



# Agenda

## HISTORIC DISTRICTS REVIEW BOARD FIELD TRIP

TUESDAY, September 24, 2019 at 12:00 NOON

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

## HISTORIC DISTRICTS REVIEW BOARD HEARING

TUESDAY, September 24, 2019 at 5:30 P.M.

CITY COUNCIL CHAMBERS

\*\*\*SECOND AMENDED\*\*\*

### CALL TO ORDER

- A. ROLL CALL
- B. APPROVAL OF AGENDA
- C. APPROVAL OF MINUTES: August 27, 2019 and September 10, 2019
- D. FINDINGS OF FACT & CONCLUSIONS OF LAW

Case #2019-000702-HDRB, 247 and 247 1/2 Rodriguez Street.

Case #2019-000648-HDRB, 1472 Canyon Road.

Case #2019-000673-HDRB, 112 Camino Escondido Unit 2.

Case #2019-000696-HDRB, 607 Agua Fria Street Unit 1.

Case #2019-000701-HDRB, 515 Don Gaspar Avenue.

Case #2019-000637-HDRB, 500 Montezuma Avenue.

### E. BUSINESS FROM THE FLOOR

### F. COMMUNICATIONS

- 1. Staff Presents the Historic Compounds Survey 2004/2005 and Requests Guidance on Creation of the Historic Compounds Register.
- 2. NMHPD Requests HDRB Comments on the National Register Nomination for the Nordfeldt House at 460 Camino de las Animas.
- 3. Staff Requests Review of the Proposed 2020 HDRB Hearing Schedule.

### G. ACTION ITEMS

- 1. Case #2019-000893-HDRB, 553 Agua Fria Street. Westside-Guadalupe Historic District. Dale Zinn, agent for Randi Lowenthal, owner, requests designation of primary façades for a contributing residential structure. (Lisa Roach, [lxroach@santafenm.gov](mailto:lxroach@santafenm.gov), 955-6577)
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- 3. Case #2019-000829-HDRB, 113 Vigil Lane. Downtown & Eastside Historic District. Christopher Purvis, agent for, Dan Winter and Wendy Beaver, owners, proposes to construct a 330 sq. ft. addition to a height of 10'-8" and replace windows and doors on a non-contributing residential structure. (Carlos Gemora, [cegemora@santafenm.gov](mailto:cegemora@santafenm.gov), 955-6670)
- 4. Case #2019-000804-HDRB, 375 Hillside Avenue Unit B. Downtown & Eastside Historic District. Hoopes and Associates Architects, agent for Charles and Dian Daspit, owners, proposes to construct a 265 sq. ft. addition and replace a door on a non-historic, non-contributing residential property. (Carlos Gemora)

5. Case #2019-000886-HDRB. 340 Delgado Street. Downtown & Eastside Historic District. McDowell Fine Homes, agent for Doug McDowell, owner, proposes to amend a previous HDRB approval (Case H-17-027B) by replacing, reconfiguring, and raising the height of a contributing yard wall and pedestrian gate, replacing windows and doors due to extensive mold and moisture damage, replacing and expanding a garage door and constructing an addition to a contributing garage, constructing portal additions on the east and west elevations of a contributing residence, and adding exterior lighting. Exceptions are requested to place an addition within 10 feet of a primary façade, per Section 14-5.2(D)(2)(d); to replace a contributing yard wall non in-kind, per Section 14-5.2(D)(1)(a); to change window openings on a primary façade, per Section 14-5.2(D)(5)(a)(ii-iii); and to replace historic windows on a primary façade not in-kind, per Section 14-5.2(D)(5)(a)(i). (Lisa Roach)

**H. MATTERS FROM THE BOARD**

**I. ADJOURNMENT**

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

**RECEIVED AT THE CITY CLERK'S OFFICE**

**DATE: September 18, 2019**

**TIME: 10:42 AM**



# Agenda

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**RECEIVED AT THE CITY CLERK'S OFFICE**

**DATE: September 17, 2019**

**TIME: 4:19 PM**



# Agenda

## HISTORIC DISTRICTS REVIEW BOARD FIELD TRIP

TUESDAY, September 24, 2019 at 12:00 NOON

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

## HISTORIC DISTRICTS REVIEW BOARD HEARING

TUESDAY, September 24, 2019 at 5:30 P.M.

CITY COUNCIL CHAMBERS

### CALL TO ORDER

- A. ROLL CALL
- B. APPROVAL OF AGENDA
- C. APPROVAL OF MINUTES: September 10, 2019
- D. FINDINGS OF FACT & CONCLUSIONS OF LAW

Case #2019-000702-HDRB, 247 and 247 1/2 Rodriguez Street.

Case #2019-000696-HDRB, 607 Agua Fria Street Unit 1.

Case #2019-000701-HDRB, 515 Don Gaspar Avenue.

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

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5. Case #2019-000887-HDRB, 727 Don Gaspar Avenue. Don Gaspar Area Historic District. Positive Energy Solar, agent for Hayden Rector, owner, proposes to install publicly visible solar on a contributing residential structure. An exception is requested to (Carlos Gemora)
6. Case #2019-000886-HDRB, 340 Delgado Street. Downtown & Eastside Historic District. McDowell Fine Homes, agent for Doug McDowell, owner, proposes to amend a previous HDRB approval (Case H-17-027B) by replacing, reconfiguring, and raising the height of a contributing yard wall and pedestrian gate, replacing windows and doors due to extensive mold and moisture damage, replacing and expanding a garage door and constructing an addition to a contributing garage, constructing portal additions on the east and west elevations of a contributing residence, and adding exterior lighting. Exceptions are requested to place an addition within 10 feet of a primary façade, per Section 14-5.2(D)(2)(d); to replace a contributing yard wall non in-kind, per Section 14-5.2(D)(1)(a); to change window openings on a primary façade, per Section 14-5.2(D)(5)(a)(ii-iii); and to replace historic windows on a primary façade not in-kind, per Section 14-5.2(D)(5)(a)(i). (Lisa Roach)

**H. MATTERS FROM THE BOARD**

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**RECEIVED AT THE CITY CLERK'S OFFICE**

**DATE: September 5, 2019**

**TIME: 4:14 PM**

**SUMMARY INDEX**  
**HISTORIC DISTRICTS REVIEW BOARD**  
**SEPTEMBER 24, 2019**

<b>ITEM</b>	<b>ACTION TAKEN</b>	<b>PAGE(S)</b>
Call to Order	5:30 pm	1
A. Roll Call	Quorum Present	1-2
B. Approval of Agenda	Approved	2
C. Approval of Minutes		
1) August 27, 2019	Approved	2
2) September 10, 2019	Approved	2
D. Findings of Fact & Conclusions of Law	Approved	2
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F. Communications		
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2) National Register Nomination	Comments	6-7
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G. Action Items		
1. Case #2019-000893-HDRB 553 Agua Fria Street.	Approved	7-9
2. Case #2019-000697-HDRB 553 Agua Fria Street.	Approved	9-13
3. Case #2019-000829-HDRB. 113 Vigil Lane. Downtown	Approved	13-15
4. Case #2019-000804-HDRB. 375 Hillside Avenue Unit B.	Approved	15-17
5. Case #2019-000886-HDRB 340 Delgado Street Denied	Approved with Amendments	17-31
H. Matters from the Board	None	31
I. Adjournment	Adjourned at 7:55 p.m.	31

**MINUTES OF THE  
CITY OF SANTA FE HISTORIC DISTRICTS REVIEW BOARD  
SEPTEMBER 24, 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, Chairwoman, 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, Chairwoman  
Mr. Frank Katz, Vice Chair  
Ms. Flynn G. Larson  
Mr. Herbert Lotz  
Mr. Buddy Roybal

**MEMBERS EXCUSED:**

Ms. Jennifer Biedscheid  
Mr. Anthony Guida

**OTHERS PRESENT:**

Mr. Carlos Gemora, Senior Planner  
Ms. Lisa Roach, Planner Manager  
Ms. Sally Paez, Assistant City Attorney  
Ms. Melissa Byers, 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 Preservation Office and available on the City of Santa Fe Website.

**B. APPROVAL OF AGENDA**

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



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

**C. APPROVAL OF MINUTES:**

**1) AUGUST 27, 2019**

**MOTION:** Member Katz moved, seconded by Member Larson, to approve the Minutes of August 27, 2019, as presented.

**VOTE:** The motion passed by majority (3-0) voice vote with Members Katz, Larson and Lotz voting in favor and Member Roybal abstaining.

**2) September 10, 2019**

**MOTION:** Member Katz moved, seconded by Member Lotz, to approve the Minutes of September 10, 2019, as presented.

**VOTE:** The motion passed by majority (3-0) voice vote with Members Katz, Lotz and Roybal voting in favor and Member Larson abstaining.

