



# Agenda

**\*AMENDED\***

## **HISTORIC DESIGN REVIEW BOARD FIELD TRIP**

**TUESDAY, MARCH 24, 2009 – 12:00 NOON**

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

## **HISTORIC DESIGN REVIEW BOARD HEARING**

**TUESDAY, MARCH 24, 2009 – 5:30 PM**

### **CITY COUNCIL CHAMBERS**

- A. CALL TO ORDER**
- B. ROLL CALL**
- C. APPROVAL OF AGENDA**
- D. APPROVAL OF MINUTES**  
February 24, 2009
- E. FINDINGS OF FACT & CONCLUSIONS OF LAW**  
147 Gonzales Road #23  
714 Gildersleeve
- F. COMMUNICATIONS**
- G. BUSINESS FROM THE FLOOR**
- H. ADMINISTRATIVE MATTERS**
  - 1. AMENDING SECTION 14-8.10 SFCC 1987 PERMITTING OFF SITE TEMPORARY SIGNS FOR HOLIDAY TREE VENDORS.**
  - 2. AMENDING SECTION 14-8.10 SFCC 1987 ESTABLISHING THE PURPOSE OF THE SIGN CODE; ESTABLISHING REQUIREMENTS FOR ELECTRONIC MESSAGING SIGNS; AND MAKING SUCH OTHER CHANGES AS ARE NECESSARY.**
- I. OLD BUSINESS**
  - 1. Case #H-08-059.** 530 S. Guadalupe Street. Historic Landmark. Mark Hogan, agent for David and Lisa Barker, proposes to amend a previous approval to construct a freestanding ATM machine to a height of 7' 6" on a Landmark property. (Marissa Barrett)
  - 2. Case #H-09-005.** 211 Old Santa Fe Trail. Downtown & Eastside Historic District. Architectural Alliance, agent for Lorretto Associates, LLC, proposes to amend a previous approval to construct a 4 story addition with a 13,175 sq. ft. footprint at 41' 4" high or 17' below the maximum height of the existing non-contributing structure by reducing the scale to 3 stories at 36' high and address the Boards concerns for redesign. (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, and address the Boards concerns for redesign. (David Rasch)
4. 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 installing a brick course at grade, and remodeling the interior courtyard with planters, benches, a fountain, and ADA ramp and addressing the Boards concerns for redesign. (David Rasch)

**J. NEW BUSINESS**

1. Case #H-09-013. 1047 Old Santa Fe Trail. Historic Review District. Clemens & Associates, agent for Michael McAdams, proposes to construct yardwall, vehicular gates, and pedestrian gates to a height of 7', where the maximum allowable height is 5'5" and hardscaping on a non-designated property. An exception to Section 14-5.2 (D,9) to exceed the maximum allowable height. (Marissa Barrett)
2. Case #H-09-014. 502 Old Santa Fe Trail. Downtown & Eastside Historic District. Michael Bodelson, agent for Don Caminos LLC, proposes to construct seasonal vendor booths designed in the Territorial-Revival style to a height of 10'8", construct a 4' high yardwall, and construct a free standing sign on a vacant lot. A pitch exception is requested to Section 14-5.2 (D)(9)(d). (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 March 24, 2009 Historic Design Review Board Field Trip, please notify the Historic Preservation by 9:00 am on Tuesday, March 24, 2009.

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

<b>ITEM</b>	<b>ACTION TAKEN</b>	<b>PAGE(S)</b>
Approval of Agenda	Approved as presented	1-2
Approval of Minutes		
February 24, 2009	Approved as amended	2
Findings of Fact & Conclusion of Law		
147 Gonzales Road #23	Approved	2
714 Gildersleeve	Approved	2
Communications	Discussion	2-3
Business from the Floor	None	3
Administrative Matters	None	3
1. <b>Off site signs - Holiday Tree Vendors</b>	Recommended no approval	3
2. <b>Electronic Messaging Signs</b>	Recommended no approval	4
Old Business		
1. <b><u>Case #H 08-059</u></b>	Approved as recommended	4-6
530 S. Guadalupe		
2. <b><u>Case #H 09-005</u></b>	Approved with conditions	6-10
211 Old Santa Fe Trail		
3. <b><u>Case #H 09-008</u></b>	Approved with conditions	10-12
528 Abeyta		
4. <b><u>Case #H 09-009</u></b>	Approved with conditions	12-14
135 Lincoln Avenue		
New Business		
1. <b><u>Case #H 09-013</u></b>	Postponed	14-20
1047 Old Santa Fe Trail		
2. <b><u>Case #H 09-014</u></b>	Postponed	20-24
502 Old Santa Fe Trail		
Matters from the Board	None	24
Adjournment	Adjourned at 8:30 p.m.	24-25

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

**March 24, 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  
Ms. Cecilia Rios, Vice Chair  
Mr. Dan Featheringill  
Dr. John Kantner  
Ms. Christine Mather  
Ms. Deborah Shapiro  
Ms. Karen Walker

**MEMBERS ABSENT:**

**OTHERS PRESENT:**

Mr. David Rasch, Historic Planner Supervisor  
Ms. Kelley Brennan, Asst. City Attorney  
Ms. Marissa Barrett, Senior Historic Planner  
Ms. Jeanne Price, Legislative Liaison  
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**

**Ms. Rios moved for approval of the agenda as published. Ms. Shapiro seconded the motion and it passed by unanimous voice vote.**

#### **D. APPROVAL OF MINUTES – February 24, 2009**

Dr. Kantner requested a correction on page 15, paragraph 5 - "whether he would later extend it to provide additional protection at the door."

9<sup>th</sup> paragraph: Instead of saying the wall was the cornerstone; it should say "the wall was fine."

Ms. Rios asked for the following correction. On- page 2 under Findings of Fact where it said the first instance of Board should be deleted; it should not be deleted.

