



# Agenda

DATE 2/12/09 TIME 3:30pm

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## HISTORIC DESIGN REVIEW BOARD FIELD TRIP

TUESDAY, FEBRUARY 24, 2009 – 12:00 NOON

HISTORIC PRESERVATION DIVISION, 2<sup>ND</sup> FLOOR CITY HALL

## HISTORIC DESIGN REVIEW BOARD HEARING

TUESDAY, FEBRUARY 24, 2009 – 5:30 PM

### CITY COUNCIL CHAMBERS

A. CALL TO ORDER

B. ROLL CALL

C. APPROVAL OF AGENDA

D. APPROVAL OF MINUTES  
January 27, 2009

E. FINDING OF FACTS & CONCLUSIONS OF LAW  
440 Galisteo Street

F. COMMUNICATIONS

G. BUSINESS FROM THE FLOOR

H. ADMINISTRATIVE MATTERS

1. Case #H-08-141. 500 & 700 blocks of W. Alameda Street. Westside-Guadalupe Historic District. Duty & Germanas Architects, agents for Santa Fe Civic Housing Authority, proposes to address conditions of previous board approval to construct 139 residential units regarding roof massing alterations to include: flat and pitched roofs rather than only pitched roofs on one-story structures; parapet coping details; and a lighting plan. (David Rasch)

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-08-062. 1183A Cerro Gordo Road. Downtown & Eastside Historic District. Mud Houses, Inc, agent for Robert Frank, proposes to amend a previous approval of a non-contributing building by proposing approximately 310 additional sq. ft. of roof area, by altering doors and windows and to increase the height approximately 1' to a height of 13'6" which is under the existing height. (Marissa Barrett)
3. Case #H-08-128. 538 ½ Hillside Avenue. Downtown & Eastside Historic District. Arminda Diaz, owner/agent, proposes to construct an approximately 1,316 sq. ft. addition to the maximum allowable height of 13'9" (17'9" at highest point to due grade change). Construct yardwalls to not exceed the maximum allowable height of 6' to a non-contributing property. (Marissa Barrett)

4. 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 rooftop mechanical equipment 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 primary elevations, remove an historic braided wire fence, and construct yardwalls not exceeding maximum allowable height is 6' on side and rear lotlines and 47" on the streetscape. 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 façades, Section 14-5.2 (D)(2)(c), and to install publicly-visible rooftop appurtenances, Section 14-5.2 (D)(3)(b). (David Rasch)

**J. NEW BUSINESS**

1. Case #H-09-007. 1226 B Cerro Gordo. Downtown & Eastside Historic District. Trey Jordan Architecture, agent for Stacey Neff and Jeff Nelson, proposes to construct an approximately 875 freestanding guesthouse to a height of 13'6" where the maximum allowable height is 13'8", replace a coyote fence with a yard wall to the maximum allowable height of 4'6", construct an entry portal, and construct an approximately 40 sq. ft. storage shed and outdoor fireplace to a height of 13' where the maximum allowable height is 13'8". (Marissa Barrett)
2. Case #H-09-009. 135 Lincoln Avenue. Downtown & Eastside Historic District. Ken Reidy, Architect, agent for Crow & Hubb, proposes to remodel a non-contributing commercial building by replacing non-compliant windows, re-stuccoing, installing a brick course at grade, and remodeling the interior courtyard with planters, benches, a fountain, and ADA ramp. (David Rasch)
3. Case #H-09-008. 528 Abeyta Street. Downtown & Eastside Historic District. Laura Chancellor, agent for Ted and Betsy Rogers, proposes to construct a 2,521 sq. ft. addition to the maximum allowable height of 16'2" on the street elevation, construct a 325 sq. ft. storage building to a height of 9', and construct very low stone walls to define parking areas. A height exception is requested to allow the west elevation at 22', Section 14-5.2 (D)(9). (David Rasch)

**K. MATTERS FROM THE BOARD**

**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 February 24, 2009 Historic Design Review Board Field Trip, please notify the Historic Preservation by 9:00 am on Tuesday, February 24, 2008.

**SUMMARY INDEX**  
**HISTORIC DESIGN REVIEW BOARD**  
February 24, 2009

| <b>ITEM</b>                          | <b>ACTION TAKEN</b>      | <b>PAGE(S)</b> |
|--------------------------------------|--------------------------|----------------|
| Approval of Agenda                   | Approved as amended      | 1-2            |
| Approval of Minutes                  |                          |                |
| January 27, 2009                     | Approved as amended      | 2              |
| Findings of Fact & Conclusion of Law | Approved                 | 2              |
| Communications                       | Discussion               | 2-3            |
| Business from the Floor              | Marilyn Bane on HB 360   | 3              |
| Administrative Matters               |                          |                |
| 1. <b><u>Case #H 08-141</u></b>      | Approved with conditions | 3-5            |
| 500 & 700 W. Alameda Street          |                          |                |
| Old Business                         |                          |                |
| 1. <b><u>Case #H 06-001</u></b>      | Approved with conditions | 5-9            |
| 142 Lincoln Avenue                   |                          |                |
| 2. <b><u>Case #H 08-062</u></b>      | Approved as recommended  | 9-11           |
| 1183A Cerro Gordo Road               |                          |                |
| 3. <b><u>Case #H 08-128</u></b>      | Postponed by applicant   | 11             |
| 538½ Hillside Avenue                 |                          |                |
| 4. <b><u>Case #H 09-002</u></b>      | Approved with conditions | 11-18          |
| 714 Gildersleeve Street              |                          |                |
| New Business                         |                          |                |
| 1. <b><u>Case #H 09-007</u></b>      | Approved with conditions | 18-21          |
| 1226B Cerro Gordo                    |                          |                |
| 2. <b><u>Case #H 09-009</u></b>      | Postponed                | 21, 28         |
| 135 Lincoln Avenue                   |                          |                |
| 3. <b><u>Case #H 09-008</u></b>      | Approved with conditions | 21-28          |
| 528 Abeyta Street                    |                          |                |
| Matters from the Board               | Discussion               | 28             |
| Adjournment                          | Adjourned at 9:00 p.m.   | 29             |

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

**February 24, 2009**

**A. CALL TO ORDER**

A regular meeting of the City of Santa Fe Historic Design Review Board was called to order by Vice Chair Cecilia Rios 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. Cecilia Rios, Vice Chair  
Mr. Dan Featheringill  
Dr. John Kantner  
Ms. Christine Mather  
Ms. Karen Walker

**MEMBERS ABSENT:**

Ms Sharon Woods, Chair  
Ms. Deborah Shapiro

**OTHERS PRESENT:**

Ms. Marissa Barrett, Senior Planner  
Ms. Kelley Brennan, City Associate Attorney  
Mr. David Rasch, Historic Planner Supervisor  
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 announced that Case #H 08-138 was postponed by the applicant.

**Ms. Walker moved to approve the Agenda as amended with Case #H 08-138 postponed. Mr. Featheringill seconded the motion and it passed by unanimous voice vote.**

#### **D. APPROVAL OF MINUTES – January 27, 2009**

Ms. Walker requested the following changes to the minutes:

On page 2 near bottom, under Business From the Floor, the address was 613 Canyon Road.

