



Agenda

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AMENDED

HISTORIC DESIGN REVIEW BOARD FIELD TRIP

TUESDAY, JANUARY 27, 2009 – 12:00 NOON

HISTORIC PRESERVATION DIVISION, 2ND FLOOR CITY HALL

HISTORIC DESIGN REVIEW BOARD HEARING

TUESDAY, JANUARY 27, 2009 – 5:30 PM

CITY COUNCIL CHAMBERS

- A. CALL TO ORDER**
- B. ROLL CALL**
- C. APPROVAL OF AGENDA**
- D. APPROVAL OF MINUTES**
- E. FINDING OF FACTS/CONCLUSIONS OF LAW**
 - 500 & 700 Blocks of W. Alameda Street
- F. COMMUNICATIONS**
- G. BUSINESS FROM THE FLOOR**
- H. ADMINISTRATIVE MATTERS**
 - 1. AN ORDINANCE AMENDING SECTIONS 14-3.14 AND 14-5.2(B) SFCC IN ORDER TO ESTABLISH PROCEDURES FOR THE DEMOLITION OF LANDMARK STRUCTURES AND TO REQUIRE MINIMUM MAINTENANCE OF LANDMARK STRUCTURES; AND MAKING RELATED CHANGES.
- I. OLD BUSINESS**
 - 1. Case #H-06-001. 142 Lincoln Avenue. Downtown & Eastside Historic District. Lorn Tryk Architects, agents for Storic Development, proposes to amend a previous approval by increasing the height of portals by 1.5' and deleting second-story balustrades on a non-contributing building. (David Rasch)
 - 2. Case #H-08-127. 512 Camino del Monte Sol. Downtown & Eastside Historic District. Miguel da Silva, agent for Arnie and Virginia Israelit, proposes to amend a previous approval to construct a yardwall by increasing the height from 53" to 72" where the maximum allowable height is 60" on a non-contributing property. (David Rasch)
- J. NEW BUSINESS**
 - 1. Case #H-08-130. 121 Quintana Street. Westside-Guadalupe Historic District. Max Aragon, owner/agent, proposes to replace a non-historic door and window on a contributing building. (Marissa Barrett)

2. Case #H-09-001. 1330 B Cerro Gordo Road. Downtown & Eastside Historic District. Will McDonald, agent for Vince Palladino, proposes to construct an approximately 284 sq. ft. addition to a height of 11'5" where the existing height is 12'9" and construct a coyote fence with a masonry pilasters to the maximum allowable height of 6' on a non-contributing property. (Marissa Barrett)
3. Case #H-09-003A. 616 Camino de la Luz. Downtown & Eastside Historic District. Diana Ybarra, agent/owner, proposes an historic status review of this non-contributing property. (David Rasch)

Case #H-09-003B. 616 Camino de la Luz. Downtown & Eastside Historic District. Diana Ybarra, agent/owner, proposes to remodel a non-contributing property by replacing all windows, increasing height on an addition, constructing a deck, and constructing a 4' high yardwall. (David Rasch)
4. Case #H-09-004. 118 Rim Road. Downtown & Eastside Historic District. Gayla Bechtol, AIA, agent for James Cooper and M. Gerry Cooper, proposes to construct approximately 390 sq. ft. of additions, an approximately 216 sq. ft. portal, remove a temporary storage shed, enclose an approximately 214 sq. ft. patio with a wall to not exceed the maximum allowable height of 6' and replace windows on a non-contributing building. (Marissa Barrett)
5. Case #H-09-002. 714 Gildersleeve Street. Don Gaspar Area. Cavalry Custom Construction, Inc., agent for Marion Tassin, proposes to remodel a contributing property by installing a rooftop mechanical unit and increasing the parapet height from approximately 12.5' to 14' where the maximum allowable height is 15'1", construct an approximately 340 sq. ft. carport on a primary addition, remove an historic braided wire fence, and construct yardwalls to 5' high where the maximum allowable height is 6' on side of lotlines and 47" on the streetscapes. Three exceptions are requested to remove or alter historic materials and character, Section 14-5.2 (C)(1) regulation of contributing structures, to construct an addition on a primary façade, Section 14-5.2 (D)(2)(c), and to construct a yardwall taller than the maximum allowable height, Section 14-5.2 (D)(9). (David Rasch)

K. MATTERS FROM THE BOARD

1. Discussion of State Legislation regarding H-Board jurisdiction on State properties within City Historic Districts.

L. ADJOURNMENT

For more information regarding cases on this agenda, please call the Historic Preservation Division at 955-6605. Interpreter for the hearing impaired is available through the City Clerk's Office upon five (5) days notice. If you wish to attend the January 27, 2009 Historic Design Review Board Field Trip, please notify the Historic Preservation by 9:00 am on Tuesday, January 27, 2008.

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HISTORIC DESIGN REVIEW BOARD
January 27, 2009

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MINUTES OF THE
CITY OF SANTA FE
HISTORIC DESIGN REVIEW BOARD

January 27, 2009

A. CALL TO ORDER

A regular meeting of the City of Santa Fe Historic Design Review Board was called to order by Chair Sharon Woods on the above date at approximately 5:30 p.m. in the City Council Chambers at City Hall, 200 Lincoln, Santa Fe, New Mexico.

B. ROLL CALL

Roll Call indicated the presence of a quorum as follows:

MEMBERS PRESENT:

Ms Sharon Woods, Chair
Mr. Dan Featheringill
Dr. John Kantner
Ms. Christine Mather
Ms. Cecilia Rios
Ms. Deborah Shapiro
Ms. Karen Walker

MEMBERS ABSENT:

None

OTHERS PRESENT:

Ms. Marissa Barrett, Senior Planner
Ms. Kelley Brennan, City Associate Attorney
Mr. David Rasch, Historic Planner Supervisor
Ms. Jeanne Price, Code Writer
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.

C. APPROVAL OF AGENDA

Mr. Rasch noted that Case #H 06-001 had been postponed by the applicant.

Ms. Rios moved to approve the agenda as amended. Ms. Shapiro seconded the motion and it passed by unanimous voice vote.

D. APPROVAL OF MINUTES – January 13, 2009

The minutes were not considered.

E. FINDING OF FACTS/CONCLUSIONS OF LAW

500 & 700 Blocks of W. Alameda Street

Mr. Rasch referred to the last page, conditions A -G which now included H also. He read it.

Ms. Brennan explained the process.

Ms. Rios moved to approve the Findings of Facts and Conclusions of Law for 500 & 700 Blocks of W. Alameda Street as amended. Ms. Shapiro seconded the motion and it passed by unanimous voice vote.

F. COMMUNICATIONS

Mr. Rasch noted that Santa Fe was a CLG and received money from the state to do things. This time he got training money for board members to go to the statewide HP Alliance conference in Silver City on March 26-28. He was required to use this money so he hoped the Board would take advantage of it. He had not seen a registration form yet. The amount received was \$2,500 for staff and board and the City had a match.

Ms. Shapiro asked if they could use a city van.

Mr. Rasch didn't know. He agreed to send the Board members an email on it.

G. BUSINESS FROM THE FLOOR

Present and sworn was Ms. Marilyn Bane, 602½ B Canyon Road, President of OSFA. She welcomed the new members to the HDRB.

She spoke to, 613-615 Canyon Road. Yesterday as she was walked by she saw workers tearing out the double doors which was not part of their permit. She called Mr. Rasch who started following through.

She commented that very few people notice these things. They must have more enforcement by the City to know when these egregious things went on. It was a disreputable building and she could not believe

that was what the Board wanted there.

She also spoke with Mr. Hiatt who asked her to convey to the Board since it is in the Chapter 14 rewrite process, not only that it was unclear but the ordinance was toothless when people did what they should not be doing. She asked him if that should include financial penalties and he agreed. The City must crack down.

Chair Woods thanked her for the information.

Mr. Rasch reminded the Board that he earlier had proposed a \$2,000 fine for red tag work and a \$200 fee for exceptions. They were denied then but might now be looked at with favor.

The Council told staff it was their job to do these things so they could not charge a fee. When he asked why inspectors had a fee, they said it was in the Code. So he thought the Board should require inspection by the planners and have a fee and include it in the Code.

He commented that this property was a non-contributing property. There was no information or testimony about the door. They showed the same door on the proposed plans. The Board could ask to have that door replaced.

Chair Woods asked if staff could inspect not only the door but the other elements that were approved.

Mr. Rasch agreed and said he had asked Mr. Moquino to do an audit of that case.

H. ADMINISTRATIVE MATTERS

1. AN ORDINANCE AMENDING SECTIONS 14-3.14 AND 14-5.2(B) SFCC IN ORDER TO ESTABLISH PROCEDURES FOR THE DEMOLITION OF LANDMARK STRUCTURES AND TO REQUIRE MINIMUM MAINTENANCE OF LANDMARK STRUCTURES; AND MAKING RELATED CHANGES.

Mr. Rasch presented the staff report for this matter as follows:

In 2004, when the Governing Body granted authority to the Historic Design Review Board (HDRB or Board) to designate historic status on structures within historic districts, the authority to designate landmark structures outside of historic districts was retained by the Governing Body. The HDRB recommends landmark status to the Governing Body with language provided in the Landmarks section of the Land Use Code, 14-5.2 (L).