Ms. Walker asked for a correction on page 26 middle of page: "the portal that would be seen from the east west."

**Ms. Walker moved to approve the minutes of February 24, 2009 as amended. Ms. Shapiro seconded the motion and it passed by unanimous voice vote.**

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

147 Gonzales Road #23

**Ms. Rios moved to approve these findings of fact and conclusions of law for 147 Gonzales Road, #23. Ms. Shapiro seconded the motion and it passed by unanimous voice vote.**

714 Gildersleeve Street

**Ms. Walker moved to approve these findings of fact and conclusions of law for 714 Gildersleeve Street. Ms. Shapiro seconded the motion and it passed by unanimous voice vote.**

#### **F. COMMUNICATIONS**

Mr. Rasch reported that staff and several Board members were going to the New Mexico Historic Preservation Alliance conference in Silver City this Thursday. And also reported that Mayor Coss, Chair Woods and he were going to the United Arab Emirates to consult with them about writing a historic preservation ordinance and would there for a week and visiting all three cities.

He said the Board would vote on the Historic Preservation awards on April 14<sup>th</sup>.

Mr. Rasch also called attention to some articles in the packet, especially the ones dealing with fences

and walls. There was a lot of pressure to do picket fences in vinyl. Second was an article on how Arizona was dealing with high walls. The third was an article on simple guidelines for walls and fences. The next was an article that featured Santa Fe and the last was a story on green as well as an ad on the Santa Fe 400<sup>th</sup> Anniversary. Sadly, the last was an article on the destruction of the SF Indian School buildings.

Ms. Walker called attention to an article in the magazine about how old wood lasted longer than new wood. Mr. Rasch agreed that old wood was denser and tended not to rot as easily.

## **G. BUSINESS FROM THE FLOOR**

None.

## **H. ADMINISTRATIVE MATTERS**

### **1. AMENDING SECTION 14-8.10 SFCC 1987 PERMITTING OFF SITE TEMPORARY SIGNS FOR HOLIDAY TREE VENDORS**

Ms. Jeanne Price explained that this amendment pertained to locations in or out of historic districts. The City has consistently enforced this ordinance. If the bill were to be approved to allow this specific off site use, they would be required to get permits. Last Thursday the Planning Commission recommended denial of this bill.

Chair Woods clarified that it was specifically for Christmas Trees in a 4' x 4' sign placed anywhere advertising the trees at a different location.

Ms. Price agreed and added that there was not a specific limit.

Ms. Walker noted that Public Works Committee recommended denial too. Ms. Price agreed.

Ms. Price said she was not at the Public Works Committee meeting but at the Planning Commission meeting they said the City didn't allow other off-site advertising and it was important to keep no proliferation of signs for businesses not located there.

Mr. Rasch said there was mounting pressure to allow more off-site signage but according to Land Use you cannot even get a variance to do it. That was how strong it was.

There were no speakers from the public regarding this matter.

**Ms. Walker moved to recommend to the Governing Body that they not approve this amendment in the historic districts. Ms. Shapiro seconded the motion and it passed by unanimous voice vote.**

**2. AMENDING SECTION 14-8.10 SFCC 1987 ESTABLISHING THE PURPOSE OF THE SIGN CODE; ESTABLISHING REQUIREMENTS FOR ELECTRONIC MESSAGING SIGNS; AND MAKING SUCH OTHER CHANGES AS ARE NECESSARY.**

Ms. Price presented the proposed amendment. She said they were trying to come up with the regulations that would permit electronic messaging with limitations. It would not be allowed in the historic districts at all and outside them only with intense lighting during the day. The gen purpose amendment was to clarify the purposes to avoid distractions. In this bill, it would prohibit in the historic districts altogether. The Board's review was limited to the historic districts.

The Planning Commission actually did not vote to approve it. They recommended an amendment to prohibit electronic signs everywhere.

Chair Woods asked how it would get addressed.

Ms. Price said the Board could recommend denying them in the historic districts but if the Board recommended approval, the motion was need to be specific on standards.

Ms. Walker didn't see in the proposed amendment about size.

Ms. Price explained that it would count as one of the business's signs so it would have to comply with the current ordinance.

Mr. Rasch noted that this had nothing about landmarks.

There were no speakers from the public regarding this matter.

**Ms. Rios moved to recommend to the Governing Body prohibiting electronic signs in historic districts and at landmark structures. Ms. Walker seconded the motion and it passed by unanimous voice vote.**

Chair Woods explained to the public the procedures for appeals of any HDRB decisions.

**I. OLD BUSINESS**

- 1. Case #H 08-059.** 530 S. Guadalupe Street. Historic Landmark. Mark Hogan, agent for David and Lisa Barker, proposes to amend a previous approval to construct a freestanding ATM machine to a height of 7' 6" on a Landmark property. (Marissa Barrett)

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

**BACKGROUND AND SUMMARY:**

The Spanish Pueblo Revival style commercial building known as the Gross Kelly Warehouse was built in 1913 according to the Historic Cultural Properties Inventory. Character defining elements include corner towers with arched parapets, canales in arched parapet openings, projecting viga beams, and docks on the east and west elevation covered by portals. The Official Map lists the building as Landmark within the City of Santa Fe.

On June 24, 2008 the HDRB approved the construction of an approximately 23 square foot enclosed ATM building to a height of 7' 6". The construction materials were approved to be steel except for the concrete pad which the building sits on. The steel color and texture will match the existing steel monument sign that is located on Manhattan St. and Guadalupe St which appears to be a rusted bronze color. The proposed backlit gunmetal blue ATM sign was to be removed from the building as a condition on the Board. The structure is located approximately 13' 6" from the Gross Kelly Warehouse.

The applicant now wishes to amend the previous approval with the addition of backlighting using blue LED lights for the signs on each side of the ATM.

