadequate operational system that would not allow accessible operation of the windows for the elderly, as they do not have operators pulleys or weights that could be repaired for correct operation. The existing windows exhibit excessive thermal bypass and unintended air leakage and though, could be mitigated somewhat by restoration could not be eliminated. The existing windows and doors could not be modified with thermal pane glass without altering their character, as their profile is too thin to accommodate the change. In accordance with the window assessment these units have been recommended to be replaced as an option due to a verity of factors including degradation level, and the substandard nature of construction including not having operators pulleys or weights. If the windows were repaired, significant portions of the historic material would need to be removed and replaced with material that would no longer be historic thus making replacement the best option to mitigate these hardships.

The proposed new expanded opening and new opening (item 5 & 6) will allow for Handicap access to the outside from the building without the use of stairs, and thus prevent hardship to the applicant.

**Staff Response:**

Items 1-4 (replacement of historic windows and doors): *With the original proposal to replace not in-kind, staff did not find a demonstration of hardship. With the current proposal to replace in-kind and after discussing the condition, operability, historic integrity, and historic context of the existing windows and doors, however, staff agree that the criteria has been met. Staff also notes that the most significant and original windows and doors on the front, eastern façade and in the original living room are planned to be refurbished. Staff encourage the applicant to testify more about the quality and potential historic integrity of the doors and windows to allow the Board to consider the reasonability to repair or replace.*

Item 5 (new door): *Staff recognize that handicap access constitutes a hardship and agree that the applicant has met the exception criteria but are unsure whether its particular placement on an original façade is exactly necessary. Staff note that the board approved changing a window into a door on the bedroom in 2013 on the southern 1958 addition.*

Item 6 (non-historic windows, doors, and openings): *Staff agrees that the applicant has met the hardship criteria to change a window, door, and opening on a non-historic façade. Although the board intended to exclude the non-historic facades from being primary facades, a significant status includes all façades as primary which places an unintentional hardship on the applicant. Staff also recognize the hardship of creating handicap access.*

- (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: Replacing the windows and doors, (items 1-8) with more durable long lasting, units in the design configuration of the existing windows and door that are easier to maintain and operate will strengthen of unique heterogeneous character. This replacement option ensures the longevity of the overall building character for a prolonged time and thus strengthens the overall building perseverance. The proposed replacement windows are designed to fit within the existing, character defining trim, with the least negative impact. The premise here is maintaining the look of the building and operation of the openings so residents can continue to reside within the district, over the longest period of time.

Adding the door to the west façade and proposed expanded opening on the non historic addition (item 5 & 6) will allow for Handicap access to the outside from the building without the use of stairs, and thus makes the building more accessible to all, with the least negative impact to other more predominate facades.

Staff Response: *Staff agree that the applicant has considered multiple options for each proposal item and agree that the proposal will increase the livability and functionality of the home for residents.*

Exception to 14-5.2(D)(2)(c): Proposed addition of a 50 sq. ft. laundry room and chimney on a non-historic façade (primary) of a significant building (items 10 & 11):

- (i) Do not damage the character of the district.

Applicant Response: The addition is replacing an existing chimney that is currently higher than the proposed addition and already not visible from the street and thus will not affect the character of the streetscape. The chimney being moved will be smaller than the other kiva chimney on the historic façades and thus be more in keeping with the historic vernacular of the house in style. This will also not be visible from the street and thus not impact the street scape.

Staff Response: *Staff agrees with this response, especially that internal chimneys are more in*

*keeping with the style of the home and that this chimney would match the historic chimney on the southeast corner of the building. Staff further notes that the breakfast room is not historic and that the board approved a larger addition in a similar spot in 2013.*

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

Applicant Response: The current home is without a laundry room nor a location for one outside of the living, dining, bed, and bath areas. Adding a laundry room would prevent the hardship of removing existing currently occupied, dedicated space to create an area for laundry machines and space. The current fireplace smokes into the room and is dysfunctional. Building a new functional fireplace and relocating the chimney would prevent hardship by eliminating a possible carbon dioxide pollution into the house

*Staff Response: Staff agrees with this response. Considering that the breakfast room is a non-historic addition and that the proposed addition would make the massing slightly more harmonious with the historic home, staff recognize the addition to solve a design, safety, and usability hardship.*

- (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 Laundry room and chimney are simple and unobtrusive in style yet in keeping with the vernacular of the Downtown Eastside District while adding additional features that strengthen the building heterogeneously.

*Staff Response: Staff agrees with this response. The applicant considered other additions but all sides of a significant building are primary and the two other sides that are non-historic have a window and a door. The side the applicant proposed has an undesirable fireplace with a unique and non-historic architectural feature not found on the rest of the building.*

#### **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. \_

Addition to a Primary Façade:



#### 14-5.2(D)(2) Additions \_

- (a) Additions shall have similar materials, architectural treatments and styles, features, and details as the existing structure, but shall not duplicate those of the existing structure in a manner that will make the addition indistinguishable from the existing structure.\_
- (b) Additions to buildings that meet the standards of Subsection 14-5.2(E) shall continue to meet those standards set forth in Subsection 14-5.2(E) in addition to the standards set forth in this section. \_
- (c) Additions are not permitted to primary façades.\_

#### Windows & Doors:

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

- (a) For all facades of significant and landmark structures and for the primary facades 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.

#### 14-5.2(C) Regulation of Significant and Contributing Structures in the Historic Districts

##### (1) Purpose and Intent

It is intended that:

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

#### 14-12 Significant Structure:

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

- (A) for its association with events or persons that are important on a local, regional,

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

#### 14-12 Primary Façade:

One or more principal faces or elevations of a building with features that define the character of the building's architecture.

#### 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

### **STAFF RECOMMENDATION:**

Staff finds that all exception criteria to change windows, doors, and to construct an addition to a primary façade have been met and recommends 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(E) Downtown and Eastside Design Standards.

### **Questions to Staff**

Member Roybal commented on their site visit and they saw there were so many changes. He asked Mr. Gemora if he was comfortable with his recommendation.

Mr. Gemora said he was. He spent time on the site visit looking at window quality and there is a very detailed window assessment which he went through and asked the applicant for the differences on that assessment. So he was relatively comfortable with it although there are probably more comments the applicant could make.

Chair Rios explained that even though it has a significant status, in this unusual circumstance, it has some non-historic elements that are not considered part of the significant status. She asked, with the proposed changes, if Staff believes that status of Significant would remain.

Mr. Gemora agreed it would keep the Significant status. The Board also approved more intensive types of changes and the status remained Significant because the significance was for the original constructor and the artist who lived there. There is a significant carved wood door and trim. Those features would still remain.

Chair Rios asked who did the window assessment.

Mr. Gemora said Scott Cherry did it.

Chair Rios asked if the applicant is replacing in-kind.

Mr. Gemora agreed.

Chair Rios asked Mr. Gemora to indicate the façade numbers.

Mr. Gemora said he grouped all sides as primary even though some are non-historic. The applicant proposes to replace eleven windows and three doors. He

identified the façades by number.

Chair Rios noted in the third paragraph; the date should be March 2019.

Member Guida appreciated this clarity. He remembered the discussion from last time. The question for Staff was, referring to the drawing of the proposed door, whether all doors are being replaced.

Mr. Gemora said he would let the applicant speak to that. He did not remember specifics on D-4 and D6. He pointed out D5 is for replacement.

Member Guida asked about removal of the balustrade.

Mr. Gemora explained that was done at an earlier meeting.

Member Biedscheid asked him to explain how he responded to the exception for an addition on a primary façade.

Mr. Gemora said they were absolutely needing replacement. And for the others, the applicant is to try to repair. So, he did not ask for an exception.

#### Applicant's Presentation

Mr. Scott Cherry - 2351 Frost Road, Suite 100, was sworn.

Chair Rios thanked him for his very knowledgeable presentation last time.

Mr. Cherry said he wanted to address a couple of overall issues in this conversation and a couple of specific ideas.

Overall, we have tried to honor this building and address the maintenance issues with a replacement and repair strategy that best suits the building. And on the fact of the significant status stemming from the artist and the portions of the building without proposed alterations. Specifically, there seemed to be a lot of items, which were discussed at length with Mr. Gemora that he packaged with those not approved before item by item. Other than the skylight that was not on the last proposal, or the replacement of the tile that were falling off under the portal with stucco, everything else is the same and just repackaged and hopefully clearer.

The windows that are on the edge for replacement vs repair are W-2, 3, 4. As a window assessor and construction professional and looking at it with regard to why the building is significant, I don't feel they are impressive windows. They are substandard; not significant. And the doors D4 and D6, were affected over time. Those are just builder-grade doors and windows and not hand-crafted like the others.

In addition, windows 3 and 4 have no operators. So there is no way to restore those to a functionally proficient operational manner. Counterweights and pulley are not there - they did not have them at installation.

So he believed he has addressed every concern the Board had - replacing in-kind in the new components that will be operational and functional and totally in-kind with what is there now.

Regarding the two doors the Board brought up, there are photos of them in the packet. The fifth photo on page 30 shows the D-4 door through the screen and the transom and door jamb will not be replaced. To rebuild it would not be very feasible and is not publicly visible and was not an impressive door. It is the same with door D-6 that is shown at the bottom of page 33. It has a nine-light pattern and was installed at a different time with a lintel over the top. The lintel was original, and the underneath was infilled when the door was added at a later date. It too, was a substandard door.

#### Questions to the Applicant

Member Guida asked if he is replacing in-kind.

Mr. Cherry agreed and added that he was not replacing the trim.

Member Guida asked if the D-4 door was also be replaced in-kind.

Mr. Cherry said yes. He showed the new door design of a single raised panel door with a nine-lite pattern on top.

Member Gida asked in summary if all new doors would be in-kind replacements.

Mr. Cherry agreed and all of them with wood.

Member Larson said it was a very thorough assessment but some for replacement are questionable whether they are repairable or not. When it comes to character-defining features, we always want to start with a repair process before bringing new materials in. He appreciate that Mr. Cherry considered that.

Mr. Cherry said he definitely considered that. There are a lot of different ways to approach window repairs. They considered the frame of the window whether they wanted to replace that or leave it installed. They are leaving the jambs and installing new windows in order to preserve the trim. So it is not same as a typical window replacement. The assessment, depending on which component assessed the degradation. It was different, whether sash only or sash and frame. So there are some repairable parts. The sills are like sponges that you can stick your finger in. He felt, in

thinking that through, that he had chosen the most sensible way to go about it and just replace the degraded material.