In the General Design Standards section of the Code, 14-5.2 (D), specific standards are given for the preservation of historic status and the treatment of landmark structures along with standards for the treatment of significant and contributing structures as well as the important streetscape and height standards. The HDRB has practiced its authority under this section to approve or deny all proposed additions or alterations to landmark structures.

However, there are two sections of the Land Use Code where proposed demolition or demolition by neglect language excludes landmark structures from regulation: 14-5.2 (B) Minimum Maintenance Requirements; and 14-3.14 (A)-(G) Demolition of Historic Structure. In both sections, only structures that are located within historic districts may be regulated to prevent neglect or inappropriate alteration by removal of entire structures or portions of structures.

In practice, the HDRB has not identified the remodeling of structures, which may include removing portions of structures, as a demolition. This section of the code is used strictly for the complete removal of structures. Thus, the City Building Inspector is not required to file reports concerning structural stability and code compliance for all remodel proposals and the HDRB is not required to determine if the proposal reestablishes an essential streetscape with a proposed replacement structure. Demolition requests are granted only after the proposed reconstruction is approved using general streetscape standards.

A current list of all landmark structures was attached for reference on page three of his report.

The proposed amendment affects the Land Use Code in the following ways:

1. page.2 lines 5-8

The Board's hearing of appeals of "City Planning and Land Use Department's approvals or denials" is changed to "final actions of the Land Use Director interpreting or applying historic district regulations."

2. page.3 lines 4-6

A new section is inserted in the Board's Powers and Duties to give the Board recommending authority to the Governing Body for proposals to demolish landmark structures.

3. page.3 line 11

Language regarding the remodeling of a structure, i.e. demolition of a portion, is retained in the Board's authority. This continues the conflicting practice that does not recognize remodeling as demolition.

4. page.3 lines 19-22

A new section is inserted to limit the Board's review period to 65 calendar days for the proposed demolition of landmark structures. The Governing Body is required to act upon the reestablishment of the streetscape, where applicable, to be accompanied by proposed construction drawings. The language does not include remodeling of landmark structures, i.e. demolition of a portion, which authority is retained as under the jurisdiction of the HDRB rather than the Governing Body.

5. page.5 lines 7-13

Only "final" actions of the Board are appealable. New language is being drafted for appeals and this section will follow that language which has not been forwarded for review yet.

6. page.6 lines 12-15

Language regarding minimum maintenance requirements, i.e. demolition by neglect, is retained for the Board's authority on structures within the historic districts and new language is inserted for the Governing Body's authority on landmark structures.

7. throughout

"The Governing Body" is inserted where necessary to reflect this new section of authority.

Two cautions: 1) language that we are not changing - when demolishing, there are criteria that must be met. We usually don't grant a demolition until we have a proposal for re-establishing the streetscape. The other is a technical item. It says when a person proposes removing a portion of a building - it shall be determined as a demolition request. So a portion demolition is a remodel and doesn't bring forth the demolition requirements. So I would like to change that language.

Chair Woods asked Ms. Brennan if, since they were not an elected body, that everything they did was a recommendation.

Ms. Brennan disagreed, saying the Board did make decisions and they were appealable. So she wouldn't say the HDRB was a recommending body.

Chair Woods asked Ms. Price about suggestions for the remodel. She suggested if the "or portion" part was removed and it was just part of your business it would be just fine. This bill gave authority to the Council for what should be put back to reestablish the streetscape. She asked if that was because it was not in a historic district.

Ms. Price said that one simpler way might be that the Board or the Council not look at the streetscape for the landmark. For in historic districts, yes, it was part of the Board's work. But landmarks were stand-alone properties.

Mr. Rasch thought if a landmark was demolished, he would presume it had to be replaced in kind.

Chair Woods said she didn't understand the requirement. Once it was gone it was out of the Board's purview.

Mr. Rasch agreed.

Ms. Price agreed to get rid of the replace the streetscape part.

Ms. Walker referred to page 5, line 5 and asked what it meant.

Mr. Rasch said it was a clean up of language and changes from the Land Use Department to the Land Use Director. Everything was under his direction.

There were no speakers from the public regarding this matter.

Chair Woods summarized that the Board's amendment would remove a portion and add Section G.

Ms. Walker moved to recommend approval of the ordinance to the Governing Body as amended. Dr. Kantner seconded the motion and it passed by unanimous voice vote.

I. OLD BUSINESS

1. **Case #H 06-001.** 142 Lincoln Avenue. Downtown & Eastside Historic District. Lorn Tryk Architects, agents for Storic Development, propose to amend a previous approval by increasing the height of portals by 1.5' and deleting second-story balustrades on a non-contributing building (David Rasch)

This case was postponed under Approval of the Agenda.

2. **Case #H 08-127.** 512 Camino del Monte Sol. Downtown & Eastside Historic District. Miguel da Silva, agent for Arnie and Virginia Israelit, proposes to amend a previous approval to construct a yardwall by increasing the height from 53" to 72" where the maximum allowable height is 60" on a non-contributing property. (David Rasch)

Mr. Rasch presented the staff report for this case as follows:

BACKGROUND & SUMMARY:

512 Camino del Monte Sol is an adobe single family residence that was constructed in the Spanish-Pueblo Revival style before 1932. A second story was added in 1970 by Bill Lumpkins. The building is listed as *non-contributing* to the Downtown & Eastside Historic District.

In 2005, the HDRB approved remodeling of the property which included the construction of a yardwall at both street frontages to a height of 55". The maximum allowable height was verified, at the applicant's request last October, to be 60".

Now that the yard has been graded to slope gently away from the residence, the yardwall no longer meets building code requirements for fall hazards on the interior grade and the applicant proposes to increase the height up to 72" with a request to increase the height up to 20% as allowed in the Board's 1999 external policy without a height exception.

On December 9, 2008, the HDRB postponed action on this application pending design that deletes the flagstone separation between existing wall height and additional wall height as well as a clear identification of where the existing wall needs to be remodeled in order to meet building code requirements.

Now the applicant proposes the following remodel. Only the section of wall increase on El Caminito frontage is needed to meet code at 72". The sections of wall increase on Camino del Monte Sol frontage and at the diagonal on the street corner does not need to be increased to meet code, but an increase to the

maximum allowable height of 60" is requested. The increased height throughout will mimic the uneven heights and depths as constructed in order to meet the wall and fence external guidelines.

The wall extension will be constructed at a narrower width and the previously proposed flagstone cap on the existing wall has been deleted. Stucco finish will match the existing type, color, and texture. There will be wooden grilles installed in window openings on two locations in the El Caminito frontage and in one location in the Camino del Monte Sol frontage. The openings will be 1' high by 4' wide.

STAFF RECOMMENDATION:

Staff recommends approval of this application which complies with the 1999 HDRB external policy on walls and fences and Sections 14-5.2 (D) General Design Standards and (E) Downtown & Eastside Historic Districts.

Chair Woods asked Mr. Rasch for clarification on this height.

Mr. Rasch clarified that on Monte Sol and on the triangle, it would be 60 inches and on El Caminito to 72" to meet building code by way of the 20% discretion.

Chair Woods asked him to explain the 20% allowance.

Mr. Rasch explained that the 20% discretion was established in the 1999 wall and fence guidelines. It was the Board's option.

Chair Woods asked how they were expected to look at the code requirement.

Ms. Brennan said the Board was expected to have projects meet Code requirements.

Ms. Walker asked for the existing height on the triangle.

Mr. Rasch explained that the wall was outside of that triangle area. Anything in the triangle area could not be more than 3 feet high. He pointed out the locations on the site plan. The triangle was the same wall. Present and sworn was Miguel da Silva who had nothing to add to the staff report. He explained that the wall was a sloping wall so it was 55" but varied.

Chair Woods asked for a more precise measurement.

Mr. da Silva said he would have to scale the drawings or maybe it said so on the drawings.

Chair Woods read them.

Mr. da Silva said that was a grade difference.

Ms. Rios asked what the amount of raising was.

Mr. Rasch said at the triangle, the wall was slightly taller than 4' and on Monte Sol it was 4.5' to 5'.

Ms. Walker said the applicant needed staff approval for the fireplace.

Mr. da Silva said that was someone else because he had done nothing with the fireplace..

Ms. Walker wondered if they would follow the staff requirement.

Chair Woods suggested the Board could make that a condition of approval.

Public Comment

Present and sworn was Mr. Bonifacio Armijo who explained that what they ended up doing was to match the stucco instead of using synthetic. Then the owner wanted to add the other part. He said if the Board wanted it to be synthetic they could do it.

Chair Woods clarified that it just needed to match in color. She referred to the approval statement which said the stucco finish would match the house.

Mr. Armijo explained that the reason there was just a few inches was to meet them with proper elevation.

Chair Woods noted that they did have a pilaster that could be used for any difference.

Mr. Armijo agreed. He said the safety requirement was on the Caminito side.

There were no other speakers from the public regarding this case.

Ms. Mather moved to approve Case #H 08-127 per staff recommendations, with the condition that the colors match as previously approved. (Existing fireplace and wall). Mr. Featheringill seconded the motion and it passed by unanimous voice vote.