**D. FINDINGS OF FACT AND CONCLUSIONS OF LAW**

Case #2019-000702-HDRB. 247 and 247 1/2 Rodriguez Street.

Case #2019-000648-HDRB. 1472 Canyon Road.

Case #2019-000673-HDRB. 112 Camino Escondido Unit 2.

Case #2019-000701-HDRB. 515 Don Gaspar Avenue.

Case #2019-000696-HDRB. 607 Agua Fria Street Unit 1.

Case #2019-000637-HDRB. 500 Montezuma Avenue.

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

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

**E. BUSINESS FROM THE FLOOR**

Stephanie Beninato stated that she wanted to bring to the Board's attention again, the demolition by neglect at 616 Galisteo Street. The 1890s historic structure has been in one family since it was built and is part of a cluster of 10 historic buildings. According to public records, there was a 2011 permit and a 2016 permit. Under the 2011 permit,

she didn't think they did much of anything except tear off the roof and remove the stucco and remove interior mold. She believes in 2016, they got permission to put a cap on the wall. That's all they've done. She said the Board gets all worked up about Delgado Street but not worked up about 616 Galisteo Street. She also brought up 616 ½ Galisteo, which is really the same structure. She previously stated that they put on a porch on the south facade without a permit it is yet to be red tagged. A couple of weeks ago they removed the roof of the porch and then they put it back. Again, under a public records request, they have no permit. She asked how many weeks, how many months does it take for the enforcement officer that works for Historic to go out there and red tag the building. She asked if there are different standards for the 1% or the people who work for the City, people who are politically connected or if there is one law that is applied thoroughly and equally.

Member Katz asked Ms. Beninato if there is some provision of law that gives the Board authority over the matter.

Ms. Beninato said it's in Historic Design Review Ordinance, 14-5.2 regarding demolition by neglect.

Mr. Katz said that's not something the Board enforces; that something staff enforces.

Ms. Beninato asked if the Board has directed staff to do anything about it.

Mr. Katz stated that the Board doesn't direct staff.

Ms. Beninato said the Board did with the house at Delgado and it was brought up to you.

Mr. Katz said it was brought to the Board because there was an application for the Board to deal with.

Ms. Beninato asked who brought an application.

Chairwoman Rios said it was the Tommy Hughes application.

Ms. Beninato asked if the Board could ask staff to look into this.

Ms. Roach acknowledged that enforcement of demolition by neglect has been inconsistent in the past. There are limitations because there is a legal process. With regards to 340 Delgado, a red tag was issued and was followed up by a notice of violation and thereafter a citation was issued. The City is going through the court system on that with the former property owner.

Ms. Roach said regarding 616 Galisteo, staff has reached out to that property owner and has received no response. A notice of violation was issued the previous week. The City must go through a legal process. It's not a matter of just barging in and demanding that something take place.

Ms. Beninato said there is no red tag on the building.

Ms. Roach said a red tag is not issued unless work is taking place. It's a notice of violation with failure to meet the minimum maintenance requirements of Section 14-5.2, and that has been issued.

## **F. COMMUNICATIONS**

### **1. Staff Presents the Historic Compounds Survey 2004/2005 and Requests Guidance on Creation of the Historic Compounds Register.**

Ms. Roach said she's following up with the 2004/2005 Historic Compounds that was produced at the City's request for the purposes of compliance with, with Section 14-5.2(K) for the purpose of creating a Historic Compounds Registry. It came up in, in reviewing the Plaza del Monte case. That registry was never created for reasons that are somewhat uncertain. The Board requested that staff bring forward the previous survey of historic residential compounds, which she presented. She believes the report would need to be updated to some extent in order to bring it forward for the creation of the registry if that is the desire of the Board. She requested guidance for future action with regards to both updating the report and future creation of the Historic Compound Register.

Member Katz asked if there's more to the report then what was presented.

Ms. Roach said there are attachments that provide detailed documentation of each property that is described in the report.

Member Katz acknowledged that the Historic Preservation Division is short staffed. He asked if it's possible to do a cooperative adventure for Board members and staff to work together. The compounds could be divided up so they could each go see what it is now and see what changes there are and see what needs to be done.

Ms. Roach said that would be possible. She said she has been approached by a member of the Old Santa Fe Association who indicated that they may have resources to put towards upgrading the report. as a contribution to moving it forward. She will continue to communicate with them to see if they are still interested in doing that. If they're not, then some in between scenario can be implemented in which staff and the Board members work together to update the documentation in the report. What's also needed

is to survey what other properties may have since become eligible, including potentially Plaza del Monte as indicated by the Board's deliberations on that case.

Member Katz said his concern is that this is a very weird provision in the Historic Ordinance that says it doesn't go into effect until some compounds are identified. He said it needs to be put into effect. It may be an incremental approach to do what there is and what can be determined. There may be some that are on the list of 22 that were recommended back then. There may be some that are going to take a lot of work. Maybe the easier ones can be done so the law could be put into effect.

Ms. Roach she said that's a good approach; using this study as the baseline and then adding to it as needed, with future research. She said the aspects of each property might need to be updated like ownership, whether each compound is owned by a single individual or has been subdivided, and the status of the structures in each of the compounds that are examined in the report would need to be updated. The condition which is associated with status would need to be looked at for each of the properties. Those things would need to be priority and updating the information that's in the report.

Chairwoman Rios asked how many potential compounds have been identified.

Ms. Roach responded that there are 29.

Chairwoman Rios asked since OSFA has volunteered to be part of this process, would it be possible for a member of OSFA to join the staff and possible Board member.

Ms. Roach said it's possible and she could reach out to them and see what they are interested in doing.

Chairwoman Rios asked what role the public will play in this.

Ms. Roach referred to Section 14-5.2(K)(5). She said upon completion of the survey, the Board shall make a recommendation to the Governing Body as to which properties shall be registered as historic compounds. After a public hearing, the Governing Body shall approve the Historic Compound Registry. Public comment could be incorporated at the public hearing when the Board makes its recommendation.

Chairwoman Rios asked if she had an idea as to when this will start.

Ms. Roach said the timeframe for contracting with OSFA to update the plan would depend on how the money flows. If it's going to be updated between staff and the Board, then that's a different timeframe. Staff needs to speak further with OSFA about their willingness and ability to contribute to this project.

Chairwoman Rios asked Ms. Roach if she indicated that OSFA has to get paid.

Ms. Roach said she was not indicating that OSFA would get paid. She said they have offered and have indicated that they may have funds available to contribute to updating the report.

Member Katz asked if the appendices are digitized.

Ms. Roach said she would send the digitized appendices to the Board.

Ms. Paez said she would think about process. Paragraph 14-5.2(K) doesn't say a lot.

Member Katz said the Code requires that notice be given to any property owner whose property is suggested to be contained in a compound. There has to be notice and a public hearing for them going forward if there are any properties that the Board thinks should also be a compound.

Ms. Paez said when it goes to the Governing Body the Ordinance does require notice and public hearing. It doesn't require that at the Board level, but that is where she's thinking notice and public hearing should be as well.

Member Katz asked if they should vote to proceed to get this done.

Ms. Paez said it's not an action item, so she recommended that a vote not be taken.

Ms. Roach recommended that an affirmative statement be made that the Board does want staff to move forward with considering options for updating the report and moving forward with the register.

Chairwoman Rios said the Board would like staff to move forward on creating a registry for historic compounds.

Ms. Roach said she will provide an update at the next hearing.

## **2. NMHPD Requests HDRB Comments on the National Register Nomination for the Nordfeldt House at 460 Camino de las Animas.**

Ms. Roach said the request is from the New Mexico Historic Preservation Division. They are requesting the Board's comment on National Register nomination; the Nordfeldt House at 460 Camino de las Animas. Normally the City receives a Certified Local Government notice with a 60-day window to provide comment about the nomination. In

this case that time period was shortened because of the nature of the tax credit applications that the property owner is applying for. This nomination is going to be going before the Cultural Properties Review Committee in two weeks.

Chairwoman Rios said this property is worthy of the nomination.

Member Katz agreed and noted that the Board has been fortunate to have been able to visit the property. He too is in favor of the nomination.

Ms. Larson said she wasn't familiar with the property until she read the nomination, but she agreed that it should be nominated.

### **3. Staff Requests Review of the Proposed 2020 HDRB Hearing Schedule.**

Ms. Roach asked if the Board had any comments or requests regarding the dates on the HDRB Hearing Schedule for 2020.

No comments were made by the Board.

## **G. ACTION ITEMS**

Chairwoman Rios stated that if anyone disagrees with a decision that the Board renders, an option to appeal to the Governing Body is available and may be filed within 15 days of the adoption of the Findings of Fact and Conclusions of Law related to that decision.

