



Agenda

CITY CLERK'S OFFICE

DATE 6-17-09 TIME 11:53

SERVED BY [Signature]

RECEIVED BY [Signature]

AMENDED

HISTORIC DESIGN REVIEW BOARD FIELD TRIP

TUESDAY, JUNE 23, 2009 – 12:00 NOON

HISTORIC PRESERVATION DIVISION, 2ND FLOOR CITY HALL

HISTORIC DESIGN REVIEW BOARD HEARING

TUESDAY, JUNE 23, 2009 – 5:30 PM

CITY COUNCIL CHAMBERS

- A. CALL TO ORDER**
- B. ROLL CALL**
- C. APPROVAL OF AGENDA**
- D. APPROVAL OF MINUTES**
May 26, 2009
- E. FINDINGS OF FACT & CONCLUSIONS OF LAW**
- F. COMMUNICATIONS**
- G. BUSINESS FROM THE FLOOR**
- H. ADMINISTRATIVE MATTERS**
 - 1. An ordinance amending Section 14.3-17 SFCC 1987 Appeals regarding appeal procedures for decisions made pursuant to Chapter 14 SFCC 1987, including provisions for standing to appeal, provision of notice for public hearings on appeals, proceedings before a hearing officer and proceedings before the various commissions, boards and the governing body. (Greg Smith)
 - 2. Case #H-09-034. 314 Griffin Street. Downtown & Eastside Historic District. Justin Snyder, agent for Santa Fe Public Schools, proposes to remodel a contributing property by construction of approximately 8,000 sq. ft. of additions on an approximately 22,000 sq. ft. building, altering window openings on a primary elevation restoration of divided-light windows, reinstallation of triple windows where double windows exist along with installation of brick sill extensions, restucco, and replace wooden portal posts. (David Rasch)
- I. OLD BUSINESS**
 - 1. Case #H-09-013. 1047 Old Santa Fe Trail. Historic Review District. Sommer, Karnes & Associates, LLP, agents 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. (Marissa Barrett)

2. Case #H-08-138. 1615 Cerro Gordo. Downtown & Eastside Historic District. Sandra Goodwin, owner/agent, proposes to replace the 14'8" high pitched roof with a 16' high pitched roof where the maximum allowable height is 15'10". An exception is requested to exceed the maximum allowable height (Section 14-5.2(D,9)). Also proposed is to remodel a non-contributing building by addition an approximately 100 sq. ft. addition, adding stone columns, and installing two manual vehicular gates to a height of 4' where the maximum allowable height is 4'7". (Marissa Barrett)
3. Case #H-09-002. 714 Gildersleeve. Don Gaspar Area. Cavalry Custom Construction, agent for Marion Tassin, proposes to amend a previous approval to remodel a contributing property by removing the existing rooftop mechanical units and parapet in order to reconstruct the roof and parapets with a height increase from approximately 12.5' to 13' where the maximum allowable height is 15'1", construct a stairwell and basement access door on the west elevation, relocate an historic window on another elevation from a primary elevation where an ADA entry door will be installed, and construct an 80 sq. ft. deck on the rear. An exception is requested to construct an addition at less than 10' back from a primary elevation (Section 14-5.2 (D)(2)(d)). (David Rasch)

J. NEW BUSINESS

1. Case #H-09-030. 111 Kearney Road. Downtown & Eastside. Peter T. White, owner/agent, proposes to construct a coyote fence ranging in height from 3' to 6' where the maximum allowable height is 4'11" to 6' on a non-contributing property. (Marissa Barrett)
2. Case #H-09-031. 532 ½ & 538 ½ Agua Fria. Westside-Guadalupe Historic District. Wolf Corporation, agent for Railyard Apartments, proposes to amend a previous approval to remodel a non-contributing residence by increasing the height from 10'6" to 12'6" where the maximum allowable height is 16'5" and replacing doors and windows. (David Rasch)
3. Case #H-09-032. 511 Paseo de Peralta. Downtown & Eastside Historic District. Jeff McFall, agent for Eric Fuentes, proposes to amend a previous approval to construct seven residential units for a total of 10,168 sq. ft. to the maximum allowable of 19'6" with alterations to window and door locations. (David Rasch)
4. Case #H-09-033. 803 Acequia Madre. Downtown & Eastside Historic District. Will McDonald, agent for Anna Davis, proposes to amend a previous approval to remodel a contributing building by constructing a 102 sq. ft. addition, relocating ground-mounted equipment to the roof, and replacing a chain-link fence with a stucced yardwall to 6' high. (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. 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 June 23, 2009 Historic Design Review Board Field Trip, please notify the Historic Preservation by 9:00 am on Tuesday, June 23, 2009.

SUMMARY INDEX
HISTORIC DESIGN REVIEW BOARD

June 23, 2009

ITEM	ACTION TAKEN	PAGE(S)
Approval of Agenda	Approved as presented	2
Approval of Minutes		
May 26, 2009	Postponed for changes	2
Findings of Fact & Conclusion of Law	None	2
Communications	Discussion	2
Business from the Floor	None	2
 Administrative Matters		
1. Appeals Ordinance Amendment	Recommended with option #1	2-3
2. Case #H 09-034 Carlos Gilbert School 314 Griffin Street	Discussion/suggestions	3-8
 Old Business		
1. Case #H 09-013 1047 Old Santa Fe Trail	Approved with conditions	8-13, 21
2. Case #H 08-138 1615 Cerro Gordo	Approved with conditions	13-17
3. Case #H 09-007 714 Gildersleeve	Approved as recommended	17-21
 New Business		
1. Case #H 09-030 111 Kearney Road	Approved as submitted	22
2. Case #H 09-031 532½ & 538½ Agua Fria	Approved as submitted	23-24
3. Case #H 09-032 511 Paseo de Peralta	Approved with conditions	24-28
4. Case #H 09-033 803 Acequia Madre	Approved with conditions	28-31
 Matters from the Board	None	31
Adjournment	Adjourned at 8:15 p.m.	31-32

MINUTES OF THE
CITY OF SANTA FE
HISTORIC DESIGN REVIEW BOARD

June 23, 2009

A. CALL TO ORDER

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

B. ROLL CALL

Roll Call indicated the presence of a quorum as follows:

MEMBERS PRESENT:

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

MEMBERS ABSENT:

Ms. Deborah Shapiro
Ms. Karen Walker

OTHERS PRESENT:

Mr. David Rasch, Historic Planner Supervisor
Ms. Marissa Barrett, Senior Historic Planner
Mr. Greg Smith, Land Use Senior 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 to approve the agenda as published. Ms. Mather seconded the motion and it passed by unanimous voice vote.

D. APPROVAL OF MINUTES

May 26, 2009

Ms. Rios moved to postpone approval of the minutes and have members email requested changes to the stenographer. Ms. Mather seconded the motion and it passed by unanimous voice vote.

E. FINDINGS OF FACT & CONCLUSIONS OF LAW

None.

F. COMMUNICATIONS

Mr. Rasch said regarding 502 Old Santa Fe Trail that the applicant would like to build the walls that Board approved but the vehicle gates were not included in the packet.

Chair Woods said there were so many people protesting that so the Board would need to have the gates presented at a public hearing. Ms. Rios agreed.

Chair Woods apologized to Mr. Bodelson, who was present. He agreed to reschedule.

G. BUSINESS FROM THE FLOOR

None.