Member Biedscheid asked his comment on exception criteria responses for window W-2, which has corbels. She asked if it was formerly a screened porch.

Mr. Cherry said it was not.

Member Biedscheid felt the criteria were all met with windows, but for the one door we don't have much on is the new door and is creating a new opening on a primary façade vs having it on another façade.

Mr. Cherry explained the reasoning behind that was to not be forced to build a ramp that affects the façade as well. Opening a new window was not ever considered, mostly because the windows are fairly significant. The different levels can be seen, with stairs up to almost all openings and that was the least obtrusive place for the ADA door.

#### Public Comment

Stefanie Beninato, P. O. Box 1601, was sworn. She felt this project is overwhelming with the number of changes and they have come several times for requests.

She agreed the windows that are not operable need to be operable. She appreciated the owner and designers doing the least damage to historic fabric and replace only sashes and sills. That is great. She had some concern about the ramp for access and felt having it on a non-visible façade would be more acceptable.

She wanted to talk about replacement of the tile - that is a characteristic element although small, but she thought it should be replaced with tile.

Mr. Cherry commented that the structure is on a rubble foundation and had a basement with effervescence causing moisture and a high percentage of tile just fell off. The reasoning behind replastering with lime plaster where it has gypsum plaster is to put a product to mimic the look, yet hold up to the challenges with wicking moisture.

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

#### Board Discussion

Member Katz said for the new door, he shared people's feeling that it would be nice to have entrance elsewhere, and looking around the house, there are none. So he asked why not use a window opening, and the applicant's response is very strong. "So

given those considerations, I'm not thrilled but accept that change."

Mr. Cherry said the last time he was present, he proposed making the kitchen windows four inches shorter. That was why he did not want to consider opening another window to become a door.

Member Biedscheid referred to door D6 that has a sidelight. She noted an expanse at the patio in back and asked what the issue was with a ramp there. She was thinking of changes that could be chosen.

Mr. Cherry said the main issue is probably the drainage. Last time, the Board approved the elimination of two basement windows. All drainage of this building goes toward that stairs and there will be some regrading and a landscape of that area and that is the reason.

#### Action of the Board

**Member Guida moved, seconded by Member Roybal, in Case #H-19-017 at 460 Camino de las Animas, to approve the application per staff recommendations and determining that all exception criteria have been met. Member Roybal requested a friendly amendment that drawing details for D4 and D6 be submitted to Staff. Member Guida accepted the amendment as friendly.**

Member Biedscheid asked, in light of the drainage issues, for item #5, as reason [inaudible].

Mr. Gemora asked Member Guida if his motion was for both exceptions.

Member Guida said his motion was that all exceptions have been met.

**The motion passed by unanimous (6-0) voice vote.**

- 2. Case #H-19-020B. 920 Paseo de Peralta and 250 East Alameda.** Downtown & Eastside Historic District. John Padilla, agent for El Castillo Retirement Communities, owner, proposes to construct an approximately 6,500 sq. ft. addition to a non-contributing, multi-unit residential structure to the existing height of 27' 0". (Carlos Gemora)

Mr. Gemora presented the Staff Report as follows:

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

920 Paseo de Peralta is a vacant parcel of land currently used as a parking lot and located in the Downtown and Eastside Historic District. To the north is the Santa Fe River, to the east is Paseo de Peralta and the entrance to Canyon Road, and to the West is 250 East Alameda, also known as the El Castillo retirement complex.

The applicant proposes to build an addition to the existing River Building, a non-historic, 27,000 sq. ft. parking and 19-unit residential structure built to a height of between 27'-0" and 42'-0". The River Building is currently located on 250 East Alameda but would expand onto 920 Paseo de Peralta. The addition would match the existing, Spanish-Pueblo Revival features and would be built to a streetside height of 23'-0" and a total height of 27'-0".

The March 2019 proposal was to build four, second-story units with parking and storage on the ground floor. The original design had simple, two-story massing set back from the sidewalk a minimum of 12'-0" and with 8'-0" inset corners. The first floor had grates on the windows and the only visible door was a roll-up vehicular door facing the parking lot. The Board postponed the request, asking the applicant to significantly increase the setbacks, to make the first floor look less like a garage, and to construct a physical model for the board to review.

The applicant worked with staff to revise their proposal and returns with a slightly smaller building looking less like a parking garage, more like a typical residential/commercial building, and with larger second-story setbacks. To match the existing building's finishes, the applicant proposes STO "Pueblo" colored synthetic stucco, divided-lite clad windows colored "light putty," and exposed, stained lintels.

1. A landscaped retaining wall will be set back a few feet from the back of the sidewalk.
2. The 14'-0" high first floor massing setback is now proposed at 11'-0" to 14'-0" from the sidewalk with a smaller 13'-0" high bump out.
3. Stuccoed portals, open on the bottom and providing a second story deck on top, have been added to the corners of the building and are set back only a few feet from the sidewalk (along with the landscaped retaining walls).
4. The garage door has shifted farther from Paseo de Peralta and will be shaded by a 7'-0" deep portal.
5. The garage grate windows facing Paseo de Peralta have been replaced by regular windows to match the rest of the building and without glazing to maintain ventilation. Together with doors under the portals, building fenestrations now appear more like a regular residential or commercial building instead of a parking garage.
6. Per the Board's request, the applicant has increased the entire second-story setback from the originally-proposed 12'-0" to approximately 20'-0". The 14'-0" first floor massing will now be more prominent than the 23'-0" second story massing.
7. The 27'-0" high portion of the addition would still be setback approximately 70'-0" from the street.
8. A two-story portal would connect the existing River Building and the proposed addition.



### **RELEVANT CODE CITATIONS:**

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

##### **(2) Recent Santa Fe Style\_**

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

- (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. Per 14-5.2(A)(1) General Purpose, staff encourages the Board to consider the growth and development of the Paseo de Peralta corridor and to evaluate whether the proposed project is harmonious with the style, form, and design of historic buildings.

### **Questions to Staff**

Member Roybal asked if this application is different from the letter.

Mr. Gemora said it is the same letter but with good color photos instead of the grainy black and white pictures in the packet.

Member Katz went to page 31, which he thought was the latest version and saw something on the rendering that was labeled "portal" and asked what it was.

Mr. Gemora said the idea is that the bottom will be open, but it would have a roof. It could be a usable planter or a landscaped portal on the bottom and on second story is the portal roof, so it has a roof deck.

Member Katz thought on first floor, it looked like it has doors.

Mr. Gemora agreed and pointed them out.

Member Katz saw what was going on there. He asked how many parking spaces are required for the three additional units.

Mr. Gemora said three spaces are required for the three units. The underlying zoning in the BCD requires one parking space per unit. He thought the Applicant was proposing parking for other purposes, as well. Additional units could trigger a review of the entire property. He did not do the preliminary zoning review but "in a vacuum," three are required in the BCD zone.

Chair Rios thought the proposed lot is not very large. She asked for the dimensions of it.

Mr. Gemora noted that some is taken up by a drainage easement and without it, the lot is about 75' wide x145' long.

Chair Rios said Mr. Gemora indicated the sidewalk along Paseo is there and a few feet back is a retaining wall.

Mr. Gemora agreed. At the last meeting, the applicant said they would landscape that as well as the top and inside.

Chair Rios asked for the height of the retaining wall.

Mr. Gemora said it was three feet high.

Chair Rios asked if it was that height all along Paseo.

Mr. Gemora said it was, except for the curb cuts.

Chair Rios asked how far back the building is.

Mr. Gemora said depends on which part. At the second story, the planter underneath and the posts would be only a couple of feet from the sidewalk. The first floor is between 11-14 feet from the sidewalk.

Member Katz did not understand how the first floor is set back that far. The maximum might be 11 feet, but the western side is right at the sidewalk.

Mr. Gemora referred to sheet 31 and said the bump-out is approximately 11' from the sidewalk. The 14' high massing including the roof deck railing wall that would be from 11' to 14' back from the sidewalk.

Member Katz said the planter that looks like part of the first floor on the left, is two feet from the sidewalk.

Mr. Gemora agreed the planter wall is only a couple of feet from the sidewalk.

Member Katz said it really reads like a portal with an open deck on top.

Mr. Gemora said the posts and wall will be set back two feet.

Member Katz asked if it is a deck on top.

Mr. Gemora agreed.

Member Katz said it also has no access to the deck.

Mr. Gemora thought the access was through sliding doors. On the east elevation you cannot see them because the railing is there.

Member Biedscheid noted on the zoning worksheet under Number of parking spaces, it says a minimum of 15 spaces. She asked if that is a requirement.

Mr. Gemora said that worksheet was filled out by the applicant who can explain that. He said he did not review the preliminary worksheet. A current planner looks for compliance.

### Applicant's Presentation

Mr. John Padilla, 2301 Camino Artista, was sworn. He said, "Thank you for allowing us to present to you. There were significant changes. The way we noted the planter and portal is misleading. It is an open deck area and includes a planter as part. The doors on the garage at the lower level, makes it appear more residential and looks similar to

the ones across the street.

"There is some confusion. One thing Chair Rios asked from us was that it needed to have a physical model and I will show that to you now."

Mr. Padilla put the model on the Board's table, and said, "That may help in looking at the massing. I did not include buildings to the east, but we have the attachment to the east River Building. The color photos we provided also show a number of properties along Paseo. There was some concern last time about the gallery there.

"We wanted to make it appear more residential in scale. The residences that were there are commercial now and most are right at the property line. To the south, the Peters Gallery has a wall right on property line and significant second story additions. In some of the pictures."

Mr. Padilla showed some of the existing buildings on the east side. He showed one with windows right on the property line. "Ours is not a retaining wall but a planter about 3' high along the sidewalk like several others, with a little room between the planter and the sidewalk."

He said, "It is a small lot but refer to the additional land to the north that falls off down to the river. Our property line is just to the south of the river so there is a significant buffer on the north. The building just to the north of the Peters Gallery has a portal right on the property line and the building is set back 3-4' with a little portal.

To lessen the shape of the property, it is at the property line and then increases back. We have some distance between the sidewalk to the planter and will create some ground space there. So we are creating that type of portal at the lower level."