Chairwoman Rios stated that for the public hearing portions of each case, anyone addressing the Board will have two minutes to speak.

- 1. Case #2019-000893-HDRB. 553 Agua Fria Street. Westside-Guadalupe Historic District. Dale Zinn, agent for Randi Lowenthal, owner, requests designation of primary façades for a contributing residential structure. (Lisa Roach, lxroach@santafenm.gov, 955-6577)**

Ms. Roach presented the staff report as follows:

### **STAFF REPORT:**

553 Agua Fria Street is an approximately 2,400 square foot residential structure listed as Contributing to the Westside-Guadalupe Historic District. The original portion of the home was constructed by 1908 as an approximately 1,300 square foot rectangular adobe structure with an approximately 165 square foot notch in the northeast corner, which may have been a corner portal or other non-inhabitable space. In the 1930s, the "notch" was

infilled most likely as a kitchen expansion. The pitched roof of the home may have been added at this time, and steel sash windows were added sometime between the 1930s and 1950s. In approximately the 1960s, a shed roofed portal addition was placed on the front (south) façade, and by the mid-1980s, poorly constructed additions to the rear (north side) of the building including low shed roofed rooms and portal were present.

The applicant requests designation of primary facades for the structure. The south façade presents to the street frontage, although the 1960s portal addition is out of keeping with the Territorial-era, simple adobe vernacular style of the rest of the home. Nevertheless, the south façade captures primary door and window openings (and insets thereof). The east façade may be considered to have character-defining features as well, as it captures the gabled roofline of the historic home.

#### **STAFF RECOMMENDATION:**

Staff recommends the designation of the front (south) façade as primary and finds that the application complies with Section 14-5.2(C) Regulation of Significant and Contributing Structures in the Historic Districts.

#### **QUESTIONS FOR STAFF**

Chairwoman Rios said it's interesting that the original portion of the house is 111 years old.

#### **APPLICANT'S PRESENTATION**

Dale Zinn, P.O. Box 756, Santa Fe, was sworn. He said there's a saying on the side of the Unitarian Church that says "Every day I live, I become a better devotee of common sense." This project is a common sense kind of project. It's obvious what the history is and what it contributes to that neighborhood. The owner lives next door and spent a year waiting to get this property and suffered through a lot of squatters, a lot of vandalism, a lot of things going on next door that she had no control over.

Chairwoman Rios asked Mr. Zinn if he agreed with the staff's recommendation?

Mr. Zinn responded that it's common sense that it's contributing and it's common sense that the primary facade is the front.

#### **PUBLIC HEARING.**

Stephanie Beninato, P.O. Box 1601, Santa Fe, was sworn. She asked why the Board is not going to consider the east façade that has contributing defining features as a primary facade. She feels better when there are two primary facades. She recommended that the Board ask questions about the east façade and consider making that a primary façade as well.

Chairwoman Rios closed the public hearing.

### **BOARD DISCUSSION**

Chairwoman Rios said during the field trip, the Board did look at east façade. She thinks it just had one window.

Ms. Roach said the historic part of that has one window, it's a replacement window, not an original.

Mr. Zinn said he didn't think it adds to the strength of their design approach. They are doing almost nothing to that side.

Ms. Roach reminded the Board that there are other provisions in Code that dictate how additions can be made to contributing buildings in relation to primary facades. It's not only the primary façade that's protected; the massing of the house, the roof, any historic character defining features are protected.

**MOTION:** In Case #2019-000893-HDRB, 553 Agua Fria Street, Member Katz moved to follow the recommendation of staff and make the south façade primary. Member Roybal seconded the motion.

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

2. **Case #2019-000697-HDRB. 553 Agua Fria Street. Westside-Guadalupe Historic District. Dale Zinn, agent for Randi Lowenthal, owner, proposes to reconstruct the front portal, replace the rear portal, repair windows, replace a door, remove chimney, install HVAC, and re-roof a contributing residential structure. An exception is requested to replace historic material on a primary façade not in-kind, per Section 14-5.2(D)(1)(a). (Lisa Roach)**

Ms. Roach presented the staff report as follows:

### **STAFF REPORT:**

553 Agua Fria Street is a 1,700 square foot residence with 700 square feet of portales. The structure is listed as Contributing to the Westside-Guadalupe Historic District. The south façade is primary, as previously determined by the Board. The original portion of the home was constructed by 1908 as an approximately 1,300 square foot rectangular adobe structure with an approximately 165 square foot notch in the northeast corner, which may have been a corner portal or other non-inhabitable space. In the 1930s, the



“notch” was infilled most likely as a kitchen expansion. The pitched roof of the home may have been added at this time, and steel sash windows were added sometime between the 1930s and 1950s. In approximately the 1960s, a shed roofed portal addition was placed on the front (south) façade, and by the mid-1980s, poorly constructed additions to the rear of the building including low shed roofed rooms and portal were present.

The applicant proposes the following exterior modifications to the residence:

- 1) Reconfigure the front (south) portal on the primary façade of the home. The portal was constructed in the 1960s and according to the applicant’s timeline of the history of the property is out of character with the rest of the historic structure. An exception is requested to remove historic material and alter character-defining architectural features of a contributing structure (per Section 14-5.2(D)(1)(a)), and exception criteria responses are provided below.
- 2) Demolish the non-historic north shed-roofed portal and bedroom/storage room addition due to dangerous structural conditions, including lack of foundations/footings.

Ms. Roach noted that some demolition has already taken place. She understands from the builder onsite, during the interior demolition, there was danger of the roof collapsing. The demolition had to take place for the safety of the workers.

- 3) Construct new bedroom, storage room and portal at the north elevation. Proposed wall configurations will remain substantially the same as the existing structure, with a small area of infill to accommodate a new entry. Addition will feature stuccoed massing, and portal will feature stained wooden posts and beams with low-sloped metal roofing.
- 4) Construct a 19’x11’ portal at the north (rear) to replace the portal that will be removed. A vestibule and double clad wood French door will be constructed to create a rear entry/exit for the home that conforms with code. Details will match the proposed front portal.
- 5) To the extent possible, rehabilitate existing wood and metal sash windows on the south and west facades. Existing steel sash windows do not meet current code for egress, and applicant is evaluating methods for modifying the south window of the front bedroom for this purpose while retaining opening dimensions and much of the historic material.

- 6) Replace a failing window on the east façade, and increase its dimensions to match what interior framing indicates were the original dimensions of the window, and replace a small window on the east façade of the non-historic storage room addition to match existing dimensions.
- 7) Replace north door at the non-historic storage room addition with a solid panel wood door.
- 8) Remove chimney at the west elevation, which no longer is associated with a fireplace and is a structural hazard.
- 9) Re-roof the structure with galvanized 7/8" corrugated metal roof system.
- 10) Re-stucco in El Rey "Adobe" cementitious stucco.

#### **STAFF RECOMMENDATION:**

Staff finds that the exception criteria have been met and recommends approval of the proposed project and finds that the application complies with Section 14-5.2(D) General Design Standards for all Historic Districts, and 14-5.2(I) Westside-Guadalupe Historic District Design Standards.

#### **QUESTIONS FOR STAFF**

Member Katz referred to the windows on south façade. He asked if one of them needs to be replaced so it's an exit window.

Ms. Roach said it needs to be modified for egress purposes, so the opening dimensions of the operable portion is large enough to meet egress.

Member Katz asked if that's going to involve free moving historic material and if so, if there needs to be an exception.

Ms. Roach said she believes that the intention of the applicant is to keep as much historic material as possible. She recommended asking the applicant to address.

#### **APPLICANT'S PRESENTATION**

In response to Member Katz's question, Mr. Zinn said there are operable sashes in each one of those sets of 5'x5'. With some creative welding, he can cut them apart, put the two parts that are operable together and so ostensibly they would not lose any historic material.

Chairwoman Rios asked about the proposed windows on the south elevation.

Mr. Zinn said what is not being seen is operable windows on the right hand side. They're just taking operable sash and putting them together.

Chairwoman Rios asked if the right-hand side is going to look like the left.

Mr. Zinn said they're not modifying the right side.

Chairwoman Rios asked if anything was being proposed on the roof.

Mr. Zinn said nothing new, they are taking off the chimney which has no physical support on the inside.

### **PUBLIC HEARING.**

Ms. Beninato, previously sworn, said she appreciates Mr. Zinn's explanation of the south facing window and why the west side wouldn't work. It does say they're going to install an HVAC, she's not sure if that's on the ground or on the roof. The portal is from 1960s. She said we talk about Santa Fe vernacular, which is a mixture of styles. The 1960s portal is a different style than the main part of that façade. She wonders what the hardship is in not maintaining that historic portal.

### **QUESTIONS FOR THE APPLICANT**

Chairwoman Rios asked Mr. Zinn how he characterizes the architectural style of this building.