H. ADMINISTRATIVE MATTERS

- 1. An ordinance amending Section 14.3-17 SFCC 1987 Appeals regarding appeal procedures for decisions made pursuant to Chapter 14 SFCC 1987, including provisions for standing to appeal, provision of notice for public hearings on appeals, proceedings before a hearing officer and proceedings before the various commissions, board and the governing body. (Greg Smith)**

Mr. Rasch presented the staff report for this matter. He said Ms. Price was present as was Mr. Chris Graeser, the consultant on this proposed ordinance amendment.

Ms. Rios said an email from Ms. Walker requested that members of the HDRB specifically be allowed to address the Hearing Officer or the Council in order to clarify things that might not be clear. Her second issue was that administrative decisions of the Land Use Department should be noticed so that the public could file an appeal within the time limits for appeals.

Present and sworn was Mr. Chris Graeser, 3600 Cerrillos Road who said there was discussion regarding the ability of the Board to address the Hearing Officer. It was about the Board's ability to appeal other decisions and they could address it in that manner. He explained that the second issue was addressed in #7 of his points. He met with staff and the upshot was that there were so many decisions that were made on a daily basis with various degrees of formality that it didn't appear this would be workable. The alternative under #7 was the point at which any of those staff interpretations come to light as far as the application approval was concerned, could be appealed. But making public notice of all decisions was unworkable.

Under item #1 was the request that the standard provisions be drawn up in some way (page 2 of the report). Regarding the request to draft all the specific items, it says, "An appeal may be filed by any aggrieved party." The second option was by groups the Board feels have a concern should have the ability to appeal. He asked that the Board choose one of those two options. .

Chair Woods asked how either option would address a neighbor who lived nearby.

Mr. Graeser was puzzled by that and turned to Ms. Price.

Chair Woods explained that the neighbor might have been out of town and could not attend the meeting where the case was considered.

Mr. Graeser said he had not seen anything about that specifically in the motion.

Ms. Rios opted for option #1 with the addition of any aggrieved person or organization.

Mr. Graeser said the way it was proposed could include "an unnatural person."

There were no speakers from the public regarding this matter.

Ms. Rios moved under #1 that the Board recommend adoption of option #1. Mr. Featheringill seconded the motion and it passed by unanimous voice vote.

2. **Case #H 09-034.** 314 Griffin Street. Downtown & Eastside Historic District. Justin Snyder, agent for Santa Fe Public Schools, proposes to remodel a contributing property by construction of approximately 8,000 sq. ft. of additions on an approximately 22,000 sq. ft. building, altering window openings on a primary elevation, restoration of divided-light windows, reinstallation of triple windows where double windows exist along with installation of brick sill extensions, restucco, and

replace wooden portal posts. (David Rasch)

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

BACKGROUND & SUMMARY:

314 Griffin Street, known as the Carlos Gilbert Elementary School, was designed by Willard C. Kruger in the Territorial Revival style and constructed in 1942 as part of a Works Progress Administration project. A small addition was constructed on the north elevation in 1948 by John Gaw Meem. In 1979, the window openings were reduced from triple installations to double installations with replacement of original windows. Then, in 2004 the windows were replaced again and a low historic wall surrounding the south playground was replaced with a tall metal picket fence.

On December 8, 2006, the New Mexico State Cultural Properties Review Committee (CPRC) unanimously acted to list the property on the state register. The CPRC did not recognize this property as eligible for national register nomination. On February 7, 2007, the HDRB upgraded the historic status of the property to contributing to the Downtown & Eastside Historic District. The east elevation was considered as primary.

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

1. Approximately 8,000 square feet of additions will be constructed on the rear, west elevation in two areas. The amount of added footprint complies with the 50% footprint rule and primary façade rule for additions, Section 14-5.2 (D)(2).
2. All 1-over-1 double-hung windows will be replaced with divided light windows in an historic style which comply with the 30" glazing rule, Section 14-5.2 (E)(1)(c).
3. The triple windows will be restored where double windows exist on the east façade. Brick window sill extensions will mimic the historic brick window sills.
4. As part of the upgrade to ADA compliance in the building, an elevator and stairwell construction will require the alteration of window openings on the east primary façade just to the north of the main entrance. Presently, there were three single windows on the second floor and one single window on the ground floor along with multiple applied utilities.

The applicant proposes to install paired double-hung windows with transoms and an applied pediment flanked by single double-hung windows with transoms. Although this proposal violates the primary elevation rule for historic openings (Section 14-5.2 (D)(5)(ii) and (iii)), this pattern retains the symmetrical theme on the building and it will be duplicated on other elevations. Also, it was in keeping with Territorial Revival design and with similar features on other Meem structures.

In 2007, the applicant mentioned the need for ADA upgrades and the Board discussed how they would work with the applicant to achieve this need. See attached minutes from the February 7 hearing.

5. The historic wooden portals on the east (primary) and south elevations will be replaced to match the existing portals. (Mr. Rasch thought this statement had changed.) According to Section 14-5.2 (D)(5)(b), historic materials shall be repaired rather than replaced and in the event of replacement, the new material shall match the historic material being replaced in composition, design, color, texture, and other visual qualities. The applicant was concerned with maintenance issues and was considering replacement with wood or vinyl which will be painted. The Board will discuss that.

6. The building will be restuccoed and the trim color will be restored to white. The applicant was considering cementitious stucco.

7. Other site improvement will be performed, including the replacement of concrete sidewalks with earth-toned concrete. A 6' high stuccoed wall and wrought iron gate were also proposed and details were submitted.

STAFF RECOMMENDATION:

Staff recommends approval of this application with the condition that historic materials be retained, as much as possible, in order to maintain the contributing historic status and that the primary elevation alteration is in keeping with the character of the architectural style.

Chair Woods clarified that on this case the Board would give recommendations and it was not an action item because they already had gotten their permit.

Mr. Rasch agreed that they were not taking formal action but was not sure they had their permit yet. He clarified that they would be going through CID.

Present and sworn was Mr. Claudio Vigil, 1801 Rio Grande Blvd, Albuquerque.

Chair Woods invited him to present and then have questions from the Board.

He agreed and agreed to also address the Board's questions.

Chair Woods announced the appeal process to the public.

Mr. Vigil showed the front elevation and said they originally considered replacing the wood completely. They were using the original plans and details. Mr. Rasch had said the ordinance called for keeping the original wood and only replacing the damaged portions. The School Board agreed to keep the original wood and refinish it. They gave the contractor those instructions.

He pointed out the damage to the stucco and wanted to use synthetic stucco but at this point was amenable to using cementitious stucco.

The power lines would be eliminated and electric utilities put underground.

He showed a piece of wire railing and the railings they were proposing would match that.

He showed where the windows would be replaced and would be similar to the triple windows shown on the right. He commented that they seemed to have used whatever materials were on hand in 1942 and it was completely uninsulated.

He handed out elevations to the Board [attached as Exhibit A].

He pointed out that the traffic on Griffin Street made the front door unusable. They concentrated their efforts on one elevation and were cleaning it up. It was an extremely small site of 3 acres where usually now were 10-20 acres.

They agreed to match the current brick coping. He showed the existing west façade and what they would do to it.

There were no speakers from the public regarding this case.

Chair Woods thanked him for coming before the Board and for putting money into this school. She said she had been in Santa Fe 35 years and her office was across the street and she appreciated that the School Board decided to keep this historic downtown school.

Ms. Rios thanked him for the changes too. She noted that some of the construction had already begun. She asked what the total square footage and percent of lot coverage were.

Mr. Vigil said his educated guess was about 33% lot coverage. The existing area was 29,000 and this would add 8,000 sq. ft.

Ms. Rios asked if they would have true divided light windows as opposed to snap ins.