#### **STAFF RECOMMENDATIONS:**

Staff recommends approval as the application is in compliance with Section 14-5.2 (C) Regulation for Landmark Structures and Section 14-8-10 (H) Special Sign Regulations in the H Districts.

Ms. Mather asked for clarification on the backlit blue sign on the ATM.

Ms. Barrett clarified that it was the sign in the previous approval that was to be removed.

Present and sworn was Mr. Mark Hogan, 924 Old Pecos Trail, who said he would stand for questions.

Ms. Walker asked if he had a photograph of it.

Mr. Hogan said all he had was the rendering being shown on the screen.

Ms. Rios asked about the LED lights.

Mr. Hogan said they were low level, soft, behind the blue screen.

Ms. Shapiro asked if there was other lighting on this ATM

Mr. Hogan said there was illumination on the ATM itself, i.e., internal lighting.

Chair Woods asked if the top was to be lit.

Mr. Hogan said that was the part that was removed.

Chair Woods asked if there were any other changes



Mr. Hogan said there no others.

There were no speakers from the public regarding this case.

**Ms. Rios moved to approval Case #H 08-059 per staff recommendations. Ms. Walker seconded the motion and it passed by unanimous voice vote.**

2. **Case #h 09-005.** 211 Old Santa Fe Trail. Downtown & Eastside Historic District. Architectural Alliance, agent for Loretto Association, LLC. Proposes to amend a previous approval to construct a 4 story addition with a 13,175 sq. ft. footprint at 41' 4" high or 17' below the maximum height of the existing non-contributing structure by reducing the scale to three stories at 36' high and address the Board's concerns for redesign. (David Rasch)

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

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

211 Old Santa Fe Trail, known as the Inn and Spa at Loretto, is a multi-storied hotel that was constructed in the late 1970s in the Spanish-Pueblo Revival style. The 60,394 square foot building is listed as non-contributing to the Downtown & Eastside Historic District. A low, free-standing building at the southeast corner of the property was constructed at approximately 1920 with non-historic later additions. This building is listed as contributing to the District.

In 2006 the Historic Design Review Board conditionally approved plans to construct additions on the main structure at the north and east elevations that were four stories tall and to remodel the contributing structure at the southeast corner of the property and the perimeter walls on the east and north sides of the property.

On February 10, 2009, the HDRB postponed action on this application pending redesign of an addition to the east elevation. Now, the applicant proposes to amend the previous approval with the following three items.

1. The 7,984 square foot meeting room to 25' high and underground parking garage on the north elevation has been deleted.
2. The 13,175 square foot 4-story addition at 41' high on the east elevation has been reduced to a 3-story addition at 36' high.

The addition features stepped massing that mimics the existing structure with portals. The areas of upper story balustrades were previously changed to stuccoed walls and these balustrades have been brought back into the present proposed design. In addition, the proposed protruding vigas on the portal parapets have been eliminated and the posts at the ends of the portals have been redesigned as solid stuccoed massing.

Multiple pedestrian gates are proposed in the courtyard wall for each unit on the ground floor east elevation. The interior courtyard elevation will have a fence at ground level on the west elevation and there are transom windows over French doors on the south elevation that previously didn't meet the 30' rule. These transom windows have been redesigned with divided lights that are conforming now.

All finishes will match the existing finishes.

3. The previous approval to remodel the contributing structures at the southeast corner is not changed and will be carried forward with this application. The previous approval to remodel perimeter walls and the interior courtyard near the existing pool should be discussed.

#### **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 and sworn was Mr. Eric Enfield, 612 Old Santa Fe Trail He said that all of the Board's comments last time were valid and he took them to heart in the redesign. He was happy with the way it looked. He brought some renderings and some street views and he shared with the Board as well as the elevation on Cathedral Street that we modified. [Exhibit A, Exhibit B]

They added step backs on the elevations and reduced the number of viga ends from about 500 to 25-50 on each side. He did eyebrows over the doors and windows on the fourth floor, matching existing detail.

On the portals there were now no matchsticks and he added mass on the bottom. Spans of all posts were reduced to 10-12'.

He brought the old approval letter from May 2007 and said all the conditions were carried over from May 2007.

Mr. Rasch said the original approval might be expiring. The current application didn't reference what the Board previously approved.

Mr. Enfield said it was not a problem because he got an extension in May 2008.

The Board took a brief recess to view the model.

Ms. Rios thought it was for the most part an improvement. She asked if he was proposing to alter the historic wall.

Mr. Enfield said there was the part shown of the chicken coops and the wall was at same height where the Board directed him to take off the units on Alameda.

Ms. Rios asked about the height of the wall in the alley.

Mr. Enfield said it was 3' of brick and the 3' of iron work was in the previous approval, except the arch top on the gate which was existing.

Ms. Rios asked how high the interior walls were.

Mr. Enfield said they were 5'.

Ms. Walker asked about the narrow opening on Cathedral.

Mr. Enfield said there was more than six feet between the walls on his drawings. He said he would be happy to cut it back further if the Board felt it was crowding that iron wall.

Ms. Mather said opening it up would be more inviting.

Chair Woods felt there was a lot of detail there that wasn't as good as it could be. She asked if that wall was going all the way through.

Mr. Enfield said they didn't show it on the model.

Mr. Enfield said the room layouts on level one made more sense. The walls were to continue. They came all the way back to the units. He said he could step them further back to have more landscaped area for the public. They would do it to make Cathedral Place look less like an alley. Most of the posts would be somewhat visible. One would see a stucco wall behind the iron wall and posts coming down. Some of them would be on the wall and some not on the wall.

Mr. Featheringill said that on the plan it showed the posts spaced evenly and they didn't come down on the wall.

Mr. Enfield said they did at one place.

Chair Woods said on the model it showed the top at same height and on the rendering it looked stepped and the rendering looked better. If the parapet heights were broken up, it would work better. It was long. She asked him to look at the old building and how it was broken up.

