



Agenda

DATE 8/15/09 TIME 8:15am
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AMENDED

HISTORIC DESIGN REVIEW BOARD FIELD TRIP

TUESDAY, AUGUST 11, 2009 – 12:00 NOON

HISTORIC PRESERVATION DIVISION, 2ND FLOOR CITY HALL

HISTORIC DESIGN REVIEW BOARD HEARING

TUESDAY, AUGUST 11, 2009 – 5:30 PM

CITY COUNCIL CHAMBERS

- A. CALL TO ORDER**
- B. ROLL CALL**
- C. APPROVAL OF AGENDA**
- D. APPROVAL OF MINUTES**
July 14, 2009
- E. FINDINGS OF FACT & CONCLUSIONS OF LAW**
Case #H-08-138. 1615 Cerro Gordo
Case #H-09-002. 714 Gildersleeve
- F. COMMUNICATIONS**
- G. BUSINESS FROM THE FLOOR**
- H. ADMINISTRATIVE MATTERS**
 - 1. AN ORDINANCE CREATING A NEW SECTION 14-5.2(M) SFCC 1987 REGARDING THE APPLICABILITY OF SPECIAL PROVISIONS AND STANDARDS OF HISTORIC DISTRICT REQUIREMENTS TO STATE CAPITAL OUTLAY PROJECTS. (Mayor Coss) (David Rasch)
 - 2. Case #H-09-052. 201 W. Marcy Street. Downtown & Eastside Historic District. Keith Toller, agent for the Santa Fe Community Convention Center, proposes installation solutions for event signage. An exception is requested to install banners as signage (Section 14-8.10(H)(12)) (David Rasch)
 - 3. Case #H-09-045. 621 Garcia Street. Downtown & Eastside Historic District. JenkinsGavin, agent for Doug and Peggy McDowell, proposes a preliminary hearing to clarify issues of grade changes and structure heights for 6 vacant lots where the maximum allowable heights are 14'1" to 15'11". (David Rasch)
- I. OLD BUSINESS**
 - 1. Case #H-08-002. 463 Calle La Paz. Downtown & Eastside Historic District. Liaison Planning Services, LLC, agent for Michael and Patricia French, proposes to amend a previous approval by raising a side yardwall to a height of 5'9" where the maximum allowable height is 6' and installing a pedestrian gate on a non-contributing property. (Marissa Barrett)

J. NEW BUSINESS

1. Case #H-09-046. 649 Granada/107 Laughlin Street. Don Gaspar Area Historic District. Staff proposes an historic status review for a non-contributing residence and non-statused garage. (David Rasch)
2. Case #H-09-047. 514 Douglas Street. Downtown & Eastside Historic District. Richard Barrett and Sarah McCarty, owner/owner, proposes to remove an approximately 130 sq. ft. non-historic greenhouse addition and construct an approximately 225 sq. ft. addition to a height of 11' where the existing height is 12' on a contributing building. (Marissa Barrett)
3. Case #H-09-050. 949 Santander Lane. Downtown & Eastside Historic District. Will McDonald, agent for Carrie and Eric Rowland, proposes to remodel a non-contributing building by constructing approximately 438 sq. ft. of additions to match the existing height of 17'9", remove a flat roof portal and replace with a shed roof portal, increase the height of a portion of the building from 9'9" to 12'5" where the maximum allowable height is 14'4", replace doors and windows and construct an approximately 1,082 sq. ft. guest house to a height of 13'2" (18'3" on down slope) where the maximum allowable height is 14'4" (18'4" on down slope), reconstruct yardwall and install new gates. (Marissa Barrett)
4. Case #H-09-051. 632 Camino del Monte Sol. Downtown & Eastside Historic District. Architectural Alliance, Inc., agent for Charles and Emily Henry, proposes to remove split rail fence and construct a stucco yardwall to the maximum allowable height of 6' and install a wood vehicular gate and pedestrian gate on a non-contributing property. (Marissa Barrett)
5. Case #H-09-048. 217/217A Closson Street. Westside-Guadalupe Historic District. Joseph Martinez, agent for Michael Anaya, proposes to remodel a contributing residence by replacing historic windows and doors, restuccoing, and replacing concrete. An exception is requested to replace historic material on a primary elevation (Section 14-5.2(D)(5)(a)(1)). (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 August 11, 2009 Historic Design Review Board Field Trip, please notify the Historic Preservation by 9:00 am on Tuesday, August 11, 2009.