Mr. Vigil said the windows were architectural series. They were aluminum and would open from the bottom. It was not a snap in.

Ms. Rios noticed brick pilasters on a Territorial style building. She asked the Board's opinion.

Mr. Featheringill favored stucco with a brick cap. He also liked the wrought iron and was disappointed when that very modern white wall was put up.

Mr. Vigil said they would take that into consideration. He said the revised elevation he handed out had yellow highlighted areas and was different than what was in the packet. They were proposing 8' high where the trash bins were located. Otherwise, they liked the lower height.

Mr. Rasch referred to page 40 with proposed floor plans where the Board could see the additions in the rear. The foundations had been poured and the sidewalk had been removed and playground bases

laid. Those were the only things that had been done at this point.

Ms. Mather was delighted with the triple windows. She asked if on the new construction any vinyl was involved in the portals.

Mr. Vigil said the portals were wood portals identical to the original.

Mr. Featheringill said the synthetic stucco was not authentic to the historic district. And synthetic over cementitious would trap moisture in there. He thought a good coat of cementitious would be beneficial.

Mr. Vigil said the School Board had approved it so they would relath, do a base coat and cementitious stucco would be used.

Ms. Rios asked if there would be any roof top appurtenances.

Mr. Vigil said there would not be any. They had one single unit on the center of the building behind a screen wall. It would be the first air conditioning there.

Dr. Kantner also applauded their work to his alma mater. He asked why the fence around it at 6' 8" had to be that high.

Mr. Vigil clarified that the wall was 6' 8" but the fence was 5'.

Chair Woods said it was partly so balls wouldn't be thrown out into the street.

Chair Woods respected how conscientiously they did this plan. There were pediments on the doorways and they now introduced them to the windows. They were different than what was there but not a bad thing.

Mr. Vigil pointed out that some of Meem's buildings used those characteristics.

Chair Woods referred to C-1 for the new entrance. That was a new element where the existing portals were less. This was a big structure.

Mr. Vigil referred to the example at the Palace of the Governors and it also announced where the doorway was. It was also done that way by Meem on St. Vincent's hospital. Since the main entrance was moved, that was the rationale.

Chair Woods said on the portal, the horizontal structure seemed built up and very heavy to her. It made the portal seem lower and heavier. She asked if part of it could be lightened up a little bit.

Mr. Vigil said the other side of the portal had the same beam structure. By the time they got those beams across and the insulation, it would be difficult to lower it much.

Chair Woods clarified that she just meant to lessen the horizontal structure there. On the far right doorway and the horizontal with tiny lights on it. It was on B1. She asked if those were new or existing - those tiny little divided side lights.

Mr. Vigil explained that it was a corridor exit and would be the new kitchen that needed to be wider.

Chair Woods thought the muntin pattern was consistent until there where you have a horizontal pattern. She asked if he would be willing to make those vertical. Mr. Vigil agreed.

Chair Woods summed up by Board's issues. She said she preferred stucco pilasters to brick. She thanked him for presenting the project and wished them well in all their efforts.

Mr. Vigil said they hoped to open the doors in January. It had been a nice cooperative process.

I. OLD BUSINESS

1. **Case #H 09-013.** 1047 Old Santa Fe Trail. Historic Review District. Sommer, Karnes & Associates, LLP, agents for Michael McAdams, proposes to construct yardwall, vehicular gates, and pedestrian gates to a height of 6' 6" where the maximum allowable height was 5' 5" and hardscaping on a non-designated property. (Marissa Barrett)

Ms. Barrett presented the staff report for this case.

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.

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.

Ms. Rios asked staff what the adjacent wall height was.

Ms. Barrett referred to page 19 that had the wall calculations. Staff also measured them. 96" on one side and 81" on the other. Page 23 gave the applicant's measurements.

Present and sworn was Mr. Karl Sommer, P. O. Box 2476 on behalf of Mr. McAdams who had a death in the family.

He said they were coming back with a different design and Ms. Barrett aptly characterized the changes. The gates were lowered and were no higher than the pilasters. What was shown here were the

old designs.

The other changes were landscaping and lowering the wall by six inches. Mr. McAdams was not willing to move it back because of mature landscaping and because his house was also closer to the street according to him as a reason why it was not acceptable. This design matched the existing street setbacks on both sides.

Public Comment

Present and sworn was Mr. Bill Dushaw, 501 E Coronado and was present representing the Old Santa Fe Trail Neighborhood Association. They had followed this request since the original submittal. The Secretary came to the last meeting and stated their concerns. This had come before our board a number of times. They also measured the walls. The presentation Ms. Barrett gave was correct. When looking at the wall from the road, a 5' 5" wall was a 7' wall from the road. There were no sidewalks in the area. There was an unwalkable grade next to the wall.

He presumed the owner wanted that wall was for privacy and security. The neighborhood tried to uphold the historical character of the area and the basic designs within Old Santa Fe Trail. If you go down to Camino Corrales, the walls were all lower and to the east. There was a new wall being built near there across the road at 5' 6". The Association saw no reason to change the character along Old Santa Fe Trail and as a board was against this height.

He said he was a builder and understood the desires for privacy and aesthetics. But this did not follow the existing conditions in the area.

He talked about some hardscaping on undesignated properties. A board member had heard about but he did not know what it was. He said they had fairly strict covenants that had been upheld at the Supreme Court. They had heard it might be turned into a boutique hotel and the Board was against any such commercial use of this property.

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

Mr. Sommer said the owner had no intention to convert this to a hotel or any other commercial purpose.

Ms. Rios asked for the existing height of the fences.

Ms. Barrett said they ranged from 5' 5" to 5' 8". They were asking for 6' 6".

Ms. Rios asked if it varied in height.

Mr. Sommer said it did step down.

Ms. Rios asked if the wall to the west was higher.

Ms. Barrett said both sides were higher than existing. Most of that would step down.

Ms. Rios asked for the width of the wrought iron gate.

Mr. Sommer said it was 24' wide and its height was even with the pilasters.

Ms. Mather asked him to point out where the six foot six inch area was.

Mr. Sommer pointed it out.

Mr. Sommer commented briefly on landscaping. He said the rock was brown moss rock. It was part of the application.

Mr. Mark Leach was sworn in. He said the overall structure's highest part was 9' and the gate way had a pair of five foot wide gates.

Ms. Rios asked Mr. Featheringill if he thought this was a bit massive.

Mr. Featheringill said it was a very massive gate but for the wall to be over 6 feet, one would need a six 8 door so this was not that much.

Mr. Sommer clarified that it was at natural grade.

Dr. Kantner asked if the wall stepped back so it was not continuous and jogged toward the house. Mr. Sommer agreed.

Dr. Kantner asked if that was true with the fence as well.

Mr. Sommer said the fence was straight.

Dr. Kantner asked what the set back was.

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

Mr. Sommer said the offset was four feet from front to back.

Ms. Rios asked if on the pedestrian gate they would consider deleting the stucco area over the gate to soften it.

Mr. Sommer asked if she meant to use the sides as pilasters. Ms. Rios agreed.

Mr. Sommer said he could call and ask Mr. McAdams once they got through all the questions and then they could come back after Ms. Goodwin's case.

Dr. Kantner commented that the other gate seemed to be not visible and wondered if it would be that successful or whether another solid gate for egress would be more appropriate.

Mr. Sommer said the owner was trying to accomplish having the prominent gate be the introduction to this property and not have people make the mistake of seeing the other gate as an entrance. That was discussed at the previous meeting.

