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HISTORIC DESIGN REVIEW BOARD FIELD TRIP

TUESDAY, MAY 12, 2009 – 12:00 NOON

HISTORIC PRESERVATION DIVISION, 2ND FLOOR CITY HALL

HISTORIC DESIGN REVIEW BOARD HEARING

TUESDAY, MAY 12, 2009 – 5:30 PM

CITY COUNCIL CHAMBERS

- A. CALL TO ORDER**
- B. ROLL CALL**
- C. APPROVAL OF AGENDA**
- D. APPROVAL OF MINUTES**
April 14, 2009
- E. FINDINGS OF FACT & CONCLUSIONS OF LAW**
- F. COMMUNICATIONS**
- G. BUSINESS FROM THE FLOOR**
- H. ADMINISTRATIVE MATTERS**
 - 1. Case #H-08-105. Santa Fe Railyard. Tony Sylvester, representative for the Rail Runner, proposes to install utility boxes near the Landmark Santa Fe Depot building and the rail way tracks. (David Rasch)
 - 2. Case #H-08-103. Santa Fe 400th Anniversary Banners. Libby Dover, representative of the Santa Fe 400th, proposes to install approximately 1,190 vinyl banners on light poles throughout the City which vary in size from 32" to 94" high by 16" to 30" wide. (David Rasch)
- I. OLD BUSINESS**
 - 1. Case #H-08-008. 610 Miller Street. Downtown & Eastside Historic District. Richard Martinez, agent for Balser, proposes to amend a previous approval to construct two vehicle gates by replacing the two gates with one gate that will be 6' high at 23'6" back from the street on a non-contributing property. (David Rasch)
 - 2. Case #H-08-031. 740 Acequia Madre. Downtown & Eastside Historic District. Christine Mather, agent/owner, proposes to amend a previous approval of a non-contributing building by adding architectural details and increasing the addition height from 11' to 12'4" where the maximum allowable height is 15'3". (Marissa Barrett)
 - 3. Case #H-09-007. 1226B Cerro Gordo. Downtown & Eastside Historic District. Trey Jordan Architecture, agent for Stacy Neff & Jeff Nelson, proposes to replace a coyote fence with a yardwall to the maximum allowable height of 4'6" and construct and entry portal to a non-contributing property. (Marissa Barrett)

4. Case #H-09-010. 855A Camino Ranchitos. Downtown & Eastside Historic District. Liaison Planning Services, LLC, agent for David & Ruth Arthur, proposes to construct an approximately 5,798 sq. ft. single family residence with attached garage to a height of 17'4 1/2" where the maximum allowable height is 17' 5" and to construct a coyote fence to the maximum allowable height of 6'. (Marissa Barrett)
5. 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, construct a free-standing sign on a vacant lot, and submit additional information requested by the Board. A pitch exception is requested to Section 14-5.2 (D)(9)(d). (David Rasch)

J. NEW BUSINESS

1. Case #H-09-022. 1301A Upper Canyon Road. Downtown & Eastside Historic District. Mark C. Little, agent for Elizabeth Keefer, proposes a preliminary height examination for the remodel of a non-contributing structure on a sloping site where the maximum allowable height is 14'4" and the maximum height of the existing structure is 18'2".
2. Case #H-09-023. 132 E. Santa Fe Avenue. Don Gaspar Area. Ellen Marie Arias, agent/owner, proposes to construct an approximately 182 sq. ft. addition, construct a side lotline coyote fence from 6' to 3' high, and replace a concrete walk on a contributing property. (David Rasch)
3. Case #H-09-024. 711 Don Gaspar. Don Gaspar Area. Dale Zinn, agent for Ann Quarles, proposes to construct an approximately 225 sq. ft. addition and replace a window on a contributing structure. (David Rasch)
4. Case #H-09-025. 1156 Camino Delora. Downtown & Eastside Historic District. Architectural Alliance, agent for Andrew & Mary Wallerstein, proposes to remodel a non-contributing building by constructing approximately 576 sq. ft. of portals and an approximately 77 sq. ft. addition to below the existing building height and construct a yardwall to not exceed the maximum allowable height of 6'. (Marissa Barrett)
5. Case #H-09-026. 531 Hillside Avenue. Downtown & Eastside Historic District. Tim Curry/Design Solutions, agent for Ellen & David Burke, proposes to remodel a non-contributing building and to construct an approximately 813 sq. ft. guest house to the maximum allowable height of 14'2". (Marissa Barrett)

K. MATTERS FROM THE BOARD

L. ADJOURNMENT

For more information regarding cases on this agenda, please call the Historic Preservation Division at 955-6605. Persons with disabilities in need of accommodations or an interpreter for the hearing impaired, contact the City Clerk's office at 955-6520, five (5) working days prior to hearing date. If you wish to attend the May 12, 2009 Historic Design Review Board Field Trip, please notify the Historic Preservation by 9:00 am on Tuesday, May 12, 2009.

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HISTORIC DESIGN REVIEW BOARD

May 12, 2009

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MINUTES OF THE
CITY OF SANTA FE
HISTORIC DESIGN REVIEW BOARD

May 12, 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
Ms. Christine Mather
Ms. Deborah Shapiro
Ms. Karen Walker

MEMBERS ABSENT:

Ms. Sharon Woods, Chair [excused]
Mr. Dan Featheringill [excused]
Dr. John Kantner [excused]

OTHERS PRESENT:

Mr. David Rasch, Historic Planner Supervisor
Ms. Marissa Barrett, Senior Historic Planner
Ms. Kelley Brennan, Asst. City Attorney
Mr. Carl Boaz, Stenographer

NOTE: All items in the Committee packet for all agenda items are incorporated herewith by reference. The original Committee packet is on file in the Historic Planning Department.

C. APPROVAL OF AGENDA

Mr. Rasch asked to exchange the order of the two cases under Administrative Matters.

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

D. APPROVAL OF MINUTES – April 14, 2009

Ms. Walker requested the following changes to the minutes:

On page 3, under Matters from the Floor - Marilyn Bane said in her statement that the Board's purview was over more than just design. It is to preserve streetscape, height and other elements of the historic fabric.

On page 5 at the bottom - Chip Lilienthal said they had 16 of the boxes, not 63.

On page 13 in the middle of the page, Ms. Walker said the living space on the second floor might interfere with the neighbor's outdoor spaces and privacy.

On page 14, mid page regarding lot coverage, it was not 35% but 40% which is the maximum allowed by that zoning.

On page 14 at the bottom of the page - Ms. Vigil stated it was set back 98 feet from the road. That would put it in the arroyo. She asked that Ms. Vigil could clarify that tonight.

Ms. Shapiro moved to approve the minutes of April 14, 2009 as amended. Ms. Walker seconded the motion and it passed by unanimous voice vote.

E. FINDINGS OF FACT & CONCLUSIONS OF LAW

None.

F. COMMUNICATIONS

Mr. Rasch had four items: He showed the poster for this year's awards. The City would give awards for architecture and for buildings. The ceremony was scheduled for May 21st in the SFCCC with sangria at 6 p.m. and then awards at 7:00. OSFA had a board meeting yesterday and would present four awards at the ceremony. Next, Mr. Rasch showed a wall from the new history museum that portrayed the entire Rio Grande watershed.

Thirdly, he showed a restaurant and gallery at 315 Old Santa Fe Trail. It had some mechanical equipment on the roof that was visible where they had asked for an emergency permit. They would like to

replace the roof with no change in parapet height by removing the equipment, putting on the roof and replacing the equipment. The retained equipment would still be visible and he asked what advice the Board had.

Vice Chair Rios asked why this was an emergency.

Mr. Rasch said that was the statement of the owner who said it was a structural issue but he had no evidence of it.

Ms. Walker asked why they couldn't relocate it.

Mr. Rasch said he could try that but they probably wanted to retain openings. He asked what the Board thought he could do administratively on it.

Ms. Mather asked if they could allow staff to deal with the emergency now and then come to the Board.

Ms. Walker thought that would be far more expensive. The ideal would be to deal with it now.

Mr. Rasch added that they were at the maximum lot coverage now and the alley was only four feet wide.

Ms. Shapiro asked if staff could do a height calculation and see if they could raise the parapet.

Vice Chair Rios asked when they could be heard on the agenda.

Mr. Rasch said it would be June 9th.

Vice Chair Rios said that was her recommendation rather than doing it haphazardly. The other Board members agreed.