On page 8 - at top - "Ms. Walker said the applicant needed staff approval for the fireplace in the interior wall."

Vice Chair Rios requested the following changes to the minutes:

On page 15, 5<sup>th</sup> paragraph, under Staff Recommendation: "Ms. Vice Chair Rios asked if there would be anything on the roof."

On page 28, 2<sup>nd</sup> paragraph, "Ms. Rios – I do appreciate that you and your clients are trying to improve this building."

The third sentence should read, "There are low walls, and not this ornate iron. Because I do consider that the wall is a primary façade."

On page 30 - "Vice Chair Rios...."

**Ms. Walker moved to approve the minutes of January 27, 2009 as amended. Dr. Kantner seconded the motion and it passed by unanimous voice vote.**

#### **E. FINDING OF FACTS & CONCLUSIONS OF LAW**

440 Galisteo Street

Vice Chair Rios said to Ms. Brennan that in #3, the first instance of the word "board" should be deleted.

**Ms. Mather moved to approve the Finding of Facts and Conclusions of Law for 440 Galisteo Street as amended. Ms. Walker seconded the motion and it passed by unanimous voice vote.**

#### **F. COMMUNICATIONS**

Mr. Rasch showed the largest adobe building in the world, The Great Mosque in Sub Sahara Africa. It was completed in 1907. The main hall could hold 3,000 people. The decorative stuff protruding is what the plasterers stood on.

## G. BUSINESS FROM THE FLOOR

Ms. Marilyn Bane, 622.5B Canyon Road gave a progress report on HB 360. A substitute bill passed the Tax and Revenue Committee 15-0 and the House by a 65-0 vote.

She highlighted the substitute bill. OSFA opposed the original bill because it had no historic oversight. That was corrected in the substitute bill. Speaker Luján agreed with their request that the state accept co responsibility and co guardianship of the fragile historic districts of New Mexico. She read the purpose of the bill.

There was a great opportunity for improving the design phase. There would be several meetings after the design phase including HDRB. Should there be (and there could be) a process to encourage participation - when it comes to the HDRB, if unresolved issues remained, a historic review board (with state) would attempt to resolve it. It would include HDRB and staff representatives on it as well as public citizens. Peter Wirth was going to follow this. It was on the Cultural Affairs Committee agenda today. She thanked Ms. Walker and Ms. Woods for their work on it. It wasn't over yet. There were still steps left. It was an unprecedented time of collaboration of State with the City.

Tomorrow night a resolution by Councilor Calvert and Councilor Bushee would be considered to change the previous resolution to support the substitute bill.

Vice Chair Rios thanked her for the information. It was going the right direction.

Ms. Walker thanked her also.

## H. ADMINISTRATIVE MATTERS

1. **Case #H 08-141.** 500 & 700 blocks of W. Alameda Street. Westside-Guadalupe Historic District. Duty & Germanas Architects, agents for Santa Fe Civic Housing Authority, proposes to address conditions of previous board approval to construct 139 residential units regarding roof massing alterations to include: flat and pitched roofs rather than only pitched roofs on one-story structures; parapet coping details; and a lighting plan. (David Rasch)

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

### **BACKGROUND & SUMMARY:**

"The affordable housing projects on three tracts at the 500 and 700 blocks of West Alameda Street were constructed as multiple family residential units in the early 1960s in a vernacular manner. There is additional street-frontage on San Francisco Street, Camino del Campo, and Las Crucitas Street. The western tract (A & B) consists entirely of pitched roof structures. The eastern tract (C) has a mixture of flat and pitched roof structures. The buildings are listed as non-contributing to the Westside-Guadalupe

## Historic District.

"On January 13, 2009, the Board conditionally approved the demolition of existing buildings construction of 139 residential structures with some height and pitched roof exceptions with the following conditions: that the non-street-frontage structures may not exceed 24' and that the street-frontage structures may not exceed 18'; that all mechanical units must be placed under the pitched roof or on interiors; that all windows are true or simulated divided-lights; that the diamond gable windows be reconsidered; and that the following items be brought back to the Board- 1. designs for combinations of pitch and flat roofs, 2. coping details, and 3. lighting plan.

"Now, the applicant has submitted the following three revisions.

1. "The one-story building designs have been changed to reflect the desire to have a combination of flat and pitched roofs rather than all pitched roofs on each building. The flat roof areas have the same parapet detail as the two-story buildings. See next item.
2. "The parapet detail will be a stuccoed stepped design that is wider at the top and composed of surface mounted 2x8s and 2x4s.
3. "The lighting plan shows all site locations for light posts and it is presumed that all pedestrian doors will have lighting. The light designs are submitted for the site light posts and the door lights will be similar or "jelly jars," or other designs as to be discussed with the Board.

### **STAFF RECOMMENDATION:**

"Staff recommends approval of the design modifications which comply with Section 14-5.2 (I) Westside-Guadalupe Historic District."

Present and sworn was Mr. Michael Duty, 1323 Paseo de Peralta who noted that they did submit all the Board requested. During the last meeting there was one condition that he wanted to revisit. It stated that the street structure may not exceed 18'. They were in substantial conformance with that but there was discussion about three structures on the Tract C portion that were higher than 18' and were last time. They could be construed as a violation of the compromise they reached with the Board. His recollection was that the Board would allow that but he might have misunderstood.

They complied for 18 units but if they made them one-story units they would lose 8 AH units. Otherwise, they agreed with everything Mr. Rasch said.

Vice Chair Rios asked how high the 2-story units were.

Mr. Duty said they were a little more than 22'.

Mr. Rasch believed Mr. Duty was correct. The Board did grant the height exception. It was just a matter of clarity. The motion could have said the exceptions were approved as well. They just didn't catch it in the

motion. He explained that the three items were to come back tonight.

Ms. Walker recalled that the diamond gables were to be reconsidered.

Mr. Duty agreed and said they took them out and would use vents instead.

Vice Chair Rios asked if there were shed roofs on the west street elevation.

Mr. Duty said those were the front porches and they were shed roofs.

Vice Chair Rios asked about the lighting on the pedestrian doors.

Mr. Rasch repeated his staff report on it that included jelly jars or whatever the Board wished.

There were no speakers from the public regarding this case.

**Ms. Walker moved to approve Case #H 08-141 as revised with the condition that the front door lights be reviewed and approved by staff and the exceptions request in the prior meeting were granted. Ms. Mather 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, 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)

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

### **BACKGROUND & SUMMARY:**

"142 Lincoln Avenue, known as the La Esquina Building, is a five story commercial building that was constructed in 1982 in the Spanish-Pueblo Revival Style. The building features paired and single column portals and upper floor balustraded balconies. It is listed as non-contributing to the Downtown & Eastside Historic District.

"From 2006 through 2008, the applicant remodeled the building substantially. Now, the applicant is requesting to amend the approval with the following two items that were performed without HDRB or staff approval and without a revised building permit.