Ms. Mather thought lowering the walls in that area to 5' 8" would seem to be a good compromise to meet the needs of the neighborhood and be more in keeping with the Old Santa Fe Trail Association.

Mr. Sommer said he would take that up with him but said he had talked with him about it before.

Chair Woods asked Ms. Barrett to clarify the latitude the city gives.

Ms. Barrett said it was a guidelines created in 1991 that said a wall height should not exceed 20% of the streetscape. She explained how it worked. It was up to the Board's discretion and was not actually part of the code.

Mr. Rasch read the code citation and said the Board might consider the standard deviation in addition to the wall and fence guidelines.

Chair Woods asked if this would increase the average on that street. Ms. Barrett agreed.

Mr. Sommer said the one concern was that the ordinance also took into account barbed wire fence. A four foot wire fence introduced something that was not even a structure. This was an artificial element that was part of the Board's discretion. He and the applicant acknowledged it was totally in the Board's discretion.

He referred to the wall height across the street for comparison.

Ms. Barrett explained that it was set back 20' and staff had discretion.

Chair Woods noted that it started as a wire fence and then became coyote fence and now was masonry wall. The wire was maybe 3.5 to 4' fence and now it has gone to 6½'.

Mr. Sommer pointed out that the guidelines treated wire fences the same as walls and coyote fences. He agreed entirely that Old Santa Fe Trail changed when wire fences were removed. But the height calculation took the same consideration of a wire fence.

Chair Woods said it could have been counted as zero so it was to their advantage.

Ms. Rios moved to temporarily table this case. Dr. Kantner seconded the motion and it passed by unanimous voice vote.

Mr. Sommer said he would ask about over the gate, finish grade on front end also and lowering the wall.

2. **Case #H 08-138.** 1615 Cerro Gordo. Downtown & Eastside Historic District. Sandra Goodwin, owner/agent, proposes to replace the 14' 8" high pitched roof with a 16' high pitched roof where the maximum allowable height was 15' 10". An exception was requested to exceed the maximum allowable height (Section 14-5.2(D,9). Also proposed was to remodel a non-contributing building by addition of an approximately 100 sq. ft. addition, adding stone columns, and installing two manual vehicular gates to a height of 4' where the maximum allowable height was 4' 7". (Marissa Barrett)

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

BACKGROUND AND SUMMARY:

The pitched roof, single family residence, located at 1615 Cerro Gordo was downgraded in historic status from contributing to non-contributing by the HDRB in 2006 based on major alterations and loss of historic material. The Board approved window and door alterations and a small porch addition on Aug. 22, 2006. On June 12, 2007 the Board approved walls and fence to not exceed the maximum allowable height of 4' 9" on the street facing elevations and that all three vehicular gates were open steel frame and that the final design be approved by staff. The building was now listed on the Official Map as non-contributing.

This application proposes the following changes:

Replace the existing 14' 8 ½ "high red pro-panel pitched roof by laying a new standing seam roof over it. The new roof will be to a height of 16' where the maximum allowable height was 15' 10". A height exception was requested to Section 14- 5.2 (D,9) to exceed the maximum allowable height by 2". As required by code the applicant has answered the exception criteria in Section 14-5.2 (C,5,c,i-vi).

[Although not read as part of the staff report, the exception criteria responses are included here for the record.]

1. Do not damage the character of the district.

Response: The current roof, which includes a pitch very similar to the proposed roof, was in keeping with the character of the entire neighborhood. The height of the proposed roof was 2 inches higher than the allowable height in the streetscape, which was the minimum necessary to install a new roof given the house design and physical limitations present. The house with a pitched roof was part of the strength of

the character of Cerro Gordo and Eastside areas. Allowing me to replace the roof with a pitched roof will not damage the character of the neighborhood.

Staff concurs that replacing the pitch roof with a slightly increased height will not damage the character of the district and the minimum 2" height increase will not be noticeable.

2. Prevent a hardship to the applicant or an injury to the public welfare;

Response: The roof was in need of replacement, as there were numerous leaks and perforations that cannot be repaired. The leaks have caused, and continue cause damage to the structure. The proposed exception would allow for a provision of replacement roof will prevent further damage.

Staff concurs that the roof was in major disrepair and recommends replacement with a pitch with the 2" height increase to properly install the roof.

3. Strengthen the unique heterogeneous character of the City by providing a full range of design options to ensure that residents can continue to reside within the Historic Districts.

Response: The proposed roof, as stated above, was in keeping with and actually makes up part of the unique character of the streetscape here. The house was originally constructed by Mr. Martínez, who was a member of the Martínez Family that has resided on Cerro Gordo for well over two centuries. The home with its pitched roof was characteristic of the manner in which homes were traditionally built by the Hispanic families on the Eastside.

Staff concurs that the pitched roof was a unique part of the character of the streetscape and recommends the roof remain a pitch. The slight height increase and pitch reconfiguration will strengthen the character of the City.

4. were due to special conditions and circumstances which were peculiar to the land or structure involved and which were not applicable to other lands or structures in the related streetscape.

Response: The existing roof was not susceptible to repair without replacement due to its age and construction, which construction violates existing building codes. This was not the fault of the applicant and was unique to the subject property.

Staff concurs that the roof was in a state of disrepair due to the age and numerous penetrations in the roof which was unique to the building.

5. were due to special conditions and circumstances which were not the result of the actions by the applicant.

Response: The current condition of the roof was due to the passage of time and the fact that the roof was built prior to the enactment of the existing building codes. The roof's deterioration was not the result of actions by the applicant. The proposal was intended to provide for greater physical stability and protection of the structure and was similar in scale and nature to the existing roof.

Staff concurs that the state of the roof was not the result of the applicant and that the construction of the roof was not up to building code standards. Proper replacement of the roof with a pitch requires the 2" height increase.

6. *Provide the least negative impact with respect to the purpose of this section as set forth in 14-5.2(A)(1).*

Response: The proposed roof will have no negative impact on the neighborhood. Denial of the application and the requirement that the roof be rebuilt as a flat roof would have a negative impact on the neighborhood, as it would remove one of the unique characteristics of the house and the area.

Staff agrees that replacing the existing pitch with a pitched roof only 2" higher than the maximum allowable height instead of replacing it with a flat roof was the least negative impact on the street.

The new roof will be a dark brown in color or another color as regulated by the escarpment zoning overlay district. The roof includes a dormer with prairie style window on the north elevation. Three skylights were proposed which was a reduction from the 12 that exist.

The applicant also proposes remodeling the existing portal on the south elevation by extending it approximately 100 square feet and replacing the wood posts with stone columns to match the existing stone work on the property. Since the stone work was minimal and was an accent it was permitted by code.

Lastly proposed were two manual vehicular gates. The gates were 12' long and 4' high where the maximum allowable height was 4' 7". The gates will be constructed from steel with latillas attached. The gates were connected to 5' 7" stone pilasters.

STAFF RECOMMENDATIONS:

Staff recommends approval of the application including the exception to exceed the maximum allowable height by 2" citing the exception criteria has been met and the exception will not have a negative impact on the streetscape. Staff recommends the condition that the skylights were flush with the roof and not publicly visible and that the coyote latillas on the gate were irregular in height. 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.

Mr. Sommer explained that- this property was unique in many ways and Ms. Goodwin's work honored its character and maintained the character of the district. She needed to get the roof design approved and staff preferred to keep the pitched roof. The roof was not insulated and removing it could affect the integrity of the house so the new roof would be put in on top and the current roof had over 45 penetrations so it must be replaced. The escarpment district did not allow pitched roof so she had to get a variance. The exception requested was for 2" on height.