Mr. Zinn said it's a pueblo revival with Northern New Mexico adaptations. His answer to the portal and the intent is to echo the same shape and form of the little pitched roof. Everything that happened from 1969 back doesn't necessarily become historic, it just becomes eligible to be considered historic. He said vernacular architecture has a pattern of additions and subtractions. This is a one event thing on the front. He said he would object to it being called historic fabric.

Member Larson said her impression was that it was a temporary portal and it didn't seem to be well maintained and it really wasn't a distinctive material. She doesn't think it will detract from the historic façade if it were removed.

Mr. Zinn said he agreed.

Ms. Roach addressed the concern that was brought up in the hardship response. She understands that the portal was not designed or constructed in a structurally sound

manner and has not been maintained over time. All the historic material is rotten and needs to be replaced.

### **BOARD DISCUSSION**

**MOTION:** In Case #2019-000697-HDRB. 553 Agua Fria Street, Member Katz thanked the owner for saving this house and moved to approve the application as submitted and finds that the exception criteria has been met. As recommended by staff and as further discussed by the Board, the portal does not add to the historic fabric of the house. The motion was seconded by Member Larson.

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

3. **Case #2019-000829-HDRB. 113 Vigil Lane. Downtown & Eastside Historic District. Christopher Purvis, agent for, Dan Winter and Wendy Beaver, owners, proposes to construct a 330 sq. ft. addition to a height of 10'-8" and replace windows and doors on a non-contributing residential structure. (Carlos Gemora, cegemora@santafenm.gov, 955-6670)**

Mr. Gemora presented the staff report as follows:

### **STAFF REPORT**

113 Vigil Lane is a residential structure designated non-contributing to the Downtown and Eastside Historic District. Though portions of the building were constructed by 1966, it has had major alterations including the conversion of a garage to a guesthouse and the construction of a large, pitched-roof addition between the house and the guesthouse. In 2005, the Board approved window replacements, roofing changes, and new fencing and gates in the front yard (H-05-096). Earlier this year, the board approved window replacements and raised parapets on the northern massing and a new front yard wall (H-19-039).

The applicant returns to the board with the following requested changes:

1. A 330 sq. ft. addition approximately 10'-4" above finished grade and approximately 12" above the adjacent, non-contributing building. The adjacent facades are approximately 10' and 17' above finished grade. Finishes, windows, and doors would approximately match the existing house. Though the building is noncontributing, staff recommend the Board

evaluate the compatibility and harmony between the proposed and existing heights and massing.

2. New windows throughout the entire house, replacing existing simulated divided-lite windows with aluminum-clad true divided-lite windows of the same size, color, and lite pattern.

### **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 FOR STAFF**

Member Roybal asked where the house is located, if it is at a deadhead and a description of the surrounding houses.

Mr. Gemora said the surrounding land use pattern is single-family residential homes. It is located approximately  $\frac{3}{4}$  down a dead end road, Vigil Lane, which his attached to Camino Santander.

Chairwoman Rios asked if proposed addition behind an existing wall.

Mr. Gemora said there is a fence there, he didn't remember if it's hidden behind a wall. There is a bit of a retaining wall, it has a couple of feet of retention and he believes it would be sunken down a little bit into that grade change.

Chairwoman Rios asked if the grade is a little bit higher than the rest of the house.

Mr. Gemora said the grade change there is higher than the rest of the house; higher than the adjacent noncontributing guest structure.

Chairwoman Rios asked if the applicant is going to disturb the grade.

Mr. Gemora said that would be a prayer for the applicant.

Ms. Larson asked if this includes the removal of a large historic tree.

Mr. Gemora said there is a large tree on that site. Whether that tree would have to go would be a question for the applicant. The City doesn't regulate historic trees currently.

### **APPLICANT'S PRESENTATION**

Christopher Purvis, 222 East Marcy, Suite 19, was sworn. He said, first, in response to the question about the tree, that is a Siberian Elm that is inhabiting half the house, they plan on taking that tree down. Second, the grade is a couple of feet higher than the house and they're going to take it down a foot.

Chairwoman Rios asked if there is a wall or fence where the addition is being proposed.

Mr. Purvis said there's a wall and coyote fence, and they're keeping the coyote fence.

### **PUBLIC HEARING**

There was no public comment.

### **BOARD DISCUSSION**

**MOTION:** In Case #2019-000829-HDRB, 113 Vigil Lane, Member Roybal moved to follow the recommendation of staff and approve the application. Member Katz seconded the motion.

**VOTE:** The motion passed by majority (3-0) voice vote with Chairwoman Rios and Members Katz, Lotz and Roybal voting in favor, Members Larson and Lotz abstaining and none voting against.

4. **Case #2019-000804-HDRB. 375 Hillside Avenue Unit B. Downtown & Eastside Historic District. Hoopes and Associates Architects, agent for Charles and Dian Daspit, owners, proposes to construct a 265 sq. ft. addition and replace a door on a non-historic, non-contributing residential property. (Carlos Gemora)**

Mr. Gemora presented the staff report as follows:

### **BACKGROUND & SUMMARY:**

375 B Hillside Avenue is an approximately 3,000 sq. ft. single-family residence constructed during the 1990's. The non-historic, non-statused home is located in the

Downtown and Eastside Historic District and not publicly visible from the surrounding streets. A second story was approved in 2006 through an HDRB appeal to the city council. The applicant requests approval for two items, an addition and a door replacement.

1. The applicant proposes a 265 sq. ft. addition to the rear (north) of the existing building. The existing structure height is approximately 21' for the second story and 12'-5" for the first story. The addition would be approximately 12' above finished grade (5" lower than the adjacent massing) and not publicly visible. Cementitious stucco and white, metal-clad windows and doors would match the existing home.
2. The applicant proposes to replace a non-historic door on the west façade with a new door of a similar design but which will pocket (slide) into the wall.

#### **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 FOR STAFF**

Chairwoman Rios asked if this is non status and built in 1990s.

Mr. Gemora responded "yes, that is correct."

Chairwoman Rios said the location of this is up a steep driveway from Hillside and is the last house up on the hill.

Mr. Gemora confirmed it is the last house. It's not in a view shed area, it's back further on the plateau of the hill.

#### **APPLICANT'S PRESENTATION**

Craig Hoops, 333 Montezuma, was sworn. He said he agrees with the staff report.

#### **PUBLIC HEARING.**

Stephanie Beninato, previously sworn, said she's sorry that the City Council, in 2006, overrode the Board's disapproval of the second story. She's happy that the applicant is setting the addition down so it's not significantly higher than the current first story.

## **BOARD DISCUSSION**

**MOTION:** In Case #2019-000804-HDRB, 375 Hillside Avenue Unit B, Member Roybal moved to follow the recommendation of staff and approve the application. Member Larson seconded the motion.

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

5. **Case #2019-000886-HDRB. 340 Delgado Street. Downtown & Eastside Historic District.** McDowell Fine Homes, agent for Doug McDowell, owner, proposes to amend a previous HDRB approval (Case H-17-027B) by replacing, reconfiguring, and raising the height of a contributing yard wall and pedestrian gate, replacing windows and doors due to extensive mold and moisture damage, replacing and expanding a garage door and constructing an addition to a contributing garage, constructing portal additions on the east and west elevations of a contributing residence, and adding exterior lighting. Exceptions are requested to place an addition within 10 feet of a primary façade, per Section 14-5.2(D)(2)(d); to replace a contributing yard wall non in-kind, per Section 14-5.2(D)(1)(a); to change window openings on a primary façade, per Section 14-5.2(D)(5)(a)(ii-iii); and to replace historic windows on a primary façade not in-kind, per Section 14-5.2(D)(5)(a)(i). (Lisa Roach)

Ms. Roach submitted the staff report as follows:

### **BACKGROUND & SUMMARY:**

340 Delgado Street is an approximately 2,240 square foot Spanish Pueblo Revival style single family home located in the Downtown and Eastside Historic District. The home was constructed sometime between 1935 and 1945. The rear portal, at the west elevation, was enclosed at an unknown non-historic date, and adjacent to the enclosed portal on the west elevation is a non-historic greenhouse addition. A historic detached two-car garage is located to the north of the house, and historic yard walls and gates line the perimeter of the property. According to the staff report from the 2017 historic status review of the property, defining characteristics of the home include the L-shaped front portal on the east elevation with its tapered log posts, key-notched beams, and decorative corbels. In addition, the footprint of the home is largely intact aside from the two non-historic additions on the rear/west elevation, and there have been few window and door changes. The garage structure appears to be original to the home and retains its original footprint as well. On March 28, 2017, the HDRB designated both structures Contributing to the Downtown and Eastside Historic District. The façades that comprise the east and south



elevations of the residence were designated as primary, and the east and south façades of the garage structure were also designated as primary. In addition, the HDRB designated the north and east segments of the yard wall as contributing structures. In 2017, the former owner of the home received approval from the HDRB (Case H-17-027B) to remodel the home and garage, including the following items:

- 1) Reconstruct and repair the east elevation of the garage. An exception, per Section 14-5.2(D)(5)(a)(i), was granted to change the style of the garage doors from a double entry to a widened single entry. The new garage door was to have a center vertical wooden element that would mimic a post.
- 2) Reconstruct the east yard wall in-kind, due to deterioration beyond repair. No exception was needed, as the replacement was to be in-kind.
- 3) Replace a non-historic door on the south facing façade under the front/east portal. No exception was needed, as the door was non-historic and opening dimensions were to be preserved.
- 4) Replace windows on the west and north elevations with aluminum clad units.
- 5) Replace windows on the east and south elevations in-kind with wood units, as the HDRB found that the exception criteria for replacing them not in-kind had not been met.
- 6) Retain the small closet window on the south elevation (exception request to remove this window was denied) and alter a window on the south elevation for egress, with the condition that the header height and width be preserved.
- 7) Retain "yellow" trim where it exists.