1. "The portals on the east and north elevations were constructed 1.5' too tall. The minutes from previous hearings cite efforts to reduce the original portal design height by 2' which was shown on subsequent submittals.
2. "The balustraded balconies on the second floor were deleted to allow access onto the roof of the portals. With accessibility onto the roof deck, the constructed parapet over the portals is slightly too



low. A handrail will be installed on the interior of the parapet to gain the maximum of two inches required for compliance. Drawings do not show this detail and the Board should discuss material and color.

**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."

Vice Chair Rios said it appeared the applicant had gone over the portal height by 1.5'. She asked Mr. Rasch if he remembered the exact height.

Mr. Rasch thought it was 18' to the top and 13' to the header.

Vice Chair Rios recalled that as the biggest issue they had.

Mr. Rasch agreed. The Board tried to get it lowered and he had several drawings to show where the issue manifested itself.

Present and sworn was Mr. Lorn Tryk, 206 McKenzie Street, who explained that the height difference was due to human error. They called out the heights on the elevation but the structural connection should have been at the bottom of the steel. Putting it at the steel beam made it too high. They followed the pictures. It was not done intentionally. It was ironic that it was the issue they talked about.

He said he did include a number of pictures in the packet he thought would be of interest. These pictures were of our streetscape and historic buildings. There were a number of portals that were as high or higher than theirs as constructed. He did not include several hotels and state office buildings that were considerably higher since they would not be part of this streetscape. There were two story portals on Lamy and the downtown library for instance.

The other thing to point out was that most of the buildings were two story buildings and theirs was 5 stories so the higher portal would sit well with the building height.

Finally, the immediate streetscape contained some very large buildings. He thought there were questions about human scale and felt it was more about proportions. They had many state office buildings that were not in human scale. They put in double columns so it would not look quite so tall and thin.

In the packet he gave a picture of the old original building drawings with portals at 8' high. There was what they called Juliet balconies that only projected a few inches. The other addition was the railing that was just a little higher than the parapets and on the inside of them. You wouldn't know they were there when looking from the street. They would be made of steel to match the rest of the steel work on the building.

Vice Chair Rios asked him how they would handle it if the Board didn't grant the exception.

Mr. Tryk said they would have to take down all the steel and wood structure. The steel actually held the building together with a cantilever. The building stepped in at the portal. It would be extremely costly to do that. If it were just the wood beam it would be less but still would cost hundreds of thousands.

Vice Chair Rios asked how lowering the portal would affect the second story including the present balcony.

Mr. Tryk thought one would see the tops of them but not very much.

Ms. Walker asked if he did you show renderings with that approval.

Mr. Tryk agreed that he did at that time but didn't bring them to this meeting.

Ms. Walker thought the overwhelming number of portals was what made it out of scale. She asked if he, as an architect, agreed it was egregious to have the portal built one and a half feet higher.

Mr. Tryk said he didn't have any opinion one way or the other. They got a lot of good feedback about the way it was built. It was just different. They had originally proposed it two feet higher because they felt it was in scale with the overall building. A foot and a half didn't seem that crucial. It was not a completely different feeling.

Ms. Walker felt all of the building was important. Looking at this with space after space she thought they should bring it to the agreed upon height.

Mr. Tryk pointed out that the photo of the building was highly distorted, being squashed about 50% left and right. It really accentuated the height. The photo in the packet was much more accurate.

Ms. Mather said her business was directly across the street and they had suffered through the entire building process. She didn't object to the height of the portal and found it to her liking. She saw it being built. She felt it was a vast improvement over what was there before.

Mr. Featheringill sought to clarify with Mr. Rasch that there was no code issue trampled on with the higher portal but just a matter of not building what was approved.

Mr. Rasch agreed. In terms of the code; there were no building code issues except perhaps the railing inside the parapet. But it didn't agree with the previous approval. The Board discussed the lowering of it. It was the scale and mass of the code at issue.

Mr. Featheringill didn't see that much visual difference. It really was close and hard to say if one was worse than the other.

Dr. Kantner asked if he said the balconies were actually there at the second story.

Mr. Tryk said it was to meet code requirements.

Dr. Kantner asked if another option would be to raise the parapet two inches.

Mr. Tryk said that was possible.

Dr. Kantner asked if the rails would be seen from the street.

Mr. Tryk said they would not. He added that because of the vantage from street the balconies were also not visible.

Mr. Rasch said that on the as approved drawing one could see them.

Mr. Tryk said most of them were obscured by perspective.

Ms. Walker noted that the balconies didn't have solid floors.

Mr. Tryk explained that it was a weight concern. Just to bring it into compliance, some of the code made special allowances but if they added the additional load they were in danger of putting the building in a different category. There was also the water proofing issue.

Vice Chair Rios asked Mr. Rasch to compare the proportions of the Convention Center with this building.

Mr. Rasch said they were different in height but there were other tall buildings. The state capitol might have three story portals. In the streetscape he thought these were the taller ones. But there were taller buildings.

## **PUBLIC COMMENT**

Present and sworn was Mr. James Weatherford, 1625 Villa Strada, who said he had been coming to Santa Fe since 1970. He noticed this building and wanted to find out whose it was. He thought it was a terrific building and a terrific asset to the City of Santa Fe.

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

Ms. Walker moved to return to the approved portal height and to approve eliminating the second story balustrade. The motion died for lack of a second.

**Ms. Mather moved to approve the amendments ( as built) for Case #H 06-001 with portal height as built and the elimination of second story balustrades and also that the applicant return to staff for approval of the design of the balustrade. Mr. Featheringill seconded the motion and it passed by majority voice vote with all voting in favor except Ms. Walker who voted against.**

- 2. Case #H 08-062.** 1183A Cerro Gordo Road. Downtown & Eastside Historic District. Mud Houses, Inc., agent for Robert Frank, proposes to amend a previous approval of a non-contributing building

by proposing approximately 310 additional sq. ft. of roof area, by altering doors and windows and to increase the height approximately 1' to a height of 13' 6" which is under the existing height.  
(Marissa Barrett)

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

**BACKGROUND AND SUMMARY:**

"On September 26, 2006 the Historic Design Review Board approved the remodel of the approximately 1,527 square foot Vernacular style, non-contributing, single family residence located at 1183 Cerro Gordo. The remodel included demolition of all walls except the part of the south elevation. Approximately 1,005 square feet of additions were approved by the Board and the height of the building was increased to 14' 5". The application also included construction of two new single family residences.

"The applicant went to the Board on June 10, 2008 to amend the approval for the non-contributing building to include construction of an approximately 121 square foot portal on the north elevation, an approximately 189 square foot portal on the south elevation, and an approximately 433 square foot attached garage on the west elevation. The Board approved the changes with the condition that the garage door material be approved by staff.

"During the interim Historic inspection the portal square footage and windows were found to not be constructed according to the Board's approval. All work was stopped and the applicant now comes before the Board for the following amendments:

"Increase the roofed area by approximately 310 square feet. The master bedroom portal will increase from 9' deep to 13' 8" deep. The living room portal will increase from 12' deep to 14' 8" deep. The master bedroom portal will also increase on the east and south elevations to approximately 1' to a height of 13'6" which is below the existing height of 14' 5".