Mr. Rasch said the fourth item was that through the City Attorney's office and Land Use Department, staff had been asked to change the policy regarding public hearings. With an exception, staff always deferred to the HDRB for a positive finding of fact in the past and recommended denial. But now, staff would read the responses and make actual recommendations to the Board whether to approve, deny or approve with conditions.

Ms. Walker asked if the Board would still get the responses to exception criteria. Mr. Rasch agreed and the Board still had the final decision on it. He said the decision was because of recent litigation.

G. BUSINESS FROM THE FLOOR

None.

H. ADMINISTRATIVE MATTERS

2. **Case #H 08-103.** Santa Fe 400th Anniversary Banners. Libby Dover, representative of the Santa Fe 400th, proposes to install approximately 1,190 vinyl banners on light poles throughout the City which vary in size from 32" to 94" high by 16" to 30" wide. (David Rasch)

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

BACKGROUND & SUMMARY:

On September 9, 2008, the Historic Design Review Board recommended approval to the Governing Body for an ordinance amendment to allow commemorative banners to be installed along streets within the historic districts. The ordinance, as attached, was adopted by the Governing Body on December 10, 2008.

Now, the applicant seeks approval to install approximately 1200 banners throughout the City within and outside of the historic districts. There are three banners size proposed: 32"H x 16"W; 54"H x 24"W; and 94"H x 30"W. Description of how the three sizes will be utilized was not provided.

The banners will be vinyl rather than cloth and the applicant has provided the reasoning for this choice. The vinyl material may appear glossier than the cloth material from a viewing distance. Two types of banner fasteners are proposed for attachment to existing streetlight poles.

An itemized list by streetscape is provided for potential locations of banners. The attached map displays those targeted streets and an attached mock-up photograph provides a visual example of how they will look along the street.

The duration for the banner installation is proposed to be July 2009 through June 2010. Replacement banners will be available in case of damage or theft.

STAFF RECOMMENDATION:

Staff recommends approval of the design with the condition that the banner material be cloth rather than plastic and that the Board discuss the appropriate number of banners and the use of sponsor advertising on each banner rather than on separate signage.

He called attention to the ordinance amendment that made all sign standards exempt.

Vice Chair Rios clarified that this would be a recommendation to the Governing Body.

Councilor Trujillo addressed the Board, saying he was present to support the resolution for the celebration of the Santa Fe 400 anniversary. It was for the entire community of Santa Fe. They wanted to see the banners throughout the whole community and the Committee had worked hard on designing these

banners. They have tried cloth and had to replace them. They were concerned with wear and tear and visibility.

Vice Chair Rios asked how many banners they wanted to put up.

Present and sworn was Mr. Maurice Bonal, President of the Santa Fe 400th Committee. He introduced Board members Paul Margetson, Governor Martin Aguilar, San Ildefonso Pueblo, José Garcia, Mary Chávez, Executive Director Libby Dover and Executive Coordinator Barbara Barlow. He said they were asking for this exception for this short period of the anniversary. They looked at Jamestown and what they did and patterned Santa Fe's efforts after what they did.

He explained that they hired a professional to draft the designs. There were three sizes. The Board unanimously approved this design and recommended it to the HDRB. He thanked the Board members for their work as citizens on this Board.

He asked them to look at what the 21 members of the Board had done and asked for their approval.

Ms. Libby Dover was sworn. She said there would be up to 1,500 banners. They had identified the streets and places on the maps. The final number would depend on how many they could sell to the sponsors. They were expensive.

Vice Chair Rios asked if was saying that the sponsors would pay for them.

Ms. Dover agreed. Sponsors would cover the cost of producing and the hardware to install them. They would also monitor their condition.

Vice Chair Rios asked if the sizes depended on their location.

Ms. Dover agreed and added that it also depended on the height of the light poles. The tallest would be on 40' poles. The middle size was for 25-35' poles and the smallest on the old fashioned poles.

She showed the sample in vinyl to the Board.

Ms. Walker suggested a clean up of the banner by not having the web site and also clean up the advertising.

Ms. Dover said they were driving the collective conscience to the web site. Even though nobody would write it down, she hoped it would be kept in everyone's conscience - sf400.com. She noted that in the sample banner, Mr. Margetson's business was shown as the sponsor.

Ms. Mather asked who would design the logos for the sponsors and who approved their designs.

Ms. Dover said the Committee would have the logos all converted to black by their graphic designers.

Ms. Mather asked if the Committee had control. Ms. Dover agreed.

Ms. Walker noted that there was a 4.5' banner shown in the packet but no 8' banners.

Ms. Dover clarified that there would be no large banners downtown.

Ms. Walker asked if the largest banner in the historic districts would be 4.5'. Ms. Dover agreed.

Ms. Walker asked if the Committee had considered canvas.

Ms. Dover said they did. They were provided some samples and they had colors that were not clear and it words that were hard to read. She knew that was the first option people wanted.

Ms. Walker asked how soon they would come down.

Ms. Dover said it would take about 45 days to take them down after the commemoration.

Ms. Walker asked if that meant a month and a half after the events were completed. Ms. Dover agreed.

Ms. Shapiro asked if there would be a banner on every pole.

Ms. Dover said no; there were some areas where there were too many poles, especially on Cerrillos near downtown. They were open to every other pole.

Ms. Mather asked who would determine the location of the sponsored banners. She asked if the sponsors would decide.

Ms. Dover acknowledged that a lot of sponsors would like them in front of their business but that could be a logistical nightmare so they had three zones: historic, high traffic, and other.

Ms. Shapiro was concerned about the precedent. The Board had not approved any banners except for the Railyard. She wondered if this would open the door for other advertising. She understood the importance of the 400th anniversary.

Ms. Dover thought at the end people would realize it was a once in a lifetime event. It would bring people to the website and would help all businesses in Santa Fe.

Ms. Walker said they would be back to no signage after this event so it should not set precedent.

Councilor Trujillo agreed.

Vice Chair Rios reminded the Board that all signage had to come and be approved by the Board so there were restrictions.

PUBLIC COMMENT

Present and sworn was Ms. Melissa Patterson-Ing who asked about the definition of a sponsor. She wondered if different organizations could sponsor. She asked if a sponsor was a business or an individual or an organization.

Ms. Dover said it could be any of those.

Present and sworn was Ms. Marilyn Bane, speaking as President of OSFA. She said OSFA had a problem with the number of banners planned and also were concerned about the banner space devoted to the sponsorship graphically. They felt there was not enough emphasis on the 400th and too much on sponsors. It looked like 40% or more of the banner was just advertising the sponsor.

She said OSFA also was urging the use of canvas instead of vinyl. Santa Fe had been through plastic things. She understood the weather concerns.

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

Vice Chair Rios summarized the comments that were made to the Board. Fabric, number, locations, less space for sponsors, deleting the website address.

Ms. Walker asked Ms. Dover in the event they didn't get 1,500 donations of \$300 if the Committee would you have fewer banners but there would not be more than 1,500.

Ms. Dover agreed. She said a sponsor could buy more than one.

Ms. Walker commented that a few years ago the Spanish Market allowed trashing of the Palace of the Governors by sponsors' signs.

Ms. Dover assured the Board they wanted this as tasteful as possible. She thought they could reduce the area for sponsors a little.

Ms. Walker moved to recommend approval of this request for Santa Fe 400th banners to the Governing Body with the following conditions:

- 1. There would be no more than 1,500 banners throughout the City;**
- 2. The maximum banner size in the historic districts would be 4.5' high and 2' wide;**
- 3. The sponsor logo would not be included on the banner;**
- 4. Within 45 days after the commemoration, all the banners would be removed.**

Vice Chair Rios asked if she specified fabric.

Ms. Walker said she heard what they said. She guessed the canvas would not work with earth colors.

Ms. Dover said they tried and there would be some earth colors as part of it.

Ms. Shapiro seconded the motion.

Ms. Mather asked if they could limit the sponsor area to less than a third of the banner.

Ms. Walker said it was already less than a third.

The motion passed by unanimous voice vote.

Vice Chair Rios announced to the public the limitation of time for filing appeals to decisions of the Historic Design Review Board and that those wishing to file them should contact City staff for assistance.

1. **Case #H 08-105.** Santa Fe Railyard. Tony Sylvester, representative for the Rail Runner, proposes to install utility boxes near the Landmark Santa Fe Depot building and the railway tracks. (David Rasch)

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

BACKGROUND & SUMMARY:

The Santa Fe extension of the Rail Runner service will terminate in Santa Fe near the Depot which is listed as a landmark in the City of Santa Fe register. The Depot was constructed in the Mission Revival style in 1909. Presently, the building is finished with a clay tile pitched roof and a heavy pebble dash stucco. The Board is charged with purview over adjacent construction to ensure that the landmark status of the Depot will not be degraded (Section 14-5.2(D)(1)(b)).