J. NEW BUSINESS

1. **Case #H 08-130.** 121 Quintana Street. Westside-Guadalupe Historic District. Max Aragon, owner/agent, proposes to replace a non-historic door and window on a contributing building. (Marissa Barrett)

Ms. Barrett presented the staff report for this case as follows:

BACKGROUND AND SUMMARY:

121 Quintana Street is a Spanish Pueblo Revival style single family Residence first constructed between 1934-1940 and has received extensive remodeling within the past 20 years. The Official Map lists the

structure as Contributing to the Westside-Guadalupe Historic District.

The applicant proposes replacing a non-historic divided light door and divided light window on the south elevation with a solid wood door to match the others approved by the board in 2004. Photographic evidence as seen on the 1985 Historic Cultural Properties Inventory reveals that the door and window were not original as a portal was located in the area. The portal was enclosed in the late 1980s remodel.

The new door will have a dark natural stain and will be wider than the existing. Also a new exposed wood beam will be installed above the door to stabilize the weak roof in that area.

STAFF RECOMMENDATIONS:

Staff recommends approval of the application as it complies with Section 14-5.2 (C) Regulations for Contributing Structures, Section 14-5.2 (D) General Design Standards for All H-Districts, and Section 14-5.2 (I) Westside-Guadalupe Historic District Design Standards.

Present and sworn was Mr. Max Aragon who had nothing to add to the staff report. He said it was pretty simple. The lintel would support the adobes went with the style of the house and the door would match the other doors and the custom windows.

There were no speakers from the public regarding this case.

Ms. Walker moved to approve Case #H 08-130 per staff recommendations. Ms. Rios seconded the motion and it passed by unanimous voice vote.

2. **Case #H 09-001.** 1330B Cerro Gordo Road. Downtown & Eastside Historic District. Will McDonald, agent for Vince Palladino, proposes to construct an approximately 284 sq. ft. addition to a height of 11' 5" where the existing height is 12' 9" and construct a coyote fence with a masonry pilaster to the maximum allowable height of 6' on a non-contributing property. (Marissa Barrett)

Ms. Barrett presented the staff report for this case as follows:

BACKGROUND AND SUMMARY:

The Spanish Pueblo Revival style single family residence located at 1330 B Cerro Gordo Road was constructed in the late 1940s, early 1950s and has received major alterations which include additions to the south and north elevations and total window and door replacement (non-compliant). The Board approved minor alterations in 2008 which included the construction of a pergola and window replacement. The window replacement included granting an exception to the 30" window rule in order to keep the window patterns consistent. The Official Map list the building as non-contributing to the Downtown and Eastside Historic District.

The applicant proposes construction of an approximately 284 Square foot addition to the north elevation. The addition will be to the height of 11' 5" where the existing height is 12'9". The addition will include two aluminum clad windows in the color bronze on the west elevation. The canale will be wood with a clear stain. Canale lining was not submitted. The addition will be stuccoed using cementitious stucco in El Rey "Straw" to match the existing building.

The applicant also proposes to construct a coyote fence to the maximum allowable height of 6' along the north property line. The coyote fence will include 24" stuccoed pilasters approximately every 11'. The pilasters will be stuccoed to match the building.

STAFF RECOMMENDATIONS:

Staff recommends approval of the application on the condition that the canale is lined with galvanized metal. Otherwise this application complies with Section 14-5.2 (D) General Design Standards for All H-Districts and Section 14-5.2 (E) Downtown and Eastside Historic District Design Standards.

Present and sworn was Mr. Will McDonald, 488 Arroyo Tenorio, who had nothing to add to the staff report.

Chair Woods asked about the bronze windows.

Mr. McDonald said they would be happy to match the existing window.

Ms. Walker asked if the fence would have irregular tops.

Mr. McDonald agreed. He said he showed about 2-3" variation but was willing to do as much as 4-6" if the Board wanted.

Ms. Walker asked about the canale covering.

Mr. McDonald said it would be galvanized.

Ms. Shapiro asked about having pilasters with the coyote fence.

Will said there was precedent for it further down Cerro Gordo but not in the immediate neighborhood. There were a variety of wall styles there.

Ms. Shapiro asked if the pilaster would be colored to match. Mr. McDonald agreed.

Ms. Rios asked about public visibility.

Ms. Barrett said there was some visibility along Cerro Gordo

Ms. Rios felt pilasters with coyote were not very common in the Eastside Historic District.

Mr. McDonald said he understood. He had talked with Ms. Barrett about it. He didn't believe the owner was married to this idea. He understood the Board's sense that this was a more recent style but he felt it did fit in with the massing and materials in a progression of style that Santa Fe had seen over a period of time.

Ms. Rios said they had seen a few, but more in downtown.

Mr. McDonald said he understood it was not a preference of the Board. He said if they had to do it with steel posts, - he was open to it. There was a fence right outside Cerro Gordo that would reduce public visibility even more. It was 150-200' below and away from the road.

There were no speakers from the public regarding this case.

Chair Woods summed up the issues: that windows match, use of galvanized material and no pilasters.

Ms. Shapiro moved to approve Case #H 09-001 per staff recommendations and conditions that canales have galvanized tops, that the tops of the fence be more irregular and that the colors match the existing stucco. Mr. Featheringill seconded the motion and it passed by a 4-2 majority voice vote with Ms. Rios and Ms. Walker voting against.

3. **Case #H 09-003A.** 616 Camino de la Luz. Downtown & Eastside Historic District. Diana Ybarra, agent/owner, proposes an historic status review of this non-contributing property. (David Rasch)

Mr. Rasch presented the staff report as follows:

BACKGROUND & SUMMARY:

616 Camino de la Luz is an adobe single family residence that was constructed in the Spanish-Pueblo Revival Style with projecting viga ends on the east and west in approximately 1954 or 1955. A wood-frame flat-roofed addition was constructed after 1966 on the front, east elevation which obscured the original front elevation and vigas. The addition has a porch at the northeast corner. After 1966, a shed-roofed porch was constructed at the southeast corner with a low stuccoed yardwall. All windows, except for the front fixed windows, were replaced without a permit in 2008.

A Historic Cultural Property Inventory was not found in the City files and the building is listed as non-contributing to the Downtown & Eastside Historic District. A recent Inventory was completed on December 21, 2008 and it recommends non-contributing historic status.

STAFF RECOMMENDATION:

Staff recommends retaining the non-contributing historic status for this property based upon lack of historic materials and a non-historic alteration with massing additions on the most visible east elevation.

Ms. Rios moved to approve Case #H 09-003A as recommended by staff to retain its non-contributing historic status. Ms. Shapiro seconded the motion and it passed by unanimous voice vote.

Case #H 09-003B. 616 Camino de la Luz. Downtown & Eastside Historic District. Diana Ybarra, agent/owner, proposes to remodel a non-contributing property by replacing all windows, increasing height on an addition, constructing a deck, and constructing a 4' high yardwall. (David Rasch)

Mr. Rasch presented the staff report for this case as follows:

BACKGROUND & SUMMARY:

616 Camino de la Luz is a non-contributing single family residence that is located in the Downtown & Eastside Historic District. All windows, except for the east, front fixed windows, steel casement windows on the north elevation, and west elevation windows, were replaced and construction of a deck began without a permit in 2008 and a stop work order was issued.

Now, the applicant proposes to remodel the property with the following five items.

1. All windows will be replaced with 30" rule compliant windows. Window dimensions will be altered with change to opening locations. The triple window replacements on the east elevation will retain the existing non-compliant 2' 2" to the wall corner, rather than altered to meet the 3' corner rule. In addition, the window at the west end of the north elevation will be changed to French doors.
2. The flat-roof on the east elevation addition will be removed and the roof height will be increased from 10' 2" to 11' 6" to match existing adjacent height.
3. A 96 square foot raised deck will be constructed on the rear of the north elevation at the French doors. Coyote-style picket railing will be installed at the edges.
4. Other minor alterations to the building include the removal of the steps to the porch on the northwest corner, infill of the lattice-covered opening on the courtyard wall at the southeast corner, replace existing balustrades and gates with coyote-style pickets at the southeast and northeast porches, and install carved corbels on the southeast and northeast porch posts.
5. Stuccoed yardwalls with pilasters at the ends will be constructed along the front south and north lotlines, as well as, in an arched footprint along the east, street frontage. The yardwalls will be 4' high and the pilasters will be 4' 6" high.

STAFF RECOMMENDATION:

Staff recommends approval of this application which complies with Section 14-5.2 (D) General Design Standards and (E) Downtown & Eastside Historic District.

Present was Ms. Diana Ybarra, San Antonio, Texas, who had nothing to add to the staff report.

Ms. Walker asked her if she had considered something other than pilasters.

Ms. Ybarra said she was willing to do whatever the Board wanted.

Chair Woods asked if the windows would be white.

Ms. Ybarra agreed they would remain white.

She said she didn't want the lattice fence on the portal and seemed to need replacing. She wanted to change to coyote or nothing.

Ms. Walker asked about the windows on the east if she was changing the style.