"The kitchen parapet on the west and north elevations will be lowered approximately 2'.

"Doors and windows on each elevation except the west will be altered. Two openings on the east elevation will be altered, seven openings on the south elevation, and six openings on the north elevation. All proposed window changes meet the 3' and 30" window rules.

"Lastly proposed are alterations to the approved yard wall. The wall on the west elevation will be altered by narrowing the pillars as well as installing a rock cap. The yard wall will be extended on the east, north, and south elevations.

**STAFF RECOMMENDATIONS:**

"Staff recommends approval as the application is in compliance 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. Robert Frank, 1000 Paseo de Peralta, who explained that what happened to the windows was that they went back and forth with several companies and had to end up with a different company that required slightly different dimensions. The portals didn't really change much. The height was not changed and the vision was different from any direction.

Ms. Barrett said Mr. Moquino measured and on page six it said it was raised one foot and it was in the application letter. The original ht was 12'.

Mr. Frank noted that the maximum was 14' 6".

Ms. Barrett agreed and said this was 14' 5" so it was under the maximum.

Ms. Walker thought it was great to deepen them but the raised height looked very peculiar.

Ms. Barrett clarified that the south and the east ones had changed. Some of them were not visible.

There were no speakers from the public regarding this case.

**Dr. Kantner moved to approve Case #H 08-062 as recommended by staff. Ms. Mather seconded the motion.**

Ms. Walker asked how often the Board would have to deal with this matter of applicants building what the Board did not approve.

Mr. Rasch said the City had new procedures in place to require inspections for framing and a final inspection. They had never had that before. The inspector had been very diligent in examining plans.

Ms. Barrett agreed and said this was caught in the inspection and there were fees attached to those inspections.

Vice Chair Rios believed this one did not affect the project but unfortunately that was what was required. She didn't think this happened very often.

**The motion passed by unanimous voice vote.**

3. **Case #H 08-128.** 538½ Hillside Avenue. Downtown & Eastside Historic District. Arminda Diaz, owner/agent, proposes to construct an approximately 1,316 sq. ft. addition to the maximum allowable height of 13' 9" (17' 9" at highest point due to grade change). Construct yardwalls to not exceed the maximum allowable height of 6' to a non-contributing property. (Marissa Barrett)

The case was postponed by the applicant

4. **Case #H 09-002.** 714 Gildersleeve Street. Don Gaspar Area Historic District. Cavalry Custom

Construction, Inc., agent for Marion Tassin, proposes to remodel a contributing property by installing rooftop mechanical equipment 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 primary elevations, remove an historic braided wire fence, and construct yardwalls not exceeding maximum allowable height is 6' on side and rear lotlines and 47" on the streetscape. 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 façades, Section 14-5.2 (D)(2)(c), and to install publicly-visible rooftop appurtenances, Section 14-5.2 (D)(3)(b). (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. In 2006, the H-Board conditionally approved an application to remodel the property by replacing non-primary elevation windows, constructing a 148 square foot addition on the north elevation of the garage at less than 10' back from the primary elevation, and altering yardwalls and fences. The textured stucco was required to be retained. The east and south elevations of the residence and the east elevation of the garage may be considered as primary.

"A secondary permit was granted in error during 2008 for the owner to install rooftop mechanical equipment (air conditioner, ductwork, and satellite dish) 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.

"The H-Board postponed action on this submittal pending consideration of advice given to the applicant during the public hearing on January 27, 2009 and to study the streetscape more thoroughly.

"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 screen 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. According to Section 14-5.2 (D)(3)(b), publicly-visible rooftop mechanicals shall not be added on contributing historic buildings. An exception is requested and the required responses are attached. Also noted in the Don Gaspar Area Historic District standards, rooftop equipment shall be screened with the first method cited as parapet extensions (Section 14-5.2 (H)(1)(d)).

### **STAFF RECOMMENDATION:**

"Staff recommends denial of the exception requests to install publicly-visible rooftop mechanicals, construct an addition on primary elevations, and remove historic materials 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."

Vice Chair Rios asked him to describe the yardwalls in the streetscape and asked if any were six feet.

Mr. Rasch said there were a few taller ones. One was at Gildersleeve at Buena Vista. The second tallest was 71" tall but the average was only 37". So there were some anomalies at the high end. For side walls, there were variables. The applicant was proposing to keep it at the maximum level for 30' and then increase it to 5' on both sides. He thought the applicant could talk about how it would appear at 47". The wall was not six feet; it was five feet.

Vice Chair Rios asked the applicant how far back he wanted the 47" to go.

Present and previously sworn was Mr. James Weatherford who said the 47" went back 30' due west on both sides.

Vice Chair Rios asked how long the five feet height would be.

Mr. Weatherford said it would be approximately 15'.

Vice Chair Rios asked if the stone was a veneer.

Mr. Weatherford said he had no interest in veneer.

Vice Chair Rios asked what kind of stone he would use.

Mr. Weatherford said he called it New Mexico field stone and it was the same as at 5 different homes less than 100' away. The homes at 707, 709 and 715 all had New Mexico field stone. One of them had concrete, river rock and New Mexico field stone.

Vice Chair Rios asked to what height it would be built.

Mr. Weatherford said it would be approximately two feet and on top would be an additional 23' of wrought iron. The current wall was actually right at 50" tall so they would actually lower that wall.

One of the important factors was fenestration in historic districts and they paid extreme attention to what the Board requested last time and complied one hundred percent.

Vice Chair Rios asked where the vehicle gate would be.

Mr. Weatherford said he had a really nice picture of one. At the last meeting Mr. Featheringill said he would entertain the pilasters of the driveway at 5' to accommodate the existing gate.

Vice Chair Rios asked if he was proposing 5'.

Mr. Weatherford believed they would be 56". It would be open wrought iron with full fenestration and double doors hinged. The pilasters were 56" tall. The arch of the gate would be no higher than the pilaster.

Vice Chair Rios thought the City did approve the A/C unit in error. She asked what would be involved in putting the A/C on the ground and if he considered that at all.

Mr. Weatherford said he always considered all options. He got involved after the fact. If they moved that 5 ton unit, they would have to set it in a recreational area and would greatly disturb it. The return and supply ductwork would have to go up the side of the wall. They looked at every possible location. He put a box that size up there and moved it around. It was still visible from the street, even at the back.

Vice Chair Rios asked what the measurements of the unit were.

Mr. Weatherford said it was 48" above the roof. It sat on pieces of redwood. 40" wide, square. It was a Trane heat pump.

Vice Chair Rios asked him if attaching the carport to the house was necessary.

Mr. Weatherford said it was not necessary but he wanted to attach it to the garage so that the garage doors would not be a constant maintenance issue. By simply attaching to the face of the garage, they could protect the garage from water. Attaching it to the house would provide the owner all weather access to the home. So it didn't have to be attached but the ordinance said it could be done because if the structure was ever removed, it could be easily be repaired. In this case, only filling the lag bolt holes would be needed.