On October 28, 2008, the Board approved remodeling at the property with the construction of an informational kiosk on the passenger platform and a vertical sign on Guadalupe Street.

Now, the applicant proposes to construct three utility boxes next to existing utility boxes and more adjacent to the contributing State Archives building than to the landmark Depot building. These boxes will provide electric service for lighting the kiosk, an emergency call box at the kiosk, real-time train service information, and wireless telecommunications.

The boxes will be like others installed at other Rail Runner stations and painted to match previously approved light brown metal on the kiosk. The electric panel will be 48"H x 25"W x 17.5"D and the two communication panels will be 47"H x 36"W x 24"D.

STAFF RECOMMENDATION:

Staff recommends approval of this application as these adjacent alterations do not degrade the landmark status of the Depot building.

He explained they wanted to run the power from the box to the kiosk.

Ms. Walker asked Mr. Rasch about the kiosk.

Mr. Rasch said they originally wanted to have the wiring go around the station so as not to disturb the brick.

Present and sworn was Mr. Tony Sylvester who said they were not happy with the boxes. The Santa Fe Depot was the only one on the corridor that had these boxes. They wanted to have emergency call service available. They looked at the site carefully to keep them out of pedestrian flow and selected these locations. Page 5 showed the existing location of the boxes.

They would remodel the whole area including on the other side of the track. They talked with Santa Fe Southern and thought they might be able to move them to the other side and consolidate some of the boxes. This was the best location they found and the only way they could achieve their goal.

Vice Chair Rios asked if it was a temporary location.

Mr. Sylvester said it depended on the development that would take place there but they intended that this could be permanent.

Vice Chair Rios asked if the boxes could be underground.

Mr. Sylvester said it was possible but would be more expensive than their budget allowed. The existing wires would also complicate it. He explained that in their initial proposal they would have removed the brick and replaced it. But in talking with Mr. Rasch they would do conduit underneath the pavers. It was definitely more direct.

Ms. Shapiro asked if they would be removing any of the old boxes.

Mr. Sylvester said those belonged to Santa Fe Southern. The Rail Runner had to put a separate meter in for electricity. The other two were for communications and internet services.

Ms. Shapiro asked if they could not be in the same box.

Mr. Sylvester said the engineers determined that combining was not feasible so they had to design it separately.

Ms. Shapiro asked about colors.

Mr. Sylvester said they would be the same color as approved for the kiosk at the station.

There were no speakers from the public regarding this case.

Ms. Shapiro moved for approval of Case #H 08-105 per staff recommendations and that the color match the other boxes and the lines run under the pavers. Ms. Mather seconded the motion and it passed by unanimous voice vote.

I. OLD BUSINESS

1. **Case #H 08-008.** 610 Miller Street. Downtown & Eastside Historic District. Richard Martinez, agent for Balser, proposes to amend a previous approval to construct two vehicle gates by replacing the two gates with one gate that would be 6' high at 23' 6" back from the street on a non-contributing property. (David Rasch)

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

BACKGROUND & SUMMARY:

610 and 612 Miller Street is a two-family residence that was constructed after 1945 in the Spanish-Pueblo Revival style. Significant remodeling was done to both residences. The buildings are listed as non-contributing to the Downtown & East side Historic District.

On January 8, 2008, the applicant proposed to remodel the properties including the construction of a bi-leaf solid wooden vehicle gate at the far southwest corner of the lot and attached to the adjacent lot's carport on the Camino de las Animas frontage. The gate was designed with a stuccoed structure surround and an exposed header. The Historic Design Review Board postponed action on this application pending redesign of the vehicle gate to be reduced in prominence and located further back on the driveway.

For the February 12, 2008 hearing, the vehicle gate was not reduced in size nor moved further back, but the applicant additionally proposed 3' high stuccoed spur walls flanking the driveway out to the street and the remainder of the driveway beyond the gate to the interior gate will be brick surfaced like the front area.

At that hearing, the HDRB approved the application with conditions, including that the vehicle gate and yardwall be redrawn to (a) lower the height; (b) provide for visual access through the gate; and (c) relocate the wall and gate further back from the street so that it is not next to the other gate directly to the east.

On May 13, 2008, the applicant proposed to redesign the vehicle gate. A 5' high wrought iron vehicle gate flanked by stuccoed pilasters was proposed at 23' 6" back from the lotline and a 6' high coyote fence vehicle gate was proposed at 45' back from the lotline.

The HDRB approved the request with the condition that the rear gate be deleted, that the front gate

may not exceed 6' in height, and that the gate be redesigned with a solid lower part and visual access through the upper part with this design approved by staff.

The applicant filed an appeal to the Governing Body which heard the case on August 27, 2008. The Governing Body overturned the HDRB action and upheld the appeal for the applicant to construct two vehicle gates as designed.

Now, the applicant proposes to amend the approval to construct one gate set back from the street 23' 6". The gate will be 6' high with 5" wide wooden boards with 1.5" separations between boards.

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.

Mr. Rasch showed the gate designs and locations.

Ms. Walker asked if the applicant offered any alternatives. Mr. Rasch said he didn't.

Present and sworn was Mr. Richard Martínez, 519 Cerrillos Road, and he reviewed the history of the case. He explained that this was the gate that was appealed to City Council. He said he followed the ordinance twice and the Board denied his gates twice so he went to Council and the Council overturned and the Board's decision, granting the appeal and directed the Board to follow the ordinance. This Board said he had to have an iron gate to match the streetscape. He said he first did this project 14 years ago and didn't know where an iron gate was. There were two iron gates way past this project. It was obvious to him that the Board went to the site and discussed amongst themselves what would happen at the Board meeting and designed the project there. He had projects since this appeal with the same experience. He had one on Alameda Street and Ms. Shapiro was asked to design his gate on that project. With the project at the St. Francis Hotel, at the last minute, Sharon Woods changed the arches to flat lintels regardless of the regulations of the City of Santa Fe. He felt the Board would probably redesign this one tonight. He questioned why the Board didn't cite the provisions of the ordinance when it makes decisions as it was instructed to do by the City Council. It was hard to appeal projects because it was a long and costly process. Last May he appealed and it was not heard by the City Council until the middle of August.

He said he had a lunch with Sharon Woods after the appeal was decided posed the idea of coming back to the Board with another gate design and she thought it was a good idea. It was similar to the one he first proposed. He read the motion from the last hearing made by Ms. Walker.

He explained that the gates he was proposing now were more relaxed. It would have boards that were open on the ends more like a farm gate and spaced apart but it was not a visual window as the Board requested. The wood would be stained and it would open on both sides (bileaf) using an automatic gate opener with a call button.

He clarified that this was the back gate to the property with an alley way behind the garage. It did not

call attention to itself and was set back 20' from the street. It would allow a car to sit in front of it off the street to push the button.

Vice Chair Rios said the Board did site visits because they had to judge the project with the streetscape. If this streetscape had iron gates, that was what the Board recommended. The Board was composed of architects, builders and designers. Hopefully they could come to agreement with the applicant on the conclusions.

Mr. Martínez said it was not the Board's responsibility to redesign. This proposal was his design.

Vice Chair Rios agreed and said the Board could make suggestions and the applicant could accept or reject them. And you do have the right to appeal.

Mr. Martínez asked if they would cite the parts of the ordinance that apply in the motion.

Vice Chair Rios said that would depend on what was decided. She said to say the Board should never make suggestions, in her mind was ludicrous. When a person made a suggestion, the design changed. And the Board dialogued and conferred with the applicant on their suggestions.

Vice Chair Rios asked him to describe the boards he proposed to use.

Mr. Martínez said he would use plain boards from top to bottom with texture like a wire brushed texture. The species would be one that would hold up outside.

Vice Chair Rios asked if the spacing was 1.5" between. Mr. Martínez agreed.

Vice Chair Rios asked if he would consider 2" spacing.

Mr. Martínez explained that at the far end was the master bathroom so he would not want it wider.

Ms. Mather asked about the finish.

Mr. Martínez said he would use a natural wood stain so it would be brown.

Ms. Shapiro asked if the top would be straight or varied.

Mr. Martínez said the top would be a straight line. It was not a coyote gate.

Vice Chair Rios asked how wide the gate would be.

Mr. Martínez said it would have two five feet widths. A total of ten feet wide.