There was a lot of rich history behind what she had done. There were many neighbors who were

impacted by this and they were here to speak in favor and would be most directly affected by it. He thanked Ms. Barrett for working on this before leaving on her honeymoon. There were people here to speak in favor of it.

Public Comment

Chair Woods asked that they all be sworn together and they not repeat each other.

Ms. Linda Schmai, 799 Paseo de Forenzia said she was Ms. Goodwin's immediate neighbor to the north and was a member of two neighborhood associations. El Cañon and the Canyon Road Association. She said El Cañon was in favor of all the variances and the Canyon Road Association would not oppose it. All the neighbors loved what she was doing to the property and trusted her and her attorney "to do everything as good as was possible with all the City regulations." What she was going to do would greatly improve what was there and was in favor of the variances.

Mr. Dan Gorham, 1668 Cerro Gordo Road, said he was born in the old St. Vincent's Hospital in 1949. He had seen a lot of change over the years and thought what Ms. Goodwin was proposing was symbolic of her sense of taste. He had visited her in her home and knew that what she did was exemplary and he was a strong advocate of it.

Mr. Tomás Lipps, 116 Lovato Lane said he had lived in Santa Fe for 30 years. He received approval on a project in 1987 and had been involved in restoration work as a member of the stone masons.

He was approached by Ms. Goodwin to do a quote on her property. He saw what she had done and advised her on procedures and worked with the stone mason she hired. He said he could not speak to the height aspects but what she had done was extraordinary and kept to the principles involved.

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

Ms. Rios asked if she was proposing a standing seam roof.

Present and sworn was Ms. Sandra Goodwin who said it was a standing seam roof. She proposed a brown color or a color the Board would prefer.

Mr. Sommer showed the material sample.

Ms. Mather said on the south elevation on page 19 it appeared that the roof would extend out without a post there and asked if that was accurate.

Mr. Sommer thought the drawing was distorted.

Ms. Goodwin thought it was the CAD program. The pilaster would be at the corner. The drawing was a distortion.

Ms. Rios asked if there was anything else on top of the roof.

Mr. Sommer said there was nothing else and there would be no rooftop appurtenances.

Ms. Goodwin said she was reducing 12 skylights to 3 that she would keep.

Dr. Kantner asked for clarification if these were new skylights or a reduction of old skylights.

Ms. Barrett said they would be new and the Board would look at them as new.

Mr. Sommer said they would not be publicly visible but would be visible from the private street there. From the top of Atalaya you would see them but not from Canyon Road.

Ms. Rios moved to approve Case #H 08-138 per staff's recommendation with a brown standing seam roof, pilasters at the corners and three low profile skylights and finding that the exceptions have been met. Mr. Featheringill seconded the motion. He asked if the overhangs could be limited to 18".

Mr. Sommer clarified that the current overhang was two feet and they had no plans to change it. Mr. Featheringill said okay.

The motion passed by unanimous voice vote.

3. **Case #H 09-002.** 714 Gildersleeve. Don Gaspar Area. Cavalry Custom Construction, agent for Marion Tassin, proposes to amend a previous approval to remodel a contributing property by removing the existing rooftop mechanical units and parapet in order to reconstruct the roof and parapets with a height increase from approximately 12' 5" to 13' where the maximum allowable height was 15' 1", construct a stairwell and basement access door on the west elevation, relocate an historic window on another elevation from a primary elevation where an ADA entry door will be installed and construct an 80 sq. ft. deck on the rear. An exception was requested to construct an addition at less than 10' back from a primary elevation (Section 14-5.2 (D)(2)(d)). (David Rasch)

Mr. Featheringill recused himself from consideration of this case.

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

BACKGROUND & SUMMARY:

714 Gildersleeve Street was a single-family residence and free-standing garage that was constructed in Pen tile before 1930 in the Spanish-Pueblo Revival Style. An addition at the rear of the residence was constructed before 1958. The buildings were listed as contributing to the Don Gaspar Area Historic District. In 2006, the H-Board conditionally approved an application to remodel the property by replacing non-primary elevation windows, constructing a 148 square foot addition on the north elevation of the

garage at less than 10' back from the primary elevation, and altering yardwalls and fences. The textured stucco was required to be retained. The east and south elevations of the residence and the east elevation of the garage may be considered as primary.

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

On February 24, 2009 the H-Board granted approval to remodel the property including increasing the height of the parapets to screen roof-top mechanical units and ductwork, construct a carport on the primary elevations of the garage and residence, and to replace walls, fences, and gates.

Now, the applicant requests to amend the previous approval with the following four items.

1. Due to structural issues found after commencing the remodel, the roof and parapets will be removed along with the rooftop mechanical units. The mechanicals will be relocated to the ground and the roof and parapets will be reconstructed. The parapet height will be increased by 6" to accommodate an 8' interior ceiling height. The height will increase from 12.5' to 13' where the maximum allowable height was 15' 1". A parapet will be added to the west, non-primary elevation where a shed roof presently exists.

2. A historic window on the primary south elevation will be removed and replaced with an ADA-compliant entry door in the same opening width and height. The historic window can be reused elsewhere on the building.

3. A basement will be excavated below the building and an access stair and below-grade entry door will be constructed on the west elevation.

4. An 80 square foot deck will be constructed on the west elevation at 1' back from the south primary elevation. An exception was requested to construct an addition at less than 10' back from a primary elevation, Section 14-5.2 (D)(2)(d), and the criteria responses included below.

[Although the responses to the exception criteria were not read, they are included here as part of the record.]

i. Do not damage the character of the streetscape;

The installation of a walk deck will have no adverse impact on the streetscape in that it would be barely noticeable, if at all from the street, (see attached photo).

Staff was in agreement with this response.

- ii. Prevent a hardship to the applicant or an injury to the public welfare;

The installation of this walk deck was of critical importance to the safety and welfare of the owner and anyone else who exits the doorway onto the current landing. I have tripped and almost fallen down the stairs of the current configuration. The current configuration was too short to be practical or safe in that the width of the top of the landing was too short for a normal step. The first step out of the doorway almost places your foot on the second step down, (see attached photo).

Staff was in agreement with this response, non-compliant steps were not an acceptable situation.

- iii. Strengthen the unique heterogeneous character of the City by providing a full range of design options to ensure that residents can continue to reside within the Historic Districts;

In light of the above, the installation of this walk deck will not only serve to improve the safe environment of the home, but it will also provide an exceptionally nice addition to the aesthetic nature and feel of the primary bedroom to the outside of the yard. In so doing, adding pleasure, enjoyment and enhanced value to help "...insure that residents could continue to reside within the Historic Districts".

Staff was in agreement with this response, outdoor living area was an important aspect.

- iv. were due to special conditions and circumstances which were peculiar to the land or structure involved and which were not applicable to other lands or structures in the related streetscape;

This exception was requested and required due to the significant (30") difference in elevation between the exterior door of the primary bedroom and the finished grade of the yard. The house next door has a similar situation and it was resolved by adding a balcony/porch off the primary bedroom exterior doorway.

Staff was in agreement with this response that the sloping site has not been solved.

- v. were due to special conditions and circumstances which were not a result of the actions of the applicant;

Clearly, the special circumstances for this requested exception were not the result of any actions of the applicant. The unsafe and unusable landing was built prior to 1958.

Staff was in agreement with this response.

- and vi. Provide the least negative impact with respect to the purpose of this section as set forth in paragraph 14-5.2 (A)(1).