He pointed out that there was a fence right at the garage and the house had a French door right there into the house.

Ms. Walker recalled he mentioned that he was doing another building for the applicant. If that was the case, she asked why he could not do that for the other residence.

Mr. Weatherford clarified that this would be her residence for at least five years. That other project was at least five years away. He added that he had a vested interest in this project as a developer.

Ms. Walker reminded him the Board had anticipated seeing a mock up on their site visit but didn't see anything. She felt that maintaining that same shape of the parapet would make it too high.

Mr. Weatherford said Santa Fe was the only place he had worked that didn't encourage that. Painting was not an option because it would look horrible. There was one right way to do things and in every endeavor, he wanted to do it the right way. The only alternative as he pointed out at the last meeting a month ago (not two weeks ago), was that if he did a screen wall, he would have to put it up on the east wall because ductwork was visible. It would be a wooden "L" that would cause a drainage problem on the roof.

He said he wanted the Board to understand that he would only raise it about 15". Not only was it their



desire, it was called for over and over again in the ordinance. That was the number one choice. He said he had the privilege of seeing some homes that Mr. Featheringill built and that Ms. Woods built. He would not be a part of not doing it in other than the best way.

He referenced Mt. Vernon and said he would bring in 15' and 20' trees on the south side to mitigate visibility.

He added that he hoped when the Board went there today they saw the amateurish installation of that front porch. The return walls didn't line up. He had never seen any home that was deliberately built with the porch at the same height as the supporting wall.

Vice Chair Rios asked him if he had said he would replicate the existing contour of the parapet. Mr. Weatherford agreed.

Mr. Rasch said the east and north parapets would be identically brought up but on the south parapet the applicant was requesting to maintain the steps but at different locations.

Vice Chair Rios asked what the visibility of the A/C was.

Mr. Rasch said further up the street, it was more visible but also the ductwork and satellite dish were visible. On the east side in the front one would see the mechanical equipment but no ductwork. At other places on the street it was not visible at all.

Vice Chair Rios asked if the metal fence was historic.

Mr. Rasch agreed the braided wire fence was historic and about four feet high or lower; maybe even three feet.

Mr. Weatherford said it was 36" high.

Mr. Rasch believed that fence could not be purchased today and this fence was in poor condition.

Vice Chair Rios asked if it should be replaced at the same height.

Mr. Rasch clarified that the applicant said it was beyond repair so it could not be replaced in kind. The exception was requested to put up the wall instead.

Mr. Weatherford had a photograph showing what it looked like 30 feet to the south.

Ms. Mather asked about the stucco texture on the south elevation and if the applicant would match the texture.

Mr. Weatherford said it was an interesting question. He was not convinced it was the original stucco and thought there was a relatively smooth coat underneath. He added that if he didn't find that, he would match the existing texture. He said he had never seen that stucco before anywhere.

Mr. Rasch said the brocaded stucco was historic texturing and was commonly done in the 30s and 40s. Usually it was arc shaped. This was more vertical; a troweled texture. He thought they should mimic the brocaded texture on the historic portion of the building and mimic the sand texture on the non-historic part of the building.

Mr. Featheringill agreed that on the south elevation he should keep the steps in the same location. That would cover most of it and would be an acceptable height. It was important to keep the character of the house and obviously he could not move that A/C without major costs.

Dr. Kantner asked for clarification on the carport. The primary purpose was to protect the owner but it looked like the owner would have to go into the open to enter the house.

Mr. Weatherford agreed he was correct but there was a difference between 60' and 5'.

Dr. Kantner asked if the connection to the house was to provide additional protection at the door.

Mr. Weatherford said, "Read my lips."

Dr. Kantner asked if there was a rationale for the gate.

Mr. Weatherford explained that there was an existing gate. He presented a photo from 1958 showing it. There was an existing six foot gate post at the corner of the property. There was a gate at the next door at 716 and at 714 and the hinges were there.

Dr. Kantner was concerned about the style of the gate there. The wall was a cornerstone but the vehicular gate caused him some concern.

Vice Chair Rios asked Mr. Rasch to comment about the frequency of gates in that area.

Mr. Rasch noted that vehicle gates were rare there.

Vice Chair Rios said there were two letters submitted and asked if they were in favor or objecting to the project.

Mr. Rasch said the first was on page 11. It was an email citing the bill of rights and didn't support the "fortress-like walling in of the property." The other one was a letter received which very much supported the project.

Ms. Walker mentioned that on page one of the application in the current package it stated that the ductwork should be insulated. It would be hidden. But painting the ductwork itself was not an option. She asked if he would paint and raise the parapet.

Mr. Weatherford agreed. He said he had looked at it from every angle. He felt that moving the step over would hide everything.

Mr. Featheringill said if the top parapet height was 18" higher than two steps down, it would basically hide the unit from this picture. If it was painted to match the stucco and they kept the profile, he was not saying it would hide it completely but it would be much closer to hiding it.

Mr. Weatherford asked if he did that and one could still see the A/C unit who would be responsible to deal with it. Some neighbor might come in and file a complaint. He didn't want that to happen.

Mr. Featheringill said it was already a mistake. He personally felt they should let it show and keep the character of the building. If they got close it would be okay.

Ms. Brennan said if the Board approved it, it would become "non-violative."

Ms. Walker asked what the insulation on the ductwork would add.

Mr. Weatherford said it would be about a half inch.

Ms. Walker asked if he had a color photo of the stone and Mr. Weatherford shared it.

## **PUBLIC COMMENT**

Present and sworn was Mr. Christian Stanley 900 E Garcia, who said he was representing Diane, the adjacent neighbor to the south who wrote a letter to Mr. Rasch that unfortunately the Board did not read.

Vice Chair Rios clarified that the Board did read it.

Mr. Stanley said he was the previous owner and did rehabilitation on 716 Gildersleeve. He knew many of the neighbors but was only speaking about Diane's concerns with the A/C unit on the roof. She was most impacted by this and understood that Marion Tassin went through all the right procedures and it was approved but the loophole was that she had no involvement with the HDRB.

He thought the Board had to consider the impact on everyone. He had been a builder here for 30 years. Painting galvanized metal would not hold up. It was a short fix. Building wooden fences wouldn't hold up in the long run. So building up the parapet was the answer. He thought the Board had to compromise somewhat here by going for a permanent direction; a long term fix for the A/C. He said he had his heart in this house and at 716 as well. He urged the Board to approve raising the parapet as the best resolution.

He said the wire fence was Diane's fence. He never did anything with it because it was in such poor shape. It had been abused for many years and could not be repaired. Diane had been cut several times. She supported the wall Ms. Tassin wanted to build and Mr. Weatherford proposed putting in. She also supported the front wall. Diane added a 37" wall on her property. This one was different with wrought iron but she was in agreement with the fence.

He added that both of those houses did have street gates previously. The hinges were still in place there at the corner.

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

Mr. Weatherford said if they didn't extend the steps, the A/C unit would still be fairly visible.

Mr. Featheringill said his point was that it would probably be acceptable if the character was maintained.

Vice Chair Rios explained that as a contributing house the Board's charge was to follow the ordinance.