Vice Chair Rios asked for its height.

Mr. Martínez said it would be 6' high.

Ms. Mather asked him about the call button.

Mr. Martinez said it would be on a metal post accessible from the driver's side where the car could pull off the road.

There were no speakers from the public regarding this case.

Ms. Mather moved to approve Case #H 08-008 as designed with brown natural wood stain color and spacing between the boards be two inches. Ms Shapiro seconded the motion and it passed by unanimous voice vote.

2. **Case #H 08-031.** 740 Acequia Madre. Downtown & Eastside Historic District. Christine Mather, agent/owner, proposes to amend a previous approval of a non-contributing building by adding architectural details and increasing the addition height from 11' to 12' 4" where the maximum allowable height was 15' 3". (Marissa Barrett)

Ms. Mather recused herself from this case.

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

BACKGROUND AND SUMMARY:

The Spanish Pueblo Revival style single family residence was constructed by 1912 and was originally used as a mill. The 1928-1929 City Directory referred to the building as the "oldest mill". The building has undergone many remodeling campaigns which include additions in the 1940s, 1960, 1980s, and 1990s as well as window replacements and opening dimension alterations. Also located on this lot are two accessory structures, a small guesthouse and a guest suite with an attached two car garage. The Official Map lists all three buildings as non-contributing to the Downtown and Eastside Historic District.

The application was originally heard at the March 25, 2008 hearing and was approved for the construction of an approximate 298 square foot addition to a height of 11' where the existing height is 11'6" on the main single family residence. White divided light wood windows were approved and the building was to be stuccoed with cementitious stucco in a light brown to match existing. No skylights or other rooftop equipment was proposed and the existing light fixture is to be re-located at the new entrance.

The applicant proposes to amend the approval with the following alterations:

1. Remodel the approved east elevation with wood posts, beams, carved corbels, and exposed viga ends to give the elevation more architectural details. The architectural elements were inspired by the north elevation enclosed portal on La Fonda. The wood will be finished with a natural wood stain.
2. Increase the addition height from 11' to 12' 4" where the maximum allowable height is 15' 3". The 16" height increase will allow the addition of the exposed viga ends and carved corbels.

STAFF RECOMMENDATIONS:

Staff recommends approval of this application as it complies with Section 14-5.2 D) General Design Standards for All H-Districts and Section 14-5

Present and sworn was Mr. Lom Tryk, 206 McKenzie, who said he would stand for questions and had nothing to add to the staff report.

There were no speakers from the public regarding this case.

Ms. Shapiro moved to approve Case #H 08-031 as proposed as it followed the regulations of the City. Ms. Walker seconded the motion and it passed by unanimous voice vote. Ms. Mather did not vote, having recused herself.

Ms. Mather returned to the bench after the vote.

3. **Case #H 09-007.** 1226B Cerro Gordo. Downtown & Eastside Historic District. Trey Jordan Architecture, agent for Stacy Neff & Jeff Nelson, proposes to replace a coyote fence with a yardwall to the maximum allowable height of 4' 6" and construct an entry portal to a non-contributing property. (Marissa Barrett)

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

BACKGROUND AND SUMMARY:

The Spanish Pueblo Revival style single family residence located at 1226 B was constructed in 1995 and is listed on the Official Map as non-contributing.

This application was heard at the Feb. 24, 2009 HDRB hearing where the Board approved the construct an approximately 875 square foot Spanish Pueblo Revival style guesthouse to a height of 13' 6" where the maximum allowable height is 13' 8". Also approved was 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 was approved at a height of 13' where the maximum allowable height is 13' 8".

The Board conditions included redesign of the proposed portal entry in the wall by addressing the overhang and massing and that more detailed drawings of this element are brought back to the Board for approval. On April 14, 2009 the Board reviewed revised plans which included the elimination of the overhang. The case was postponed for redesign of the portal by reducing it in dimension.

The applicant has revised the plans and now proposes removing the existing coyote fence along the north elevation and constructing 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 7'6" which was reduced approximately 1' from the previous submittal of 8' 6" high. The square footage has been reduced from approximately 64 square feet to approximately 21 square feet. A wood pedestrian door will be located on the west elevation.

STAFF RECOMMENDATIONS:

Staff recommends approval as 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.

Ms. Walker said the depth of the redesigned entry was not shown.

Ms. Barrett said the square footage was reduced from 64 to 21 square feet.

Present and sworn was Mr. Brendon Campbell, who clarified that the depth was now three feet. He said they met with the client and reduced it and brought the height down another foot to comply.

Ms. Mather asked if any lighting was proposed.

Mr. Campbell said they had gone over it with staff and there would be no decorative lighting but they would still use the recessed can lighting. The door color would match existing.

There were no speakers from the public regarding this case.

Ms. Walker moved to approve Case #H 09-007 as redesigned noting that the application was in compliance with Section 14-5.2 (D) and 14-5.2 (E). Ms. Shapiro seconded the motion and it passed by unanimous voice vote.

4. **Case #H 09-010.** 855A Camino Ranchitos. Downtown & Eastside Historic District. Liaison Planning Services, LLC, agent for David & Ruth Arthur, proposes to construct an approximately 5,798 sq. ft. single family residence with attached garage to a height of 17' 4½" where the maximum allowable height was 17' 5" and to construct a coyote fence to the maximum allowable height of 6'. (Marissa Barrett)

Ms. Walker recused herself from consideration of this case and left the bench.

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

BACKGROUND AND SUMMARY:

855 Camino Ranchitos is a .3227 acre lot located on the edge of the Downtown and Eastside Historic District. The applicant proposed construction of an approximately 5,798 square foot single family

residence to a height of 15' measured midpoint on the street facing elevation where the maximum allowable height is 17' 5". The highest point of the building on the streetscape elevation is at the garage where the height is 17' 4 ½".

The heated footprint of the building is 4,416 square feet with a heated second story of 525 square feet and approximately 335 square feet of portals. A second story deck area is proposed which will be accesses from the second story living space. The deck has been reduced in size from the original application by removing the section proposed at the front of the home and keeping it to a limited area behind the office. An approximately 780 square foot attached garage is proposed on the street facing west elevation. Garage doors will be natural cedar. A garage section has been submitted for your review.

The building will be Territorial Revival in style which includes sharper corners and buckskin and red brick coping. Windows will be true divided lights in a Buckskin color. Windows have been altered from the original application as follows:

1. Two new openings will flank the courtyard gate on the west, street facing elevation.
2. Windows on the west elevation, located in the music room, have been elongated.
3. Windows on the north elevation, located in the utility room have been eliminated.
4. Three windows on the north elevation second story have been replaced with one window which measures 24" x 36".
5. Replace a window on the west elevation of the second story, located in the bathroom, with an 18" x 24" window.

Portals will be simple and include a wood beam and posts finished in the color Fruitwood. The building will be stuccoed with El Rey Kokanee. Five skylights are indicated on the plans. No exterior light fixtures were submitted.

Lastly, the applicant proposes construction of a coyote fence to the maximum allowable height of 6' along the north property line.

STAFF RECOMMENDATIONS:

Staff recommends approval on the condition that skylights or rooftop appurtenances are not publicly visible, that exterior light fixtures are approved by staff before a building permit is submitted, and that the coyote fence have irregular latilla tops and that the stringers are facing the interior of the lot. 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.

Vice Chair Rios asked Ms. Barrett to describe the streetscape and any 2-story buildings in the area and how staff did the calculation for height.

Ms. Barrett said there was a 24' and a 28' structure as well as one at 21' that were not in the calculation because they were non-historic two-story buildings and probably done prior to the height ordinance..

Vice Chair Rios asked about how she calculated streetscape harmony.

Ms. Barrett said they went not quite 600 feet on Camino Ranchitos because the street was shorter in both directions.

Present and sworn was Ms. Dolores Vigil, 206 McKenzie who provided a handout to the Board to show the changes [attached as Exhibit A].

She said she contact a few of the neighbors since the last meeting and shared the changes. The house was 30' from the road. They provided some openings in the coyote on the front gate to break up the massing. They also took out some of the portal from the residence to meet the lot coverage requirement. They also limited the deck area to the back of second story office.

She met with staff on the issue of height and how they could build it. They met with the garage door installers who knew how to recess it into the second story floor.

Vice Chair Rios asked her to restate the height.

Ms. Vigil said the height would be 17' 4½".

Vice Chair Rios her to clarify how they would get that height.

Ms. Barrett referred them to page 15 in the packet.