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HISTORIC DESIGN REVIEW BOARD

August 11, 2009

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MINUTES OF THE
CITY OF SANTA FE
HISTORIC DESIGN REVIEW BOARD

August 11, 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. Deborah Shapiro
Ms. Karen Walker

MEMBERS ABSENT:

Ms. Christine Mather [excused]
Ms. Cecilia Rios [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 that the first case under Old Business, Case #H 08-008, be postponed until the applicant arrived later on.

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

July 14, 2009

Ms. Walker requested two changes to the July 14 minutes:

On page 13, second paragraph from the bottom, it should say, "They had a unique brand in that no one else in the world could say at end of Old Santa Fe Trail."

On page 14, under Matters From the Board should say, "Ms. Walker said if there should be any problems with the construction at the PERA lot the Board was welcome to meet at her parking lot at Delgado and Alameda."

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

E. FINDINGS OF FACT & CONCLUSIONS OF LAW

1. Case #H 08-138 - 1615 Cerro Gordo

Ms. Walker moved to approve the findings of fact and conclusions of law for Case #H 08-138 as presented. Ms. Shapiro seconded the motion and it passed by unanimous voice vote.

2. Case #H 09-002 – 714 Gildersleeve

Mr. Featheringill recused himself from consideration of this case.

Ms. Shapiro moved to approve the findings of fact and conclusions of law for Case #H 09-002 as presented. Ms. Walker seconded the motion and it passed by unanimous voice, Mr. Featheringill having recused himself.

Mr. Featheringill rejoined the bench.

F. COMMUNICATIONS

Mr. Rasch announced the HDRB would have a special hearing on September 1st for the Drury project. He hoped that would be the final hearing of that project.

He announced a special meeting on September 22nd to look at the Chapter 14 rewrite on the Historic Ordinance as long as the staff and the subcommittee had an opportunity to look at it prior to that date.

He noted two handouts he had distributed to the Board members. Now that they were rewriting Chapter 14 and asked them to think about the fact that there was no height restrictions in the Historic Review District except in area south of a red line on the map he provided. But the maps had everything coded in the review district. He wanted the members to think about whether they wanted the Board to have jurisdiction throughout that district.

In addition, none of the structures in Review District had historic status designations, even if they were John Gaw Meem buildings, yet staff had been getting requests for historic status on structures within it. The City had 30 inventories of buildings in that district recommending historic status. The language on status did not exclude the Historic Review District from status designation. He asked that the Board discuss these two matters at their next meeting.

Chair Woods was not sure they could direct staff to do that without the Governing Body approval.

Ms. Brennan agreed.

Ms. Walker asked if they were meeting this Thursday to finish revisions.

Mr. Rasch agreed. Three staff would finish it and bring it to the Board on September 22.

Chair Woods was concerned about having no meetings in September or early October. She thought they needed to have two meetings in September, even if not on a Tuesday. She asked that it be on the record and asked staff to follow up on it.

Mr. Rasch asked if the Board could hear cases on the 22nd.

Chair Woods felt it might be difficult but agreed.

Mr. Featheringill suggested they could meet at the Downtown Library.

G. BUSINESS FROM THE FLOOR

None.

Chair Woods announced to the public that anyone wishing to appeal a decision of the Board had

seven days to file it and should contact staff for further instructions.

H. ADMINISTRATIVE MATTERS

Mr. Rasch said a provision of HB 360 was for the City to develop standards for implementation. Mr. Frank Katz, City Attorney, was present to answer questions. Mr. Rasch recommended approval of this bill to go to the Governing Body.

1. AN ORDINANCE CREATING A NEW SECTION 14-5.2(M) SFCC 1987 REGARDING THE APPLICABILITY OF SPECIAL PROVISIONS AND STANDARDS OF HISTORIC DISTRICT REQUIREMENTS TO STATE CAPITAL OUTLAY PROJECTS. (Mayor Coss) (David Rasch)

Mr. Rasch presented the staff report for this case.

Ms. Walker noted there were typos. Each "should" should be changed to "shall." (On page 4 and on page 6).

Mr. Katz agreed.