Mr. Padilla showed a picture of the Peters Gallery and pointed out that there are two stories close to the property. The Mateucci Gallery is two-story. "We want to get away from the parking lot on the street, so we have a better environment. We are trying to do something a little better with an enclosed garage. The second floor of Nambé Retail is about 25' tall. The lower part is 14' tall and matches what we have in the proposed garage at 14' tall. So it almost aligns with the Nambé building.

In the background on the east building, the school is located there, and it was referenced last time. The Inn at Alameda has a two-story tower and three-story units on the property. The Peters Gallery has a two-story façade at the back.

"We are taking 50% of the property width to develop additional units. We are proud of the Nambé Building façade with the second floor, and don't align with the second story of that building. The other two-story building on Paseo is across from the Peters Gallery. We tried to be responsive to Board comments from the previous meeting and make changes to lessen the impact of the parking facility and what pedestrians would

see.”

### Questions to the Applicant

Chair Rios asked how many parking spaces are proposed.

Mr. Padilla said they proposed 15 spaces, which is reduced from the earlier submittal.

Chair Rios asked why they are proposing 15.

Mr. Padilla said they had to move things around and lost 3 parking spots because the Board asked us to push it back.

Member Roybal appreciated the model. Thanks for doing that.

Member Katz said he also appreciated the effort to make it fit better and acknowledged that a lot of the buildings on Paseo are quite close to the sidewalk. He said, “What puzzles me is the parking. I strongly felt and still feel the second floor is way too close to the road. Peters has his second story so far back that coming around the corner you don’t even see it.”

“The Nambé building does have a second floor, and I guess I would think it makes more sense to have your second floor set back as far as the Nambé building is. I don’t understand it. I assume you know my wife and I will need to go to El Castillo someday. The object is to get more units. You could have four units with two on top. All this space for parking seems crazy to me. I cannot support this version because of how close the second story is to the road.”

Mr. Padilla said the existing facility is a surface parking lot. It is a double-loaded parking lot used sometimes for overflow parking and a situation where it is and has always been a parking lot. It has always been open, but the owners want to develop it. It is a viable project. Four units would have been great. But living units on the ground floor have safety problems, given the heavy pedestrian traffic and homeless camping out under the bridge. The path actually forks with pedestrians up to the portal, and the other path is worn out by the homeless for shelter under the bridge. If we had units there - people want an open deck - with a deck on the ground floor, getting over a wall and grabbing what is there could happen. Safety for the residents is paramount with El Castillo on a daily basis. That is why people, as you said, seek out that kind of living. It is still home to them and they will decorate outdoors. So security is the main reason. We once had a design with 8 units and had units shown on the ground floor and incursions of people going around the corner affected it. It just doesn’t work at that corner or that intersection to have first floor units.

"The residents are still independent with vehicles when they come to El Castillo. And this design still allows Nambé patrons' their parking space. We are gaining a couple more spaces to supply the needs of independent unit owners living at El Castillo. We are trying to be sensitive to the comments from last time.

"I think we are as small as we can get. If we had to get smaller, I don't know the owners would decide to do it."

Chair Rios said the model helps a lot.

Member Katz said, "Given your security concerns, perhaps you could put the two units on the back of the first floor and have parking in the front and have their patio on the north side. Back from the river - maybe even on the west side and having more protection. It would be better than asking the Board for you to have all these extra parking spaces for who knows for whom.

Chair Rios asked if Member Katz had said they would add more height to the building.

Member Katz said no. He had only suggested they have the two-story part in the back.

Mr. Padilla said that was one of the scenarios they considered. But he pointed out the location of large transformers there that limited the architectural choices.

Member Guida appreciated the thinking that went into the design and the massing they have. "I don't have a problem with the height. This type of project will come up more and more over time. This is an opportunity for more housing units in the downtown area. And this is a place that is more for walking and walkability. We are actually seeing the lower story a little closer to the sidewalk and that is also a good thing. The upper story is further back and in an urban area. There are precedents for the portals on the other side of the street. I think what is challenging for me is that a lot of design standards the City imposes discourage situations like this. The challenge here is that the client wants parking on the first floor and in looking at our design standards, to make it look like something else. So the windows are nonfunctional but could be."

Mr. Padilla agreed they could be.

Member Guida said, "The form of the building conforms to the City regulation. It doesn't function the way any number of things that are more desirable could be. But I think as far as solving the problem, this is a much improved design."

Chair Rios said often the applicant does have to go back to the drawing board. We try to work with the applicant to make it something that works. The people who come before us are fellow citizens and our task is to uphold the ordinance. With big projects,

people sometimes have to come back more than twice.

Member Roybal said he appreciated the model and liked what Mr. Padilla has done with the streetscape and showed how it compares with the rest of the streetscape. It is a very viable project here tonight. He also felt the parking was appropriate.

Mr. Gemora noted the north elevation, second story, looks set back the entire width of that portal but the east shows only half. He asked if that was a problem with the drawing.

Mr. Padilla agreed the south elevation was drawn incorrectly and agreed with Mr. Gemora.

Member Guida asked who parks in the garage.

Mr. Padilla said only the owners of El Castillo independent living units will park there. The outside parking is for Nambé customers.

Chair Rios provided a 5-minute recess to look at the model at 7:15 pm.

#### Public Comment

Mr. Randy Bell, 314 Garcia Street, was sworn. He said he lives a block and a half away from this site and has walked by this intersection many times. He had several concerns. First is the setback issue. The model and massing are right on the sidewalk - possibly two feet, but it is not set back 11 feet from the street. If you look at the modeling of the other developments along Paseo, there are a few that are right on the street but by and large, there are a lot of setbacks. Mr. Padilla referred to the Bandelier House. It has a very low retaining wall and is set back at least 20' and the Peters project and all their buildings are set back. I think it is crowding the street at a very critical corner visually.

Another concern is lot coverage. When I looked at the zoning worksheet, the total roof area is proposed to be 6,500 square feet and Mr. Gemora said the estimated size of the lot is 75' by 145' which is roughly 10,875 square feet. That is about 60% and I thought it should not be covered more than 40%. The zoning worksheet is not complete because lot coverage is not filled in.

The recent letter from Mr. Padilla talks about heated square feet at 5,754. I don't think the letter is clear, but it appears there is another 1,500 square feet, which would put the building over 6,800 square feet. It looks from the model like 60+%, which is really significant.

Parking is confusing. A lot of the parking there is used for the retail shops and that is going away, leaving a very limited amount. People park there not only for Nambé but for

retail on the other side of Nambé. Has anyone done an analysis of this project to know if it leaves adequate parking for the whole retail complex? That should be looked at.

Mr. Scott Toby, 327 East DeVargas, was sworn. He said, "I just live around the corner on DeVargas Street and my property is bounded on two sides by El Castillo. So I've gotten to know the complex pretty well. At the last hearing, I believe they said they were combining the parcel with the greater El Castillo complex. So the evaluation of parking and of lot coverage should consider the entire complex. It is a growing mass. They went four feet higher last year. The City needs to look at the complete package.

"I too, did not realize how much it is going to grow. For the concern about the homeless, they might even encourage people to sleep in the garage since it is right on Paseo. I like the portals, but it doesn't read as a portal from the street. It reads more as a wall. There is more solid on it than the open area. It doesn't look that open. To me, a portal is a lintel and posts and generally open. That is a wall. So I would still say the building is two feet back from the sidewalk and not eleven feet. Where is the façade? The bump out and portals are at the street line.

Another thing, and it is not the fault of the applicant, is what they way is Pueblo style, but it is flat and square and sharp. The lines are not that soft. The drawings are soft with soft lines and irregular shapes. The buildings across are Territorial so I understand the square sharp edges there. I don't know if they could soften it more to make it really look like Pueblo or not.

Ms. Maria Toby, 327 East DeVargas, was sworn and thanked the Board and for this revised drawing. I live around the corner, so I am walking that street a lot. To me, that corner is quite significant with Canyon Road there. Ideally, it would be best if the second story was set back like the Nambé building. Comparing it with Paseo is different although it is on Paseo. Thank you.

Mr. John Eddy, 227 East Palace, Suite D, was sworn and said, "I echo what has been previously discussed by people at the podium, bringing up the points that need to be addressed. The little pavilion, I do appreciate the spirit of why they have pavilions there. But if they are not operable doors, they are superfluous. They serve no programing purpose that I can see. That is something they could address. Maybe there is a creative solution to address that. While they do help to address the massing - not completely. But they add to it. If there were corbels and beams, maybe. There is more vertical wall massing there. I do appreciate the fact that the drawings more reflect pueblo walls and battering more. But it is not integrated. Rounding and battering should be encouraged."

Ms. Beninato (previously sworn) echoed the previous speakers. "I don't think it is set back 10' and those additions on the first floor are not the same as across the street. Those across the street are not stuck out beyond the building. I think some of the openings beside the garage doors look very odd. If they had some wood horizontals, it would help.



"What we are doing here is to allow ten extra spaces. It is not allowing just a couple, as the applicant state. This would allow at least ten added parking spaces. I'm also not happy that it connects directly into the rest of El Castillo. El Castillo, as I said, is a massive and growing structure. It is almost like a cancer that keeps growing and growing. I'd like to see some separation like a breezeway, but not directly attached."

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

### Board Discussion

Chair Rios commented that from the statements just made, there is evidently a question on setback. Where does the building start from the sidewalk?

Mr. Padilla said that at the right side, it is 13' back from the sidewalk and 18' from the curb. On the left, from back of the sidewalk to corner of parking facility is 10' and 16' from the back of the curb.

Zoning allows building to the property line in the BCD. So we could go to zero. And our property line is irregular. It arches and we are set back from it. So that is our setback from the property line. In our last meeting we were asked how far we were set back from the property line.

Chair Rios said another question was on open space. Mr. Bell said the lot coverage is over 60%. She asked what is required.

Mr. Gemora said these BCD lots encourage more density and have no maximum in many places but here, it is 67%. And because it is combined with that building to the east. I would say lot coverage is between 52 to 60%.

He added that, typically, a lot of those zoning reviews are not totally filled out. It appears they are under the maximum lot coverage, if you look at the parcels separately.

Chair Rios asked where the open space is on that property.

Mr. Gemora said it is open from the parking area to the river. Part of it is the slope; the flood plain and the slope areas, not the roofed areas - most of it would be parking.