Ms. Ybarra agreed that she was changing them to be divided light windows.

Ms. Rios if she would have anything on the roof.

Ms. Ybarra said she would not.

Ms. Rios asked if she would have rounded corners. Ms. Ybarra agreed.

Ms. Ybarra said she didn't think she would have a coyote fence.

Ms. Shapiro asked how she would describe the stucco.

Ms. Ybarra said it would match existing. She thought it was synthetic but wanted the color the same.

Mr. Rasch thought it looked like La Luz to him.

Ms. Mather asked about the elevation with the shed roof.

Mr. Rasch said it would have canales.

Ms. Mather asked if they would be galvanized. Ms. Mather agreed.

Dr. Kantner asked if she would have any lighting on the outside.

Ms. Ybarra said no.

Chair Woods summarized the concerns.

Ms. Rios moved to approve Case #H 09-003B per staff recommendations and with the following conditions:

1. That the stucco be cementitious and match the existing color,
2. That canals be lined with galvanized metal,
3. That the rail be taken to staff for approval,
4. That any exterior lighting be submitted to staff,
5. That there be no appurtenances on the roof,
6. That all corners be rounded,
7. That trim be white.

Ms. Walker seconded the motion and it passed by unanimous voice vote.

4. **Case #H 09-004.** 118 Rim Road. Downtown & Eastside Historic District. Gayla Bechtol, AIA, agent for James Cooper and M. Gerry Cooper, proposes to construct approximately 390 sq. ft. of additions, an approximately 216 sq. ft. portal, remove a temporary storage shed, enclose an approximately 214 sq. ft. patio with a wall to not exceed the maximum allowable height of 6' and replace windows on a non-contributing building. (Marissa Barrett)

Ms. Barrett presented the staff report for this case as follows:

BACKGROUND AND SUMMARY:

The Spanish Pueblo Revival style single family residence located at 118 Rim Road was constructed in the 1980s and is listed on the Official Map as non-contributing.

The applicant proposes the following alterations;

Remove the temporary storage shed on the west elevation.

Construct an approximately 286 square foot addition to the south elevation. The addition will be to a height of 16' 6" where the existing height is 18' 8". A new raised courtyard will be constructed on the south elevation east of the new addition. The courtyard will include a stone retaining wall and hand forged metal railings to match existing metal work on the property.

Construct an approximately 216 square foot portal to the east elevation. The portal will include wood beams and posts, a corner fireplace and a stuccoed parapet. Metal railings will also be constructed to meet building code and will match the others proposed.

Construct an approximately 96 square foot closet addition on the north elevation. The addition will be below the existing height of 14'. An outdoor patio will be constructed east of the closet addition. The existing door on the north elevation will be replaced with divided light French doors and will open onto the new patio.

All doors and windows will be replaced except for the windows in the bathrooms. New windows will be clad wood windows, simulated divided lite, using Pella Architect Series or a window with a similar muntin (7/8") size. The windows will be either casement or awning in operation. The doors on the additions will

include eyebrows that will match others existing on the building.

Rock veneer will be used on the south and east elevations and will match the existing rock work on the building and property. Stucco color was not submitted.

STAFF RECOMMENDATIONS:

Staff recommends approval on the condition that stucco color is clarified. Otherwise the application as it complies with Section 14-5.2 (D) General Design Standards for All H-Districts and Section 14-5.2 (E) Downtown and Eastside Historic District Design Standards.

Present and sworn was Ms. Gayla Bechtol, 511 Agua Fria, who had nothing to add to the staff report.

Ms. Rios asked about the style of the railing on the south elevation.

Ms. Bechtol said the detail was shown in a photograph on page 19.

Ms. Rios asked if there would be nothing on the roof. Ms. Bechtol agreed.

Ms. Rios asked about exterior lighting.

Ms. Bechtol said she would encourage her clients to have some shielded lights.

There were no speakers from the public regarding this case.

Dr. Kantner moved to approve Case #H 09-004 per staff recommendations and conditions that the stucco color and exterior lighting be reviewed and approved by staff. Ms. Walker seconded the motion and it passed by unanimous voice vote.

5. **Case #H 09-002.** 714 Gildersleeve Street. Don Gaspar Area. Cavalry Custom Construction, Inc., agent for Marion Tassin, proposes to remodel a contributing property by installing a rooftop mechanical unit and increasing the parapet height from approximately 12.5' to 14' where the maximum allowable height is 15' 1", construct an approximately 340 sq. ft. carport on a primary addition, remove an historic braided wire fence and construct yardwalls to 5' high where the maximum allowable height is 6' on side of lotlines and 47" on the streetscapes. Three exceptions are requested to remove or alter historic materials and character, Section 14-5.2 (C) (1) regulation of contributing structures, to construct an addition on a primary façade, Section 14-5.2 (D) (2) (c), and to construct a yardwall taller than the maximum allowable height, Section 14-5.2 (D) (9). (David Rasch)

Mr. Rasch presented the staff report for this case as follows:

BACKGROUND & SUMMARY:

714 Gildersleeve Street is a single-family residence and free-standing garage that was constructed in Pen tile before 1930 in the Spanish-Pueblo Revival Style. An addition at the rear of the residence was constructed before 1958. The buildings are listed as contributing to the Don Gaspar Area Historic District. The north and east elevations of the residence and the east elevation of the garage may be considered as primary.

A secondary permit was granted for the owner to install roof-top mechanical equipment without Historic Preservation staff or Board approval. The mechanical equipment is publicly visible and Section 14-5.2 (D)(3)(b) cites that for contributing structures these items shall not be added if publicly visible. A notice of violation was issued in late 2008.

Now, the applicant proposes to remodel the property with the following eight items.

1. The undulating east and stepped north and south parapets will be raised to hide the mechanical equipment from approximately 12.5' to 14' where the maximum allowable height is 15' 1" as determined by a linear calculation. The east and north parapets will mimic the existing parapet design while the south parapet stepped design will be similar with altered locations of the steps.

If the Board considers this proposal to alter the character of the historic parapets, then an exception is requested (Section 14-5.2 (C)(1)) and the required responses are attached.

2. The presumably non-historic front lotline wall and wooden pedestrian gate will be remodeled. The existing walls will be surfaced with rock. Stone surfaced 2' W x 2' D x 5' H pilasters at approximately 8' intervals. The streetscape yardwalls will exceed the maximum allowable height of 47" and an exception is requested (Section 14-5.2 (D)(9)) and the required responses are attached. A wooden pedestrian gate will be installed. Finishes were not submitted.

Arched wrought iron fence extensions will be installed on top of the wall and the plans suggest that the design is to be determined. An arched wrought iron bileaf vehicle gate will be installed at the driveway entrance.

3. Non-historic goat wire fencing on the north lotline and historic braided wire fencing on the south lotline will be removed. An exception is requested to remove the historic material (Section 14-5.2 (C)(1)) and the required exception responses are attached. The fences will be replaced with walls that mimic the proposal for the front yardwall up to 30' into the property and then transition to 6' high stuccoed yardwalls.
4. The presumably non-historic interior lot stuccoed yardwall along the north side of the driveway will be removed along with the single-leaf wooden picket vehicle gate.
5. A 340 square foot carport will be constructed on the east, primary elevation of the garage and on the south non-primary elevation of the residence. An exception is requested to construct an addition on a primary elevation (Section 14-5.2 (D)(2)(c)) and the required responses are attached. The carport will be simply designed at 10' high. Finishes were not submitted.

6. The wooden slat fences along the rear lotlines will be removed and replaced with 6' high stuccoed yardwalls.
7. A stone fountain will be constructed along the interior of the rear yard wall. Designs were not submitted.
8. The remaining three interior-located wooden gates will be removed. A new bileaf gate is proposed at the southwest corner of the lot. Designs were not submitted.
9. Three exterior doors will be removed.

STAFF RECOMMENDATION:

Staff recommends denial of the exception requests to remove or alter historic materials, construct and addition on a primary elevation, and exceed the maximum allowable height for a yardwall unless the Board has a positive finding of fact to grant the exceptions. Otherwise, this application complies with Sections 14-5.2 (C) Regulation of Contributing Structures, (D) General Design Standards, and (H) Don Gaspar Area. One other standard - rooftop materials in Do Gaspar shall be screened by parapet or other type screen.

Chair Woods asked if any or all of these changes would impact its historic status.

Mr. Rasch said the removal of historic material would not. The increase in height of the front yard wall would not affect the contributing status since it was blocking the building.

The more significant impact was the carport on the primary elevation. It was a simplified design that would block appreciation of the historic building and could be removed to reestablish the status characteristics.

The harder one was the raising of the parapets on the front, undulating on the front and stepped on the side. The Board's charge was to determine if the height increase changed its character but not so much as to affect the status.

Ms. Rios asked if she understood that the applicant was proposing a carport so the public could still see the garage.

Mr. Rasch agreed. He pointed it out and on elevation view, showed it as simplified.

Ms. Rios asked if he could describe yardwalls in the neighborhood.

Mr. Rasch explained that most of the properties appeared to have low yardwalls in front and not very tall ones on the side. It was a little more open.

Ms. Mather asked if these were all built at about same time.