Sometime in the winter of 2018/2019, progress on the approved scope of work ceased. Because the roof of the home had been removed as part of the renovations, the previous contractor erected a wooden structure covered in plastic sheeting to protect the interior of the home from moisture. Over the course of the next several months, the project remained abandoned, and the plastic sheeting blew off and disintegrated, leaving the home open to the elements for an extended period of time. The City of Santa Fe intervened with enforcement actions initiated in the spring of 2019 and continuing presently with the former owner as a case of "demolition by neglect."

Now, the home has a new owner in the current applicant, who has come forward to amend the previous HDRB approval in an attempt to save the home. As photos demonstrate and the proposal letter states, the home now has a high level of mold contamination in the floors, walls, windows and doors, and immediate remediation is needed, in addition to extensive renovation to make the home habitable. The applicant proposes the following scope of work to modify the previous HDRB approval:

- 1) Replace all windows and doors on the east, west, and north elevations with aluminum clad divided lite units. Light pattern of the historic windows will

match the opening dimensions and lite pattern of the original windows. Non-historic door replacements will have a similar lite pattern. All wooden components of the home, including the historic windows and doors, are heavily contaminated with mold and warped with moisture damage and are not salvageable. Proposed clad colors are brown, bronze, or blue. An exception is requested to replace historic material on primary façades not in-kind, per Section 14-5.2(D)(5)(a)(i).

- 2) Replace historic windows on the south elevation of the home, deleting three historic window openings and adding six small windows. An exception is requested to alter opening dimensions on a primary façade, per Section 14-5.2(D)(5)(a)(ii-iii).
- 3) Replace non-historic, undivided windows on the enclosed portal addition at the west (rear) elevation with pairs of double-hung divided lite aluminum clad windows.
- 4) Add two portals to the west (rear) elevation of the home, featuring details that mimic the historic portal on the east (front) elevation of the home.
- 5) Add two chimneys, one central to the home and one that appears at the south and east elevations at the corner.
- 6) Re-roof the home, and replace in-kind all contaminated wood that is beyond repair due to mold and moisture damage, including roof decking, vigas, rafters, and flooring.
- 7) Add exterior lighting in New Mexican punched tin lighting design.
- 8) Replace the previously approved garage door design with a new garage door design, as drawn, and reduce the width of the opening slightly. An exception was previously granted for this item.
- 9) Add insulation and restucco the home. Because the home is constructed of "pentile" that has been coated in cement and paint, the applicant is requesting leeway on method of stucco application and replacement of some blocks that have been damaged beyond repair, as needed. Stucco color was not specified.
- 10) Construct an addition to the west elevation of the garage, including a storage room and a portal extension to connect with and match the design features of the east portal of the residence. An exception is requested to place an addition within ten feet of a primary façade, per Section 14-5.2(D)(2)(d).
- 11) Reconstruct and reconfigure the east yard wall in order to create a parking area adjacent to the garage. The wall will be rebuilt with in-kind materials, as was approved in the previous HDRB review; however, a portion of the wall will be removed and rebuilt to turn west and connect over to the garage structure to accommodate the new parking area and enclose the front yard. The east gate location will move slightly south, and a new gate will be added at the new parking area. Additionally, the applicant requests to increase the height of the yard wall to the maximum allowable height of 5'4". An

exception is requested to replace a contributing structure/primary façade of a historic yard wall not in-kind, per Section 14-5.2(D)(1)(a).

**STAFF RECOMMENDATION:**

Staff recommends that the HDRB request further testimony from the applicant with regards to the exception criteria. Staff commends the applicant on his efforts to save an endangered Contributing home, and should the HDRB find that the exception criteria have been satisfied, staff recommends approval of the application, in compliance with Section 14-5.2(D) General Design Standards and 14-5.2(E) Downtown and Eastside Historic District.

Ms. Roach noted for the record that she distributed to the Board, an email from Joe Silver who has concerns with raising the heights of the yard wall. The email is attached hereto as Exhibit "1".

**QUESTIONS FOR STAFF**

Chairwoman Rios said the house and the garage are contributing, and the south and east facades are primary. She said the wall is contributing, and there are two segments, the north and the east that make that contributing.

Ms. Roach stated that was correct, this proposal affects the north and east.

Chairwoman Rios asked if any portion of the house or garage is going to be higher than the historic house.

Ms. Roach said she doesn't believe there's any request to increase parapet height of the house.

Chairwoman Rios asked if the color of the window frames is presently white.

Ms. Roach said she thinks it's yellow, but the applicant can clarify that.

Chairwoman Rios asked if the two pedestrian gates are going to be kept.

Ms. Roach stated that in the previous case, the gates were deteriorated beyond repair. The previous applicant requested to rebuild them, in kind. This applicant is requesting to replace the gates with a different design.

Member Katz referred to the approvals in 2017. He said #6 requested to retain the small closet window on the south elevation. He asked what is happening to that small closet window and how is egress going to be provided in that bedroom, particularly given that larger windows that are there are proposed to become smaller windows.

Ms. Roach said that it looks like the small window will be deleted. Perhaps the applicant should be asked about egress for the bedroom.

Member Roybal asked if all the approvals that were done in 2017 automatically carry over, regardless of who the owner is.

Mr. Roach said the approval is still valid because it is within three years of issuance. The decision was made because the heights are going to be kept the same as what was approved in 2017. A lot of the aspects of what was approved in 2017 will remain too to make this case an amendment to that previous approval because it's a project that was in the midst of being completed.

Chairwoman Rios said it's too bad this house was left to disintegrate to the point where it is and it's good that it's going to be remodeled.

Member Larson stated that this the only application she has seen that has a window condition assessment included. It's a shame that a lot of the fabric was not in a condition to repair. Now it seems like a lot of that historical material has to be replaced.

#### **APPLICANT'S PRESENTATION**

Doug McDowell, P.O. Box 1567, was sworn. He said that most, if not all the Board members have seen the condition of the house. He said he's committed to restoring the house as best he can. He said it's one of the most unexplainable abandonments he's ever seen on the Eastside. He believes when house is done from the outside the historic nature of the house will still be there and be visible but improved and added to in the sense that it will have a story that lends to this house. He said his choice was to come in and tear down or come in and save it. He said they were sitting with a hazardous condition with an R-Value of 1.84 in the exterior walls, it has no roof, it has no insulation, all the flooring has to come out and all the ceiling decking has to come out. He said he could go on and on about each thing. He said when the home is done, you'll drive by and see the same home in great condition.

Chairwoman Rios commended the applicant for wanting to refurbish the house. Another person would want to demolish it because of all the negativism that is occurring in this house.

Mr. McDowell said he likes to do this kind of work. He said it's weird when you can't go in a house, because it's dangerous and historic material becomes hazardous material. He said he doesn't know how to balance between preservation and those kinds of things. He said he wishes he could restore some of things, but he just can't.

Chairwoman Rios said it is indicated that "applicant is requesting leeway on method of stucco application." She asked the applicant to explain what he means.

Mr. McDowell said leeway, meaning stick pins, it's a metal little plate that's glued onto a wall with a nail coming out of it and then insulation is blown onto the wall spray foam. and then the mesh is placed on top of the foam and the nail gets bent. There's a certain requirement on the tensile strength of that stick pin when it's on the wall. He said he's going to have to meet that code and going to have to meet the green code to some degree, which is going to require a certain amount of R-value on those walls. He's really not asking for leeway as much as he's saying that he's working with it and trying to get there with a structural engineer and with the City building inspectors to come up with a system that they can approve, because they may not be able to approve the stick pins. Then, they'll have to look at doing some sort of anchoring system that goes into the hollow part of the wall and drill every screw that goes in there.