Chair Rios asked if this is pueblo architecture with rounded corners.

Mr. Padilla said this is adding to the River Building. It does have rounded corners and battered walls. I don't understand these architectural comments - we will match the style of the River Building.

Chair Rios asked where they are putting the planters.

Mr. Padilla pointed them out on the model.

Chair Rios asked if in the portals, there is any room for the planters.

Mr. Padilla said the planter areas were shown on the floor plan. This garage is secured and has to have secondary emergency access. As the public, you could not go there and open the garage door. But the residents could use the emergency exits.

Mr. Padilla said, as to the point of El Castillo being called cancerous, he took exception to that comment. For the public to come and in this forum to speak as they wish because they don't like a specific project and when the project that is complimented by the Board is called cancerous, it is not just disrespectful to the client but to the city.

Ms. Roach asked Mr. Padilla if the lot consolidation is yet to be done and if completed, if there is a chance the design would have to be changed.

Mr. Padilla said the lot consolidation has significant open space. So my response would be no, the design would not have to be changed.

Chair Rios asked if there would be anything on the roof.

Mr. Padilla said, "Right now, no. We will connect with the existing mechanical equipment through soffitted areas to serve these units. Only venting will be visible. They will be up high but painted to match.

Member Guida said on the first floor, he understood the security concerns and practical parking, although not ideal. He asked if there would be some way to encourage having a walkway on either side for crossing the street.

Mr. Padilla said El Castillo does not want to encourage residents to cross that intersection. It is a much nicer path to walk the Alameda walkway and much safer to use that crosswalk for crossing.

Member Biedscheid said, "I appreciate the difficulty in design on this property. It is critical to realize that Paseo leads to the downtown and there are a lot of people there. What makes sense to me is one of the speakers to treat El Castillo as a complete package. El Castillo overwhelms this corner and De Vargas Street. It is too large of a building and the Board should not allow two stories without a setback. I'm not in favor of this large mass there.

Member Katz said, "I share Member Biedscheid's comment that it is too large. We try to allow owners to develop their land as they want. But programmatically, it would work without the second floor so close to Paseo in order to harmonize with Paseo. Our job is to determine the owner's need and harmonize with what the environment shows. I would want to either deny or postpone it.

Mr. Padilla said the parking is important. There is the opportunity. We were at four units and came back with three. Would having just 2 units on the second floor satisfy the Board.

Member Katz asked why we have to have this parking. What is so important? What is the hidden agenda?

Mr. Al Jahner, 250 East Alameda, was sworn. He said, "The significance for parking is that we have very little. I get lots of requests for extra cars and lots of guests come to visit them. So this corner is a parking area and is going to be used that way. We tried to put a building on there that is secure for residents and harmonious with the area. The project might cash forward in 35 years but definitely doesn't on the front end. I can definitely use the parking but sure would like to have secure parking. I hope that answers the question."

Chair Rios understood. "If you had it exposed, you would want to integrate it as not exposed and keep it secure. But the Board feels there are too many parking spaces.

Mr. Padilla said there are 25 parking spots there right now.

#### Action of the Board

**Member Katz moved, seconded by Member Biedscheid, in Case #H-19-020B at 920 Paseo de Peralta and 250 East Alameda, to deny the application because it is unharmonious with the streetscape.**

"Just leave it as a parking lot. Do I fear if I get out of my car? Do I need secure parking? What is the fear, particularly for the guests who want to park there?"

The motion failed on a 2-4 voice vote with Member Katz and Member Biedscheid voting in favor and Members Guida, Larson, Lotz and Roybal voting against. Motion died.

Member Roybal moved, seconded by Member Lotz, to approve the application as staff recommended and find it complied with the code. The motion failed on a 2-4 voice vote with Member Roybal and Member Lotz voting in favor and Members Guida, Larson, Biedscheid and Katz voting against. The motion died.

**Member Katz moved, seconded by Member Guida, to postpone Case #H-19-020B at 920 Paseo de Peralta and 250 East Alameda to a date certain of June 25, for redesign by moving the second story back away from the street and eliminate the portals (planters) and functionally address the streetscape.**

Member Katz said they have had lots of conversation about moving the second story back away from the street and whatever the portals or planters are badly need to be eliminated.

Member Guida was personally concerned with the massing and setback. He would encourage the owner to rethink the program for it. We should look at parking in its entirety and make this a contribution to the parking. The building should functionally address the streetscape.

Member Katz said El Castillo turns it back on the city. It was easily accessible to the City and was a draw. Couldn't there be something on the corner that could be used for El Castillo to relate to Santa Fe in a much better way?

Member Larson thanked the applicant for the design but agreed. We are here to protect the integrity of the city and this area is significant. She would like to see a thoughtful application of space to help El Castillo relate to the city with a less harsh use of the space. She would love to see an area garden or something more integral to the community for residents and others walking there.

Member Lotz commented that he lived on Alameda about a block away and parking is an extraordinary issue and he strongly supported the parking number the applicant stated. He appreciated their concern for security. By and large, it is not as bad now, but safety is a big issue and he was always glad for that southern exposure. But security is a real issue there.

Member Biedscheid said for the east façade, it should read as a flat façade and mimic the size of the Nambé Building.

Member Roybal apologized for some of the comments made. El Castillo is such an important part of our community but there is no way to solve this problem.

Chair Rios asked for the date certain.

Mr. Padilla said, unlike the last postponement. we can go 45-60 days out

Mr. Gemora suggested the June 25 hearing and if ready sooner, they could always re-notice.

Mr. Padilla was okay with that.

**The motion passed by unanimous 6-0 voice vote.**

- 3. Case #H-19-028. 9 and 10 Montoya Circle.** Downtown & Eastside Historic District. Carol Ware, agent for Triple W LLC, owner, proposes to construct a 1,158 sq. ft. and a 1,696 residence to a height of 17' and 18'6" on a sloping site where the maximum allowable height is 15' 10" on a vacant lot. (Ms. Roach, Planner Manager, [lxroach@santafenm.gov](mailto:lxroach@santafenm.gov), 955-6657)

Ms. Roach presented the Staff Report as follows:

### **BACKGROUND & SUMMARY:**

9 and 10 Montoya Circle (formerly 8 and 10, or 9 and 9 ½ Montoya Circle) are two vacant lots zoned for residential use in the Downtown and Eastside Historic District. In 2011, the HDRB assigned non-contributing status to three residential structures on the properties, and in 2013, the HDRB allowed new property owners to demolish these structures due to structural instability (Case H-11-115).

Now the applicant proposes two new residential structures on the properties, as follows:

#### **9 Montoya Circle (Lot 1):**

1. Construct a single-story, 1,158 square foot residence in simplified Spanish-Pueblo Revival style, featuring rounded, stuccoed massing and a 20 square foot entry portal with stained wooden beams and corbels.
2. Proposed building height varies from approximately 10' to 18' 6" from natural grade where the maximum allowable building height is 15' 10". The site does exhibit more than 2' of gradient change, and the applicant requests an additional height allowance to accommodate the sloping site.
3. The west elevation of the proposed residence at the entry will feature a railing atop a stuccoed retaining wall below a flagstone patio. Material and finish of the railing was not specified.

#### **10 Montoya Circle (Lot 2):**

4. Construct a single-story, 1,669 square foot residence in simplified Spanish-Pueblo Revival style, featuring rounded, stuccoed massing and a 69 square foot entry portal with stained wooden beams and corbels.
5. Proposed building height varies from 10' to 17' from natural grade where the maximum allowable building height is 15' 10". The site does exhibit more than 2' of gradient change, and the applicant requests an additional height allowance to

accommodate the sloping site.

6. The west elevation of the proposed residence features a French balcony with railing. Material and finish of this railing was not specified.

The stucco color for both residences will be El Rey "Fawn," and windows and doors will be white wood-clad with simulated divided lites. Canales will be wood with metal lining, and night sky compliant exterior lighting designs have been included. Both sites will also feature flagstone hardscape, stuccoed retaining walls featuring El Rey "Fawn" stucco, and coyote fencing with irregular latilla heights, not to exceed 6' in height. Additionally, both units will have ground-mounted HVAC Solatube skylights that will not be publicly visible. No other rooftop appurtenances are proposed.

### **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.

#### **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 Biedscheid asked if staff checked with compliance with the 40% rule for windows.

Ms. Roach asked which façade she was referring to.

Member Biedscheid said on the west façade, on lot 2 as shown on page 16.

Ms. Roach said she did not do a specific calculation but thought it was okay.

Mr. Gemora read the code citation and said this is not publicly visible and for the west, it does not appear to be 40%. The north probably is but is not visible.

Member Katz said it might be very visible from some public way. We did not attempt to look at that on our field trip. Sometimes, things are very visible when we don't realize it.

Ms. Roach asked if he was talking about north and west elevations.

Member Katz agreed. Even on lot 1, he could not believe it is 40%. On lot 2 it is close but not over 40%.

Chair Rios did not think the Board had anything for lot 1.

Ms. Roach said it was on page 12 and 13 of the packet.

Chair Rios - okay.

### **Applicant's Presentation**

Mr. Vahid Mojarrab, 147 Gonzales, was sworn.



He stood for questions.

#### Questions to the Applicant

Chair Rios asked in reference to the windows about their calculations.

Mr. Mojarrab said Staff can make the calculations to make sure we comply.

Member Katz commented those are fabulous windows. The corners look rather sharp. He asked if that was something the renderings could not control.

Mr. Mojarrab said they intend to follow pueblo style so the corners will be rounded. Insulation will help. He agreed they did not do a good job on those renderings. The walls are 12" so they will inset the windows.

Member Biedscheid asked for the color of the railings.

Mr. Mojarrab said they would be black wrought iron material patina black, not painted.

Chair Rios asked if they would use cementitious stucco.

Mr. Mojarrab said yes.

Chair Rios asked if there would be no visible rooftop.

Mr. Mojarrab agreed. The solar will be flush with the roof so nothing would be visible on the roof.

#### Public Comment

Mr. Ricardo Borrero, 10 Montoya Circle, was sworn and speaking on behalf of neighbors on Montoya Circle that constitute the Montoya condo that occupies the eastern part of the circle. "We don't have a good opinion of it. We came from Italy here and bought our historic houses and this is what you see today with a very historic character. You can find them shown at the Palace of the Governors and you can find a 1947 picture from across the river. It is very similar with today.