Mr. Rasch agreed, in the early 20th century.

Present and sworn was Mr. James Wyatt Weatherford 1625 Villa Strada, Santa Fe, NM 87506.

He said when he and Mr. Rasch first met, it was under inauspicious beginnings. He got a call from Mr. Rasch lambasting him about non-permitted air conditioning unit that was on top of the building. Fortunately, he said, he had nothing to do with that. "The owner, with whom I am contracted to build a very fine custom home on another property, contacted Mr. Cartwright to install that. Cartwright went down to the City of Santa Fe, pulled a permit. I have a copy. It was approved, inspected signed off and done. Next thing, my owner called me and said we have some sort of a red ticket here. Well it turns out that because of this we have found what was a pretty significant hole in the City of Santa Fe under the Historic Design Review Board. When a primary permit has been issued, a red flag goes up and says, 'Hey, go up stairs and kiss the ring, so to speak.'"

"When a secondary permit issued that is not the case... "

Chair Woods said the Board was sorry he got caught in it. There should have been some kind of warning.

Mr. Weatherford said that was okay. His initial response was to adjust the parapet height because that was what could be done. He said he read, being new to the area, what appeared to be a good solution. The second solution and a much less expensive solution would be to screen it. but it would have something that clearly looked like an attachment. And when they had the opportunity to maintain the exact same parapet profile.... we have the neighbor here to decide, Diane... We had a neighborhood meeting with all the neighbors who would be impacted by this. And I think I speak for her. She is willing to come up, but she is completely in favor of it. It would hide it from her view. It would not impact her view at all so that was one of the biggest reasons... It would simply attach itself to the house without changing anything because one of the things he did read was that the Board recognized that there was an evolution of the neighborhood. This was certainly a reasonable evolution of the house to accommodate an air conditioning unit that was not available in 1928.

Chair Woods explained that the Board could not compromise the historic integrity of the building. She thought that a parapet within the... or screening around the unit would be a lot cheaper and fairly simple and have less impact on the historic character of the building.

Mr. Featheringill said raising the parapet meant the ratio of height to width would change and would really make a difference in the way it looked. The surround unit could hide the A/C and dish. But he wondered if it would change the status.

Mr. Rasch said it would need to be calculated for size. The dish might just be painted the stucco color.

Mr. Weatherford said anybody would be a fool not to consider something less expensive. But he had... and thought what this really got down to was more of a Baskin-Robbins instead of vanilla. He said, "I have significant historical preservation work. He brought two pictures of other historic projects he had undertaken to show that he had experience in doing them. He said one of the wishes of the owner was that she would like was to establish this house as the benchmark by which all others would be judged. So she

was willing to go to the considerable expense because they would have to put up a pretty substantial stem wall on that roof to hide the duct work. He explained that he went out with the designer and they shot elevations out there but if that was what the Board wanted them to do, they didn't have much choice so they would put up a screen wall there.

Chair Woods felt the dish could be moved and the screen would not have to be much - only 18-24 inches around that one unit. They had an historic structure so they had to consider exceptions they tried to do the least possible to change it.

Mr. Weatherford said this picture (shown) was not representative. He said he could take a lot of pictures from different angles. He explained that this unit was a little over five feet off the top of that roof so the screen wall they would build would have to be about 5' 6".

Chair Woods asked how high the parapet was above the roof.

Mr. Weatherford said the parapet went anywhere from the southeast corner about 18" and dropping to 24" as it went south.

Ms. Shapiro asked if the unit could be moved back a little.

Mr. Weatherford said it could "to the tune of about \$7,000" to move it. He said the owner was willing to pay for the parapet extension and do all that but if they had to get into who was going to pay for moving it, it was placed exactly where the City permit showed it. So she should by all rights, be justifiably reimbursed for that. It was put in, inspected and done because the return air and the supply have to be run all the way back. He said he took a box the size of the unit and moved it around to find every possible scenario before coming up with this one. Even at the northwest corner of the building, you could see it from the street. He said he and Mr. Rasch talked about that before he ever submitted this.

Chair Woods asked what about just granting an exception without screening.

Mr. Rasch said the ordinance did say it shall be screened but yes, the Board could do that.

Ms. Rios said, frankly, that she thought that was the best solution. She thought this side had character defining features and should not be altered. She thought if he just painted the unit the stucco color, she thought it would accomplish it.

Mr. Weatherford said, "To show that we have come full circle, that was my original, original suggestion."

Mr. Featheringill asked if there was a way with the exception that with any future addition, it should be moved into the house.

Ms. Brennan didn't think so.

Mr. Weatherford said they would be happy to paint it.

Chair Woods asked him if he wanted to stand for questions on the rest.

Mr. Weatherford agreed and asked them to proceed. He said he had some photos to clarify some of the Board's questions.

Ms. Rios said this neighborhood had simplistic homes with low walls. The Board was obligated to rely on streetscape harmony of the neighborhood. She asked regarding the proposed wall, what kind of rock he was proposing and what wrought iron design.

Mr. Weatherford said he had been coming to Santa Fe since 1980. He explained that he was a retired commander in the USN and was on the shakedown cruise of the USS Santa Fe. He was now a licensed contractor and historic preservation was his number one love. He said he probably knew this neighborhood as well as anyone. He said what they were trying to do was to open up the front.

He passed around two photos. He described them but was away from the microphone and his comments were inaudible.

He said he wanted to lower the wall and open up the fenestration.

Ms. Rios asked for an example of the rock he planned to use.

Mr. Weatherford said they were looking to use what was known throughout the industry as New Mexico Fieldstone. He shared two other photographs to show the type of rock. He showed a dry stack wall and said they would have mortar. He said once he saw what the wall was made of, it was nothing more than CMU 8" stuccoed.

He said what he would prefer to do would be to tear the existing wall out and start with a new footing and build it with the stone like that.

Chair Woods asked if there was evidence of the style he proposed.

Mr. Rasch said it was not typical to line a driveway that way. They had no concrete evidence.

Ms. Barrett had discussions with others about it and agreed they didn't have concrete evidence.

Chair Woods referred to the zoning review sheets where it said the block wall was built in 1936. That seemed to indicate the wall had historic status.

Mr. Weatherford said they didn't have five feet masonry units like this in Santa Fe in 1936. There were two holes in the wall and then on the north end of that wall it was completely exposed. He said he had an aerial photo that was taken November 10, 1958 that showed fences on all those houses along there. He took it to the bench and described it.

Mr. Weatherford showed a photo that showed a wooden fence with a wire mesh fence at the house

next door.

Chair Woods asked when the photo was taken.

Mr. Weatherford said it was taken before the last remodel.

Chair Woods asked about the carport.

Mr. Weatherford said they were attaching it so the owner could have all weather ingress and egress and reduce street level parking. The only thing attaching to the façade of the carport would either be a very small cleat only to support the 2x6 tongue and groove roof at the south end. He said they could avoid that by simply having the carport ten inches away from the existing garage, not even attached. But that would be self-defeating because it would leave those nice carriage doors building it without attaching but it would leave the nice carriage doors that are on that garage exposed to the weather and exposed to the elements. If the carport were attached to the garage, then "everybody wins." He said he had a picture in the application similar to what they proposed.

Ms. Rios asked about not attaching it.

Mr. Rasch said they did allow freestanding garages.

Mr. Weatherford took pictures to the bench and commented on them. He said they had precedent for it. If the car port would ever be taken down, all that would be needed was to take two lag bolts out.

Ms. Shapiro asked if he would have to have those columns.

Mr. Weatherford said they didn't. Those columns would be eliminated. "It would come all the way over to the side of the house." He said Mr. Rasch agreed the south side was not primary.

PUBLIC COMMENT

Present and sworn was Ms. Diane Tolliver, 716 Gildersleeve, who said she was the neighbor. She said was on the HDRB in Montana and had a great appreciation for what the Board did. She said she worked with historic buildings as part of her job.

She said she was not completely satisfied with painting the unit on the roof. She looked out her kitchen and saw it. It was big and could be on a Walmart. She was supportive of the parapet but sensitive to their concerns. Paint could peel. It was reflective. You could see it from the street. You would really notice it.

Her second comment was on the braided wire fence they shared on property line. That fence was falling apart but understood the historic braided wire was what they were trying to preserve. She said she had injured herself twice on it. It was rotting and they needed some kind of fence in there.

There were no other speakers from the public regarding this case.

Ms. Walker said the streetscaping ordinance was very crucial for integrity here. So the Board spent time today looking around there. They only saw one stone fence around there but none like the one he was proposing. Preserving the streetscape was primary for the Board.

Mr. Weatherford said he appreciated her comment and understood that. He said he was going off the ordinance's own words that allowed for river rock, limestone, slate, or any other stone *natural to New Mexico*. And absolutely, they could.... they were not married to any one type of stone. He said he had several pictures of other stone walls in other historic districts. Most was river rock. There was one just to the north and the east that was river rock. He said if river rock was grouted, it would not move. They were open to doing that, by all means.

Ms. Mather made a comment that was not audible.