Chairwoman Rios asked the applicant if he is planning on using cementitious stucco.

Mr. McDowell, said "yes, that's something that will be talked about at another meeting."

Ms. Roach referred to Member Katz's question about egress on the windows. She was looking back at the window assessment from the previous case. It doesn't seem that egress may be an issue for bedroom one, the southwest bedroom, because there would be a new door and portal off that bedroom. Egress may be an issue for the bedroom two.

Mr. McDowell said if there are egress issues, the only thing he would ask is if he could increase the window six inches longer or wider to allow egress. He is going to keep using the same types of windows, which are casement windows, swinging with the old latches and those sorts of things. If he misses it by a square foot or less, it's very close. He said if the Board approves this submittal, he would need to have some leeway with that window of six to eight inches in order to make it accessible.

Chairwoman Rios asked if that would be just for bedroom two.

Mr. McDowell said that was correct, that would be the southeast bedroom.

He said regarding the 2017 classification of the home, he said he respects it and honors it and there's a lot of work to be done. He said he doesn't see how the north side, or the back of the garage could be a contributing part of the house as it cannot be seen, except for one little place where there was a gate at one point, on the side and the south side of the house is overgrown. There is a higher wall that the neighbors built and there's

a lot of plantings on her side. On the 340 side, he said, unless you walk up to the gate on the corner of that house and walk through the gate, the south side of the house cannot be seen.

Chairwoman Rios asked the applicant to explain how he wants to change the wall for parking purposes.

Mr. McDowell described to the Board his plans for changing the wall and his parking plans. He said you'd still be able to see over the wall, and it allows him to have off-street parking for two or three cars. From a historical point of view, it lends to the fact that people have more cars now. They need to park them somewhere and it adds to the community and the ability to live in the district and the use of the home.

Member Larson said she's curious about the exterior walls and gates. She wanted to know if he was planning to keep the same shape and keep the same curvature of the gates.

Mr. McDowell referred to the drawing he handed out which is attached hereto as Exhibit "2". He said he is keeping curvature but putting a different style of the gate.

Member Larson said that's very defining of the house and she would personally like to see that preserved.

Mr. McDowell said the gate is fully rotted and he would prefer to replace it.

Chairwoman Rios asked if the applicant knows what the gates are going to look like.

Mr. McDowell said it would be a solid wood gate and it would be like the main doors that the Board is familiar with. They'll be either wood paneled or wood top, with a cross type inset overlay door on the bottom. He said he would have to bring it to staff for approval.

Chairwoman Rios asked what the proposed height is.

Mr. McDowell said 6'4".

Chairwoman Rios asked what the height is of the present gate.

Mr. McDowell said he had no idea but he has to duck to go through.

Chairwoman Rios referred to the gate on the east side, to the left. She asked if the applicant is proposing to keep that arch with the new gate.

Mr. McDowell said the gate that's being used on the southeast corner would be retained as is but would have to be rebuilt.

Mr. McDowell described the portal extension.

Chairwoman Rios asked the applicant if he is proposing a mud room, behind the garage, and behind the mud room he's going to put a portal that connects to the rest of the house.

Mr. McDowell said the portal would be to the side of the mud room.

Member Roybal referred to the letter from Mr. Silver regarding the common wall. He asked if the applicant has resolved their concern.

Mr. McDowell said he spoke to Mr. Silver and told him he would not request it.

Ms. Roach asked the applicant to clarify what he is removing from the application.

Mr. McDowell said he didn't even know it's on the application. He referred to raising the common wall on the west side.

Chairwoman Rios asked if the wall was going to be raised.

Mr. McDowell said "no."

Ms. Roach asked if it was the referenced wall is on the north side of the property or the south side.

Chairwoman Rios said he was referring to the west side.

Mr. McDowell said he told Mr. Silver that instead of raising the wall, the applicant could resolve the issue with plantings. Mr. Silver indicated that he was fine with plantings.

Chairwoman Rios asked about the proposed colors for windows, he has indicated brown, bronze or blue. She asked him to describe the blue.

Mr. McDowell said it would be a custom blue. He left it open because he wanted the Board's feedback. He thinks white is too much, but a bronze would work as well.

Chairwoman Rios said the applicant is proposing aluminum clad windows throughout. She suggested that on the east façade (street facing) those windows should be wood.

Mr. McDowell agreed.

Member Larson said she was curious why yellow wouldn't be considered.

Mr. McDowell said they repainted it yellow at one time. Underneath yellow is a beige paint.

Member Katz thanked the applicant for taking on this task. He said he is concerned with the portal in front of the historic façade. Given how short the walk is from the mud room to the portal in the center part of the east elevation, and considering that the snows and rains are rare and brief, he doesn't see that as a hardship. He said what informs his decision is how much it changes the appearance of the facade. He asked the applicant if he was willing to delete that portion of the request.

Mr. McDowell said he thinks it's an important part of preserving the house. The main reason is that the basement is waterlogged. He's trying to keep the water away from the face of that house, which has a lot of water problems. Part of that portal is to keep that water away from the basement and to move it away from the house. There's a house next door that has zero lot line. It's all draining onto the property. There's a lot of water that's happening right there on the property. In the basement, there's a lot of mold and pointed to a steel window there that will be gone, but it leaks as well. He's trying to dry out the basement and preserve that concrete poured wall that's down there. He thinks the best way to do that is to keep the water out of there.

Member Katz said the applicant could make it as waterproof as necessary by putting treatment on the on the walkway, between the mudroom and the portal.

Mr. McDowell said that could be done, but it's not as successful. He indicated that he doesn't take issue with Member Katz's feeling, but he believes that when this house is done, it's going to be unnoticeable because it's going to be exactly like the other private portal. It's the same height, the parapets will be behind, they're bidding for the same stone color, the same size posts, the same style of corbels, it's the same. The whole house is being re-plastered and they're adding insulation to the outside of the house.

Member Katz said he was also concerned with the south façade. He said the windows in the southeast bedroom are quite visible, much less so in the back. His understanding of the desire to replace those is because it would be easier to put the bed against the wall. There are other solutions to where the bed could be placed. He wonders about hardship on that one, because those windows are visible, the hardship would need to be greater than if they were not visible, particularly as is true in the back bedroom. He has a different reaction to those two rooms and asked what the applicant's thoughts were on that.



Mr. McDowell said he has an extremely negative reaction to a bed coming out of a corner of a room with an opening behind it that's hollow. This is a very traditional home built in the 30s and 40s. Everything is squared off and is small. You can't really fit anything bigger than a queen size bed in there. Spaces are at a minimum, the bathrooms are being designed to be very 40s and 50s in style with sinks that are wall hung on a subway tile, those sorts of things. He's just trying to get room where they can get it, so they don't try and make the house bigger. Little things like, he wishes it were that easy, but it really fights then how do get in the bathroom or where does he put the closet or because everything has about two or three feet in front of it and that's it.

### **PUBLIC HEARING.**

Helen Rogers, 637 Garcia Street, was sworn. She always walks by the house and she has seen the disaster that 340 has been. She expressed her hope and wish to the Board, that the Board will make it possible to have the house renovated and refurbished and not be torn down. She asked the Board to allow the house to be rebuilt in whatever way it can be rebuilt because it's something positive for the neighborhood.

Raymond Herrera, 379 Hillside Avenue, was sworn. He complimented Mr. McDowell for taking on the project. He asked the Board to give the applicant as much leeway as possible in taking on the responsibility. The previous owners were trying to do a demolition by neglect. Mr. Herrera said his only concern is the front wall. By changing the height of the front wall and the gate itself ruins the streetscape. He thinks the whole wall as it is, should be preserved. The gate can be restored or make a new one. He also said that yellow color has been there for as long as he can remember. He said that was an artistic neighborhood back then which is part of the history.

Jim Arndt, 428 Camino de las Animas, was sworn. He walks by and drives by the house almost every day. He hates to see the wall come down to have more parking. He would like to see the portal and the wood windows look the same when you go by the house.

John Eddy, 227 Palace, was sworn. He said the major areas of concern on this house have been identified. He supports the Chairwoman on keeping wood on the windows of the eastern façade. He said the portal is important to the streetscape. Having wood behind that portal makes sense. He knows clad windows are needed these days, but he would rather see wood maintained there. It is protected by a portal, so wood would be protected. He doesn't remember what the original color was when he was a kid. He referred to the portal that was identified by Member Katz and asked the applicant if it squares right in, underneath that portal. He asked if it was a banco.

Mr. McDowell said it's an existing wall that encases a stairwell.

Mr. Eddy said he wonders if a compromise could happen on that portal, to pull it back to the wall a little bit and use it as a passageway because he thinks it is important to have a passageway that's covered. The depth of that portal is what diminishes the engagement of that longer portal behind it.