A friend made a painting which probably dates to 1920 or 1930 and the same situation. Imagine these derivations from the historic house. They propose large, wide, whitish windows on the west side that you can see from Cerro Gordo and more from the valley and that destroys the value of our property and for the houses below. This is why we are against this project. We have suggestions but don't want to stop.

He made three points - height of buildings - according to the regulation the height is 14'; not 15' 1". He didn't understand why that would change. Ours is 13' because the Board asked us to not raise it further. We don't see any justification in the application that goes beyond that. We think it should be lower than 14'. Even the grade change has no measurement. If that is a problem it is a reminder that these two lots are very, very flat. Just sloped on the edges. That is the best way to improve the plan.

Second is the size. There is no indication of the size of the lot and these units are huge at 1,690 square feet. The back yard is 1,58 square feet - very small. Our feeling is that 1,300 square feet might be better. Our own lot has about 40% lot coverage, but this is about 80-85%.

Finally, this style is not the right style. This style is contemporary and doesn't belong in this historic district. The color is too bright. The character of the street is dark brown. Based on the dark brown, the largest remaining color, we would like the Santa Fe Brown stucco color as the same for the windows color. These were from the architect's notes. They want to put something so light and change the windows.

The window size on the west - the west side of both units in the main page of the package is publicly visible. So these are too big for a historic home. There are other elements that are not very good. That railing - there is no ADA required for a historic house. This is very contemporary. I love the design but not here.

I have no idea if you have jurisdiction. It is steeper. There are no indications in the project to look at all the roofs around. There is only one picture you have. Finally, also about the trees - the trees should also be included - because they should be preserved.

Mr. Eddy (previously sworn) said the previous speaker effectively pointed out what is wrong with this application, so I just urge you to deny it.

Ms. Beninato, (previously sworn) said she has the same concerns specified by the first speaker. Especially the west elevation is publicly visible and very contemporary. I think the Montoya Circle lots are difficult and the comments about harmony of that little area are well taken. I don't think the color needs to be dark brown but not exactly white.

I am highly concerned that I am picked out for my comments. I have a right to my comments and the suggestions were made for what I said. It does keep growing and growing like a cancer. I didn't say El Castillo was a cancer. But I related it with my own wry sense of humor as cancer to old people. I think it is totally inappropriate to be called out by a board member.

### Board Discussion

Chair Rios asked what the color is.

Mr. Mojarrab said the stucco color is Fawn.

Chair Rios asked what the roof material is.

Mr. Mojarrab said it is sand colored TPO. This is in the escarpment which also has restrictions on colors.

Chair Rios asked if they are proposing any landscaping.

Mr. Mojarrab said yes. There are requirements for landscaping on this property that we have to follow, including plants and trees. So there are lots of requirements. He added that they have 40% on lot coverage.

Chair Rios asked what the interior ceiling heights will be.

Mr. Mojarrab said the bedroom is at 9' and living room at 10'.

Ms. Roach clarified that one side is 10' high and other is 7' - another is 18' - extra four feet granted for slope.

Mr. Mojarrab said they are actually at 10'. We went there to make sure that it is at 10' and it is the lowest we can get. We will definitely double check with staff that they are accurate measurements.

#### Action of the Board

**Member Roybal moved, seconded by Member Guida, in Case #H-19-028. 9 and 9½ Montoya Circle, to approve the application per staff recommendations.**

Member Biedscheid said we should clarify the conditions of 40% rule over windows and the other is respect to the style.

**Chair Rios asked for a condition that the Pueblo style have rounded corners, and window inset of 4". Member Roybal agreed it was friendly.**

**The motion passed by majority 5-1 voice vote with Members Biedscheid, Guida, Katz, Lotz and Roybal voting in favor and Member Larson voting against.**

- 4. Case #H-19-030. 535 Camino del Monte Sol. Downtown & Eastside Historic District. Trey Jordan agent for Brian Bershad and Helen Schoch, owners,**

proposes to enclose a carport on a non-contributing residential structure.  
(Carlos Gemora)

Mr. Gemora presented the Staff Report as follows:

### **BACKGROUND & SUMMARY:**

535 Camino del Monte Sol consists of a residential home and detached carport designated non-contributing to the Downtown and Eastside Historic District. Originally constructed in 1970 as a sprawling, one-story adobe residence by architect William "Bill" Lumpkins, major renovations between 1998 and 2004 added many Japanese-style elements to the home. In 2011, the home went through another large remodel which simplified the design and replaced Spanish-Pueblo and Japanese-style elements with modern elements like unpainted steel fascia and sharper, rectangular massing. The existing carport was approved in 2011 with simplified and horizontal massing (H-11-140). The structures are set back significantly from the front property line (carport ~115', home ~165') and are not visible from Camino del Monte Sol.

The applicant proposes to infill the existing carport with vehicular, glass, roll-up doors and windows towards the interior of the property (north and west elevations) and a stuccoed wall with windows towards the outer property line (south elevation). The height and footprint of the carport will be unaffected. All finishes will match existing colors and materials. While recent Santa Fe style limits window and doors as a percentage of the wall surface, it is only applicable to publicly visible façades and thus not applicable to this proposal.

### **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 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 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**

Chair Rios noted that the property has a long driveway and the home is set down low and you cannot see anything from Camino de Monte Sol. She asked if it is visible from anywhere else.

Mr. Gemora said not that he was aware of.

Member Guida asked if there was any indication of window color.

Mr. Gemora said he would let the applicant answer.

### **Applicant's Presentation**

Mr. Trey Jordan, 227 E Palace, Suite 2, was sworn. He said the windows will be clear anodized to match the residence.

### **Questions to the Applicant**

There were no questions to the Applicant.

### **Public Comment**

Ms. Beninato (previously sworn), said it will be an improvement whether seen or not.

### **Action of the Board**

**Member Katz moved, seconded by Member Roybal, in Case #H-19-030. 535 Camino del Monte Sol, to approve the application as recommended.**

**The motion passed by unanimous 6-0 voice vote.**

- 5. Case #H-19-031. 645½ East Palace Avenue.** Downtown & Eastside Historic District. Keith Gorges, agent/owner, proposes to construct a detached trellis to a height of 9'1" in front of the primary façade of a contributing residential structure. (Ms. Roach)

Ms. Roach presented the Staff Report as follows:

**BACKGROUND & SUMMARY:**

645 ½ East Palace Avenue is a single family-residence with an attached guest house constructed around 1900 in the Territorial style. The building is listed as Contributing to the Downtown and Eastside Historic District, and the south façade of the residence is primary (per case H-15-021).

The applicant proposes to construct a detached trellis / ramada structure at the southwest entry to the home. The proposed trellis will be constructed of Douglas Fir, will remain open on the sides and roof, and will be painted the same white as the current exterior window trim (sample provided). The proposed location for the trellis is directly in front of the primary façade of the residence but is freestanding and therefore not considered an addition.

**STAFF RECOMMENDATION:**

Staff defers to the Board as to the appropriateness of the location of the proposed structure in front of a primary façade but finds that otherwise 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**

Chair Rios asked for the distance from house to trellis.

Ms. Roach said it is almost none. It is a matter of inches.

Member Larson noticed it is white and the existing house is also.

Ms. Roach disagreed. It is as shown.

**Applicant's Presentation**

Mr. Keith Gorges was sworn.

#### Questions to the Applicant

Chair Rios asked why he wanted the trellis.

Mr. Gorges said it is not large.

Chair Rios asked what the dimensions are.

Mr. Gorges said it is 7' 6" high, to the beams. The distance between posts is 8' and grade to beam is 9'. It has room for plants to grow and will not impede the front door. The other one is steel and more contemporary. This one is juxtaposed close to the house.

Chair Rios asked what the house color is.

Mr. Gorges said it is Buckskin color.

Member Katz was upset because it is just a few inches away, so the rule doesn't apply for connecting to a primary façade. He asked if the Applicant would consider using something much less imposing with no top to it that roses could grow on.

Mr. Gorges said he did think about coming off the steel ramada. As a concept, he would entertain that, but it is a structure and would present itself as a structure and concluded it was the structure he would like to have. It does occupy a little of the front façade but is not out of character for what someone would have added historically.

Member Guida asked if he was going to use painted wood or steel.

Mr. Gorges said he had drawn it several different ways and did a drawing in steel as a modern structure to play off the steel ramada. He went back and forth on it, but this is a structure, in itself.

Mr. Gorges said he arrived that playing off the Territorial element of the structure had positive effect, as well.

#### Public Comment

Mr. Eddy asked if it is publicly visible from this elevation. At first, he was encouraged about them using fir, but he didn't like using steel.



Ms. Beninato said the structure is plain and the Board might like that. She liked detail with a little more diversity on that façade. She thought wood would be better but remembered on the Valdez House that steel took over. When it was the restaurant, they used curved steel and it looked very Spanish, and it was movable and not attached to the building. This porch would fit in with Territorial style but she not sure if curved steel would go along with this building.

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

### Board Discussion

Chair Rios asked what color the front door is.

Mr. Gorges said the front door is natural wood, but the windows are white.

Member Biedscheid said white doesn't seem to be dominant. Natural wood would be better.

Mr. Gorges said, "Absolutely, I would entertain what would look the best.

Member Biedscheid asked if the steel structure is in front.

Mr. Gorges said on the other elevation, there is a recurring theme with steel posts and pergolas or ramadas that are attached to the house. "I did conclude there is a certain appropriateness that this is more in the language of the front façade being more Territorial."

### Action of the Board

**Member Biedscheid moved, seconded by Member Larson, in Case #H-19-031. 645½ East Palace Avenue to approve the application with a condition to use dark wood like the door.**

**The motion passed by unanimous 6-0 voice vote.**

**6. Case #H-19-022A. 300 Sena Street.** Don Gaspar Area Historic District. Staff requests the designation of primary façades on a contributing residential structure and a contributing garage. (Carlos Gemora)

Mr. Gemora presented the Staff Report as follows:

## **BACKGROUND & SUMMARY:**

300 Sena Street is a single-family residential structure constructed in the Mission Revival style between 1930 and 1936. A historic inventory from 1982 found the building to be in good condition with a moderate amount of repairs and recommended the building to be designated contributing. The tile-roofed porch was present and partially enclosed by 1982 and is thought to probably be non-historic. In 2008, the HDRB approved changing the windows on the enclosed porch area, replacing the garage door, building a studio (never constructed), constructing a yard wall, and stucco. In 2017 an administrative approval was issued for tile & decking. Staff has no other information about potential modifications to the property.