Present and sworn was Mr. Robert Farrell, 201 Mescalero Ridge, who described how they would meet the height requirements. He said the City Engineer, Mr. Valentine, also reviewed it and saw no problem. He listed the heights of the various components.

Ms. Shapiro asked if there would be no parapet on top.

Mr. Farrell said it would be a 4" parapet on top and the 17' 4½" included the parapet height.

Vice Chair Rios asked Ms. Barrett if she agreed with the applicant.

Ms. Barrett said she was not an expert in construction but Robert Valentine did the review.

Vice Chair Rios asked the size of the historic area.

Mr. Farrell said it was 525 sq ft.

Vice Chair Rios asked what the lot coverage was.

Mr. Farrell said it was 39 to 39.5%.

Vice Chair Rios asked about public visibility.

Mr. Farrell said there were many one-story buildings at 17' 5".

Vice Chair Rios clarified her question was what one would see of this structure from a public way.

Mr. Farrell said one would see the garage and the front area.

Vice Chair Rios asked the height from grade to the top of the garage area.

Mr. Farrell said it was 8' to the top of the garage.

Ms. Shapiro asked how tall the parapet on the garage was.

Ms. Vigil provided the blueprints and clarified it with the Board.

Vice Chair Rios asked for the garage door height.

Mr. Farrell said it was 7'.

Ms. Vigil said it was six inches below grade.

Ms. Shapiro said they didn't say how tall the parapet was.

Mr. Farrell apologized and said it was closer to 11' with the parapet.

Ms. Barrett clarified that from lowest grade to highest part, the structure was 18'.

Ms. Shapiro asked if the elevations of the changes were shown on page 14. Ms. Vigil agreed.

Ms. Vigil explained the changes. On the north elevation they eliminated a window on the first floor. To the right of the door was a window. To the left was a smaller window. Up on the second floor they had three long windows and that was now reduced to one window. They did keep the other two to the right of the door. Above the garage were three windows and now they had one small window. On the west elevation they changed those windows by making them smaller but longer. Then they added some small openings on the gate.

Vice Chair Rios asked if there were any changes to the footprint.

Ms. Vigil said the portal in back was smaller.

Ms. Shapiro asked if the break in the coyote fence was in the center on Camino Ranchitos.

Ms. Vigil said it was on the left side and there was no gate proposed there.

Ms. Mather asked if on the west elevation there were changes to the coyote fence.

Ms. Vigil said there were no changes and all of that was existing there. She added that they agreed to work with staff on it.

Public Comment

Present and sworn was Mr. Robin West, 853 Camino Ranchitos, who said she was not contacted about the changes to his plan or consulted. She was called yesterday morning when it was a fait accompli. There was nothing historic about this design on Camino Ranchitos. You could see that this massive building was not in keeping with the streetscape.

She said for background on this part of Camino Ranchitos that this property used to be part of a one-acre parcel and ten years ago it was divided into thirds and her house was on one side. The other third was 851 Camino Ranchitos was built about a year ago. Both hers and this property were about 1,800 sq. ft. This structure was now almost 6,000 sq ft and not in keeping with the streetscape. The other two were less than a third the size of this structure.

She said she don't see the big deal on the changes. The deck still faced onto her property. There was still a second story. To her it was still a massive fortress with a second story and deck. She added that this house started about 3 feet above her house already so the shadow cast by it would invade her privacy and made more egregious by the second story by its mass and proximity.

She said it might seem to be 39% lot coverage but sure looked like a lot more and that was because of the interior courtyards she did not think were included in the ratio.

Present and sworn was Ms. Karen Walker, 858 Camino Ranchitos, who said she had lived in this neighborhood since 1970. Around the corner was a two-story built before the Historic ordinance was adopted. Next to her home and back from the street 70 feet was a second story house built before the height ordinance. Her house was 12.5 feet high to 14.5 high. The house she mentioned was 14.5 and it could have been higher but was kept low. So the houses were low there. This house gets pushed to the very edges and that was not typical of this area.

Because of the faulty height maps she realized 17.5' had to be allowed but the Board did not need to allow second stories. It would change the character of the neighborhood immensely and was unfair to the neighbors, particularly the one to the north.

Ms. Shapiro asked how many square feet were in her house.

Ms. Walker said it was 2,800. She said she was not contacted and her neighbor across the street was not. There were two speakers last time; the neighbor across the street and Gail Takeshita. There were plenty of other neighbors though.

Ms. Vigil didn't think Ms. Walker recused herself last time.

Ms. Walker said she did. Chair Rios said she did recuse herself and commented only as a citizen.

Ms. Vigil said she did get a list and made some contacts and not all of them contacted her back. She said she would have contacted Ms. Walker but thought she should not since she was on the Board and didn't want to cross that line.

Ms. Vigil said she did contact Robin West and brought over a drawing on what had been changed. She said she contacted her yesterday when the drawings were ready to be distributed.

Ms. West said she was not contacted.

Ms. Vigil said she contacted Gail Takeshita, Ken and Karen Hardy, Pat Holbrook, Chris Dailey and the neighbor across the street were contacted.

Ms. Vigil said when she talked with Ms. West she hadn't indicated any concern.

Ms. West said she was not contacted until yesterday morning. She returned her call within an hour but there was no call to consult or get feedback from her which had been requested at the last meeting.

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

Vice Chair Rios reviewed the case and the expressed concerns.

Ms. Mather moved to approve Case #H 09-010, 855 Camino Ranchitos at the height of 17' 5" with the following conditions:

- 1. That there be no living space on the second story;**
- 2. That there be no visible rooftop appurtenances;**
- 3. That the light fixtures be approved by staff;**
- 4. That the coyote fence remain in place as indicated by applicant;**
- 5. That the new coyote fence on the north have irregular tops and stringers face to the interior.**

Ms. Shapiro seconded the motion.

Ms. Shapiro asked Ms. Vigil if she would consider another design if this second story was denied.

Ms. Vigil said she couldn't answer that but they would deal with the Board's decision.

The motion passed by unanimous voice vote. Ms. Walker did not vote, having recused herself.

Ms. Walker returned to the bench after the vote.

5. Case #H 09-014, 502 Old Santa Fe Trail. Downtown and Eastside Historic District. Michael Bodelson,

agent for dos 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, construct a free-standing sign on a vacant lot, and submit additional information requested by the Board. A pitch exception was requested to Section 14-5.2 (D)(9)(d). (David Rasch)

Mr. Rasch presented the staff report 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.

On March 24, 2009, the Historic Design Review Board postponed action on an application to remodel the lot as a temporary seasonal art market pending clarification of specific issues that includes information about off-hours, security, weather controls, lighting and electric installations, access, food booths, portable toilets, and clarification regarding the temporary nature of the project. The applicant has addressed the additional items and now requests approval for 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.

The booths will have Rubbermaid weatherproof and lockable storage cabinets that will be 72" high x 36" wide x 24" deep; color was not submitted. Also, the booths will be closable with roll-up front and side canvas enclosures that seal to the booth frames with Velcro. An explanatory drawing is attached.

Lighting will include semi-circular flush-mounted sconces that serve four booths each and power will be run in metal sleeves and conduit in discrete locations. Fixture design is 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" 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 non-fixed precast tables, trash receptacles, and planters along the

Old Santa Fe Trail frontage. The precast items will have an earth-tone color. Cloth umbrellas will be 6' square and match the color and pitch of the booth canopies.

Portable toilets will be screened with a 5' to 6' high coyote fence at the back corner of the property.

STAFF RECOMMENDATION:

Staff recommends approval of the exception request to construct a pitched roof where a pitched roof is not allowed (Section 14-5.2(D)(9)(d)), since the structures are not permanent and they need to effectively shed water. Otherwise, this application complies with Section 14-5.2 (D) General Design Standards and (E) Downtown & Eastside Historic District.

Mr. Rasch noted two handouts: a group of emails and a memo from Frank Katz and Kelley Brennan re jurisdiction. [attached as Exhibits B and C]

Ms. Brennan summarized that this project was characterized as temporary structures and temporary structures fell basically into two categories - one was construction trailers and equipment and limited to 12 month and included mobile homes. The other type was an accessory use and the descriptions included things like tennis court covers and things that exceeded 30" in height.

The districts were named where those were permitted and did not include the BCD but there was a provision that allowed accessory structures in BCD but that was not relevant here since these were principal structures.

She did look at underlying zoning and the project did conform to the rules in the BCD. The Board's jurisdiction had two styles: old Santa Fe style and recent Santa Fe style and this did not fall in that category. Neither she nor Mr. Katz felt this project could meet the design guidelines for the district.