Public Comment

Present and sworn was Ms. Marilyn Bane, appearing on behalf of OSFA who thanked Mr. Katz, Mr. Rasch and Ms. Price in addition to Chair Woods and Ms. Walker for struggling with this. This was important and OSFA was very pleased with it.

Chair Woods thanked Ms. Bane for her diligence on it too.

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

Ms. Walker moved to recommend approval of this ordinance to the Governing Body as amended with "should" being changed to "shall." Mr. Featheringill seconded the motion and it passed by unanimous voice vote.

2. Case #H 09-052. 201 W. Marcy Street. Downtown & Eastside Historic District. Keith Toller, agent for the Santa Fe Community Convention Center proposes installation solutions for even signage. An exception is requested to install banners as signage. (Section 14-8.10(H)(12)) (David Rasch)

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

BACKGROUND & SUMMARY:

201 West Marcy Street, known as the Santa Fe Community Convention Center, was constructed in the

early 21st century in the Spanish-Pueblo Revival style. The building has street frontage on Marcy Street, Grant Avenue, and Federal Place in the Downtown & Eastside Historic District.

When the H-Board reviewed and approved the facility designs in 2006 there were no requests for signage approvals. At first, the Center was considering digital signage on the building with historically-tasteful color limitations and traditional framing presentation. Now, the applicant proposes to install permanent mounting brackets that will hold banner signage. The historic districts sign regulations, Section 14-8.10 (H)(12), states that banners are not allowed as signage and an exception is requested. This signage exception requires final action by the Governing Body upon recommendation of the HDRB, Section 14-5.2(C)(5)(b).

The southeast corner fronts Sheridan Street and quite visible for many people coming that direction.

The brackets are minimal in design and will be constructed of iron in a similar fashion to the hand-forged look of window grilles that exist on the building in the parking garage area. Other steel and wooden decorative elements also exist on the building, see attached photographs.

Four brackets will be installed at 90 degree angles on the southwest and southeast corners of the building at 8' off the ground. The brackets will accommodate banners that are 6' tall by 3' wide. These locations are on the Marcy Street principal façade and will serve the public from both Sheridan Street and Grant Avenue approaches.

When there are no events, the Center will have a permanent banner installed at these locations. The design and materials of that banner were not submitted. Event clients will be given the banner specifications to be determined by this Board. No material, color, or design proposals have been submitted for this discussion.

STAFF RECOMMENDATION:

Staff recommends approval of this application to allow an exception for the Santa Fe Community Convention Center (SFCCC) to be able to advertise events with temporary banners and SFCCC banners during non-event times that are installed in a more permanent manner and with a vertical orientation.

Mr. Keith Toler said he believed the report was very accurate. He had been before the Board earlier talking about the marquee and signage. They had makeshift things out but wanted to standardize it.

Ms. Walker suggested that on the due south facing façade where signage was to repeat that in front of Sheridan Street. This would be just for strangers coming in and if coming in on the bus where they could see it.

Mr. Toler explained that that was not an issue. Rather, it was events that were coming in. The purpose of the banners for the center was to avoid empty hardware. They would stick out three feet and have a vertical bracket.

The banners were just hanging off the building now. This would help make them more permanent and allow the Board to have a say over the colors.

Ms. Walker asked if they could hang the banners flush against the wall.

Mr. Toler said there was no place to secure the banner at the bottom on the south side.

Ms. Walker didn't think year round banners were ideal.

Mr. Featheringill definitely thought this was better than the video he requested before. He asked if the post stuck straight out. Mr. Toler agreed.

Mr. Featheringill suggested they could they come out 2-3 inches and turn parallel to the building so they would not be sticking out from the building. It would allow a view of it and not stick out when not being used.

Mr. Toler thought that would work but they would still have the hardware exposed.

There were no speakers from the public regarding this case.

Chair Woods disagreed with her colleagues. Traditional signage from years ago did stick out. If they could come up with their banner or hinge them to go flat when no banners were on them. It was applied and should look applied.

Mr. Featheringill said it wouldn't bother him for them to stick out rather than having banners all the time.

Mr. Rasch commented that in New England, the owner would put out a shingle. The attorney suggested an adobe colored banner.

Chair Woods thanked Mr. Toler for trying to accommodate the Board and agreed they did need to advertise their events.