As requested and designed, the installation of the walk deck area solves a real and significant safety issue while being virtually undetectable and shielded from view from the street while allowing the owner greater latitude in the complete enjoyment of her home and a tangible return on her significant contribution to the

historic and architectural preservation of an element of the Don Gaspar Historic District.

This proposed design was the least negative in impact to the building especially since it was not a roofed addition.

STAFF RECOMMENDATION:

Staff recommends approval of the exception request to construct an addition nearer than 10' to a primary elevation and with the conditions that the parapet undulations/steps were retained and that the historic window be reused on another elevation. Otherwise, this application complies with Sections 14-5.2 (C) Regulation of Contributing Structures, (D) General Design Standards, and (H) Don Gaspar Area Historic District.

Ms. Mather asked if it was a wooden deck. Mr. Rasch agreed and said it was less than two feet off the ground.

Present and sworn was Mr. James Weatherford, PO Box 2450, Santa Fe, who handed out more current drawings to the board [attached as Exhibit B]. He said the project had changed significantly since the beginning. They would be hand excavating a basement under the house without changing the exterior square footage. They could remove the A/C from the roof that would keep them from having to raise the parapet. Now they would put the unit behind the garage and hide it and the air handlers would be in the basement. They were able to keep the approved walls about 20% below the approved height and the garage walls reduced below what was approved.

Ms. Rios was sorry for what he found but glad he didn't have to raise the roofline and that it worked out this way.

Mr. Weatherford said the only thing holding the parapet up now was three coats of stucco and some wire. The only way was to take it off, put a bond beam on the pen tile and rebuild the parapet. It would mimic the exact profile they had now and the house would look exactly the same as it does now.

Ms. Rios asked how they would insure it was exact.

Mr. Weatherford replied that Mr. Featheringill was the architect and they would work very closely together on it to replicate it.

Ms. Mather asked where he intended to use the historic window.

Mr. Weatherford explained that the historic window was at Sun West being rehabilitated. It would be moved to the north side into that existing opening and the window that had been there would be used in the stairwell down to the basement. All of the original windows were being used.

Ms. Mather said the original approval included that the existing stucco texture be retained. She asked if that would still be done.

Mr. Weatherford said the short answer was probably not. On the inside of the house, he found the early stucco on that home was a smooth almost dirt looking stucco. He had given pictures to Mr. Rasch and had a piece of it, as well. The west side was added on to and that finish was covered up. He actually exposed an exterior wall that was inside and the chimney - the inside of it - you could see that the stucco was wrapped over it. He found a picture taken around 1940 and sent a copy to Mr. Rasch that showed a smooth white stucco on that home.

Mr. Rasch said since part of that was removed for the parapet they need to resolve the stucco finish.

Ms. Rios asked what color it would be.

Mr. Weatherford said it would be a mud brown similar to the home next door and maybe a little darker.

Dr. Kantner asked Mr. Rasch if the stucco evidence was sufficient. Mr. Rasch agreed.

Dr. Kantner asked if the rock wall was to be approved by staff.

Mr. Rasch said it was approved by staff.

There were no speakers from the public regarding this case.

Dr. Kantner moved to approve Case #H 09-002 as recommended by staff and affirming that the responses met the exception criteria Ms. Rios seconded the motion and it passed by unanimous voice vote. Mr. Featheringill was not present for the vote, having recused himself.

Mr. Featheringill returned to the bench after the vote.

Ms. Rios moved to remove Case #H 09-013 from the table. Ms. Mather seconded the motion and it passed by unanimous voice vote.

1. **Case #H 09-013.** 1047 Old Santa Fe Trail. Historic Review District. Sommer, Karnes & Associates, LLP, agents for Michael McAdams, proposes to construct yardwall, vehicular gates, and pedestrian gates to a height of 6' 6" where the maximum allowable height was 5' 5" and hardscaping on a non-designated property. (Marissa Barrett)

Mr. Sommer reported that he had spoken with the owner who agreed, per Ms. Rios' request, to take off the massing over the gate and redesign it as suggested. Regarding the wall height, he reminded the board that the wall stepped as was pointed out. He was willing to construct the wall no higher than 6' 3 and no lower than 5' 9". He also confirms that it was at natural grade, not finished grade.

Chair Woods permitted further public comment

The former speaker from the Old Santa Fe Trail Association thanked Mr. McAdams for the

compromise. He thought it was good and he hoped it would not set a precedent in the future. He thanked the applicant and Mr. Sommer.

Ms. Rios moved to approve Case #H 09-013 with the condition that the massing be removed from over the pedestrian gate, that the wall vary from 5' 9" high to 6' 3", and that the gates be in proportion to the wall height. Ms. Mather seconded the motion and it passed by unanimous voice vote.

J. NEW BUSINESS

- 1. Case #H 09-030.** 111 Kearney Road. Downtown & Eastside Historic District. Peter T. White, owner/agent, proposes to construct a coyote fence ranging in height from 3' to 6' where the maximum allowable height was 4' 11" to 6' on a non contributing property. (Marissa Barrett)

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

BACKGROUND AND SUMMARY:

The Spanish Pueblo Revival style single family residence located 111 Kearney Road was built between 1940-1942 and has received minor alterations which include an addition and a portal infill. A 2006 Historic Cultural Property Inventory suggests that the building was contributing. The Official Map lists the building as non-contributing to the Downtown and Eastside Historic District. No changes were proposed to the building at this time.

The applicant proposes to construct a coyote fence along the east property line adjacent to the existing braided wire fence. The coyote fence will be to a height of 3' for the first fifteen from the street to meet the triangle visibility rule. The fence will then step up to the maximum allowable height of 6' and will run for approximately 48'. The latillas will be irregular in height and the stringers will face the interior of the lot. The braided wire fence will not be altered.

STAFF RECOMMENDATIONS:

Staff recommends approval 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. Peter White, 501 Hillside Avenue. He explained the reason for the fence was that the adjacent property contained two rental units and the trash was not secured and blew through the wire fence. So lots of trash accumulated in their driveway.

The City provided trash bins but they were placed adjacent to the front door of 111 Kearny Road and the fence would block their visibility. The fence would begin ten feet from the southeast corner going north to the window at the outside wall. The coyote fence would also provide some privacy from their entry.

There were no speakers from the public regarding this case.

Ms. Mather moved to approve Case #H 09-030 as submitted. Ms. Rios seconded the motion and it passed by unanimous voice vote.

Chair Woods said she had no financial interest in the next two cases but the applicant requested that she recuse herself from them because her company had a former relationship. Vice Chair Rios presided.

2. **Case #H 09-031.** 532½ & 538½ Agua Fria. Westside-Guadalupe Historic District. Wolf Corporation, agent for Railyard Apartments, proposes to amend a previous approval to remodel a non-contributing residence by increasing the height from 10' 6 to 12' 6" where the maximum allowable height was 16' 5" and replacing doors and windows. (David Rasch)

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

BACKGROUND & SUMMARY:

532½ - 538½ Agua Fria Street was a multi-family structure that was originally constructed as several free-standing buildings between 1930 and 1953 which were combined into a single structure during a non-historic period. The building was listed as non-contributing to the Westside-Guadalupe Historic District.

On April 22, 2008, the Board downgraded the historic status and approved remodeling of the building which included removal of the shed roof, increasing height with a brick parapet, altering all window and door opening locations and dimensions, installing roof-top mechanical units, restuccoing, maintaining a pine tree, and constructing yardwalls.

Now, the applicant proposes to remodel the building with the following three items.