Mr. Weatherford explained that the entire wall on the front on the east, street side of the home, the existing masonry wall was actually almost 4' high right now. He said they wanted to lower it to two feet which would allow much greater fenestration. He said, if he might be so bold, he did not discuss a lot of finances but they had about a \$25,000 landscaping budget on this property so they naturally wanted to show it off. They would lower the masonry wall right there and put wrought iron on top to allow more penetration.

Ms. Walker excused herself from the meeting at 7:25.

Mr. Weatherford described it as two feet of masonry for the first 30 feet on the south side with wrought iron and with the only part at five feet being the pilasters themselves just for some architectural relief. Further back, it would be five feet high. That was changed to five feet. Then the south wall of the carport would be an 8' masonry wall. He said the only reason they wanted to remove the interior wall was that it would make the house functionally obsolescent. He showed a picture of it and said one could not open a car door with that wall there. He said he thought that might come up so he brought the dimensions of a 1959 Chevrolet Impala.

Chair Woods said she didn't think they needed to go there.

Ms. Mather asked if he was removing the historic front wall in order to see the landscaping.

Mr. Weatherford said no, that it was to increase the fenestration that he understood the Board liked as well as the architectural aesthetics of the wall.

Ms. Mather said the wall there didn't hide the character of the house now. It was in perfect harmony with the neighborhood.

Mr. Weatherford said the key word... and he honestly felt it was a Baskin and Robbins flavor because the aerial photo and the work he did in the Navy and afterward was interpretation of aerial photos... it was what he did for a living. Chair Woods interrupted to ask him if he thought the wall was not historic.

Mr. Weatherford said the reason it was important was because if it was not considered historic, then

the owner certainly had the right to the enjoyment of the property because there were other houses in that neighborhood... one was just up the street, that had a small parapet with a low masonry wall with wrought iron on the top. It was there.

Chair Woods said the picture didn't look at all like what he submitted. He had blocks with arches. She explained that the picture submitted was very different from the drawings in the packet.

Mr. Weatherford explained that this was what he was submitting.

Chair Woods said she did not need him arguing with her.

Mr. Weatherford said he was not arguing and asked her to please let him finish.

Chair Woods asked him to go ahead.

Mr. Weatherford asked her to allow him the courtesy of finishing.

Chair Woods agreed.

Mr. Weatherford said what he was saying was this, "That I am very, very,... This is the first time I have come before your board. And I have come here ...I know the area... and what I am very happy about is , the drawings that we submitted to you, I have brought to you much better detail, more precise detail of what we want to do and am willing to do if the Board would say 'Yes, we like that.' We will draw that up for you and get back on the agenda and get your stamp."

Ms. Rios asked if he was also proposing vehicular gates there.

Mr. Weatherford agreed... at the front.

Ms. Rios was not sure vehicular gates were in that area.

Mr. Weatherford said there was an existing gate on the property now.

Mr. Rasch agreed and pointed it out. He said there was something they did not see on the field trip.

Mr. Weatherford explained that the vehicular gate was moved back 34' at the 2006 remodel.

Ms. Rios asked Mr. Weatherford to tell the Board what he proposed for the wall on the south property line and north property line.

Mr. Weatherford said it was shown on the plans and the Board apparently had not seen the plans.

Mr. Rasch said they had seen the plans and had copies of them.

Mr. Weatherford asked their indulgence because he was new at this. He asked Mr. Rasch to point out

the north and south there. He said that for the first 30' on both sides allowed streetscape visibility. He said he read in the ordinance how important streetscape was. The pilasters at 5', the masonry part of the wall would be at 2' and wrought iron at 2' so the wall, itself, would be at 4' high with a 5' pilaster.

Then it would transition to a five foot masonry wall and where the carport starts would become the 8' masonry wall. On the north it would be 5' all the way back. Then, because the owner's property was being trespassed and things were being taken out of her back yard, the back was clearly not visible from the street and back there was an 8' coyote fence... fifteen feet to the west.

Chair Woods summarized the discussion on the wall, that- the applicant was willing to change the front wall.

Mr. Featheringill suggested he could make new drawings and they could consider this at the next meeting. The wire should not have the reverse arch to it and he was not in favor of the five foot height. For the carport he was not sure. It could go back at the original location and he could probably go to 5' but at the front it would require an exception for anything above 47".

Regarding the air conditioning unit he felt the parapet was not the ideal solution. He thought they needed to find a solution before the next meeting. The applicant needed to know where the Board was headed.

Mr. Weatherford said, "With all due respect, it appears that the Board is more anxious to get out of here than to listen. And as a citizen of this country... and I see your smug smile, sir. But I've seen you do it. And with all due respect, I have come here and I don't like what I have run into and I've got a question for you. Because I have been told contradictory information. When you say the wall, do you consider the pilasters the wall? So when you say not five feet do you mean the pilasters not to be at five feet."

Mr. Featheringill agreed.

Mr. Weatherford said okay, that he was looking for clarity because he only liked to do things once. "If you deny the carport, you have effectively virtually denied everything we want to do. We are trying to be a terrific neighbor. And painting it is cheap but I think it is a poor way to go. Because in your own provisions, you tell us that you are here to attract residents and tourists into the neighborhood. And when we try to improve property and increase the property value and make into something really spectacular and really nice in keeping with historic preservation, I guess... And you deny these, the owner might not want to do these things. And that is the last thing we want to see. You've got an owner that is willing to write a big check and really make some improvements on a project. In keeping with everything that is all over here. So I don't really see how you are attracting residents. My owner is also looking at purchasing two other homes in the Don Gaspar Historic District. What do you think she will do with those? Rehabilitate them and restore them and bring them back to what they could be. I have no desire to paint that unit. I would be a lousy neighbor if I did. We'll put up a screen wall. But you talk about expense. We will have to get a structural engineer that would cost about \$2,500 to determine the load of that because we've got wind shear on that; we're going to have to attach that wall. How are we going to attach it and what is it going to cost to do that?"

"I've looked at the cost of raising that parapet and when I followed up with Mr. Rasch, we looked at it and that is a viable solution. He told me he has to deny any exception request and I have to come in and justify it. I'll talk with the owner to see if she wants to pursue this. But if this house does come into a rental unit it would look like the one across the street within a matter of years. And the neighborhood is deteriorating as it is. And we are willing to come in and spend a lot of money to bring it back. Whether we put this kind of stone up or whether we stucco the wall, whatever. It doesn't matter. Those are minor details. But right now, that property, sir, is functionally obsolescent, economic obsolescence follows that, and demolition follows that. I've seen it over and over and over again from Santa Barbara to Philadelphia."

"So, I will get with Mr. Rasch. If you let us know what you want us to do, I'll look at resubmitting and coming back before the Board."

"You know, I had one of the ladies up here ask me a question that to date, you have not let me the courtesy to answer. She asked me, if I would like to consider other stone. Yes, ma'am. I have examples of that but because we are being hurried; I don't know that I have the time to show it to you."

Chair Woods said he was not being hurried and could show it to the Board.
He showed a picture of another stone wall to the Board.

Ms. Rios asked where the picture was taken.

Mr. Weatherford said he did not have the exact location. It was north of the neighborhood.
He said, "That exact picture is on Peralta right along the river. And that is where I took those because it is a good example. To the north, excuse me, to the south ... does the Don Gaspar Historic District stop at Berger on the south end?"

Ms. Rios asked Mr. Rasch what the boundaries of that district were.

Mr. Rasch said it went from Paseo de Peralta down to Coronado and then from Don Cubero to Old Santa Fe Trail, excuse me, Old Pecos Trail.

Mr. Weatherford said the location was in the boundaries of the Don Gaspar Historic District. It is not in the immediate neighborhood but it is in the Don Gaspar Historic District. I tried to stay within the district when I took the photos, absolutely ma'am."

Chair Woods said, "I don't want anyone to feel rushed. No one has denied anything. You take the time you need. [inaudible comment]."

Mr. Weatherford said, "I appreciate that. There is one other matter that is extremely crucial. I called David yesterday morning to let him know that we have a tremendous security issue in the existing home. None of the exterior doors are able to close at this point I have spent the last three nights ... the last two nights at the home. I don't like it but the doors can't be locked. The doors can't be secured because the previous owner took two interior doors, as I showed David, and made exterior doors out of them. Well those exterior doors have now swollen and twisted and warped so that none of the hardware lines up. I had a company out there today. I had them lined up for Thursday morning to temporarily replace the existing front

door temporarily. I told David when I first saw this, I said 'David, it has been my considerable experience that these doors are historically twinned. They are twin French doors that used to be used to shut off the dining room so the gentlemen could talk and smoke cigars out the door and that is exactly where they came from. There is one door in the front that is an interior door; there is one door on the back that is an interior door. They have warped and twisted. Even without the Board's permission, I've got to replace that door temporarily. I sent David a list today of about nine different homes immediately around this existing home that the typical doors are either solid plank with a sight window in them or a half light French door, solid below with single or double light above. And I need, as I heard this lady talking today about doors being taken down without permission, etc. We've got a life safety issue here. I need to replace that door Thursday morning at 10:00. Once we do that I would like to order the other two. Three existing doors... or three new doors, as I mentioned to David. That's where we are and we have not addressed that. So if we can cover that, I'll be done."

Chair Woods asked staff about it.