Ms. Mather said at the courtyard site, it seemed to step back, whereas on the east elevation there were only two setbacks.

Mr. Enfield said the rendering was correct. It was what you would see while walking down Cathedral Place. They took off the fourth floor and didn't have much room to match the floors and ceiling heights.

Chair Woods suggested that one part could go up a couple of feet with just the parapet. It would help the massing. She was concerned about how flat it looked while standing in front of it.

Mr. Enfield said the existing ones were all the same height. While walking Cathedral, you would see the existing building behind it. They still did a little cascading with the three floors.

Chair Woods noted that the original building had canting and asked if that canting was going to happen on the 2009 addition.

Mr. Enfield agreed that he previously promised that. He said he would like to keep the second floor a little lighter.

Chair Woods and Mr. Enfield briefly talked about the posts and massing of the portals.

Ms. Shapiro asked if the French doors were 8 light or 12 light doors.

Mr. Enfield said they were ten light doors on the new part.

Ms. Mather pointed out that on the west elevation courtyard, it was set back and had a different pattern than the east side; to break up that long portal there.

Mr. Enfield said it looked like it was reversed on the screen because the short portion was on the south and on the reverse the long one was on the south and it had to do with room layout.

Ms. Walker asked how long the set back was from the historic wall.

Mr. Enfield said it was about 10 to 15 feet.

Ms. Walker said 15 feet was as easy as ten. Mr. Enfield agreed.

Chair Woods pointed out some windows that appeared to be closer to the corner than three feet.

Mr. Rasch agreed.

Mr. Enfield said it was his oversight and he would move the windows to be 3' from the corner.

Ms. Rios asked if he was proposing any outside lighting.

Mr. Enfield said that was in last approval and unchanged. He read the last condition of approval.

Ms. Rios said he didn't have set backs on the third floor. Mr. Enfield agreed.

Ms. Rios said that would provide relief.

There were no speakers from the public regarding this case.

Chair Woods said on the third floor east elevation at the north end, the little parapet should be stepped back from the north as well as from the east.

Mr. Enfield agreed that it could.

Chair Woods summarized the discussion.

**Ms. Shapiro moved to approve Case #H 09-005 with the following conditions:**

- 1. That the addition follow the canting style on the original building;**
- 2. That the French doors have ten vertical lights;**
- 3. That the wall on the east side be set back 15' from the historic wall;**
- 4. That the window on the third story be at least 3' from corner;**
- 5. That the NE corner of new building third floor portal be set back from north a couple of feet;**
- 6. That the appurtenances on the historic buildings on the Alameda side be removed.**

**Ms. Rios seconded with added conditions:**

- 7. That there be no roof top appurtenances;**
- 8. That there be no altering of the historic wall on Old Santa Fe Trail.**

**Ms. Walker asked for a condition**

- 9. That the entrance would be moved back 15'.**

**Ms. Shapiro agreed that the conditions were acceptable and the motion 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, and address the Board's concerns for redesign. (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. Remodeling occurred in the 1950s, 1980s, and 1990s, which included a change to the Spanish-Pueblo Revival style. The building is listed as non-contributing to the Downtown & Eastside Historic District.

On February 24, 2009, the HDRB granted approval for the construction of a 2,610 square foot addition on the north side of the existing 2,414 square foot residence with a height exception and other remodeling on the lot. *Conditions of approval included the requirement that the street-facing east elevation be reconsidered in a way that breaks up the solid wall-dominant design and that the narrow vertical windows on the north elevation are redesigned in a more traditional manner.*

Now, the applicant requests approval regarding the two conditions.

1. A wooden grille is proposed to be installed on the northeast block of the addition and the long expanse of wall between the two end blocks will be screened by the planting of five large conifers.

2. The north elevation windows have been redesigned as 1-over-1 double hung windows.

### **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.

Chair Woods asked for clarification on the proposed and the existing north elevation if it was only the windows that were to be addressed.

Mr. Rasch agreed and pointed out the two narrow windows at the west end of the addition.

Ms. Shapiro said there was one other double hung window that needed to conform to the 30" rule. Mr. Rasch agreed.

Present and sworn was Ms. Laura Chancellor, 1222 Luisa Street.

Ms. Chancellor introduced her colleague, Mr. Anthony Aloffson, 2207 Camino Alto, Austin Texas, who said they had a good meeting previously and the Board made requests with which he tried to comply. He put in more traditional double hung windows in keeping with the rest of the house and on the east elevation they modified it with a wood grille work similar to a trellis as well as Swiss Stone Pines. (blue green conifers). They spoke with local landscape people who gave a strong recommendation.

Ms. Walker noted that the Camino del Monte Sol Historic Survey that included surrounding neighborhoods indicated there was not a single streetscape that showed a blank façade. All of them had either a window or a door. Even with the conifers it would be visible. She asked if there wasn't some way to reconfigure the storage so there could be an actual door there that was more friendly.

Mr. Aloffson said there was a window in it on the solarium side but the wall there was just storage and the grillwork was to mitigate the wall.

Ms. Walker suggested that if he took 18" out of the storage at each end, it would allow for a door there.

Mr. Aloffson said they had a door on the side. He said he could not see the logic of having a door there but could see a blind panel or additional grille work. He reminded the Board that this was set as far back from the street as possible. He agreed that they did not want to create any monumental effect and pointed out that down the street there were blank façades and zoning didn't allow insertion of windows on zero lot lines so there was a precedent for blank façades. He felt there was a great deal of modulation of the mass

to mitigate that.

Chair Woods referred to the middle storage area and asked if he could do a recessed *nicho* there. The *nicho* could also come out a little.

Mr. Aloffson agreed that would certainly be possible. They could put a *nicho* in that center area.

Ms. Shapiro noted there was a little wall in front of the entrance and asked how high it was.