1. The building height will increase from 10.25' to a maximum of 12' 6" instead of 13' with a step in the height where the maximum allowable height was 16' 5".
2. The windows and doors will be redesigned.
3. The fireplace chimneys will be deleted.

STAFF RECOMMENDATION:

Staff recommends approval of this application which complies with Section 14-5.2(D) General Design Standards and 14-5.2(I) Westside-Guadalupe Historic District.

Present and sworn was Mr. Walter Jordan, 2307 Guadalupe Place, who believed that the previous approval included the height change. Now they were not changing the height, just the fenestration.

Ms. Mather asked why they were changing the fenestration.

Mr. Jordan explained that they were simplifying it by taking away the double doors and putting in single units. They were consolidating two units into one.

There were no speakers from the public regarding this case.

Vice Chair Rios asked if there would be anything on the roof that would be visible.

Mr. Jordan said there would not

Ms. Mather moved to approve Case #H 09-031 as submitted. Mr. Featheringill seconded the motion and it passed by unanimous voice vote. Chair Woods was not present for the vote, having recused herself.

3. **Case #H 09-032.** 511 Paseo de Peralta. Downtown & Eastside Historic District. Jeff McFall, agent for Eric Fuentes, proposes to amend a previous approval to construct seven residential units for a total of 10,168 sq. ft. to the maximum allowable height of 19' 6" with alterations to window and door locations. (David Rasch)

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

BACKGROUND & SUMMARY:

515 Paseo de Peralta, Tract 2 was a brick apartment building that was constructed before 1890 in the Neoclassical – Territorial style. The building was finished with textured stucco and brick coping at the parapets. The building has undergone moderate historic alterations and was listed as Contributing to the Downtown & Eastside Historic District. There were associated historic buildings and stone walls on the property.

Tract 1, also known as 511 Paseo de Peralta, was a 20,350 square foot lot to the west of Tract 2 and with a slope down toward the street. This lot includes part of the streetscape stone wall and other stone retaining walls further back from the street. Initially, the applicant proposed to construct eight Units on this lot for a total of 11,176 square feet in four building blocks, two along the streetscape and two along the rear of the lot.

The buildings are designed in the Spanish-Pueblo Revival style with rounded parapets, second-floor balconies, projecting vigas, exposed wooden headers, and portals with carved corbels.

The buildings will be approximately 19' 6" high from finished grade to top of parapets. The maximum

allowable height for this location is 17' 6", as determined by a linear calculation. Topographic information indicates that there was enough slope change on the lot and the Board granted approval for an additional 2' in height.

According to the previous preliminary hearing of this case on August 10, 2004, the applicant has reduced the second-story massing of Units 1 and 2 by 25% and Unit 4 by 15% and reduced the new streetscape wall in length by breaking it into several segments. Further alterations of the application included reducing the two Units along the streetscape to single-story buildings, eliminating Unit 8 at the east end, and significantly stepping back the westernmost rear unit to reduce its visibility.

On August 24, 2004, the Board granted approval for an exception to remove the west end of the historic streetscape wall for driveway access. The lot interior stone walls were partially or entirely removed and the stones were to be reused to construct additional walls and a shadow of the original wall footprint along the driveway. Further remodeling of the wall was allowed by the Board and the Governing Body which lowered the height of the wall at the western half after the Traffic Division requested complete removal due to traffic safety issues.

Now, the applicant proposes to remodel the building façades by altering window, door, fireplace, and portal locations. The previously approved elevations were compared to the proposed elevations on the submittal.

Mr. Rasch said during the site visit the Board needed clarification on lot coverage issues and height issues. He talked with the applicant regarding lot coverage issues and asked him to be prepared to answer those questions. Mr. Rasch also talked with his supervisor and zoning staff about the increase in square footage and how it should be considered by the Board. They both agreed that the Board's purview did not include the zoning standards.

STAFF RECOMMENDATION:

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

Vice Chair Rios asked if the applicant did they renew their permit after the approval in 2004

Mr. Rasch said the Board should verify that with the applicant.

Vice Chair Rios asked if the Board asked the applicant in 2004 to retain the elm trees behind the wall.

Mr. Rasch agreed and not just the elm trees but the retaining walls as well and the applicant should address the engineering involved that caused those retaining walls to be removed.

Present and sworn was Mr. Jeff McFall.

Vice Chair Rios asked if he had anything to add to the staff report.

Mr. McFall said he would answer questions as best he could. He explained that the partners who were involved in the project had parted ways after the last approval. The other fellow was not licensed. Mr. McFall later took it over and was trying to get it back on track. He had a grading and drainage permit based on the original development plan as approved by city staff after the ENN meeting. All the working drawings were submitted without the ENN meeting until city staff caught that. That was part of the reason for the delay.

Vice Chair Rios asked if he was familiar with the project and could explain why the retaining walls were removed.

Mr. McFall said that happened as he was coming on board. He understood that because of the trenching that had to happen and with much of the root system that had to be taken out that they would fall over so the arborist said they should take them out. So now they were putting trees back.

Vice Chair Rios noted that on the historic wall they just sliced it off instead of a more organic treatment.

Mr. McFall said that was done before he was involved but was done in consultation with the Traffic Department. He said they could step it to make it look more natural.

Vice Chair Rios asked how much height and what square footage they were now requesting.

Mr. McFall said they reduced the scope from the original project. The lot was drawn bigger than it actually was. They reduced the area of the building and decreased the roofed area and slightly decreased the heated area.

He showed on the plan on unit four at the NW corner that there was a portal proposed on the first floor and the second floor would come up higher but the roof was part of the deck. So he moved the roof line out to match the first floor. It slightly increased the second floor area to line up.

The other change was to unit 1. He took a foot and a half out of the living room and moved it into the bedroom. It was just a trade of square footage. The other things that changed were the footprints of the portals themselves. The back property line had been shown seven feet further than it should have been. He took the portals down slightly. In the new proposal for unit 7 he moved the corner down and broke up the corner a little. There was no increase in height.

The heights were not indicated on the elevations because he didn't think the Board could read them. The parapet heights were exactly the same. He thought he would have to raise the height on 7 because of a fire wall but didn't need to.

Vice Chair Rios asked if the changes were minimal then.

Mr. McFall agreed. He said they were at 40% lot coverage.

There were no speakers from the public regarding this case.

Mr. McFall said, overall, the interiors were just reduced. They tried to rearrange the units and move the windows slightly. It was required because of internal changes.

Vice Chair Rios asked if all windows were true divided lights as opposed to snap ins.

Mr. McFall said they would be architectural series.

Vice Chair Rios asked about the timeline.

Mr. McFall said they wanted to get the building permits as soon as possible in order to make the financing work.

Ms. Mather asked if the light fixtures were to come back on the original submittal.

Mr. Rasch did not recall.

Mr. McFall said there were places where they had to use four- coat cementitious and other places where we wanted to use synthetic.

Vice Chair Rios asked Mr. Featheringill if there was a requirement to use cementitious.

Mr. Rasch said they always did for adobe. It was not a requirement in the district.

Mr. McFall said the building was locking in places and the controls to make it quiet -

Ms. Mather asked if the stucco would be same color throughout. Mr. McFall agreed.

Mr. McFall said he might have to put cementitious stucco on the fire wall. It was a zero lot line and they had to have two rated walls there.

Mr. Featheringill said it had to be one or the other. When it rains it would look different and when it weathers it would look different.

Mr. McFall agreed to consider cementitious. They would also taper the walls - the whole walls. He did not have the color of the stucco.

Vice Chair Rios suggested the stucco color and exterior lighting could be taken to staff for review and approval. Mr. McFall agreed.