Mr. Rasch said typically the Board has allowed replacement in existing openings. "You could grant that if you wanted to."

Ms. Rios asked Mr. Weatherford if he wanted to replace them with a permanent door.

Mr. Weatherford said, "No ma'am. When I saw that I could not repair it and I went over Sunday morning in an effort to repair the door to get it to shut. I took the door stops off, tried to realign it. I am really good at this stuff. It was beyond repair. I called the man Monday morning. He came out. I was able to find a board to put up as a dummy door; just a solid wood door for right now so our owner has security in her home. The dog that she has in there weighs about seven ounces. She has a miniature something. I'm scared to walk around it. It is a precious little thing but not much at getting rid of bad guys.

"I have been able to lock the other doors. I had to take a block and hammer and slam the doors and lock them in. It was just the front door. We are going to have a temporary blank on it. The doors that we would order take about a six weeks turn around from the time we order them to the time they are installed. But that door would be up for about six weeks. No more than that. But let this be an indication to you I am a letter of the law builder and that's the way I do things. A lot of guys would just replace the door... the heck with it.

Chair Woods asked the Board if they had a feeling of where they were with the exceptions. She repeated that the Board hadn't voted yet.

Ms. Shapiro asked Mr. Weatherford regarding the AC screening, if he would mind putting a temporary screening up there so that the Board could see what it would look like, maybe on one side. She said, "We don't want to make a mistake, and ask for you to screen it when really that's not going to be a very good solution. I don't want you to go to extremes on any direction, so I would like to see what it might look like. From where we stood, only a very small portion showed. Like pieces of plywood "to show the height."

"As far as the carport goes, I would tend to deny that because I don't think there's a precedent for it on the street. I'm really concerned about the streetscape. I'm also concerned about the walls. My suggestion

would be to change the rock material, perhaps to something more in keeping with the street, that we keep the pilasters five feet high, and that the iron fence that you put on top of the two foot of masonry be two feet tall, and not concave, straight across, and that there be no vehicle gate at the street, but it could be set back from the street as the existing one is. I'm a little confused about where the 8' section is, but I just don't think an 8' section of masonry wall goes with that streetscape and we might see part of the back of it, cause its way down the line, and I wouldn't want that. But I would like to see it lowered."

Mr. Weatherford said, "Well, ma'am, you asked me a question. I would like to address it real quickly now.

Chair woods: did you ask a question?

Ms. Shapiro: I don't know if it was really a question.

Mr. Weatherford: well, yes ma'am, you did. The question...

Chair Woods: about lowering the section?

Mr. Weatherford: No ma'am. You asked a specific question about could I set up a temporary piece of something.

Chair woods: oh, okay.

Mr. Weatherford: the answer to your question is I've gone close to probably a hundred meetings like this. This is the first time of any governing board or recommending board with whom I've ever met, that I have not had the opportunity to meet them on site. But that's the way you guys want to do it. But.

Chair Woods: It's not that we don't want to do it; it's that we're not allowed to do it.

Mr. Weatherford: well, I understand but when I run for mayor we'll change that. Ma'am, blocking the unit is not the issue. We still have a lot of duct work that we need to block. The only way to block the duck work and the unit is...because we would have to bring that...

Ms. Shapiro: Okay, I should have modified that and said 'paint the duct work, but I want to see screening around the main walk to the HVAC. Cause I'm concerned about the way that's going to look.

Mr. Weatherford: well, we as neighbors are not going to paint the ductwork and ruin our neighbors view. I know the owner won't do that. So the screen wall that we build...

Chair Woods: okay, well, then just go on to something else

Mr. Weatherford: well, I am happy you asked me to do something and I am happy to do it. I'm delighted to do it, but if you will let me know when you're out there, I will get up on the roof, I'll bring the ladder up there, I will show you where the screen wall needs to be and what it needs to be, and you can see it. So we don't have to do this exercise. I would love to do that.

Chair woods: nobody has to do anything yet because no body's made a motion. We're just doing comments. We're just trying to get people's idea of it.

Ms. Rios: I do appreciate that you and your client were trying to improve this building. You should really study that neighborhood. They were low walls and not with ornate iron. I don't know how I feel about the carport. Right now I am oscillating between the needs of the applicant and the historic preservation of this neighborhood. I would not want you to raise the parapet. Because I do consider that wall as the primary façade, even though staff doesn't. We sometimes disagree on that. I would suggest you come back with some kind of screening of the unit. And really study even the side walls. Look at the neighborhood. Even the picture you brought...it really is an open neighborhood.

Mr. Weatherford started to speak.

Ms Rios: it's open and simplistic

Chair Woods: she didn't ask a question. This is just Board, still.

Ms. Rios: but thank you

Mr. Weatherford said, "Well, I do have a question. I have a question. You said I could take as long as I wanted.

Chair Woods: how about we just get through the Board, and then you can comment.

Mr. Weatherford said "I have a question; it is not a comment. It deals directly with her so there would be no need for ... so we won't forget.

Ms. Rios: yes, sir, I'm ready when you are.

Mr. Weatherford: in the year 2006, this Board... And again, Ma'am [to Chair Woods] your attitude is both noted and not appreciated, and I will bring this up later with you, and your superiors. Ma'am, in 2006, I don't know if this was the Board or not, but there was a garage, an entire, new garage approved for this project. And so, what I don't understand...

Chair Woods: for this particular ??

Mr. Weatherford: Yes Ma'am. I've got it right here. Would you like to see it? Are you aware of that?

Ms. Mather: I think it still is approved, but we need to see that, when the garage was changed.

Chair Woods: are you aware of that, David?

Mr. Rasch No, I'm not.

Mr. Weatherford: it was in 2006. It was submitted and approved, and the owners didn't do it because it was too expensive. And I'm going off of information that we were given. It was an entire garage. And we got

this from the Historic District Review Board.

Mr. Boaz: is there a date on it?

Mr. Weatherford: on the north side of the ... was submitted ...the Board...approved... So it came as a shock to me that a carport

Mr. Rasch the north addition to that...accesses the alley.

Mr. Weatherford: yes, but it's visible from the street.

Ms. Rios - it was a 148 sq ft addition to the garage, that might have been ten feet back from the primary elevation.

Mr. Weatherford: and so that's why I'm a little stunned with the carport just being 'no, we're not interested in it.'

Ms. Rios: well, I didn't say I'm not interested because I'm looking at it. I think you had a good point to make in terms of it's something that...you can still see the garage, and it's something that's removable. So, I'm not closing my mind to it.

Mr. Weatherford: well, the stenographer here could go back and read it, but I think you said that you...effectively, you didn't like the idea, or you were opposed to it in some way. You didn't like the carport.

Mr. Boaz: she said she was oscillating between the needs of the applicant, and the needs of the historic preservation committee.

Ms. Rios: thank you, Carl.

Mr. Weatherford: okay.

Chair Woods: anything else?

Mr. Weatherford: unless you guys want that copy, I can secure another one if you'd like.

Chair Woods: well, I think that...you presented it, so it should go in the record.

Mr. Weatherford: sure. By all means.

Chair Woods: inaudible

Dr. Kantner: I think my sense about the carport is...I appreciate the argument that it's something that can easily be removed, and I suppose that considering the needs of the occupant, that's probably something that I would be supportive of. At the same time, the parapets are not something that can be removed, so whereas the sensitivity toward the removal of the carport I appreciate, I agree with the rest of the board as far as being concerned about raising the parapets. I would seek some other option with regard

to that. The yardwall I think that the part of the yardwall that is inside the driveway, I have no concern with that necessarily. But I would agree also with what the rest of the Board has said about trying to construct the wall: do not have the field stone, do not have the curved ironwork, that otherwise agrees with the neighborhood. Inaudible.

Chair Woods: did you have any questions?

Mr. Weatherford: no, he didn't raise any questions to me.

Chair Woods: we certainly appreciate [inaudible] wants to... I'm sorry, Christine, did you want to say something?

Ms. Mather: I just want to reiterate the concern about the parapet, and I'm afraid that if they were raised, they would change not only the character of the building but the proportion of the building, particularly the porch, and the relationship of those lovely side windows to the parapet. I love the looks of this building and I would hate to see that change. I hope that there's an opportunity to work with the neighbors and this Board to come to a conclusion that would not violate or not injure in any way the proportions of the face of a charming house.

Ms. Mather: I'm not as concerned about the carport. I think it's a nice, simple design there, but I would try not to pass that primary base stone. I am concerned about the looks of the wall, and I think I've expressed that before. I like a simple, low wall with not a lot of detail in terms of rock or iron work [inaudible]. The example that you've shown with the photograph [inaudible] much more to my liking than [inaudible]

Chair Rios: okay, I think that...Mr. Weatherford, did you have something to say?

Mr. Weatherford: just...regarding the screen wall. I think the Board should be aware that if we do pursue that, and since you're clearly not going to allow us to raise the parapet, that's a done deal.

Chair Woods: Wait. There's no done deal. Nobody's made a motion, okay? So you need to understand that this is all a part of the process of trying to work with you. We are trying to work with you.