Chairwoman Rios asked Mr. Eddy if his suggestion was to eliminate the proposed portal.

Mr. McDowell said he thinks Mr. Eddy is saying and he agrees, the depth of the portal is of a concern to him and he's looking at the wingwall, if he's able to bring it back to as close to the step as he could, as long as he has three feet, from the posts, that's all he really needs.

Ms. Beninato, previously sworn, commended Mr. McDowell. She's happy that Mr. McDowell has already agreed to make the east side windows wood, rather than aluminum clad. She shares Mr. Katz's concern with the portal on the south side. There are other architectural designs that could work too, to keep water away, like making very deep sidewalk sloping away from the house rather than putting a portal up. She is also concerned about the garage doors. They look very busy and two rather than four would lessen that sort of busyness. She too would not recommend putting the wall up higher on the east side. On the Delgado Street side, everyone keeps wanting to just up the wall a little bit, a little bit, a little bit, and it really changes the character of the street. This is a historic building. It's a historic wall, a contributing wall, as she understands. She doesn't really see a hardship that justifies putting the wall up higher. She also shares with Mr. Katz's concern regarding the changing of the south side windows. She said you're not supposed to be talking about walls and vegetation and how you can't see it because walls and vegetation can easily go away. The positioning of a bed, inside, is not a hardship that would justify making those very small windows. They don't seem to fit in with the rest of the openings at all. She urged the Board not to allow that change.

### **BOARD DISCUSSION**

Mr. McDowell said he thinks the word "high walls" sometimes tends to get a little bit overused. He said, if you look across the street from this, most of the walls over there over six feet tall. They are exactly what he would call a "high wall". In other words, the house is back inside the wall. You have no feeling of the house from the roadside or across the street almost all the way from Plaza Valentine to Acequia Madre. All those walls are over six feet and the houses are back behind those walls. At 5'6", he's trying to get rid of the cars, so when cars drive by, the cars won't be seen when you're sitting in the house. But at 5' 6", you can look over the wall and you can see the house behind, because the house is at 12 to 14 feet tall. The house is still on the road, as opposed to the house being inside a wall that's higher than the person outside.

Chairwoman Rios said the current wall height is five feet and she asked Mr. McDowell if he wanted to increase it by six inches.

Ms. Roach said she was just going to address that and referred to the image from the previous case which shows that the existing wall height ranges from 3'8" to 4'4", with the archway over the gate going up to 6'4".

Mr. McDowell said he is requesting to increase it to the allowable height of 5'4".

Member Larson asked if there's any flexibility to maintain the original shape in the existing wall because what is being proposed is a bit more conventional. The wall that exists, she considers it a character defining historic feature. She said the applicant is looking for a more fortified gate, but the gate on the southeast corner of the house is in good condition and maybe we would consider relocating that gate to the front. The original gate, if she understood correctly, is a duplicate almost or they're identical. So maybe that would be a sustainable solution for that.

Mr. McDowell said they are very similar. He said if the Board approves the parking, he could move the gate down to the left. They could keep that shape and could recreate the gate, but he would want to put something solid on the spindles.

Member Larson said that would be a more palatable solution.

Chairwoman Rios said she thinks that's a good suggestion. She thinks those gates are lovely. She commended Mr. McDowell for coming to the Board in a cooperative spirit. She said if he's going to have the gates, he should replicate what is already there, if he's going to make a new gate. Or, as Member Larson suggested, move the gate that is in better condition to the existing wall. But she thinks if he's going to do another gate, why not replicate it.

Mr. McDowell said he just agreed to replicate the gate and the shape of the wall over the gate that would be a little higher, so you don't have to duck in to get in there. But then he would put a solid panel behind the spindles. He agreed to do that.

Member Roybal said he personally likes everything that the applicant has proposed to be minor changes. He said this is going to be a magnificent house when he gets through it, considering what the house has gone through and what the house is at now.

Chairwoman Rios asked Mr. McDowell to comment on the proposed garage doors. She asked for some detail in reference to that like the type of glass that's being used and the type of work that's being used.

Mr. McDowell referred to the picture of the garage. He said existing, there's these skinny little sides on the garage that are about a foot line. What he's done is taken them to three feet, which is more in keeping with what the requirements of the east side are. The door is now three feet smaller than it was, as opposed to what was proposed originally. He's done many doors that the Board has seen before. It's just spindles in a top with wood behind. It's a classic Southwestern, either lazy snake spindle or something's shaped like you see at the La Fonda all over town.

Mr. Gemora showed the Board a picture of the existing wall.

Chairwoman Rios reminded the maker of the motion that there are four different sets of criteria that need to be met.

Mr. Gemora said on page 106, the south elevation, the drawings show the top as being existing and the bottom being existing. He just wanted to clarify for the record that A8 on page 106, the bottom drawing on the south elevation is the proposed, not the existing.

Mr. McDowell said that's right.

Ms. Roach said 11 items being proposed. She asked that the maker of the motion go item by item and express which way the Board is leaning on each item.

**MOTION:** In Case #2019-000886-HDRB, 340 Delgado Street, Member Katz moved to address the approval of each item in the application as follows:

- 1) Approve the replacement of all windows and doors on the east, west, and north elevations with aluminum clad divided lite units on the west and north elevations, but replacement in kind with wooden windows on the east elevation. The light pattern will match as requested. The color may be brown, bronze or blue. Staff will approve the version of those colors.

The Board found that the exception has not been met for the east facade because the windows are being replaced in kind.

- 2) Approve the windows on the south elevation of the home: the window in the bedroom on the southeast corner shall be replaced, but with the same shape and style. The windows in the back may be replaced by two windows in that room, the one in the closet and the one in the bedroom and on the south facade the windows may be replaced with the three windows as shown.

The Board found that the exception for the south elevation has been met.

- 3) Approve the replacement of the non-historic, undivided windows on the enclosed portal addition at the west (rear) elevation with pairs of double-hung divided lite aluminum clad windows.
- 4) Approve the addition of two portals to the west (rear) elevation that mimic the front.
- 5) Approve the addition of two chimneys.
- 6) Approve the re-roof of the home and replace in-kind all contaminated wood that is beyond repair.
- 7) Approve the addition of the exterior lighting in New Mexican punched tin lighting design.
- 8) Approve the replacement of the previously approved garage door design with a new garage door design.
- 9) Approve the addition of insulation and re-stucco, with cementitious stucco, in El Rey Adobe color.
- 10) Approve the construction of an addition to the west elevation of the garage, the mud room.

Reluctantly approve the portal extension connecting to the house, matching the features of the east portal. **[Per the discussion below, Member Katz revised this approval in order to disapprove the portal because he could not come up with a hardship]**

- 11) Approve the reconstruction and reconfiguration of the east yard wall, the portion requested to be removed, it may be removed. The gate may be moved as indicated. The arch over the gate and the gate itself shall mimic the design of the current gate. The provision being there be a solid backing to that it is a more secure gate. The height of the wall may be raised to 4' 8".

The Board found that the exception criteria for the yard wall has been met because parking would be a hardship

Mr. Gemora asked for clarification on Item #10 so that the maker of the motion or a friendly amendment be made to recognize that the exception has been met.

Mr. Gemora also asked for clarification on height of the wall being 4' 8" and not the 5' 4" that was requested.

Member Katz said one of the distinctive aspects of that property and that wall is that a low wall and he understands that having a wall as low as it is now, does limit any kind of privacy for the owner of the house in the front, but he thinks raising it all the way to 5' 4" changes the character too much.

Member Katz said as far as the exception for Item #10, he revised his motion for item #10 to state the portal in front of the primary portal is not approved because he can't come up with a hardship.

**Member Roybal seconded the motion, with a friendly amendment to Item #10 in order to postpone action on the portal to allow the applicant to submit a redesign.**

The amendment was friendly to Member Katz, the maker of the motion.

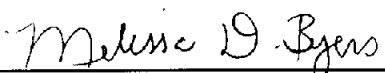
**VOTE:** The motion passed by unanimous (4-0) voice vote with Members Katz, Larson, Lotz and Roybal voting in favor and none voting against.

Mr. McDowell said he respected how Member Katz felt. He broke his heel about four months ago. He said his godson is paralyzed. He's seeing more and more people that he's around needing help getting around, he thinks it's a hardship.