She summarized the discussion. There were three exceptions: rooftop equipment, historic wall and attaching a carport. The applicant had to meet all six criteria for each one. The motion needed to include wall height, stucco type, parapet height, attaching of carport, the wrought iron and the gate.

**Mr. Featheringill moved to approve Case #H 09-002, accepting all the exceptions with the documentation provided by the applicant, approving all the walls to the height and material proposed and approve raising the parapet in the original location, approximately 18 inches, approving the stucco in brocade texture unless proven otherwise to staff, the A/C be painted to match the stucco and that the carport be attached to the house but not to the garage.**

Mr. Rasch said the east elevation of the garage and the south elevation of the main house were primary.

**Ms. Mather seconded the motion.**

**Ms. Walker asked that the drawings of the carport be submitted to staff, that the walls have a minimum amount of grout and that the applicant promise to plant big trees. .**

**Mr. Featheringill accepted those amendments as friendly and added that the front gate and pilasters were approved as drawn with a maximum height of 56".**

**Dr. Kantner asked that the detailed plans for the gate be submitted to staff for review and approval. Mr. Featheringill accepted that as a friendly amendment.**

**Mr. Featheringill added a condition that the material for the rock wall be reviewed and approved by staff.**

Ms. Mather asked that the carport be unattached to both garage and house.

Mr. Featheringill did not accept it as friendly because it would be structurally unsound.

**The motion passed by unanimous voice vote.**

Mr. Weatherford thanked the Board and said he appreciated their time.

## **J. NEW BUSINESS**

1. **Case #H 09-007.** 1226B Cerro Gordo. Downtown & Eastside Historic District. Trey Jordan Architecture, agent for Stacey Neff and Jeff Nelson, proposes to construct an approximately 875 freestanding guesthouse to a height of 13' 6" where the maximum allowable height is 13' 8", replace a coyote fence with a yard wall to the maximum allowable height of 4' 6", construct an entry portal, and construct an approximately 40 sq. ft. storage shed and outdoor fireplace to a height of 13' where the maximum allowable height is 13' 8". (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 1226 B was constructed in 1995 and is listed on the Official Map as non-contributing.

"This application proposes the following:

"Construct an approximately 800 square foot guesthouse which includes an approximately 75 square foot portal on the south elevation for a total proposed footprint of 875 sq ft. The guesthouse will be to height of 13'6" where the maximum allowable height is 13' 8". The building will be Spanish Pueblo Revival in style which includes aluminum clad divided light windows and a wood post and beam portal. The window trim and portal will match the main residence. The building will be stuccoed to match the existing residence as well. Plans do not indicate any skylights and exterior light fixtures were not submitted.

"Remove the existing coyote fence along the north elevation and construct a yard wall to the maximum allowable height of 4' 6". The wall will be stuccoed to match the building and will include a new entry portal. The portal entry will be located west of the new guesthouse and to a height of 8'. The entry will include an overhang on the south elevation and a wood pedestrian door on the west elevation. Code states that any overhang exceeding 18" must have supports.

"Lastly proposed is an approximately 40 square foot storage structure and outdoor fireplace located to the non-publicly visible rear of the main residence in an existing patio area. The structure will be to a height of 13' where the maximum allowable height is 13' 8". The fireplace will be located on the east elevation and the storage entry doors will be located on the west elevation.

### **STAFF RECOMMENDATIONS:**

"Staff recommends approval on the condition that the portal entry at the yard wall is redesigned to eliminate the overhang as well as reduce the massing to be harmonious with the streetscape, that there are no publicly visible rooftop appurtenances, and that exterior light fixtures are approved by staff before a building permit application is submitted. 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. Trey Jordan, who in addressing the report, said on the entry portal, there actually would be a viga column at the overhang. They were not proposing a cantilever there.

Ms. Barrett said that would meet City Code for the overhang. But there was a massing issue. There was not the same extent of massing on that street for it.

Vice Chair Rios asked if he would you be willing to submit that to staff.

Mr. Jordan said he would prefer to discuss it first. There was a project under construction 30' away that was larger than their gate.

Secondly concerning the interior of the project, he said it was a lovely house. The clients were friends and neighbors. The problem he had with it when they approached him to help was that it had a suburban look that was highly symmetrical. From an architectural standpoint they were trying to bring the fabric of the house into the east side.

Rather than a front yard, they had something more east side in style. The entry was into a courtyard rather than a front yard. The little gate was part of that design. It was not that the project would fail without the gate but they were trying to engage that front part into a courtyard. It was the third part after the main house and guesthouse. He thought it was a beautiful element and asked the Board to consider it.

Vice Chair Rios asked about the massing.

Mr. Jordan said it was above the road and the height of the parapet was about 8'. They just added some depth to it. He thought that was the massing to which Ms. Barrett referred.

He apologized that they failed to submit an elevation of the gate. It was recessed about 30" so one would go between buttresses to a gate that swung in to the courtyard. So it was about 6 feet deep and about seven feet wide. It was a little chunk of architecture, not just a gate. For the gate itself they intended to simply reproduce the existing front door with a two panel wire brush door,

Vice Chair Rios asked if it was an entry gate or a portal.

Mr. Jordan said it was an entry gate with an overhead part. Pavilion was too grand a word for it.

Mr. Rasch said it was a lot like a zaguan and they saw one of those nearby.

Vice Chair Rios asked if it was publicly visible.

Ms. Barrett said you could see it but it was turned into the lot.

Mr. Jordan said it was unfortunate that a house should be garage dominated. So they were orienting the approach to the house for the new gate. There was also a terrible drainage issue. So they had to capture some of that water and use it on site. At the far NW corner was the driveway.

Vice Chair Rios asked him to talk about window trim and the lights

Mr. Jordan said everything was divided as shown in the application like a traditional pueblo revival. Everything was identical to existing. The profiles of parapets, everything would match what was there.

Ms. Mather noted on the north elevation he had one tall window. She asked if he would consider two windows side by side there.

Mr. Jordan said the way the house functioned it could not handle a wider window. Perhaps it would be more traditional to use one on the north side. Although still vertical, it would be less vertical and tie to the vocabulary of the rest of the house. All of those windows were at a 9' height so it was 7' high. The owner was a professional musician so the main part was designed around acoustic proportions so it was higher than he normally would do.

Ms. Walker was distressed that they didn't have the elevations for the entry. She thought they needed to see that before deciding.

Mr. Jordan thought the only one missing was the east elevation. The gate was shown on the north and south.

Dr. Kantner asked if the fireplace was visible from the east elevation.

Ms. Barrett said it would not be visible as it was in the rear.

Vice Chair Rios asked if the corners were going to be sharp.

Mr. Jordan said it would match the existing. If you looked at the house – that was what you were getting. Everything would match.

Ms. Mather asked if he would consider a six foot window there instead of seven feet.

Mr. Jordan said he would. He requested the Board to allow the head height to stay the same. It was a privacy and security issue and it was below grade there.

There were no speakers from the public regarding this case.

Vice Chair Rios summarized the discussion - the entry drawings would come back to Board and the window height would be shortened and the applicant stated that all details would match the existing house.