Vice Chair Rios asked if these structures were in direct opposition to the ordinance.

Ms. Brennan said she would not say that. They could not meet the style criteria but the City allowed temporary structures like tents to go up for a few days and there were accessory structures like one might have for a restaurant. This was none of those things and was not addressed, leaving the Board with standards that were not applicable.

Ms. Mather was still confused. She asked how the Board could rule on historic design of a temporary structure.

Ms. Brennan said she understood. She did not believe it could meet the design standards for the district.

Ms. Mather asked if they were supposed to rule on temporary structures.

Ms. Walker commented that flea markets were allowed but temporary structures were not in the BCD. Ms. Brennan said the structures on Cathedral Place were established by a City order.

Present and sworn were Mr. Karl Sommer, Mr. Michael Bodelson and Mr. Joseph Kames.

Mr. Sommer said they were here on behalf of Dos Caminos LLC and the application had been before the City since February and they were here to submit additional information. The question was whether these temporary structures met the criteria of the Code. Ms. Brennan said they did not and that the Board should deny the application. Mr. Rasch took a different position and said they did meet the ordinance.

There were structures like this all over the BCD. First National Bank had weekends in which structures like this were put up for a weekend all summer long, into the fall. Mr. Sommer thought Mr. Rasch was correct. They were in use in the downtown area and they did comply.

There was the Eldorado Hotel that had a really big tent that was there year round and was approved by this Board. It was not any historic style.

The O'Keeffe Museum has a blue tent with poles for an outdoor eating space. The Il Piatto annually puts up a structure with a canvas tent that goes up in the fall. The Coyote Café has a tent on top of it. It was not affixed to anything. Spanish and Indian Market every year puts up tents like these.

Ms. Brennan said correctly that the H ordinance applied to all development - any change to real estate including without limitation to buildings. He asked if these structures complied with ordinance. Long use said they did. Whether the Board agreed or not was the issue.

He remembered Ms. Walker saying temporary structures were not allowed in the BCD but accessory structures were. The memo said the opposite. He agreed with the memo.

He said temporary structures were allowed in the BCD as evidenced by the list he shared. BCD zoning was not before the Board.

Mr. Sommer thought it was straightforward. Historically under this ordinance - the height, massing, scale, pitch, were all in keeping with the downtown area. That was what the Board had to look at. These were not tall, large or massive structures.

The gist of the emails was that this was not good for the economy of Santa Fe. If the downtown owners wanted to change the ordinance, they could work on that. There was one on the corner of Water and Old Santa Fe Trail that was there annually.

He said they would stand for questions and urged approval of the application. He noted that Mr. Bodelson had submitted a packet and Mr. Kames was present to handle questions of BCD and the law.

Vice Chair Rios asked Ms. Brennan if she agreed that the memo said that accessory structures were not allowed in the BCD.

Ms. Brennan said she did not include other structures to be included in the BCD because it was not relevant but agreed that it was true. She shared the section of the Code about it.

Vice Chair Rios asked about those other cases coming to the H Board.

Ms. Brennan said a number of them were accessory uses and didn't apply here. She read Section 14-4.3 E 1 e (1). This section referred to temporary structures. She said she took it out of her memo because she felt it was not relevant and would be confusing. Flea markets were permitted and were by definition outdoors but didn't imply it would not have structures. She could not speak of First National Bank. She thought many of them were accessory uses to other uses. She didn't know if they came before the Board for approval. She thought the markets were organized under a separate section of the City Code.

Vice Chair Rios asked Mr. Rasch if he felt this was in harmony and compatibility with the streetscape.

Mr. Rasch said he recommended approval of the exception of pitch. There were no other such structures in the streetscape. He wrote this recommendation prior to the attorney's memo.

Ms. Walker congratulated Mr. Sommer on his presentation. It was such a pleasure to work with him. She said he made a comment about the second page of the memo and asked for clarification.

Mr. Sommer said you have made a change to real estate when you put something on it.

Ms. Walker disagreed.

Mr. Sommer said the changes were not limited to structure. You could pile dirt on it or grade it.

Ms. Walker countered that grading was not temporary.

Mr. Sommer said development was what this Board regulated. If it was not development, then there was no regulation on it.

Ms. Brennan said that in looking at the jurisdiction of the Board, these were not buildings according to the definition of building. She pointed out that "all development in the Historic District shall comply" meant any change not limited to buildings or other structures so she did feel the Board had jurisdiction.

Ms. Mather asked if things such as porta potties and cabinets were included. She was having trouble wrapping her mind around a historic porta potty.

Ms. Brennan said the Board also had jurisdiction over the accessory structures.

Mr. Rasch noted that the most permanent fixtures were the yardwall and the coyote fence.

Ms. Brennan agreed those were not temporary structures or accessories to another use so that fell in a

gap in the code. Whatever it was, the Board needed to decide if it was in compliance.

Mr. Sommer thought they were all in agreement that what they proposed were structures. Structures were regulated. So the issue was if it did comply with the standards. Staff said on various occasions that it did or it didn't. He pointed out that if this Board approved Eldorado's tent there were no others in that streetscape.

Mr. Rasch added that it was still there.

Mr. Sommer clarified that he was not saying that because the Board approved it the Board needed to approve every other tent but he thought this proposal met the requirements.

Vice Chair Rios agreed with the statement. The issue was whether it complied with the ordinance and was in harmony with the streetscape. Whatever was being proposed in the application was what they must consider.

Ms. Brennan agreed that basically, Mr. Sommer construed the question the way it should be. She read from the downtown section of the ordinance.

Mr. Sommer added that there was another market opening on Old Santa Fe Trail across from the Inn at Loretto with structures down that alley. He assumed that was being subjected to the City's scrutiny. It was just another example of that type of structure.

PUBLIC COMMENT

Present and sworn was Mr. Mike McKowsky, who said this matter of tent structures was a stretch to the limit. He was hoping something would be done with this property that was in keeping with the City. This proposal was atrocious. There was no style and this was disgusting style. He hated to see it go up.

Present and sworn was Ms. Patricia Gonzales who was present on behalf of the Gallery Association - who were opposed to a flea market at this location across from the capitol. She asked who would want to see porta potties there. Traffic and parking were problems. It also took away from gallery owners who were year round owners. There was no historical consideration. She thought it would set a precedent for other flea markets.

Present and sworn was Mr. Charles, 518 Old Santa Fe Trail, who said he was adjacent to the lot. He could not speak to the aesthetics but to the merit of the project itself. Last year, the Farmer's Market was at the PERA and had a good affect on the businesses in that area. The infrastructure was there for that type of project. He put in his business plan that he was on historic Old Santa Fe Trail. This was completely in keeping with that area and knew it could take away from Canyon Road. He was completely for it.

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

Ms. Shapiro moved to deny Case #H 09-014 because it did not comply with Section 14-5.2 (E) where it defined old Santa Fe style and recent Santa Fe style but she would approve the wall. Ms.

Mather seconded the motion.

Ms. Walker said she felt the response to the first criteria did not meet the standard.

The motion passed by unanimous voice vote.

J. NEW BUSINESS

1. **Case #H 09-022.** 1301A Upper Canyon Road. Downtown & Eastside Historic District. Mark C. Little, agent for Elizabeth Keefer, proposes a preliminary height examination for the remodel of a non-contributing structure on a sloping site where the maximum allowable height was 14' 4" and the maximum height of the existing structure was 18' 2".

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

BACKGROUND & SUMMARY:

1301A Canyon Road is a single-family residence that was constructed by 1946 in the Spanish-Pueblo Revival style. Major remodeling has occurred including additions and replacement of historic materials. The building is listed as non-contributing to the Downtown & Eastside Historic District.

At this time the applicant proposes a preliminary hearing in preparation of a remodel of the building. The question for discussion is how the height ordinance will be applied to the project. The Board action from this preliminary hearing is binding upon the final application request for action.

The maximum allowable height for this location is 14' 4" as determined by a radial calculation. The applicant has submitted topographic information that confirms that the footprint has a slope change of greater than 2' feet. The existing building height shall be measured from the midpoint on the east elevation where the primary entrance is located. At that point, the existing building height is approximately 12' 3". But, the building has a maximum height of 18' 2" on the north, river-facing elevation.

Under section 14-5.2 (D)(9)(c)(ii)(F), the Board may increase the maximum allowable height to no more than 4' when slope of at least 2' exists along the footprint, or up to 18' 4". In this case, there appears to be a maximum height on a proposed addition to the northwest corner at 19' 6".