In the 2008 HDRB hearing, the north and east façades of the house (1 & 2) and the north and west façades of the garage (1 & 4) were considered primary but staff have found no basis for that determination. Staff thus request that the Board designate primary façades for both the residential structure and accessory garage.

Concurring with the original assumption, staff find the north and east façades of the house and the north and west façades of the garage to convey the most contributing outward features to the Don Gaspar Historic District.

## **RELEVANT CODE CITATIONS:**

### **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. \_

### **14-12 Primary Façade:**

One or more principal faces or elevations of a building with features that define the character of the building's architecture.

## **STAFF RECOMMENDATION:**

Staff recommends designating the north and east façades (1 & 2) of the residential structure and the north and west façades (1 & 4) of the garage as primary per 14-5.2(C) Designation of Significant and Contributing Structures and the definitions for "Primary Façade" in 14-12.

### Questions to Staff

Member Katz asked for the date of the door of the garage and whether it was historic.

Mr. Gemora had no information. It was approved to be replaced in 2008.

### Applicant's Presentation

Mr. William Beck, Cerrillos NM, was sworn and stood for questions.

### Questions to the Applicant

Chair Rios asked if he agreed with the designations proposed.

Mr. Beck said he did.

### Public Comment

Ms. Beninato (previously sworn) said it was not clear if in the building façade there was designated as primary that the Board is doing again.

Chair Rios briefly explained it.

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

### Board Discussion

Chair Rios asked Mr. Gemora about the designation history.

Mr. Gemora said that Staff found some to be primary but found no actual designation of them by the Board, so he wanted to bring them forward so as to vote on that designation rather than just leave it as an assumption.

### Action of the Board

**Member Katz moved, seconded by Member Guida in Case #H-19-022A. 300 Sena Street to approve designating the north and east façades (1 & 2) of the**

residential structure and the north and west façades (1 & 4) of the garage as primary.

**The motion passed by unanimous 6-0 voice vote.**

7. **Case #H-19-022B. 300 Sena Street.** Don Gaspar Area Historic District. William Beck, agent for Julie Gallegos, owner, proposes to replace windows on a contributing residential structure and contributing garage. An exception is requested to replace historic windows on a primary façade (Section 14-5.2(D)(5)(a)(i)). (Carlos Gemora)

Mr. Gemora presented the Staff Report as follows:

**BACKGROUND & SUMMARY:**

300 Sena Street is a residential home constructed in the Mission Revival style between 1930 and 1936. In 1982 the building was in good condition with a moderate amount of alterations including the partial infill of a tile-roofed front porch. In 2008 the HDRB approved changing the windows on the enclosed porch area, replacing the garage door, building a studio (not initiated), and constructing a yard wall.

Historic windows are wood-framed, single pane, divided lite, and mostly casement operation. The windows were repaired about two years ago, the paint is newish, and the condition seems good. The window assessment, however, finds a significant level of degradation, rot, warping, shrinkage, replaced glazing, wood patching, and joint failures (see attached window assessment). The assessment concludes that repair or refurbishment with thermal pane windows would leave “little to none of the original windows” and notes that the windows have already been repaired numerous times in the past.

The applicant proposes to replace all the historic, first-floor windows of the home, including those on primary façades, with solid pine, divided-lite, thermal pane windows custom built to fit the existing openings.

1. On designated primary façades the applicant proposes and in-kind replacement matching the material, size, style, and operation. Staff request an exception to replace, rather than repair, historic windows, and defer to the Board a determination of hardship (14-5.2(D)(5)(a)(i)).
2. On non-primary façades, the applicant proposes to replace the existing windows with matching material and size but designed as double hung instead of casement units. Changing the style and operation of the windows does not require an exception but the Board could require an in-kind replacement if it finds the proposal would negatively impact the historic character of the neighborhood

or the integrity of the home.

Windows installed in 2008 are aluminum-clad with divided lites and will remain.

### **STAFF RECOMMENDATION:**

Staff does not find the application to meet all exception criteria, specifically deferring to the Board an examination of hardship. If the Board finds the application to meet all exception criteria with additional testimony, staff recommends 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(H) Don Gaspar Area Historic District.

### **Questions to Staff**

Chair Rios asked who did the window assessment.

Mr. Gemora said the applicant did it.

### **Applicant's Presentation**

Mr. Beck (previously sworn) said he was a cabinet and furniture builder starting in 1978 and did the assessment. Better product providing environmental protection and most recent requirements for environment reasons.

The present windows are separating and deteriorating, and they don't close entirely. I can't repair them to close properly and they won't seal between with weather stripping. They cannot be secured and that would leave them susceptible to people walking by. There are just many issues that cannot be addressed by refurbishing to make them serviceable. We cannot put screens on them in summer and the building has no A/C. The casement windows can be broken into easily.

So they requested to replace them with modern windows that meet the standards of current construction and give them a more secure building and better circulation.

### **Questions to the Applicant**

Chair Rios asked if the windows would change in size.

Mr. Beck said no. They will keep the frame and install just with the window itself.

Chair Rios asked if he was proposing to change the style of the window on primary sides.

Mr. Beck agreed.

Chair Rios asked if they are wood windows.

Mr. Beck agreed.

Chair Rios asked if there are no changes to the garage.

Mr. Beck said that is right.

Member Guida asked what kind of window would be on non-primary elevations.

Mr. Beck said the owner preferred double hung windows so she could maintain circulation and still have security. The windows on the back have more damage. Wicking caused a lot of degradation.

Mr. Gemora, to clarify, said on the primary façades, it would be replacement in-kind same style, same wood, etc. And for nonprimary elevations, they would be wood double hung windows as opposed to casement windows. No exception is required for that.

Chair Rios said on page 39, she saw no proposed elevation drawings.

Mr. Gemora agreed. The proposed elevations don't show double-hung windows but that is in the window schedule. It just doesn't clearly say it is double-hung, so not in the schedule or the elevations.

Chair Rios asked what happened.

Mr. Gemora said he was trying to get those. Maybe the applicant could say more why he was hesitant to show the double-hung window. In his application, he showed the two side by side. He showed his copy, but it was not in the packet.

Member Katz asked for him to identify the lettered windows.

Mr. Gemora said on south and west, windows L, K, J, and I are not required to be replacing with the same operation. Is that harmonious or not.

Member Larson said these are original windows and she appreciated the Applicant's expertise regarding the windows. But she didn't know there was enough detail in the assessment to feel comfortable. If we replace them with a window that requires the same amount of maintenance, my concern is that this process will repeat itself without the careful maintenance requirements and not sure with our field trip today if we had a clear view of the façade and could not tell that they were beyond repair.

Chair Rios explained that it was raining so we did not get out of the van. It appeared

they were good from the outside.

Mr. Beck said the deterioration is in the joints. They were repainted two years ago and patched as well as he could with epoxy. But if you look closely, you can see gaps where joints are separating, and they are wicking water, so they warp and don't close properly.

To rebuild them would take about 50% to 75% of each and still not be able to accommodate a double pane window so they would not get the R-factor.

Member Larson suggested that often a well-preserved wood window would last longer.

#### Public Comment

Ms. Beninato (previously sworn) agreed with Member Larson and was not sure why hardship was not met here. She thought the applicant should come back to show detailed plans. In terms of the double-hung, if they look pretty much how they look now, She had no problem with double-hung windows. It is much easier to lock a double hung in place so no one would crawl through. Casements are very problematic. They are subject to wind and not very useful. But she wondered if they look like what was there and then the Board would not have to worry about harmony.

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

Chair Rios asked to address hardship.

Mr. Beck said the neighborhood is less safe than it was before. If a person is in the back, they have to close the windows and have no circulation. The intent is to provide a window that will be partially open and still be secure and have screens to keep out the bugs.

Mr. Gemora explained that windows C and D are on the first floor in an enclosed portal area and they will not be replaced.

Mr. Beck agreed. The new windows have a sloped sill. allowing water to drain away/ But the existing windows have flat sills that keep water there.

#### Action of the Board

**Member Katz moved, seconded by Member Roybal, in Case #H-19-022B at 300 Sena Street, to approve the application, based on testimony of the witness for**

hardship, that the exception criteria have been met.

**Member Biedscheid added a friendly amendment that new drawings be submitted to Staff. Member Katz accepted that as friendly.**

**The motion passed on a voice vote with Members Katz, Roybal, Biedscheid and Lotz voting in favor, Member Larson voting against and Member Guida abstained.**

- 8. Case #H-19-029. 107 Cienega Street.** Downtown & Eastside Historic District. Robert Watson, agent for Albert and Kathy Schultz, owners, proposes to replace windows and doors on a contributing residential structure and amend previously approved window replacements. An exception is requested to replace historic windows on a primary façade not in-kind (Section 14-5.2(D)(5)(a)(i)). (Carlos Gemora)

Mr. Gemora presented the Staff Report as follows:

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

107 Cienega is a 2,093 sq. ft. single-family residence built in a Territorial Revival style in the 1940's and designated contributing to the Downtown and Eastside Historic District. In 2015 the Board designated the north, east, and south elevations as primary but excluded the infilled front porch on the east façade (H-15-050). In 2018 the board approved walls, fences, gates, a 900 sq. ft. addition, added insulation on the northern building wall, and the replacement of the non-historic windows and a door on the non-primary east entry (18-086).

The applicant returns with the following proposed changes to windows and doors to insulate the home and provide required bedroom egress. Windows and doors would be wood, true-divided-lite, and with thermal pane glass.

1. Replace two windows on primary façades to comply with building requirements for egress windows. The applicant provides three options with a proposal for "option A."
  - a. Replace double-hung windows "J" and "K" on the primary, east facades (bedrooms 1 & 2) with similar-looking casement windows which would provide egress clearance.
  - b. Replace double-hung windows "J" and "K" on the primary, east facades with larger double-hung windows.
  - c. Replace windows "I" and "L" on the primary, north and south facades (bedrooms 1 & 2) with either inswing casement or larger double-hung windows. The applicant likes this option least because, assuming inswing



casements, it impacts the bedroom spaces more.