Mr. Aloffson said it was 10 inches high to hold in the gravel.

Ms. Shapiro said she was unfamiliar with this tree species and asked what it would look like in five years.

Mr. Aloffson described it as a hardy and slow growing tree that could reach 12 feet high. There was one at the front gate of the Rodgers house. They were very popular.

Mr. Rasch agreed that they were very hardy and they were very dense.

Mr. Aloffson said that was part of the appeal.

There were no speakers from the public regarding this case.

**Ms. Mather moved to approve Case #H 09-008 with the following conditions:**

1. That Swiss Stone Pines be used on the east side;
2. That a *nicho* be inserted in the center of the wall on the east façade and the applicant submit the *nicho* design to staff for approval.

**Ms. Rios seconded the motion.**

Ms. Walker asked if the *nicho* was to be in place of the center tree. Ms. Mather said that was her intent.

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

4. **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 installing a brick course at grade and remodeling the interior courtyard with planters, benches, a fountain, and ADA ramp and addressing the Board's concerns for redesign. (David Rasch)

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

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

135 Lincoln and 150 Washington, known as the First Interstate Plaza, are two large free-standing commercial buildings that were constructed in the early 1980s in a vernacular manner with stepped massing, portals, and exposed wooden headers. Original plans called for divided-light windows, but non-compliant single-light windows are what exist today. The building is listed as non-contributing to the Downtown & Eastside Historic District.

On March 10, 2009 the HDRB granted approval to remodel the property the building and interior courtyard. Conditions of approval included submittal of railing designs and exterior light fixtures designs along with a window muntin pattern change. Now, the applicant requests approval regarding two of the conditions and to reduce the scope of the project due to time constraints.

1. The windows and doors will not be replaced and the building will not be restuccoed, but the brick soldier course will be installed at the base of walls and pilasters to conceal waterproofing over the underground garage and to unify the design of the building.
2. The ADA ramp and stair railings are simple in design with 1 ½" steel tube and 3/8" steel rod that will be painted a brown color from the National Trust for Historic Preservation palette called "Mark Twain House Bark."
3. The exterior courtyard lighting will be flush-mounted rectangular bronze-finished metal units with horizontal down-angled louver grilles over the 25 watt halogen bulbs.

#### **STAFF RECOMMENDATION:**

Staff recommends approval of this application with the condition that all exposed concrete be earth-toned, not gray. Otherwise, this application complies with Section 14-5.2 (D) General Design Standards and (E) Downtown & Eastside Historic District.

Chair Woods referred to page 15 of the packet and asked where the handicapped ramp was located.

Mr. Rasch said it was in the courtyard.

Present and sworn was Mr. Michael Wewerke, 1022 Don Diego, who said he related the previous discussions about the blank NE wall of the building where there once were windows. He wanted to research that further for reopening them.

Mr. Featheringill asked about the water fountains. He was not sure if that was allowed by the City.

Mr. Rasch didn't see any denial on the zoning worksheet but he might want to come up with alternatives.

Mr. Wewerke said it would be very low use but if not allowed by the City, they would integrate the sculpture into the courtyard minus the water. He pointed out where the ramp and bancos were. It was just



sort of a planted garden.

Ms. Walker asked what the time constraints were.

Mr. Wewerke said the windows and stucco were off the table because it was an arduous task to draw every single window and muntin and his client wanted to get all of it done soon. The Board would see him back later on about the stucco and the windows.

Ms. Walker said there were never windows on that corner.

Mr. Wewerke thought there were unexplored regions. He felt it was a great idea and his intent was to get fenestration there.

Chair Woods said he would not have to draw every muntin in the windows.

Mr. Wewerke said it was a condition of approval last time.

Chair Woods said the Board might want to reconsider that.

Ms. Walker asked if he understood the concrete was to be earth tone. Mr. Wewerke agreed.

There were no speakers from the public regarding this case.

**Dr. Kantner moved to approve Case #H 09-009 as recommended by staff and that the Board did not require the applicant to draw the muntins of every single window on the next iteration of the four façades. Ms. Rios seconded the motion.**

**Mr. Featheringill asked for a friendly amendment that the concrete landscaping design being approved by staff if a fountain could not be approved. Dr. Kantner agreed and the motion passed by unanimous voice vote.**

## **J. NEW BUSINESS**

1. **Case #H 09-013.** 1047 Old Santa Fe Trail. Historic Review District. Clemens & Associates, agent for Michael McAdams, proposes to construct yardwall, vehicular gates, and pedestrian gates to a height of 7', where the maximum allowable height is 5' 5" and hardscaping on a non-designated property. An exception to Section 14-5.2 (D,9) to exceed the maximum allowable height is requested. (Marissa Barrett)

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

### **BACKGROUND AND SUMMARY:**

The two story, Spanish Pueblo Revival style single family residence built in the 1940s and has received addition in the 1970s. The building includes Territorial style trim and is listed on the 2002 Historic Cultural Properties Inventory as contributing to the Downtown and Eastside Historic District. This is incorrect as the Official Map list the building as having no status and located in the Historic Review District.

This application proposes no alterations to the main residence.

The applicant proposes to replace the 5' 6" to 5' 8" high coyote fence along Old Santa Fe Trail with a 7' high stucco yard wall where the maximum allowable height is 5' 5". The applicant received a variance from the Board of Adjustment in November 2008 (variance V-2008-07) to construct a yard wall exceeding the zoning maximum allowable height of 6'. The applicant now requests an exception to Section 14-5.2 (D,9) to exceed the maximum allowable height by approximately 19". As required by code the applicant has submitted the answers to Section 14-5.2 (C,5,c,1-iv). Please see the attached letter.

The wall will be CMU block with stone capped pilasters stuccoed in an earth tone color to match the main residence. A local brown moss rock will be used as a curb edging along the wall. A pedestrian gate entry will be constructed in the wall at the center of the property. The gate will have an exposed wood header with a squared stucco surround. The gate doors will be wrought iron similar to other iron work on the property.