STAFF RECOMMENDATION:

Staff recommends that the Board grant the additional maximum allowable height due to slope and find that a height exception is needed for any elevation above 18' 4" from grade to top of parapet.

Vice Chair Rios said this was strictly a height examination. Part of the application called for 19' 6". There were no exception criteria in the packet.

Mr. Rasch agreed and said none were needed since this was just a height examination.

Present and sworn was Mr. Mark C. Little, who had nothing to add to the staff report.

Ms. Walker asked why he needed to go to that height on the northwest corner.

Mr. Little said basically the building as the Board saw it on the site visit was 18' 4" from grade. He was asking for the four foot allowance because of the slope.

Vice Chair Rios agreed that was an option the Board could consider but it was not required to.

Mr. Rasch said the height maximum and existing height was 18' 2".

Mr. Little explained that the site continued to drop and he was proposing to continue to step it down.

Mr. Rasch agreed the height increase was coming from a lowering of the slope and not from increasing the height of the building.

Ms. Walker thought it would require an exception.

Ms. Shapiro asked how much higher the parapet was. She asked if it was a foot difference.

Mr. Little said each step was 1.5' or 2'. If four feet were granted they could not even match what was there now. These heights had been tracked in many different ways over the years. By stepping it down he was trying to follow the intent of the code.

Mr. Rasch explained that the amount was important. If he had a height exception, it could be 1' 2" or 5' 2" depending on how it was considered.

There were no speakers from the public regarding this case.

Vice Chair Rios reminded the Board that the maker of the motion needed to address the exception because it was binding.

Mr. Little clarified that he was not asking for a higher height than existed there now. He explained the drops of the building on that slope.

Mr. Rasch added that if the Board granted four feet due to slope then at no point on the perimeter could it exceed the 18' 4".

Ms. Shapiro moved to approve in Case #H 09-022 the possibility of using the height allowance so that the east elevation would remain at the current 12' 3" and the north elevation would remain at 18'3 and the new structure could exceed 18' 4" by an exception as long as the massing continued to step down. Ms. Walker seconded the motion and it passed by unanimous voice vote.

2. **Case #H 09-023.** 132 E. Santa Fe Avenue. Don Gaspar Area Historic District. Ellen Marie Arias, agent/owner, proposes to construct an approximately 182 sq. ft. addition, construct a side lotline coyote fence from 6' to 3' high, and replace a concrete walk on a contributing property. (David Rasch)

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

BACKGROUND & SUMMARY:

132 East Santa Fe Avenue is a single-family residence that was constructed by 1928 in the Spanish-Pueblo Revival style. The building has undergone little or no alteration and it is listed as contributing to the Don Gaspar Area Historic District. The north and east elevations may be considered as primary.

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

1. A 182 square foot addition will be constructed on the rear at the southwest corner of the building. The addition will match the existing adjacent height and parapet cant. Two 6-over-6 windows are proposed which mimic the style of existing windows. All finishes will match existing.

2. The concrete walkway in the front yard is degraded. It will be removed and replaced with fresh concrete of the same dimensions.

3. A wooden board fence will be constructed along the west lotline. From an existing wall on the south end, the fence will be 6' high and run for 20'. Then, the fence will step down in height to 4' high for an 8' run and then step down again to 3' high as it runs for 7' to the sidewalk.

STAFF RECOMMENDATION:

Staff recommends approval of this application with the condition that the concrete be earth-toned rather than gray. Otherwise, this application complies with Section 14-5.2 (C) Regulation of Contributing Structures, (D) General Design Standards, and (H) Don Gaspar Area Historic District.

Vice Chair Rios said the Board normally asked for a distinction between historic and non-historic. She asked Mr. Rasch if he had a recommendation.

Mr. Rasch said he did not but suggested they could ask the applicant to distinguish from historic in a variety of ways.

Ms. Shapiro noted that he recommended that the concrete not be grey but the rest was grey.

Mr. Rasch said some do ask that all concrete in the public right of way be of color other than grey. The older was darker. It was a different grey. Maybe it could be a darker grey.

Ms. Walker asked if the sidewalk was the owner's responsibility or the city's.

Mr. Rasch said it was the owner's responsibility to maintain the sidewalk and public works often put it on the owner. It was a strange overlap.

Ms. Walker asked Ms. Brennan if the owner was required to make the addition look different.

Mr. Rasch said the Board was required to follow the City Code but also the Secretary of the Interior standards that were broader and did call for it to be distinguished. This Board has said those differences could be very minute.

Present and sworn was Ms. Ellen Marie Arias, 132 E. Santa Fe Avenue.

She said she was taken aback by the concrete color recommendation. The concrete was all in terrible shape. She replaced the sidewalk 20 years ago. It had disintegrated to the rebar and she was now concerned about people walking there.

Vice Chair Rios asked if she had a preference on color.

Ms. Arias said she did not. She had seen other colors but thought it would look weird there. She knew the City accepted seven shades and added that it would not happen right away because of her budget constraints.

Ms. Shapiro asked her to talk about the fence. She asked if the tops of the fence boards would be dog eared or straight.

Ms. Arias said that fencing was her last priority and she might just put in pyracantha. The house next to her on the west side had been empty for 2½ years. She was not really fond of coyote fence.

Vice Chair Rios agreed that area didn't have much of it.

Ms. Arias said she would follow whatever the Board said.

Ms. Shapiro noted that a wooden board fence had a lot of options.

Ms. Arias said she would try to soften it.

Ms. Shapiro asked if the windows were on the back side.

Ms. Arias said they were not publicly visible.

Ms. Shapiro asked about their style.

Ms. Arias said they were snap ins. She bought the house in 1975 and it had double hung windows with snap ins. She said she would try to use one of the existing windows but she had to have an egress window

to get her permit.

There were no speakers from the public regarding this case.

Ms. Mather moved to approve Case #H 09-023 with the conditions that the fencing style be submitted to staff for review and approval and that the sidewalk could be earth tone. Ms. Walker seconded the motion and it passed by unanimous voice vote.

3. **Case #H 09-024.** 711 Don Gaspar. Don Gaspar Area Historic District. Dale Zinn, agent for Ann Quarles, proposes to construct an approximately 225 sq. ft. addition and replace a window on a contributing structure. (David Rasch)

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

BACKGROUND & SUMMARY:

711 Don Gaspar Avenue is a single-family residence that was constructed by 1942 in the Spanish-Pueblo Revival style. The attached garage in the rear was converted to living space in the 1980s. The building is listed as contributing to the Don Gaspar Area Historic District. The west and south elevations may be considered as primary.

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

1. A 225 square foot addition will be constructed on the northeast corner of the residence attaché to the 1980s remodel. The addition will be 10' high and lower than adjacent parapets. The decommissioned ditch along the north will not be impacted by the addition which has a footprint that avoids the ditch.

The addition will have two angled walls and one curvilinear wall. Other features include a shed roof on one area and a 2-over-1 window with and exposed header. All finishes will match existing conditions.

2. A circular-plan wooden deck will be constructed over the ditch area. No railing is proposed.

3. An existing non-historic window on the east elevation will be removed and replaced with a casement/awning installation in the same opening.

STAFF RECOMMENDATION:

Staff recommends approval of this application which complies with Section 14-5.2 (C) Regulation of Contributing Structures, (D) General Design Standards, and (H) Don Gaspar Area Historic District.

Ms. Walker asked about archaeology requirements.

Ms. Barrett explained that this area was in a local Archaeological Review district and this project was

under the threshold for required archaeological review.

Present and sworn was Mr. Dale Zinn, PO Box 565, Santa Fe who said he had nothing to add to the staff report.

Vice Chair Rios asked about the ditch.

Mr. Zinn said that ditch appeared to be going uphill but was a branch that originally was designed to provide water to the State Penitentiary. This was one of the most intact pieces of it. They were going to do a gray beam foundation and there were no permanent foundations around there.

Ms. Mather asked if the deck was cantilevered.

Mr. Zinn agreed. He explained that it arose because of health and safety issue of boiler in basement. So it was being removed with a deck and second bathroom there. In order to get to the back room, it required access.

Ms. Mather asked if it then stepped down from the cantilever.

Mr. Zinn said it was a circle down.

There were no speakers from the public regarding this case.

Ms. Walker moved to approve Case #H 09-024 as submitted. Ms. Mather seconded the motion and it passed by unanimous voice vote.