Casement windows would allow egress out of the same opening dimensions and a thick center division would attempt to match the existing appearance. Inswing casements would also allow the existing external screens to remain. Staff considers all three options to be similar but not in-kind replacements and has required and recommends approval for an exception to 14-5.2(D)(5)(a)(i).

1. Reconstruct all existing windows with thermal pane glass. Thermal pane windows are encouraged, especially in homes with poor insulation like this one, and the applicant must replace all the glass because alarm tape has been etched into each pane. Changes to sashes and mullions would be minimal and staff considers the request to be an in-kind reconstruction.
2. Change the approved lite pattern on newly-approved east-facing windows "D" and "E" from 3 panes wide and 2 panes high (3x2) to 4 panes wide and 2 panes high (4x2). This area is excluded from the primary east façade.
3. Replace the double-hung window "O" on the non-primary west elevation with a larger double-hung window and thermal-pane glass to meet egress from bedroom #3.
4. Replace the existing double patio doors "1a" with a pair of new wooden French doors with thermal-pane glass.

**EXCEPTION CRITERIA:**

Exception to 14-5.2(D)(5)(a)(i): Proposed not in-kind replacement of historic windows located on the façades (primary) of a contributing building:

- (i) Do not damage the character of the district.
- Applicant Response: Replacing certain original windows with "like in kind" windows will enhance the appearance and architectural integrity of this house. Great efforts and expenses are being taken to conserve and restore historical materials and visible aspects of all primary facades, in spite of partial demolition. Other options require changes to more than one primary facade. Changes are already being made to the east façade so it would be less disruptive to the character of the district to confine the changes related to egress to one primary façade (Option 1A). This east façade has previously been changed with the front porch changes circa 1980. The Owner prefers changing the windows on the east façade so that they will all match, thus enhancing the look of the east façade and bringing it back closer to an original look, further enhancing the character of the home and district. Option 1A will also keep the North and South facades with all original size and style windows, furthering retaining the character of the home and district.

Staff response: *Staff are unsure to what degree the replacement of hung windows with casement windows would damage the character of the district but recognize that an alternative would be to expand the window opening which may have a greater visual impact. Staff also note that inswing casements are proposed to maintain the historic external screens which would mitigate some of the visual impact.*

- (ii) Are required to prevent a hardship to the applicant or an injury to the public welfare  
Applicant Response: Replacing certain windows with “like in-kind” windows will prevent hardship of unsafe bedrooms that do not meet egress requirements. Failure to address this safety issue will result in an unacceptable risk of injury and hardship.

Staff response: *Staff finds the proposal to meet the exception criteria and that the hardship is an attempt to meet emergency egress requirements as required by code.*

- (iii) Strengthen the unique heterogeneous character of the City by providing a full range of design options to ensure that residents can continue to reside within the historic district.  
Applicant Response: Replacing certain windows with “like in-kind” windows will allow safe use of this house as a residence, and extend its life as one of the only remaining residential structures on this block.

Staff response: *Staff agrees with this response that safe, code-compliant windows will help to ensure that residents can continue to reside in the historic districts.*

## **RELEVANT CODE CITATIONS:**

### Windows & Doors:

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

- (a) For all facades of significant and landmark structures and for the primary facades 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.

#### 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 finds the application to meet all exception criteria and recommends approval of the application with Option "A" to replace the eastern double-hung windows with casement windows and find the application to otherwise comply 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**

There were no questions to Staff.

### **Applicant's Presentation**

Mr. Robert Watson was sworn. He said, "I am the builder for the project. When we ordered windows - we learned egress requirements were not met so we needed to change windows on the lower elevation and, to keep the existing opening with a thicker mullion across the middle to simulate double hung windows. The other two options would require larger window openings.

We would like to enlarge window O and replace French doors with insulated glass and in the front - the middle two windows which are not part of a primary elevation - installed at a later time - to keep the ratio so the windows are more rectangular to match the rest of them.

Lastly, because the structure is CMU block, we want insulated windows in the rest of the house and would have to change the sashes.

The owner is already adding 5" of insulation outside and would need to reset the brick parapet and put thermal panes in the remaining windows.

#### Questions to the Applicant

Member Roybal understood the frame cannot be removed.

Mr. Watson agreed. In the others we are changing the glass.

Member Guida pointed out with double hung windows, the middle is thicker. He asked if these would also be set back.

Mr. Watson believed it was all in the same plane.

Member Biedscheid noted on the south, it shows a portal or pergola and asked if that is part of the application.

Mr. Watson said that part was already approved.

#### Public Comment

Ms. Beninato, (previously sworn) wondered why projects keep coming back and why the egress window requirement was not known to begin with/ The casement windows look like double hung and can have egress as required by the fire department.

Where the facade is not primary, she thought the windows should remain the same 3 over four. She thought it should look different because it is not primary.

#### Action of the Board

**Member Guida moved, seconded by Member Roybal, in Case #H-19-029 at 107 Cienega Street, to approve the application per staff recommendations with option A and a condition that the center portion of the east façade maintain the same lite pattern.**

Mr. Gemora mentioned that there is also an exception to find.

Member Biedscheid said page 30 shows what it should look like.

**Member Guida said by testimony, the exception criteria have been met.**

**The motion passed by unanimous 6-0 voice vote.**

- 9. Case #H-19-027. 503 Camino del Monte Sol.** Downtown & Eastside Historic District. Christopher Purvis agent for Gail Gilbert, owner, proposes to construct a new garage, to build an addition connecting two structures, to increase the height of a yardwall to the maximum allowable height of 57", to replace windows and doors, and install an eyebrow over a door on a contributing residential structure. Exceptions are requested to alter opening dimensions on a primary façade and to place an addition on a primary façade (Section 14-5.2(D) (2 and 5). (Ms. Roach)

Ms. Roach presented the Staff Report as follows:

**BACKGROUND & SUMMARY:**

503 Camino del Monte Sol is a large property that includes several structures. This application concerns a low, narrow adobe residence oriented perpendicular to the street and formerly addressed as 451 Camino del Monte Sol. Constructed prior to 1951, it exhibits a modest Spanish-Pueblo Revival style, with rounded parapets, wooden lintels, and wood casement windows. The residence is listed as Contributing to the Downtown and Eastside Historic District, and primary façades were designated in 2013 (see attached diagram). In 2013, the HDRB approved the demolition of a carport, an increase in parapet height, and the construction of a small addition to the southeast corner of the home and granted an exception for a portion of this addition to be attached to a primary façade (Case H-13-058).

Now, two adjacent properties (451 and 503 Camino del Monte Sol) have been consolidated, and the applicant proposes the following modifications to the residence described above:

1. Substitute a door for a window on the north elevation (façade #6), which is primary. An exception has been requested for this item, and exception criteria and responses can be found below (Exception #1).
2. Construct an approximately 100 square foot addition on the south elevation (façade 2), which is not primary. This addition has the effect of connecting the contributing residence to a non-contributing residential structure (referred to on the site plan as the "Gate House"). The style of the addition is consistent with the rest of the structure.
3. Construct an approximately 75 square foot portal with wooden posts, beams and

corbels, stuccoed parapet, and stone masonry footings. This portal is constructed on a primary façade (façade 4), and an exception is requested (see Exception #2 criteria and responses below).

4. Construct an overhang atop the kitchen door on the north elevation (façade 8). The proposed overhang is 17" deep and features vigas supporting the roof canopy.
5. Construct an approximately 330 square foot garage to the west of the non-contributing "Gate House" and to the south of the contributing residence. The proposed garage features simple, rounded stuccoed massing, stone masonry footings, an 8 over 8 lite double hung window on the west elevation, a single lite window and wood door on the north elevation, and "carriage style" garage door on the south elevation.
6. Alter the height of a stone masonry yard wall to the maximum allowable height of 57". The pre-existing wall was raised to a height of 72" without approval, and the applicant proposes to lower this to the maximum allowable height as calculated by staff.

Stucco colors and finishes match the existing residences but were not specified by the applicant.

**Exception #1:** To alter dimensions of a window opening by replacing it with a door on a primary façade (Section 14-5.2(D)(5)).

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

Applicant Response: The proposed changing of the door to a window to the north side of 451 Camino del Monte Sol does not damage the streetscape because it does not face the street.

**Staff agrees with this response.**

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

Applicant Response: The window replacing the door allows the owner to not have a door exposed on the north side of their bedroom making it safer.

**Staff does not feel that this response is adequate.**

*(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 window is more secure than a door at this location based on the bedroom use behind it and is one of the full range of design options for this property.

**Staff agrees with this response.**

*(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: This window on the north side of the building is a response to the proximity of the neighbor's property and solves a use problem of the bedroom on the street which is not common on that street.

**Staff does not feel that this response is adequate.**

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

Applicant Response: The relationship of the window to the space and the neighbors is not a result of the actions of the owner.

**Staff does not feel that this response is adequate.**

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

Applicant Response: The location of the window change is on the north side of the building and it does not damage historic material and it will be negligibly visible from the street the shape of the historic building will be preserved.

**Staff agrees with this response with regards to streetscape harmony but suggests that retaining the original opening and historic material would have been less impactful to the historic integrity of the building.**

**Exception #2:** To place an addition on a primary façade (Section 14-5.2(D)(2)).

(v) *Do not damage the character of the streetscape;*

Applicant Response: The proposed portal addition to the south side of 451 Camino del Monte Sol does not damage the streetscape because the addition is set back from the street facing facade leaving the street elevation untouched.

**Staff does not feel that this response is adequate.**

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

Applicant Response: The Portal protects the doors which allow for the egress from the bedroom without which there was a hardship for the applicant.

**Staff does not feel that this response is adequate.**

(vii) *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 Portal and doors allows the owner to take advantage of the south facing aspect of the bedroom while protecting the doors and is one of the full range of design options for this property.

**Staff agrees with this response.**



*(viii) 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: This portal on the south side of the building to protect the doors that allow solar access is not the same as would be found elsewhere in the streetscape.

**Staff does not feel that this response is adequate.**

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

Applicant Response: The Portal and door are a response to a particular design condition that is peculiar to this house accessing the courtyard between the buildings.

**Staff does not feel that this response is adequate.**

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

Applicant Response: The location of the Portal is on the south side of the side of the building away from the street facing façade and not very visible from the street the shape of the historic building will be preserved.