The applicant proposed to close the current driveway at the center of the property and create new vehicle openings at the western end and eastern end of the property lines along Old Santa Fe Trail. Mechanical vehicular gates will be installed at each entry. The ingress gate at the west end will be a grand wrought iron gate similar in design as other wrought iron on the property and will be set back approximately 24' from the property line. A raised stone planter will be constructed on the publicly visible side of the wall at the east end gate area. The stone planter will not exceed 18" and the stone will be local red stone to match the wall and veneer at the house. A flush wall mounted iron lantern with frosted glass will be installed at each side of the gate.

The egress gate at the east end will be a simple wood gate on a metal frame and will be painted to match the stucco color. The wood gate will be contiguous with the yard wall and will not be set back from the property line.

A vehicular gate is also proposed within the property at the northwestern corner of the driveway and will not be publicly visible. The gate will be wrought iron, similar to other existing wrought iron work on the property.

Also proposed is a coyote fence and stuccoed pilaster with stone capping along the west property line. The fence will not exceed the maximum allowable height of 6'. The coyote fence will extend east for 30' to connect to the west end of the proposed interior gate. A new stuccoed yard wall will connect on the east side of the gate and will not exceed the maximum allowable height of 6'. The wall will run for approximately 68' and connect to the main residence.

Lastly proposed is the reconfiguration of the gravel driveways and extension of the existing flagstone walk south of the main residence.

She noted that a letter was received from the Old Santa Fe Trail Neighborhood Association in opposition to this project and was included in the packet.

#### **STAFF RECOMMENDATIONS:**

*Staff recommends denial of the application unless the Board has a positive Finding of Fact to grant the wall height exception. Otherwise this application complies with Section 14-5.2 (D) General Design Standards for All H-Districts and Section 14-5.2 (F) Historic Review District.*

Present and sworn were Mr. Karl Sommer, P. O. Box 2476, Santa Fe, and Mr. Mark Leish, 1012 Marquez Place.

Mr. Sommer said they would make a brief presentation. He noted that the owner of the property, Mr. McAdams was also present. After the presentation they would stand for questions.

Mr. Leish said the existing coyote fend and coyote gate would be removed with stuccoed wall and ingress/egress. The main gate for egress was metal. The pedestrian gate would be at about the middle of the property. The coyote wall was straight line and new wall would have more modulation, stepping back at the entry and respecting existing trees for more interest. They would update the forecourt of the house. Most of the existing driveway and parking was maintained for connecting from the ingress expanding the parking to the egress gate and then the wall would bisect the property within the property to keep the public entrance area separate from the private area and screen the garages in the back. A new coyote fence with an uneven top would be constructed on the side with landscaping and vines on the fence. The existing fence was the neighbor's. There was to be coyote fence with columns on the east side back to the end of the driveway going to the guest house.

He said the two entrances, in consultation with fire marshal, would meet their requirements. For any alterations in the future they would require a twenty foot wide gate and 150' in and around. This configuration would accommodate that.

Mr. Sommer said they were ready for questions.

#### **PUBLIC COMMENT**

Present and sworn was Ms. Kathleen Malder, 509 E. Coronado Road, Secretary/Treasurer for Old Santa Fe Trail Neighborhood Association. She said their objection was to the wall height on Old Santa Fe Trail. There were no sidewalks in the neighborhood and very little pedestrian traffic. The difference between the street level and the ground where the property started was about two feet so by putting a seven foot wall in would achieve a look of about 9' high. The Association felt the current maximum of 5' 5" in that area was satisfactory to preserve the privacy of the property.

Ms. Rios asked Ms. Barrett or Mr. Rasch if there was any record of the existing coyote fence being approved by the Board.

Ms. Barrett said she had not researched that.

Ms. Rios asked the applicant why he wanted 7' walls.

Mr. Leish said it was for additional privacy and security.

Ms. Rios asked if he agreed with the Association that the wall would look even higher than seven feet.

Mr. Leish said the maximum would be seven feet but it would step down to 6'4". There was also a planter along the front of the wall and stone curbing would reduce the height by six inches.

Present and sworn was Mr. Michael McAdams, 3620 Overbrook Drive, Dallas Texas who said the reason he requested the seven foot high wall was that his neighbor had an 8' wall and on the other side it was almost 7' high. So this would be consistent with those walls. They would tie in to the lowest part of the neighbors to the left. He said it would make it more visually appealing.

Mr. Sommer said in talking to staff, Ms. Barrett reminded him the staff could ask for 20% more on the height and that would be 6.5'. So they were asking for about that. He did not agree that it would read as 9' high.

Ms. Rios asked how high the iron vehicle gate would be at its highest peak.

Mr. Leish said it was 9.5' at highest point.

Ms. Rios asked for the width.

Mr. Leish said it would be 20' to meet the fire code.

Ms. Rios asked the applicant to describe the massing around the pedestrian gate and the entire gate.

Mr. Leish said it was a dual gate with wrought iron in front and wood in the back with a view into the property when the iron gate was closed and the wood gate was open. It was set back in the massing surrounding it about 3-4 feet back.

Ms. Rios asked about the height of wood header and the mass above it.

Ms. Barrett said the height of the vehicular gate was 10' in the center. The header was 7' and to the top of the stucco was 8½' feet. The width of the mass was 12' and the gate was 5'. The pilasters would be 7½' high.

Chair Woods said she was confused about it. There were several elements higher than 7' and she asked how they were being addressed as far as the exception.

Ms. Barrett said the exception was for 7' and staff did not include pilasters and gates in that.

Chair Woods asked if with two gates, mass and pilasters it was accurate to say what this exception was for.

Ms. Brennan said she would have to explore the definition of accent further to respond to that.

Mr. Rasch said staff had not included those before.