**H. MATTERS FROM THE BOARD**  
There were none.

**I. ADJOURNMENT**  
Adjourned at 7:55 pm

Submitted by:

  
\_\_\_\_\_  
Melissa D. Byers, Stenographer  
For Byers Organizational Support Services

Approved by:

  
\_\_\_\_\_  
Cecilia Rios, Chairwoman

**MCCULLEY, LANI J.**

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**HDRB  
9/24/19  
EXHIBIT 1**

**From:** Joe Silver <joelsilver@aol.com>  
**Sent:** Monday, September 23, 2019 3:52 PM  
**To:** MCCULLEY, LANI J.  
**Cc:** Doug McDowell  
**Subject:** 09/24/2019 HDRB Hearing - 340 Delgado St

These comments are intended for the record of the Historic Design Review Board hearing scheduled on September 24, 2019 at 5:30 at Santa Fe City Hall Council Chambers, concerning:

Case #2019-000886-HDRB 340 Delgado Street  
A proposed remodel by McDowell Fine Homes

I am Joe Silver. My wife and I own the residence at 365 1/2 Garcia Street, No. 4, which abuts 340 Delgado to the West. The two homes share a common stucco wall.

Doug McDowell provided us with plans and elevations denominated as "HDRB Package Draft 4." He was also forthcoming in consideration he was giving to increasing the height of our existing common stucco wall by twelve to eighteen inches. My wife and I welcome the proposed remodel and additions for the Delgado Street residence as depicted on the HDRB Package. We very much OPPOSE the additional height of our common wall for these principal reasons:

The setback of our home to the common wall is narrow (approximately 6 feet). Further yet, our home spans the virtual entirety of the common wall (53.6 of 69.3 feet). It is the longest side of our house and include our kitchen, dining, and living areas, together with our master bedroom and master bathroom. All of these uses have windows into and onto the narrow corridor created by the common wall. A significant portion of this area (the corridor created by the narrow setback of our house) is depicted on the attached image. The proposed remodel under your consideration is on the other side of the wall depicted on the right side of the image.

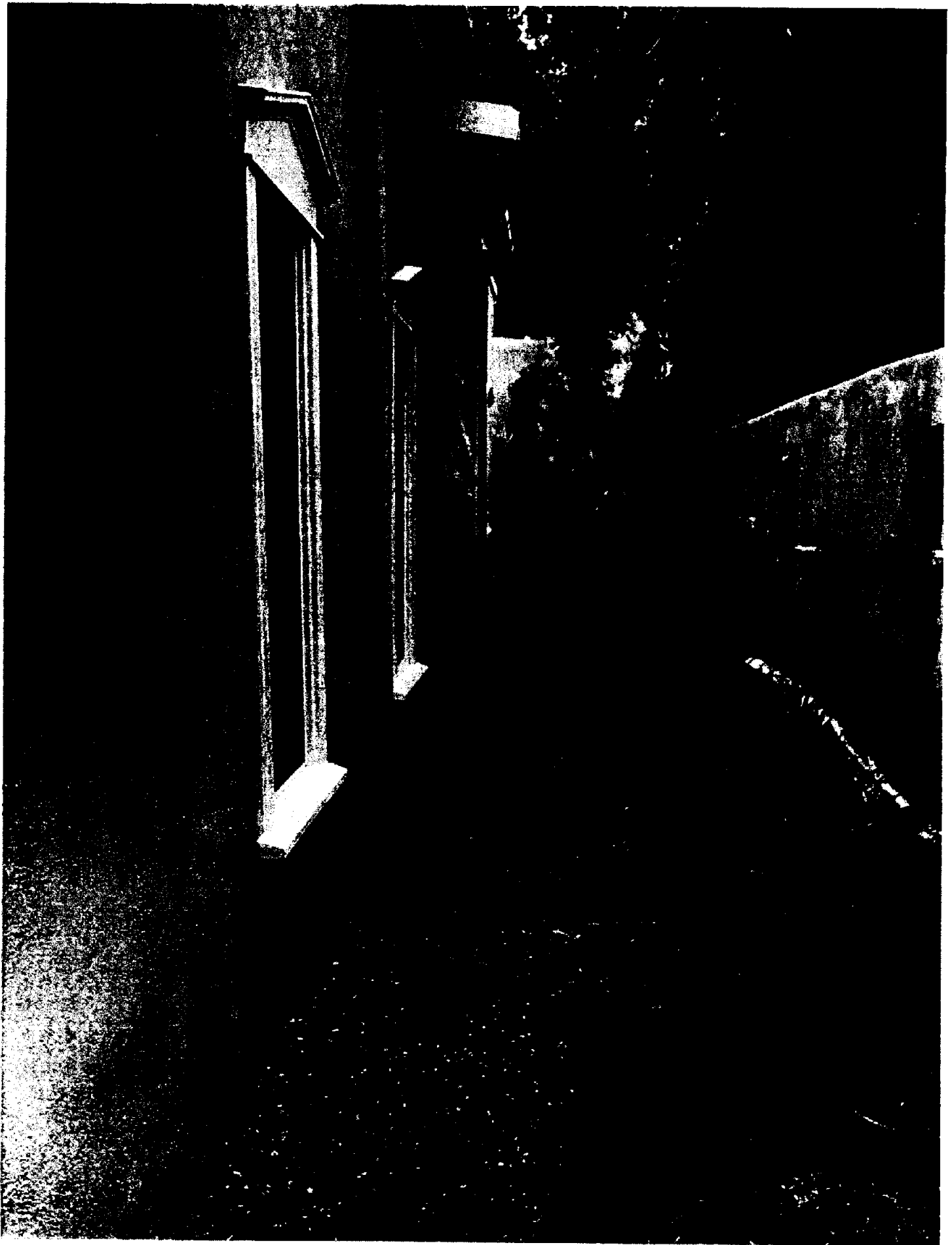
Our objection to any increase in height of the common wall is the further limitation it will have on our sunlight and view, which is already impacted by the narrow setback. Privacy concerns, in our view, can be addressed by strategic landscaping, without such significant impact upon our light and sight lines as will further raising the common wall.

At the time of the preparation of these comments, I reached out to Mr. McDowell to inquire about the status of his considerations to increase the height of the common wall, but have not heard back.

Thank you.

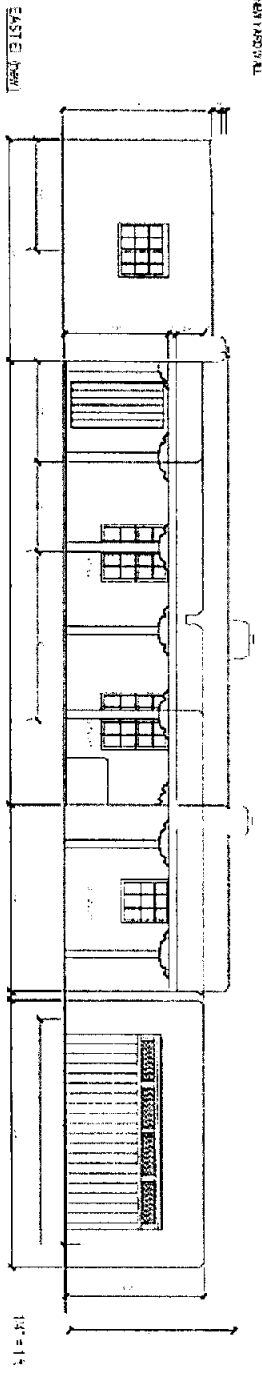
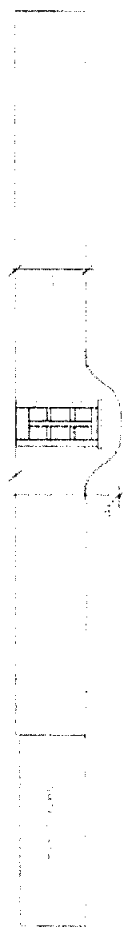
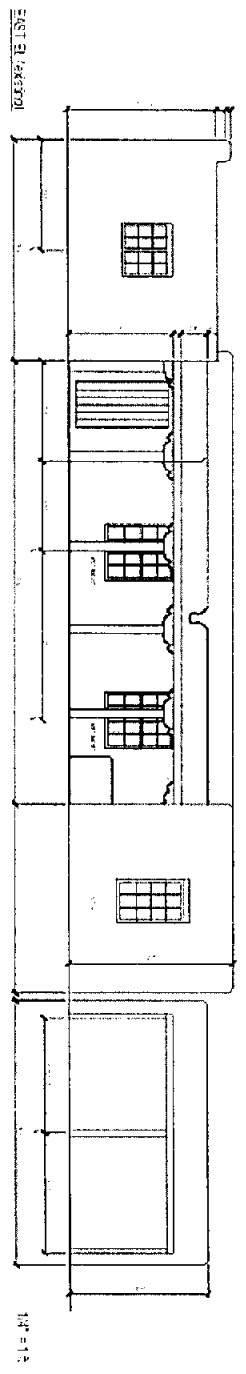
Joe Silver and Marlynn Silver

Our notice address is 333 S. Monroe St. No. 205; Denver, CO 80209





6/24/19  
REVISION



Originals  
Page 102

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REMODEL & ADDITIONS  
340 Delgado Street  
Santa Fe, New Mexico

EAST EXTERIOR  
ELEVATION

A4