Vice Chair Rios asked him if there would be no rooftop appurtenances. Mr. Jordan agreed.

Vice Chair Rios asked about exterior lighting.

Mr. Jordan said there would be lights only at the gate and the portal and there would be no sconces or

other fixtures.

**Ms. Mather moved to approve Case #H 08-007 with the conditions**

- 1. That the entry portal be postponed for a more detailed design;**
- 2. That the vertical dimension of the window on the north elevation be decreased to six feet (keeping the same header height);**
- 3. That any exterior light fixtures be approved by staff and**
- 4. That finishes, colors, stucco and corners match the existing house.**

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

Mr. Jordan said if they were coming back only with the gate, they were only missing one elevation.

Vice Chair Rios said he could also bring the changes to the portal.

- 2. Case #H 09-009.** 135 Lincoln Avenue. Downtown & Eastside Historic District. Ken Reidy, Architect, agent for Crow & Hubb, proposes to remodel a non-contributing commercial building by replacing non-compliant windows, re-stuccoing, installing a brick course at grade, and remodeling the interior courtyard with planters, benches, a fountain, and ADA ramp. (David Rasch)

The applicant for this case was not present.

**Dr. Kantner moved to table Case #H 09-009 to the end of the agenda. Mr. Featheringill seconded the motion and it passed by unanimous voice vote.**

- 3. Case #H 09-008.** 528 Abeyta Street. Downtown & Eastside Historic District. Laura Chancellor, agent for Ted and Betsy Rogers, proposes to construct a 2,521 sq. ft. addition to the maximum allowable height of 16' 2" on the street elevation, construct a 325 sq. ft. storage building to a height of 9', and construct very low stone walls to define parking areas. A height exception is requested to allow the west elevation at 22', Section 14-5.2 (D)(9). (David Rasch)

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

### **BACKGROUND & SUMMARY:**

"528 Abeyta Street, known as the Ramon Abeyta House, is a single family residence that was constructed in the Territorial Revival style between 1912 and 1928. According to the 1991 Historic Cultural Property Inventory, the building was nominated in 1988 for the National Register. An addition, which may be considered as a sensitive addition, connected a small outbuilding with the main structure in the 1950s. In the 1980s the building was substantially remodeled in the Spanish-Pueblo Revival style, including the alteration of a shed roof enclosed porch to a parapeted portal on the visible façade and replacement of all windows and doors. Additional remodeling occurred in the 1990s. The building is listed as non-contributing to the Downtown & Eastside Historic District.



"The applicant proposes to remodel the property with the following three items.

1. "A 2,610 square foot addition will be constructed to the north of the existing 2,414 square foot residence. The site slopes north and west down from the existing residence.

"The addition is designed in the Spanish-Pueblo Revival style with wall-dominated stepped massing, rounded edges, and exposed wooden header, carved corbels, and viga posts on the rear portal. Six skylights are proposed and the Board should confirm that they will not be visible from a public way. All finishes will match existing cementitious "Buckskin" and a light gray-blue trim.

"The existing residence is 11' high at midpoint on the east street-facing elevation. The maximum allowable height for this property is 16' 2", as determined by a two-street frontage calculation. The residence and addition will be 15' 3" high at midpoint on the east elevation with a maximum height at the northeast corner of 19'. The tallest elevation appears on the rear, west elevation at 22'. The applicant has submitted topographic information showing that there is at least a two-foot difference in slope along the building footprint and has requested that the Board approve an additional 4' of height, or 20' 2", as per Section 14-5.2 (D)(9)(c)(ii)(F). Since the rear elevation is an additional 6' higher than the maximum allowable height, a height exception is requested and the required criteria responses are attached.

2. " A 325 square foot 9' high free-standing storage building will be constructed at the northeast corner of the lot. The building will be designed in the Spanish-Pueblo Revival style with wall-dominated massing and rounded corners.
3. "Parking areas will be defined by very low stone walls.

#### **STAFF RECOMMENDATION:**

"Staff recommends denial of the exception request to exceed the maximum allowable height by more than four feet on the west elevation (Section 14-5.2 (D)(9)(c)(ii)(F)). Otherwise, this application complies with Section 14-5.2 (D) General Design Standards and (E) Downtown & Eastside Historic District."

Vice Chair Rios noted that the Board did have the option to allow an additional four feet.

Present and sworn was Ms. Laura Chancellor, 1222 Luisa Street who introduced her partner to answer questions

Present and sworn was Mr. Anthony Aloffson who thanked Mr. Rasch for being extremely helpful in the whole process. The major issue was the height. They were concerned about the height on Abeyta Street and wanted to respect the neighborhood. So the volumes were moved 50 feet back from the Abeyta side and 80-100 feet from the Ranchitos street side.

The site sloped from southeast to northwest a total of nine feet. It was a complex topography and they understood that with extreme slope changes an extra four feet could be added. The other two feet came from the fact that the project terminated at the edge of the existing meadow. His clients owned both lots. The meadow dropped another two feet. So measuring both, they were within the conventional height limits.

The steps go down allowed access to the meadow.

Vice Chair Rios asked him to just go over the heights so they were all clear about it.

Mr. Aloffson explained that on the east they modulated it into five volumes. The furthest south was a solarium that was one foot higher than existing and 13' above existing grade. The next volume dropped down further and pushed inward. It was approximately 10' feet above grade. The third volume on the east side was about 13' 6" above existing grade. The higher volume, stepped further back, was an additional 3 feet higher - 16' above grade.

They addressed the six criteria to justify an exception. They tried to emphasize that the height was very much an issue of topography. It also addressed health and safety issues. They didn't want to step down the floor of the kitchen. One of the clients was in his 70's and the other in 60's so negotiating the steps could be harder.

Vice Chair Rios asked about the 22' height.

Mr. Aloffson said the 22' was from the western side in the portal - the portal was approximately 11' 6" from finished floor to top of parapet so the additional six feet was from finished floor down to existing grade. That measurement was just a line on a drawing.

From Camino Ranchitos they were as far away as possible. There was a coyote fence on the street to filter the view and on the Abeyta side by Russian Olives.

Mr. Rasch clarified that all the windows were compliant.

Ms. Walker said it looked as though all the improvements were on only one side of the double lot.

Mr. Aloffson agreed. Although the upper level would have the parking and storage.

Ms. Walker asked if 2,521 sq ft. was under the maximum for lot coverage.

Mr. Aloffson thought that sounded high but included the roof of the portal.

Ms. Walker said the maximum was 40% and she calculated that would mean a maximum of 2,240 square feet.

Mr. Rasch noted that the zoning official signed off on it. He went to page 18 of the packet where it said 2610 was the proposed roofed area. That included the heated and non-heated area.

Mr. Aloffson thought it didn't exceed the maximum because they got zoning approval.

Ms. Walker said she lived across the street for many years. The other houses were lower and if he made it 16' compared to all the rest, it would come close to that.

Mr. Aloffson said it was higher on the Camino Ranchitos side.

Ms. Walker said they were all low houses. All around it were low houses. She asked why they wanted this height.