Vice Chair Rios asked what roof top appurtenances there would be. Mr. McFall said there would be

none.

Ms. Mather asked if they would have flagstones or cement walk ways.

Mr. McFall pointed out the parking lot and areas for parking. There was a little concrete paving in front of six to unit 7 and some by the handicapped parking space serving 2 and 3.

Ms. Mather asked what he proposed for the decapitated wall.

Mr. McFall said they wanted to save as much as possible.

Mr. McFall said he wanted to flip the stones over. He was not sure what stone was saved.

Vice Chair Rios summarized the discussion.

Ms. Mather moved to approve Case #H 04-114 with the following conditions:

- 1. The windows would be architectural series or true divided.**
- 2. The historic wall would be capped with historic material or stones flipped over.**
- 3. The walkways, and lighting would be submitted to staff.**
- 4. The stucco would be cementitious using color as approved by staff.**
- 5. There would be no visible rooftop appurtenances.**
- 6. The window colors would be reviewed and approved by staff.**
- 7. The wall would not be increased in height.**

Mr. Featheringill seconded the motion and it passed by unanimous voice vote. Chair Woods was not present for the vote, having recused herself from this case.

- 4. Case #H 09-033. 803 Acequia Madre. Downtown & Eastside Historic District. Will McDonald, agent for Anna Davis, proposes to amend a previous approval to remodel a contributing building by constructing a 102 sq. ft. addition, relocating ground-mounted equipment to the roof and replacing a chain-link fence with a stuccoed yardwall to 6' high. (David Rasch)**

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

BACKGROUND & SUMMARY:

803 Acequia Madre was an adobe, approximately 1,139 square foot single-family residence that was constructed in the early 1940s in the Territorial Revival Style. The building has been remodeled with the addition of a hipped roof over the front portal and shed addition beside the portal. These alterations appear non-historic, although the date of remodeling was not established. The building was listed as contributing to the Downtown & Eastside Historic District. The south elevation was considered as primary.

On June 28, 2005, the Board granted conditional approval to remodel the building which included

restoration of the front porch, removal of a non-historic, approximately 60 square foot shed from the southeast corner of the building, construction of an approximately 223 square foot addition on the rear north elevation, repairing all historic windows on the south elevation and the east and west elevations where not affected by the addition or ingress/egress concerns, and that the stucco and trim colors on the addition differ from the existing colors.

Now, the applicant proposes the following four items.

1. A 102 square foot addition will be constructed on the rear of the building. The addition will match the adjacent parapet height and the exterior finishes.

2. The chain-link fence and elm trees along the east lotline will be removed and replaced with a 6' high stuccoed yardwall and aspen trees. The spur wall at the front will be removed in order to gain access to this side alley and a wooden gate will be installed at the rear of this alley.

3. The ground-installed AC unit will be removed and reinstalled on the roof addition and screened by the parapet.

4. The east elevation canals will be fitted with downspouts for water harvesting.

The applicant wants to address window replacement as well.

STAFF RECOMMENDATION:

Staff recommends approval of this application with the condition that the roof-installed mechanical unit shall not be visible from any public way. Otherwise, this application complies with Section 14-5.2 (C) Regulation of Contributing Structures, (D) General Design Standards and (E) Downtown & Eastside Historic District.

Vice Chair Rios said the application didn't include window replacement and that was not included in the notice. She asked if the wall met the guidelines.

Mr. Rasch agreed and clarified that it didn't need to be stepped because it was a side wall and was proposed at the maximum allowable height.

Present and sworn was Mr. Will McDonald, 488 Arroyo Tenorio

Vice Chair Rios complimented him on a house nearby.

Mr. McDonald had nothing to add to the staff report. He had a conversation with Chair Woods who had a concern regarding the diagonal storage room at the back. He was open to squaring that off, if needed.

Vice Chair Rios noted the windows looked like they were in good condition so the Board would probably not be in favor of their replacement.

Mr. McDonald said he understood. It was part of the larger issues regarding historic on the one hand and functional on the other.

Vice Chair Rios explained that they could not act on that tonight.

Mr. McDonald said he understood. The other thing, referring to the site plan, was a door - putting in a dead bolt on the gate. They would like to have it a little beefier to accommodate the dead bolt. It was a 2006 addition.

Ms. Mather asked if the wooden gate was for access by the side.

Mr. Rasch said no and explained that was part of a spur wall on the alley side.

Mr. McDonald said that was the new gate. It was not a walkway now. But the client would like to walk another way into the house so he needed to remove the spur wall and the trees there. There were three canales there.

Ms. Mather asked if it was set back.

Mr. McDonald agreed. He pointed out the drive of the neighbor. He didn't do a drawing of the gate but it would be similar.

Mr. Rasch said it was shown on page 13.

Mr. Featheringill commented that a Territorial building was defined by its squareness. He asked if the applicant had any ideas on how to square it out.

Mr. McDonald said he would bring a wall in just a hair with the other wall. It was there because they were tight on parking but the point was well taken. He thought they could accommodate that request.

There were no speakers from the public regarding this case.

Dr. Kantner moved to approve Case #H 09-033 as recommended by staff with the following conditions:

- 1. That the applicant square off the room in the back;**
- 2. That the gate be approved as requested.**

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

With reference to the windows, Mr. Rasch said there was a task force being set up right now to deal with the window issue of historic vs. energy efficiency and it would be included in the City's Green Code. The Division was doing education. Nationwide the research showed the grain of historic wood was very fine and that wood lasted a lot longer. So they would look at ways to improve energy efficiency with historic

preservation. Storm windows were a solution. Thermal panes could be put in the historic sash. Here, the muntins were a little too narrow to do that.

Ms. Mather said in Sacramento they had to replace windows that were put in during 1980s. You could never get that character back again.

Mr. McDonald said he understood keeping the character but a double pane glass was better. For the Davises where the integrity was good, there might be a way to rebuild the sash, keeping the muntins and constructing a simulated divided light in the architectural series. They could explore ways to do that.

With storms, you have to take them off and put them back on and you cannot open the window to the fine air we have. Integrating those two values were important.

Mr. Rasch said the ordinance was being drafted and one of the issues was that the International Code exempts historic districts from energy efficiency. He didn't think that was okay.

Mr. McDonald thought they could do better. He said Ms. Stevens wanted to speak to this as well.

Mr. Featheringill said storm windows were superior to double pane glass.

Ms. Anna Stevens said she was an urban planner and did take this seriously. One thing that hadn't been addressed was the safety issue. Historic windows were not very safe. She had a minor gas leak in their kitchen and could not get the windows open because two panes had to be lifted at the same time and it would require a very strong person.

Secondly was the whole ingress/egress issue. There was no protection and paid more on insurance because they didn't have one. She related an attack by a rapist because of an open window. They had a state of the art alarm system but took that seriously. They put in triple pane windows in their former house but could not do that in this house. It bothered her that they could not do something like that here.

K. MATTERS FROM THE BOARD

None.

L. ADJOURNMENT

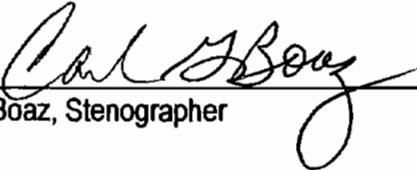
Ms. Mather moved to adjourn the meeting. Dr. Kantner seconded the motion and it passed by unanimous voice vote.

The meeting was adjourned at 8:15 p.m.

Approved by:

Sharon Woods, Chair

Submitted by:



Carl Boaz, Stenographer