4. **Case #H 09-025.** 1156 Camino Delora. Downtown & Eastside Historic District. Architectural Alliance, agent for Andrew & Mary Wallerstein, proposes to remodel a non-contributing building by constructing approximately 576 sq. ft. of portals and an approximately 77 sq. ft. addition to below the existing building height and construct a yardwall to not exceed the maximum allowable height of 6'. (Marissa Barrett)

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

BACKGROUND AND SUMMARY:

The approximately 4,359 square foot Spanish Pueblo Revival style single family residence appears to have been built in the 1950s as two separate structures and has received major additions through the years which connected the two. Alterations also include non-compliant window replacement with changes in dimension sizes. The Official Map lists the building as non-contributing to the Downtown and Eastside Historic District.

The applicant proposes construction of an approximately 77 square foot addition to the south elevation to a height of 10' where the existing height is 11'. The addition will include a new interior fireplace, which

includes a window on the exterior and exposed vigas which support an overhang over the new divided light windows. Window trim will be white to match the existing and the wood work will be finished with a natural linseed oil.

Proposed on the east elevation is an approximately 185 square foot portal to match the existing height of 13'. The portal will include exposed viga ends, exposed beam, wood railing, and stuccoed pillars. The wood work will be finished with natural linseed oil. A new divided light door with divided light side lights are proposed under the portal. Window trim will be white.

Proposed on the north elevation is an approximately 591 square foot portal to a height 11' 7" where the existing height is 12' 9". The portal will include wood posts, beams, carved corbels, and exposed viga ends. A large stuccoed mass will be constructed on the eastern end and a stuccoed pillar will be constructed on the western end. The existing entry door will be relocated slightly east.

Also proposed is a stuccoed court yard wall to not exceed to maximum allowable height of 6'. The wall will be on the east, west, and north elevation. Wood pedestrian gate are proposed on the west and north elevations and will be finish with a natural linseed oil.

The interior court yard is proposed to be remodeled by eliminating the exposed viga ends and replacing the divided light French doors and small sidelight windows with one divided light door and three divided light windows. Window and door trim will be white.

Lastly proposed is to stucco the additions and walls as well as the entire building to match the existing color and texture.

STAFF RECOMMENDATIONS:

Staff recommends approval on the condition that there are no publicly visible rooftop appurtenances and that any new exterior light fixtures are approved by staff before a building permit is submitted. Otherwise this application complies with Section 124-5.2 (D) General Design Standards for All H-Districts and Section 14-5.2 (E) Downtown and Eastside Historic Review District.

Present and sworn was Mr. Eric Enfield, 612 Old Santa Fe Trail, who pointed out that this was an older adobe home but had been completely altered. It was remodeled in about 1975 with a long gallery connecting the two houses and an addition to the back area. They changed out all the windows and none had divisions in them.

They were creating a seating area with a fireplace in the middle and bookshelves on either side. It would be restuccoed with a fireplace on the rear portal. Part of the approval was to add foam insulation if it wasn't added in 1975 and they would maintain the existing radii.

They also wanted to consider installing a water harvesting system with down spouts that didn't show on the drawings. They wouldn't add a lot of planting but wanted to use the water off the roof. It would have an open picket fence like on Santa Fe Avenue. He thought the Board could see on the site visit that they

wanted a progression into the home and the portal would help that in a very nice way.

He agreed to bring lighting fixtures to staff for review and approval.

He said his client would like to have the windows without divisions. Changing out all the windows would be a hardship.

Vice Chair Rios said the elevations looked nice on the new addition even though the lettering was very small.

She asked if on the proposed east elevation far right hand side there was an opening as part of the portal. Mr. Enfield agreed.

Ms. Walker said there was something about the modeling technique that was confusing. On page 15 on north elevation, she asked what the mottled mass was.

Mr. Enfield said that was part of the portal that comes out.

Ms. Shapiro asked about the railings.

Mr. Enfield said they were wood railings like on Camino Cruz Blanca (Peter Wirth's house). These would be turned rails and he agreed to present them to staff as a condition.

Ms. Shapiro asked if the fireplace on the south elevation had a window.

Mr. Enfield agreed it was a window. He was working with a man from Boston on it and it would allow light to pass through the fireplace. He added that it was not publicly visible.

Ms. Shapiro asked if it had reveal on the outside.

Mr. Enfield said it did; it was a stuccoed in window with insulated glass.

Ms. Mather asked about the six foot high wall.

Mr. Enfield said they didn't really have walls that high. Most of them were about four feet high. On the east elevation that wall was only about 4½' on the courtyard side but six feet outside the wall.

Ms. Mather asked if the pedestrian gates were wood.

Mr. Enfield agreed; simple wood gates.

Vice Chair Rios asked if there were any rooftop appurtenances.

Mr. Enfield said no; the HVAC was inside the house.

Ms. Walker asked if he would take the down spouts to staff. Mr. .Enfield agreed.
There were no speakers from the public regarding this case.

Vice Chair Rios summarized the issues for the motion.

Ms. Shapiro moved to approve Case #H 09-025 with the following conditions:

- 1. The railings, exterior lighting and water catchment system be submitted to staff for approval;**
- 2. The reveals remain as existing;**
- 3. The canales be lined with metal;**
- 4. The windows be divided as shown on the plans. Ms. Walker seconded the motion and it passed by unanimous voice vote.**

- 5. Case #H 09-026. 531 Hillside Avenue. Downtown & Eastside Historic District. Tim Curry/Design Solutions, agent for Ellen and David Burke, proposes to remodel a non-contributing building and to construct an approximately 813 sq. ft. guest house to the maximum allowable height of 14' 2". (Marissa Barrett)**

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

BACKGROUND AND SUMMARY:

The Spanish Pueblo Revival style building located at 531 Hillside Avenue was built in the late 1940s and has received remodeling which includes window replacement including dimensions and numerous additions. The Official Map lists the building as non-contributing to the Downtown and Eastside Historic District.

The applicant proposes replacing the non-historic garage door on the non-publicly visible west elevation of the building with a pedestrian wood door and a divided light window. The wood header of the garage will remain exposed. Window and door trim will match existing. No other work is proposed for the building.

The applicant also proposes construction of an approximately 813 square foot guest house to the maximum allowable height of 14' 2" measured midpoint on the north elevation, which is the elevation which carries the primary entrance. The highest point of the building is on south elevation which measure 16'. Since there is a grade change of over 2' across the footprint of the building the height is allowed by board approval and is not an exception. The building would not be able to exceed 18' 2" on the south elevation as per code.

The building will be Spanish Pueblo Revival in style which will include divided light clad windows in the color bronze. Three windows on the north elevation will have an exposed wood lintel. Doors on the north and east elevation will be wood and will include a wood overhand with exposed viga ends. The overhangs will also include a copper drip edge. All wood work will be finished with a natural linseed oil.

The building will include rounded corners and parapets as well as deep reveals at the windows. The

building will be finished with synthetic stucco in the color "Adobe". Four skylights are proposed. Exterior light fixtures were not submitted.

STAFF RECOMMENDATIONS:

Staff recommends approval on the condition that there are no publicly visible skylights or rooftop appurtenances and that exterior light fixtures are approved by staff before a building permit is approved. Otherwise the 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. Tim Curry, 608 Ridgepoint Lane, who said that he had the light fixture design to submit for the Board's review. He shared it with them.

Vice Chair Rios asked if the existing house had cementitious stucco.

Mr. Curry said it had elastomeric stucco.

Ms. Shapiro referred to the inset of the garage door and asked if there were light fixtures inside it like a flood light.

Mr. Curry said it was the same fixture he just shared.

Ms. Shapiro asked about the long header over the door.

Mr. Curry said it was a cost saving idea they had to just recess the new door and window slightly from the existing façade but it would be a typical garage door. It didn't show up on these elevations but it was a recurring theme with lintel and recessed door or window.

PUBLIC COMMENT

Present and sworn was Mr. David Burke, 531 Hillsdale, who said in looking at the header, he saw what Ms. Shapiro was talking about. He said her suggestion was a good one but this would be in keeping with the long ones in the house.

Ms. Mather moved to approve Case #H 09-026 per staff recommendations and the conditions that there be no publicly visible skylights or roof top appurtenances and using the stucco as the applicant submitted. Ms. Shapiro seconded the motion and it passed by unanimous voice vote.

K. MATTERS FROM THE BOARD

None.

L. ADJOURNMENT

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

The meeting was adjourned at approximately 9:05 p.m.

Approved by:

Cecilia Rios, Vice Chair

Submitted by:



Carl Boaz, Stenographer