**Staff agrees with this response with regards to streetscape harmony but suggests that the Board may want to consider if/how the addition of a portal to this façade alters the historic character of the contributing residence.**

## **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 facade. 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 facade. 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.

Yard Wall Height:

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

(c)(ii) In exercising its authority under this section, the board shall limit the height of structures as set forth in this section. Heights of existing structures shall be as set forth on the official map of building heights in the historic districts.

C. Yard walls and fences shall be limited to a height that does not exceed the average of the height of other yard walls and fences in the streetscape.

Windows & Doors:

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

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

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

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

(iii) No existing opening shall be closed.

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

14-5.2(C) Regulation of Significant and Contributing Structures in the Historic Districts

(1) Purpose and Intent

It is intended that:

(a) Each structure to be recognized as a physical record of its time, place, and use.

Changes that create a false sense of historical development, such as the addition of conjectural features or architectural elements from other buildings, shall not be undertaken;

(b) Changes to structures that have acquired historic significance in their own right shall be retained and preserved, recognizing that most structures change over time;

(c) Distinctive features, finishes, and construction techniques or examples of craftsmanship that characterize a structure be preserved; and

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

14-12 Significant Structure:

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

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

#### 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.

#### 14-12 Primary Façade:

One or more principal faces or elevations of a building with features that define the character of the building's architecture.

#### Removal of Historic Material/Demolition:

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

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

##### 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 does not find that all the exception criteria have been met, but the Board may find otherwise upon further testimony from the applicant. Should the Board find that the exception criteria have been met, staff recommends approval of the application as it complies with 14-5.2(D)(9) General Design Standards for all H Districts, Height, Pitch, Scale, and Massing, and 14-5.2(E) Downtown and Eastside Historic District.

On the field trip, Ms. Roach noticed a wall that was in question and the Board could ask for clarification.

### **Questions to Staff**

Chair Rios asked if this request for approval was for things already done.

Ms. Roach agreed.

Member Katz was puzzled by a couple of things - it is not clear on the numbered façades how façade #4 is distinguished from façade #3.

Ms. Roach said #3 is perpendicular to #4. The Board briefly discussed that façade.

### **Applicant's Presentation**

Mr. Christopher Purvis, 22 East Marcy, was sworn. He said the owner did all of this without permission. She said she talked to a former Board member and got approval.

Chair Rios said she wrote a letter in the packet saying something else. And this is not the first time this owner has done this. I see her hiring tons of guys on the weekends. She built a high wall so people could not see what was going on. She is beyond belief in my book. She is 71 and thinks she can do whatever she wants to do. In a previous application, she was denied and went ahead with it anyway. You could see portions of the wall in the photo there.

Mr. Purvis said the Styrofoam wall was approved by the previous owner and she started taking it apart and Gary Moquino red-tagged it and she stopped. They took down a carport and put in a parking area.

There is one other minor point and one was mistake on my part. On the north elevation, it is going from a door to a window and on the south, going from a window to a door.

"I don't have much else to say. I went out and measured it. Even if this Board says okay to some of it, much has to go through the City.

Chair Rios said she has zero respect for this Board and for City regulations. I don't get it.

Mr. Purvis had one other minor point. Member Katz had asked where the addition is added onto. They reconfigured another part of the house and added on to the addition.

Ms. Roach said that southeast addition was approved in 2013 and built in 2014.

Ms. Roach pointed out that because there is now a contributing structure attached to a noncontributing structure, the Board might consider how that affects the status of the contributing structure.

### Public Comment

Ms. Beninato (previously sworn) appreciated the embarrassment the architect feels for having to represent this woman. And she won't get it unless the Board takes serious action here and is firm with it to put things back the way it was, and the connections get taken down. With all of these changes unapproved, the contributing nature of the building is being compromised. Given that this woman has acted in this manner over and over again, the only way she will get it is with serious financial consequences.

Mr. Pen LaFarge, 647 Old Santa Fe Trail, was sworn. He was interested to hear Chair Rios' comments. As president of OSFA, I too have been called by neighbors who object to what has happened here. He urged the Board to not give the exceptions requested, to uphold the Staff's criteria for not giving the exceptions, and to deny those and demonstrate there is integrity of this Board for authenticity of Santa Fe.

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

Ms. Roach read two letters into the record.

First is a concern from a neighbor Sally Beaman at 519, 515, 517 and 517½ Camino

del Monte Sol, immediately adjacent to the south. She said "There is no parking on the street due to walls that have been built. She was concerned, basically that construction will create blockages and delays on the street. She evidently does not understand that the work has already been performed.

Second was a letter by Donald and Andrea Smith in support of the project who were not able to be present. They said that as residents on Camino del Monte Sol in close proximity to the Gilbert property, they noted that all of the modifications in the past have been achieved in a desire to enhance the street and the public access. They could see no reason to object to these improvements. They knew Ms. Gilbert had sent a letter and explained her reasons for the modifications on the property. They said, "This gesture is exactly what she had in mind as a goal as her friends age. It is an example of nature to help, whether it be resting dogs, or in this case, old ladies. Her letter seems an accurate reflection of thought as we have known them. Thank you for the opportunity to comment in this forum."

Mr. Eddy (previously sworn) urged the Board to disallow any further requests from this applicant. It doesn't just affect adjacent properties but has an effect on the entire Camino del Monte Sol. This applicant put up a fence last year in the dark of night. The impact on the street is huge. Everybody is freaked out about this. The rest of the discussion here needs to be where the teeth are in the preservation code to protect ourselves from such thoughtless behavior.

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

Ms. Roach noted in the site visit - it appears the yard wall at the street frontage has been increased in height, extending further to the south and don't believe that is part of this application that we might need to follow up.

Chair Rios said the Board definitely needs to follow up.

Mr. Gemora further clarified that 503 Camino del Monte Sol and what he believed was a separate address south of 503 was in the picture.

Chair Rios asked if it is her property.

Mr. Gemora said, from memory, he believed it is same land owner and they are connected on the interior, but it is a separate property.

Mr. Purvis apologized that he didn't look at that.

Chair Rios said, "I brought it to David Rasch, but he dismissed me many times."

Mr. Purvis said he assumed it was approved.

Chair Rios said, "I told David many times. She knows she has to come here. She has come before the Board before."

Member Katz said what Mr. Eddy said raises an issue when someone does something and then comes to ask the Board if they can do it. I don't really think it is our job to punish. But maybe from Ms. Paez. It puts us in a very bad situation of not doing our job because the City is not doing theirs. This is so flagrant and make us spitting mad but what has the City done about it?

Ms. Roach said the property was given a red tag by our enforcement officer and the property owner was given a chance to come and correct it. She went to Christopher Purvis. The penalty is a double permit fee once everything has been approved. Would they get to that point? Otherwise, if she had not responded at all, she would be issued a citation to be handled in court.

Ms. Paez said Ms. Roach covered that very well. And I would agree that you should act on it. "Your goal is to consider an illegal project or a proposed project. There is no difference."

Member Guida commented that there are other things. What is being brought to us might lead to other considerations like attaching a garage. It is a conundrum.

Ms. Paez agreed it is frustrating because you can only consider historic code. Those other code violations would be the same process. The City accepts citizen complaints - and the same enforcement provisions.

Ms. Roach said the Board could deny the application and require those changes to be reversed.

Member Katz said the door to window and window to door did not meet any exception criteria. The portal, likewise, attached to a primary façade. Is the kitchen overhang on a primary façade? No, it is further back. That may or may not be denied.

The addition to connect the houses should be denied. Connecting it changes the status.

He did not think the garage had a basis for denying. And the yard wall reduced to allowable height could be denied.

### Board Discussion

Ms. Roach asked, if the exceptions are denied and the connection is denied, would



the Board want to see a proposal on how they would be returned to the former status.

Mr. Purvis mentioned that there are photographs in the 2013 application. He recalled seeing a picture of the south elevation window.

Chair Rios added that of course they would have to come back.

Mr. Gemora showed the existing wall, which in 2018 was 4' height and the maximum allowable height there is 4' 9". So you don't see a reason to deny the 4' 9"?

Member Katz said he didn't.

Ms. Roach said, in a case like this, if additions are required to be removed, then we would need to see a demolition permit. So if they are denied, a submittal for demolition permit would be required to our office and would not need to come back to the Board.

Mr. Purvis said, "I submitted my conjecture, based on 2014. So you have what was there in 2018.

#### Action of the Board

**Member Katz moved, seconded by Member Roybal in Case #H-19-027 at 503 Camino del Monte Sol, to deny item 1 in the application, which includes both door to window and window to door because the exception criteria were not met. No hardship was shown; to deny item 2 - the connecting hallway or whatever it is, because that connection would hazard the historic status of the contributing building; to deny the construction of the portal connected to the primary façade (no hardship was shown); approve the construction on façade #8 over the kitchen door; approve the garage construction on #5 and approve the wall to be increased to 4' 9" but not to the current height.**

**The motion passed by unanimous 6-0 voice vote.**

#### **H. MATTERS FROM THE BOARD**

- 1. Case #H-19-019.** Consider motion to rescind HDRB action made on March 26, 2019, regarding historic status of 105, 112, 114, 115, 118, 120, and 121 Camino Santiago (Plaza del Monte Subdivision).

Member Biedscheid said at the last hearing of this case, the Board did not have enough discussion about the historic status of each of the individual structures and did not determine the primary façades.

Member Biedscheid moved, seconded by Member Katz and Member Guida, to rescind the motion made on March 26, 2019 in Case #H-19-019, and requested the LUD Director to provide an interpretation of "50-year rule" and requested the Staff to investigate the applicability of historic compound provisions and to bring back Case #H-19-019 to the Board for all structures not having status determined.

The motion to rescind and instructions to staff passed by unanimous 6-0 voice vote.

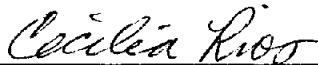
## 2. 2019 Santa Fe Heritage Preservation Awards Selection

Ms. Roach said- the 2019 award ceremony on May 16 at 5:30 with reception to follow in collaboration with Old Santa Fe Association and Historic Santa Fe Foundation. She listed the awards that Board members should consider. Ballots were provided and the Board members voted as a secret ballot.

## I. ADJOURNMENT

The meeting was adjourned at 10:19 p.m.

Approved by:

  
Cecilia Rios, Chair

Submitted by:

  
Carl Boaz, for Carl G. Boaz, Inc.