Ms. Walker moved to recommend approval with Mr. Featheringill's suggestions and without banner when no events. Mr. Featheringill seconded the motion that resulted in a tie vote. Chair Woods voted against the motion and it failed.

Mr. Featheringill moved to recommend approval per staff recommendation except no year round banners when there were no events. Ms. Walker seconded the motion.

Mr. Featheringill asked if they wanted the heart shape at the end.

Chair Woods favored a decorative attachment at either the ends or the attachment point at the building.

Mr. Toler asked if the Board wanted him to explore the hinge idea.

The motion passed by unanimous voice vote.

3. **Case #H 09-045.** 621 Garcia Street. Downtown & Eastside Historic District. JenkinsGavin, agent for Doug and Peggy McDowell, proposes a preliminary hearing to clarify issues of grade changes and structure heights for 6 vacant lots where the maximum allowable heights were 14' 1" to 15' 11". (David Rasch)

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

BACKGROUND & SUMMARY:

621 Garcia Street consists of 6 vacant lots on man-made and natural sloping ground in the Downtown & Eastside Historic District. One lot (#6) has street frontage while the others are on the interior of the property.

The maximum allowable heights are as follows: Lot 1 on the interior NW corner at 14' 10"; Lot 2 on the interior NE corner at 14' 1"; Lot 3 on the interior east side at 14' 6"; Lot 4 on the interior SE corner at 14' 8"; Lot 5 on the interior south side at 15' 1"; and Lot 6 with street-frontage at 15' 11".

The applicant is requesting 4 additional feet of height due to at least 2 feet of slope along the proposed building footprints. The Board should discuss whether these slopes are natural or made-made, especially in light of the next point.

The man-made excavated slope at the street frontage will be restored with infill back to street grade. This restoration may be seen as reestablishing a harmony with the streetscape and therefore the applicant may not need a height exception to measure the proposed building from finished grade rather than existing grade although it is not the most restrictive grade. The Board should discuss if a height exception will be required and how this may impact the applicant's pursuit of a grading permit application.

STAFF RECOMMENDATION:

Staff recommends preliminary approval of the grading proposal to alter the site with no buildings exceeding the maximum allowable building heights measured at midpoint on the street-facing elevation for Lot 6 and at midpoints on primary entrance elevations for the remainder of residences and with the request to reestablish the grade along the street on Lot 6 thus not requiring a height exception.

Chair Woods clarified that this was a preliminary consideration for a grading plan and not to approve houses. She asked about the four feet issue.

Mr. Rasch said the applicant could respond but he believed it was four feet for building; not grade.

Present and sworn was Mr. Doug McDonald, 1317B Cerro Gordo, who said they were asked late this afternoon to provide additional information and it was in their handout. He said they provided more than was asked of them including the grading plan and showing the footprints of the houses. They didn't show Lot 5 because they had not finished design.

When he purchased this property there was a grading plan already but it drained to north and west - into the Acequia las Lomas six feet below the lot. It would also drain onto Mr. and Mrs. Baca's house.

It appeared there was a bubble on the property. Mauricio Leary used it to store concrete and debris. Near the road it got very deep.

He said he found an aerial map from 1951. There was an arroyo that ran up from the south. According to Mr. And Mrs. Baca who lived there a long time, Mauricio used the area to make adobes and used that lot for them. So they dug that area out and made adobes according to the Baca family. It had been used for storing debris for a long time and places were dug out. So he looked at how they could take care of drainage. Without grading, it would be a problem. So he was looking at a drainage/grading plan first. He would not be able to contain the water without it and it could not be done in stages.

His question: was about whether that hole was man made. He was asking for a retaining wall directly south of Baca's house that would be 5 feet at its highest point.

Mr. McDowell pointed out where the depression was. It was a big hole at Lot 6. He showed where the old road went. The rubble was used to fill up the arroyo. He pointed out the location of Baca's house. They had a 16' easement to Garcia along his property. He also worked with them to get an extra three feet with a planter along the easement for them. The wall would be 6 inches to 12 inches at the road. So he was asking to fill up the hole and make proper drainage.

Chair Woods asked how much he was filling in starting at Garcia - how much dirt he was putting in and how it went back.