Mr. Weatherford: well, to date, Ma'am...you're right, technically you're right, but to date, and the stenographer will correct me if I'm wrong, there have been six people that have said they didn't like raising the parapet, that it changes the Historic value of the home. So if that's not no, I don't know what is, but you're right. Be advised of this: there is duct work that is visible from the front of the house, and so that screen wall is going to have to go along the south side of the house, and the front of the house. Be advised of that. So you talk about... I consider that an egregious detraction. I have had two very fine architect friends of mine come by, and in their opinion, and I've had some go-around with them both, from time to time, they don't see any problem with raising the height of the wall architecturally. I'm not an AIA, I'm just a dumb guy that builds custom homes, but the idea of having a screen wall very close to that parapet wall, which is going to create leak problems and other issues, on the south side and along the front...when we put a screen wall along the front of that façade there, that whole façade disappears. Because you won't have anything to back up against other than a screen wall. So we'll draw it as that...if that's what the Board

wants. But you can't see it in this photo, but there is a piece of duct work that is visible from the front. And on the plans, which you guys have not had the opportunity to see, we laid out the ductwork.

Chair Woods: David, [inaudible]

Mr. Rasch: I think it's the last set of drawings, you see the roof plan with the ductwork.

Mr. Weatherford: it's the last page.

Chair Woods: I'd like to ask a question to the lady that's a neighbor. Because we didn't have the opportunity to be in your house, and I'm very sensitive to your concerns. Are you seeing the duct work? Or are you seeing the unit...is it mostly the unit that's [dumped?]

Diane - no. my house, and I'd be happy to have you view my house, it's higher up. I see the whole thing. I see the unit and the ductwork. And, I just need to say, part of the reason I chose to live in this neighborhood is the historic value. And I care about my neighbors, and I care about the houses, and we're a little community [inaudible] I was pretty upset when I saw that unit go up there. And I feel it deters my property value, and I have put a lot of energy and effort into my house in trying to meet all the historic qualities that you all wanted, and I just find this to be really an eyesore. I realize that you're concerned with what you see from the street, but it is very apparent from the street and really so now that there are three trees that aren't there any more that used to be there that helped provide shade and screening. And so, I would just like to have us look at some options, and I'm not happy with painting.

Chair Woods: I heard that. And I didn't realize that you... I mean, when we see it from where we talked in the car, it didn't seem nearly as prominent as what you're talking about. And I certainly wouldn't want to live right next door and look at that. So, thank you.

Chair Woods: [to Mr. Weatherford]: again, we want to give you every chance, and part of the way we work is just to try and work with you, and listen to you and to the neighbors and everybody, to try to get it to where it works with the ordinance, and with what you're trying to present. My comments are...I was the one who originally brought up not raising the parapet and I'm glad I caught that now, because of what the neighbor's saying. I think it's really too bad, I think it's too bad we have the whole [inaudible] where this happened because I think it could have been avoided. But we have what we have. And I mean this applicant did go through what he was supposed to go through, [inaudible]. Yeah, I think it will change it, but I wouldn't want to live next door and look at that stuff. I hear what this lady is saying, and I think if the applicant was willing to do it exactly in the same undulation as what's there, and we determined the exact height it would be raised...I don't really see a choice at this point, if we're talking about... I thought about just screening that little unit, but that little unit, if we're screening everything, it's going to look dumb to have that right behind the parapet. So, that's unfortunate, but it is what it is. I don't have a great problem with the carport because it's set back and you can still see it and it's removable. Although, I would suggest not doing an eight foot wall, and dropping it to six and having the air go through there so it's not so high. I have a real problem with the wall because it doesn't suit, to my mind, the streetscape. Some of the other stones were better. I think this example that was brought in, if this is what the applicant is willing to do, I think this is fine.

Mr. Weatherford: that is what the owner wants to do.

Chair Woods: I understand. I'm fine with that. So, again, we're not necessarily at any agreement. We have to give this gentleman directions, and his owner so that they can proceed with what they need to do. Is there any other...did you have a question?

Mr. Weatherford: I have a suggestion that I hope the Board would take to good heart. The lady asked me, would we put up a temporary screen, in light of what your comments were, Ms. Woods, what I would be thrilled to do...why don't we go ahead and frame, just a bottom plate and a top plate and a couple cripples in between, I'll put a piece of sheer in the back for some stability. Why don't I frame for you what the parapet would look like? You can see it in frame stage before we do anything. We're looking at a hundred bucks worth of lumber, and...well I charge a lot with labor, but....

Chair Woods: Is there anything else you wish to comment on, sir?

Mr. Weatherford: no.

Chair Woods: here's the deal. Once we've made the motion, then you don't get to talk. That is the rule. And the city attorney will back me up on that one. So if you have anything else to say, say it now. [inaudible] 'Cause once the Board goes into making a motion, then it goes into discussion and it's only the Board that speaks. All public comment and applicant comment is cut off. So, is there anything else you wish to say or to add to any of the other Board members? And we certainly appreciate your willingness to set this up, and I do not know what the motion will be or who will make it.

Mr. Weatherford: Well, I made a suggestion but I didn't get an answer.

Chair Woods: I can't tell you until we make a motion. There's no answer until they make a motion. They may, but I don't know how they're going to do it. It's certainly a wonderful offer, and they may take it into consideration. But that's up to the maker of the motion, and the person who seconds it, and then we take a vote. So I don't think we can give you an answer until then.

Mr. Weatherford: Very well.

Chair Woods: Okay, so is there anything else that you needed to say?

Mr. Weatherford: Ma'am, I'm very familiar with Robert's rules of order. I've testified before U.S. Senators and U.S. Presidents. I'm fully aware. I'm done with my comments if you're done with your questions.

Chair Woods: I'm really happy we're finally on the same page. That's great. Thank you. So, do we have a motion?

Ms. Rios: I'll make a try. **In reference to case H-09-002, 714 Gildersleeve Street, I would move to postpone this case to give the applicant the opportunity to resubmit his application, taking into consideration all the comments that were made here this evening by Board members. And that if**

the applicant is willing to put up a parapet wall on the south side that will be fine, also, I move that the applicant be allowed to put a temporary dummy door on the east elevation.

Chair Woods: Is there a second?

Ms. Shapiro: Second.

Chair Woods: okay there's a motion to postpone. Any discussion? All in favor?

All: Aye.

K. MATTERS FROM THE BOARD

1. Discussion of State Legislation regarding H-Board jurisdiction on State properties within City Historic Districts.

Mr. Rasch pointed out what was in the packet (listed)

He went first to the memo. In 1964, the state enacted a statute that said the local municipality might take the jurisdiction for historic preservation. In 1981, the land office put up a building. Then, late in 1981, the city took the jurisdiction.

Here, the Board said the Board did not have jurisdiction over state projects. It was the state parking garage where the HDRB forced them to lower the garage and cost them \$3 million. So the State Land Office decided to interpret the statute. The Memo gave the background and by the map showed the new district. It would allow the State to build in that district and amend the height ordinance for that district but keep the historic design character.

Chair Woods appreciated the comments and clarified it was from the Board, not city staff. She asked about those who were involved. She noted that Council would consider it tomorrow night. There were all these different ways that it could happen. It looked like the Mayor would support it. That was kind of where they were on it.

Ms. Shapiro wondered if he could talk about the height calculation. She was worried about the two extra feet.

Mr. Rasch said that was a good point. Ms. Brennan's predecessor was the one who said the extra two feet was mandatory.

Ms. Shapiro asked if the Board would describe the characteristics. Mr. Rasch agreed.

Chair Woods asked if this was to apply just to government buildings and the rest would stay as is.

Mr. Rasch said the State came up with this map but included a couple of private properties which he excluded.

Ms. Mather commented that there were many State buildings in the historic district that were not in this area.

Mr. Rasch agreed. He said they were looking at killing the bill with this campus idea. The City Attorney was saying they were going to look at it as if the bill didn't get killed. Then all State buildings would be under some other jurisdiction.

Mr. Featheringill explained that the head of GSD was the one driving this bill. He was pushing it pretty hard. Just the fact that they even came to the Board and had sharettes was significant. The bad publicity about shoving it down their throats convinced them to decide to acquiesce. He was not a happy camper.

Mr. Rasch said they were worried if the Speaker became the sponsor.

Chair Woods said the City had gone to Sec. Cerletti about GRT and Lodgers Tax from tourists. They were trying to build a case for trust and hoping it would help.

Mr. Rasch didn't know where Council was going to go on it tomorrow. He added that they also contacted the New Mexico HP Alliance and the 7 other CLGs. The mayor was saying he didn't like this legislation. Councilor Ortiz, on another route was going to introduce that any development within city limits would have to follow all municipal ordinances.

Ms. Mather asked about SHPO.

Mr. Rasch said he talked with Kak Slick and she had seen it but not been asked to comment on it yet. She also said she believed it only affected capital outlay projects.

Mr. Featheringill moved to approve the memo and recommend support to the Governing Body. Ms. Rios seconded the motion and it passed by unanimous voice vote.

L. ADJOURNMENT

Having completed the agenda and with no further business to come before the Historic Design Review Board, the meeting was adjourned at 8:37 p.m.

Approved by:

Sharon Woods, Chair

Submitted by:



Carl Boaz, Stenographer