Mr. Sommer said the application was filed in accordance with their experience with the Board and how staff had directed him to treat them. That was why they filed it the way they did.

Ms. Walker said regarding the exception criteria that the response to the question on what was applicable to this land and not to any other streetscape didn't make sense to her. Also number 3 (to strengthen the unique heterogeneity of the City) the response was that it would be in character with those existing properties which would strengthen the homogenous character. She concluded that on the face of it, 3 and 4 were not answered appropriately.

She asked if the Board should ask the applicant to come back after reviewing those and giving better responses.

Ms. Shapiro said she was concerned about matching the wall to the neighbors and asked if he was matching those walls on the street side.

Mr. McAdams agreed. He said on the street side he was matching it on both sides. He said they were familiar with the guidelines and the walls did undulate

Ms. Shapiro said his wall now was about a foot lower than the neighbors'.

Mr. McAdams said it was now 2½ feet lower. It was 8' on the left and 6' 3" on the right.

Ms. Shapiro asked Mr. Rasch how that neighbor to the left to an 8' wall.

Mr. Rasch said that wall was old.

Mr. McAdams said he was told it was built in the early 1990s.

Chair Woods said she served on the Board in 1994 and knew that wall existed before then.

Ms. Barrett said on page 19 the wall and fence measurements were presented. She explained that staff took measurements of walls and fences within 600' in both directions and the highest and lowest were

excluded.

Mr. Rasch said the lowest was 33"

Mr. McAdams said that one was a barbed wire fence.

Ms. Mather asked about the design of the gates.

Mr. McAdams said Chair Woods built the existing gate. It was a 19<sup>th</sup> century iron design that was copied.

Chair Woods agreed that she did remodel it 25 years ago and it had a barbed wire fence then. She could not verify where it came from.

Mr. Leish shared several pictures of the details.

Ms. Mather showed a drawing with the gate straight across.

Mr. McAdams explained that was an interior gate. One piece of this iron work was 18<sup>th</sup> or 19<sup>th</sup> century and everything was copied from that.

Ms. Mather felt the interior gate matched the style more closely and wondered if he would consider matching the front gate to the interior gate.

Mr. McAdams said he would prefer not to. He was trying to do something different.

Ms. Barrett said the garden gate was 24' back.

Mr. Rasch pointed out their locations.

Ms. Mather said the other gate on the street was a wooden gate and asked if he would consider opening that up.

Mr. McAdams said they didn't want to confuse people. That was not the entrance and should not be called out on the street.

Mr. Rasch clarified that the code did not say anything about accent features. In the guidelines, pilasters were often used for the modulations required. The other practice - arches or arches over the gates were also considered as accents.

Mr. Featheringill said the 20' drive had to have a wide turn around or a hammerhead turn around. The second gate wasn't 20' wide so it didn't comply with the Code.

Mr. McAdams it didn't need to be 20' wide.

Mr. Leish said it required 150' for a hose to be pulled around. This would allow a fire truck to reach all structures.

Chair Woods asked if it was needed to comply to protect the house from fire or that he had to meet it for the future.

Mr. McAdams said he was not remodeling today. They could not require it until he made changes to the structure. He said he was not saying the fire department required the second gate but they could not turn around without the second gate.

Ms. Walker thought it needed to come back and the second gate needed to be fenestrated.

Dr. Kantner commented that the response to the third criterion he would accept that the discussion for security would be more compelling but he had not heard any concerns about it. He was not convinced of that.

He asked why he needed to have two different looking gates.

Mr. Featheringill was concerned about the fire department requirement. He believed anything over 150' required a 12' driveway. He thought it needed some more work before the Board could approve it.

Ms. Rios thought they needed a redesign of walls to the maximum allowable height. The vehicle gate and pedestrian gates were too imposing right now.

Ms. Shapiro agreed. She noted that the streetscape across the street was very open. These walls were very imposing *and she couldn't say it was in harmony with the rest of the street.*

Mr. Sommer said it sounded like the Board was unanimously set to deny the application. He said they would rather have denial than postponement. Mr. McAdams was not going to redesign it as the Board wanted.

Chair Woods asked if they were going to appeal.

Mr. Sommer was not sure that would happen.

**Ms. Walker moved to postpone Case #H 09-013. Ms. Rios seconded the motion and it passed by unanimous voice vote.**

2. **Case #H 09-014.** 5012 Old Santa Fe Trail. Downtown & Eastside Historic District. Michael Bodelson, agent for Dos Caminos LLC, proposes to construct seasonal vendor booths design in the Territorial-Revival style to a height of 10' 8", construct a 4' high yardwall and construct a free standing sign on a vacant lot. A pitch exception is request to Section 14-5.2 (D)(9)(d). (David Rasch)

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

**BACKGROUND & SUMMARY:**

502 Old Santa Fe Trail is a 0.49 acre vacant lot that was the location of a Chevron Gas Station that was constructed in the Spanish-Pueblo Revival style at approximately 1960. The date of demolition is unknown. This site is located on the corner of Paseo de Peralta and Old Santa Fe Trail in the Downtown & Eastside Historic District.

The applicant proposes to remodel the lot as a temporary seasonal art market with the following four items.

1. A total of 73 vending booths will be constructed in a simplified Territorial Revival style with rust-colored metal square posts and pitched roofs made of earth-colored canvas. The booths will be approximately 10' 8" high where the maximum allowable height is 16' as determined by a two-street frontage height calculation. The streetscape has only 32% pitched roofs which is less than the 51% required, so an exception is requested to construct pitches where pitches are not allowed (Section 14-5.2(D)(9)(d)) and the criteria responses are attached.
2. A perimeter yardwall will be constructed to a maximum height of 3' 8" with brick capped pilasters to a maximum height of 4' 4" and stuccoed in cementitious "Adobe." The wall follows the intension of the wall and fence guidelines that were adopted in 1999 by changing vertical planes with steps and pilaster extensions and horizontal planes with an angle and openings.
3. A sign structure will be constructed at the street corner behind the yardwall at 7' 9" high by 5' 11" wide and designed in the Territorial Revival manner with square posts and a triangular pediment. The sign will be painted white.
4. Other site remodeling will include umbrella tables at the corner and moveable planters along the Old Santa Fe Trail frontage. Details have not been submitted for these non-fixed structures.