Mr. McDowell referred to his sketch in the packet. The filling of Lot Six would be in harmony with existing street level and no higher. The sketch was of the driveway in back. It went back to 7003 to 7012 in back. That was existing. The driveway levels were where they would build the houses.

On lot 5, 7005 was the existing elevation and he proposed the driveway at 7005. In the center of the lot they were using existing grade as their proposed grade. At lot six the drive was 7003 and they would fill to 7001 for the lot.

Ms. Shapiro said she was curious about the type of wall next to Baca's and if it was five feet on the Baca side

Mr. McDowell said it was five feet on the Baca side and on his side it was six inches to a foot. It would be cement or CMU filled. It would be an old style compound where one could see the houses without walls.

Chair Woods asked if the Board was to vote on the walls.

Mr. Rasch said the Board was to consider preliminary approval that would be binding on grading in relations to all structures and walls.

Mr. McDowell explained that they wanted to get the grading permit and then come back to the Board for review of the walls.

Chair Woods asked him if the additional four feet was the fill dirt or if he was asking for an additional four feet above that.

Mr. McDowell said Ms. Jenkins could address that.

Present and sworn was Ms. Jennifer Jenkins who clarified that each of the lots was sloping a minimum of two feet so they could request an additional four feet over maximum height to go with the grade. She added that they would also like to address the man-made slopes on the property. On lot 5 meet that grade change - those man-made slopes were not used to determine those heights.

She showed a larger version of the packet map. She said they only used the naturally occurring slopes to determine the four feet request.

Chair Woods asked if they were filling it in.

Ms. Jenkins said they would be filling in about six feet on lot 6.

Chair Woods concluded that they could have an 18' façade facing Garcia and asked if that was possible.

Ms. Jenkins said it was but she needed to clarify it with Mr. McDowell so she didn't misspeak. They were not requesting the additional height for lot 6. It was on lots 1-5 where they might ask for that.

Mr. McDowell said the point was that if they saw they could make this request, they might use it to gain two more feet with some clerestory windows for light into the home. If they were restricted to 14' they would not have that opportunity. There were quite a few two-story houses around there and they were not requesting 2 story structures for this project.

Chair Woods asked if the couple of feet would be set back.

Mr. McDowell agreed. He noted he had put a couple of elevations in the packet and they showed it would be a very small portion on those houses. That was their intent and they didn't want monolithic faces facing the street.

Mr. Featheringill asked Mr. Rasch for clarification if the 2' grade exception was where one was placing a house where there was a two foot grade change but if the grade of the lot was flat that provision did not apply.

Mr. Rasch said they had not explored that. The provision was meant to allow the building to follow the slope so if you eliminated the slope he didn't know if the extra eight would be needed any more.

Mr. Featheringill asked if they were stepping the floor.

Mr. McDowell said they were not.

Mr. Featheringill asked what height ceilings were to get the two feet.

Mr. McDowell said the highest would be 12-15'. The lowest would be 9' and have a 14-20" roof.

There were no speakers from the public regarding this case.

Mr. McDowell said Mr. and Mrs. Baca were present and came at their own free will and could speak if the Board needed.

The Baca's indicated they had nothing they wished to add.

Chair Woods asked if an exception was required.

Mr. Rasch didn't think so but the Board should talk about maximum heights and fill when it comes back.

Mr. Featheringill moved to approve Case #H 09-045 per staff recommendations with the height allowance on lots 1-3, to approve the fill and the condition that the retaining wall should be stuccoed. Ms. Shapiro seconded the motion.

Ms. Walker said she was confused by that.

Mr. McDowell explained that the lower lots were 1, 2, 6. The highest lots were 3, 4, 5. He added that a two foot allowance would be fine for the clerestories he wanted to do.

Mr. Featheringill said his intent was to keep the higher lots less high.

Mr. McDowell reviewed the elevations of the lots: lot 6 was 7001; lot 5 was 7005, lot 4 was 7008, lot 3 was 7004; lot 2 was 7000 and Lot 1 was 6998.4.

Mr. Featheringill said he wanted to keep the higher ones away from the street so lots 1, 2, 3 would be approved to allow an additional four feet.

Ms. Walker said she was against any at four feet and Mr. McDowell had already said two feet would be fine.

The motion failed on a vote of 1-3.