Mr. Aloffson explained it was to maintain the floor level from the kitchen. The higher volume also included clerestory windows not visible from the street. It would reduce energy consumption and let light in. They had higher parapets because they were doing water harvesting for meadow irrigation. The clients were art collectors and using natural light to control things there.

Mr. Rasch said there were no clerestory windows shown.

Mr. Aloffson explained that they were placed in the interior.

Vice Chair Rios asked what the maximum ceiling height was.

Mr. Aloffson said 11' 6" was the maximum and that was in the gallery space and offices that would have vigas to modulate that somewhat.

Vice Chair Rios asked him to address the windows on the east elevation.

Mr. Aloffson said they had a window in the solarium. These were just storage units behind the façade. So having windows didn't make sense. So that was why they chose to articulate the forms.

Vice Chair Rios asked if there would be any rooftop appurtenances.

Mr. Aloffson said the only thing was a chimney in the back. There were skylights below the parapet.

Ms. Mather pointed out on the north elevation two narrow windows. She asked what their function was there.

Mr. Aloffson said they were there because it was one of the main offices. He laid out the furniture and it was how they would use that space. He was concerned about it being dark. They would be canted to reduce glare. He was open on them.

Ms. Mather asked if he might widen them.

Mr. Aloffson said they would be custom-made at about a foot wide. If the Board found them out of character, they could alter them.

Dr. Kantner asked Mr. Aloffson if he had suggestions about how to break up the east façade such as with landscaping or something else.

Mr. Aloffson said they planned to do landscaping. There was already a screening of Russian Olives. They could add more landscaping to break it up further. He didn't want to do something artificial. There was

a little sketch on the last page that showed how that would have variations with the canales there.

Dr. Kantner asked if the parapets were higher than normal to capture water.

Mr. Aloffson agreed. They wanted to contain the rain water and snow that would melt up there. There would be two drain systems, one of which would collect water. With the flashing required it was higher.

Dr. Kantner asked how high above the roof itself the parapets would be.

Mr. Aloffson said they were approximately two feet and moved from one side to the other.

There were no speakers from the public regarding this case.

Vice Chair Rios summarized the issues of height, the east façade and the windows.

Ms. Walker added that the lot coverage was an issue. She wondered if they should postpone the case to clarify that.

Mr. Featheringill asked if the lots had been merged into one.

Mr. Aloffson said they had affidavits to merge them and there was an extension of a walk area.

Ms. Walker said the lot coverage was all in 528 Abeyta.

Mr. Aloffson said it wasn't flagged in the preliminary zoning consideration.

Ms. Walker said she could understand that.

Mr. Rasch clarified that Ms. Walker was looking at the lots separately, and that meant too much lot coverage but not with both lots together.

Ms. Walker agreed.

Mr. Aloffson asked if it would be a problem if the lots were consolidated. He explained that they did the zero lot line affidavit, including the meadow.

Ms. Walker said she never recommended consolidation.

Mr. Aloffson thought they could proceed with that immediately. It was a judicious use of space and accommodated the program the applicants wanted.

The truth was that they were not going to sell lot B. He urged them to wait and see but they would be happy to consolidate if it would facilitate the Board's approval.

Ms. Walker asked if he could do nichos or grill work on the east.

Mr. Aloffson agreed. It was set way back and you could see it through a screen of Russian Olives.

Ms. Walker said her son planted them and they were far apart. And in the winter they didn't screen much.

Mr. Aloffson said his first sketches were with evergreens.

Mr. Rasch showed them on the screen.

Mr. Rasch asked if the Board was looking at contingent approval with the contingency based on lot coverage rather than consolidation of lots.

Ms. Mather was concerned about the east elevation and the height concerned her. She thought the applicant might be able to mitigate both of those factors.

Mr. Aloffson said he had some good suggestions for the east façade and asked if that would address her concern.

Ms. Mather said they would need to see some new renderings.

Mr. Aloffson said they would prefer not to postpone if possible. The height on the western side was a surprise to him because of the grades there.

Ms. Walker thought the mass of the portal from the west was the mass one would see from the east.

Mr. Aloffson agreed but said it was a function of where it was measured on the western side. On the eastern side they were within maximum heights.

Mr. Aloffson said this was something they had really taken to heart. Those elevations were *constantly* changing. At the very northwest corner it was really about 18", not two feet.

Vice Chair Rios said the Board needed to decide if the applicant had met the exception criteria.

Mr. Featheringill asked if they had the responses.

Mr. Rasch said they were on pages 12-13. He explained that if the Board made approval contingent on underlying zoning it should be that the lot coverage was met rather than specifying consolidation.

Mr. Aloffson felt sure they could satisfy that.

Ms. Walker asked if no one told him about it.

Mr. Aloffson explained that he wasn't present at that time.

**Ms. Mather moved to approve Case #H 09-008 noting that the exception criteria responses for height were accepted as submitted and the following conditions:**

- 1. That on the east elevation that the applicant bring back new drawings for ways to mitigate the massing,**
- 2. That on the north elevation that the applicant would submit new wider window dimensions to staff and**
- 3. That the application be contingent on meeting the underlying zoning requirements for lot coverage.**

**Dr. Kantner seconded the motion.**

Dr. Kantner thought the staff should review the east façade changes.

Ms. Mather said she wanted them to come back to the Board.

**The motion passed by majority voice vote with all voting in favor except Ms. Walker who abstained from the vote.**

Mr. Alofson asked if on the north side the Board would be okay with removing windows.

Ms. Mather said they could bring the changes to the staff.

Dr. Kantner asked which façades were publicly visible/

Mr. Rasch said the north would be slightly visible, the east certainly was and also the Ranchitos side from afar.

- 2. Case #H 09-009. 135 Lincoln Avenue. Downtown & Eastside Historic District. Ken Reidy, Architect, agent for Crow & Hubb, proposes to remodel a non-contributing commercial building by replacing non-compliant windows, re-stuccoing, installing a brick course at grade, and remodeling the interior courtyard with planters, benches, a fountain, and ADA ramp. (David Rasch)**

The applicant for this case was still not present.

**Ms. Walker moved to postpone Case #H 09-009 to the next meeting. Ms. Mather seconded the motion and it passed by unanimous voice vote.**

## **K. MATTERS FROM THE BOARD**

Vice Chair Rios asked Mr. Rasch if he had heard anything more about what the Convention Center was proposing to do about advertising.

Mr. Rasch reported that it appears that Keith Toler was not considering an electronic sign anymore but

were looking for banners which would also need an exception.

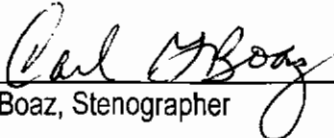
#### **L. ADJOURNMENT**

Ms. Walker moved to adjourn the meeting. Mr. Featheringill seconded the motion and it passed by unanimous voice vote. The meeting was adjourned at 9:00 p.m.

Approved:

\_\_\_\_\_  
Cecilia Rios, Vice Chair

Submitted by:

  
\_\_\_\_\_  
Carl Boaz, Stenographer