**STAFF RECOMMENDATION:**

Staff recommends denial of the request to construct a pitched roof where a pitched roof is not allowed (Section 14-5.2(D)(9)(d)) unless the Board has a positive finding of fact to grant an exception. Otherwise, this application complies with Section 14-5.2 (D) General Design Standards and (E) Downtown & Eastside Historic District.

A handout was distributed [Exhibit C]

Chair Woods asked Ms. Brennan about the temporary nature of the structure and how the Board should consider temporary – what the legal definition was.



Ms. Brennan said she would have to research it.

Present and sworn was Mr. Michael Burleson. He said the staff description was very accurate. The only exception was that the wall was Pueblo style without caps. Because of the temporary nature, and seasonal venue, it would be taken down in the winter. That was the intention. He didn't have the detail by the owners but it would be demountable. That was the nature of the construction. This would be a summer venue.

Ms. Shapiro asked if the pilasters and sign would remain.

Mr. Burleson agreed and said they could take down the sign.

Ms. Rios asked for the height of the pilasters.

Mr. Rasch said the pilasters would be 4' 4" and the walls less than that.

Ms. Rios asked how he proposed to construct them.

Mr. Burleson said they would use steel base plates in order to easily dismantle them.

Ms. Rios asked what the ground material would be.

Mr. Burleson said they would propose a compacted base course.

Ms. Mather asked if the vendors would be allowed to put up temporary walls.

Mr. Burleson said the covering would be canvas. They were artisans and could take one or more of the 10 x 10 modules and string canvas dividers to identify their booths. They would not leave their wares there overnight.

Chair Woods was concerned about a lot of traffic to the area. She wondered what it would look like if people started wrapping plastic around it and what would happen at night.

Mr. Burleson said it was not a flea market but a place for quality handmade local items. There was every intention to have it policed as far as vendors on site.

Chair Woods said shelves and cases to show wares could not be protected. The Board would need him to come back and address those issues.

Mr. Burleson said after hours - at night when they were closed, the owners would provide a guard.

Chair Woods asked what they would do when it rained. She doubted that it would work.

Mr. Burleson said they didn't want a hodge podge but did want a vitality of vendors.

Chair Woods suggested it might be good to come back to the Board with something very specific that would take into consideration 24 hours of presence - how it would look like to provide consistent protection.

Mr. Featheringill said if the owners didn't provide some kind of waterproofing, the vendors would provide it and it would look like a flea market.

Mr. Burleson agreed that was an issue.

Chair Woods thought it would be difficult to dismantle it every day and they needed to be realistic about it.

Ms. Shapiro didn't see any way to bring vehicles in there. The items could be heavy and there was no way to get them in and out of there.

Mr. Burleson said there was a way for vehicles to unload and load on the property.

Ms. Shapiro said trash would also be involved.

Chair Woods agreed that would be a whole other issue to look at although they could say no food booths.

Mr. Burleson thought there was a need for this venue. The Farmer's Market was similar. There would be openings in the walls to allow vehicles in. They would pull into the lot. There were cuts on the east end. They would load and unload early and late.

Ms. Brennan stated that temporary structure were removable at a set time period such as six months.

Mr. Featheringill asked what colors they would use.

Ms. Rios asked if this was just in the exploration stages.

Mr. Burleson said they were going forward and were trying to work out some of the details.

Ms. Rios asked how tall the columns would be.

Mr. Burleson said they were proposed at 7' 6".

Ms. Rios asked about lighting.

Mr. Burleson said there would be some interior lighting. When the booths came down the electrical would be gone. It was seasonal in nature.

Chair Woods visualized these huge cords being plugged into by the vendors.

Mr. Rasch said there were subgrade code issues with ground disturbance.

Ms. Barrett said it would require archeology review if the ground disturbance was over 2,500 square feet.

Mr. Burleson said this was intended to be quality work and well managed.

Dr. Kantner asked if they would have porta potties.

Mr. Burleson said they were not required but would be provided as a convenience to vendors and patrons. They would be along the wall and there was vehicle access to get to them.

Ms. Rios asked if he had talked with the neighbors.

Mr. Burleson said yes and the packet had letters of support from GSD and Kaune's.

Ms. Shapiro thought some people would complain about the smell.

Mr. Burleson said they were looking for feedback from the Board so they could bring it to the highest level. They could eliminate the porta potties if needed.

Chair Woods said she didn't know what the rule was.

Ms. Shapiro asked why they wanted it to be temporary. It could be permanent with plumbing.

Mr. Burleson explained that in three years it would become a building although they didn't know what yet. They were waiting for market conditions to improve

There were no speakers from the public regarding this case.

**Ms. Walker moved to postpone Case #H 09-014. Mr. Featheringill seconded the motion.**

Chair Woods listed some of the issues: porta potties, electrical, food, loading/unloading, weather, security, surfacing and lighting.

Mr. Burleson said they would address those.

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

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

None.

**L. ADJOURNMENT**

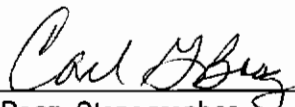
**Ms .Rios moved to adjourn the meeting. Ms. Shapiro seconded the motion and it passed by unanimous voice vote.**

Having completed the agenda and with no further business to come before the Board, the meeting was adjourned at approximately 8:30 p.m.

Approved by:

\_\_\_\_\_  
Sharon Woods, Chair

Submitted by:

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