Dr. Kantner noted that lot six was two feet lower than Garcia Street but the northwest part of the lot was higher than Garcia Street. Mr. McDowell agreed.

Chair Woods asked if there was a way to clarify what the finished floor level would be. She explained that they usually didn't deal with grades but this would have important ramifications down the road. She asked if going through those would help.

Mr. McDowell said the grades described on the grading plan were finished grade. Garcia started at 7003 and went down to 6998 at the far end of lot six. He went through the lots to indicate what the maximum allowable heights would be as follows: Six was at 7001.4 so the maximum structure height could be 7019 if they granted 4 feet and 7017 if the Board granted two feet. Lot Five was 7003 so the maximum structure height would be 7020 with two feet granted; Lot 4 was at 7008 so the maximum height (two feet allowed) would be 7024; Lot 3 was at 7004 and the maximum structure height would be 7020; Lot 2 was at 7016 with the two feet allowance and Lot One would be 7014 with two feet allowance.

Chair Woods summarized that with that allowance that on lot six the structure would only be 14' above Garcia Street which seemed very reasonable. The highest point on lot 5 would be 17'. She decided that relating it to the street seemed to be the best way to understand it.

Mr. McDowell agreed and said that was where they started their layout: from the road.

Mr. Rasch clarified that the inner lot height calculations (1-5) were done by radial calculations and varied from 14' to 15'. The only different one was the lot that fronted on Garcia Street and it was approximately was 16' maximum.

Mr. McDowell said they would also come back to the Board with each of these houses. You were following it and he appreciated that. He couldn't do the grading without the Board's approval. They just needed to know the parameters of their design.

Dr. Kantner moved to approve Case #H 09-045, accepting the recommendations of staff with the additional amendment that the Board not allow the height allowance on lot six and for the remainder of the lots to accept the two feet allowance. Ms. Shapiro seconded the motion and it passed by unanimous voice vote.

I. OLD BUSINESS

1. **Case #H 08-002.** 463 Calle La Paz. Downtown & Eastside Historic District. Liaison Planning Services, LLC, agent for Michael and Patricia French, proposes to amend a previous approval by raising a side yardwall to a height of 5' 9" where the maximum allowable height is 6' and installing

a pedestrian gate on a non-contributing property. (Marissa Barrett)

This case was tabled until later in the agenda.

J. NEW BUSINESS

1. **Case #H 09-046.** 649 Granada/107 Laughlin Street. Don Gaspar Area Historic District. Staff proposes an historic status review for a non-contributing residence and non-statused garage. (David Rasch)

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

BACKGROUND & SUMMARY:

649 Granada Street / 107 Laughlin Street is a residential duplex and free-standing garage that was constructed in the Spanish-Pueblo Revival style by 1951. The residential building has two street frontages.

According to the 1994 Historic Cultural Properties Inventory, the non-contributing property is was eligible for historic status upgrade in 2001. Before the owner proposes to remodel the property, a status review is in order.

The property has no evidence of alteration that would suggest a non-historic status. All original historic wood windows are retained and wooden surrounds exist on the south elevation. The garage has an exterior sculpted garbage burning fireplace on the north end of the west elevation. An historic braided wire fence encloses the two front yards.

He showed the two façades and the garage.

STAFF RECOMMENDATION:

Staff recommends an historic status upgrade for the residential structure from non-contributing to contributing with the south and west street-facing elevations as primary and for the garage from non-statused to contributing with the south street-facing and the west elevations as primary.

There were no speakers from the public regarding this case.

Chair Woods said her only concern was that once the Board designated, if they designated the garage it might make it difficult for them to do anything with it in the future.

Ms. Shapiro asked if it would mean they would have to retain the garage door.

Mr. Rasch said no. They had in practice allowed conversions of garages or in some way altering that

façade if there was a shadow recess.

Ms. Shapiro sought clarification, if they wanted to convert the garage to a guest house, this designation would not stop them. Mr. Rasch agreed.

Ms. Shapiro moved for approval of Case #H 09-046 per staff recommendations that the house and the garage be upgraded to Contributing that the south and west façades of both structures be considered primary. Ms. Walker seconded the motion and it passed by unanimous voice vote.

2. **Case #H 09-047.** 514 Douglas Street. Downtown & Eastside Historic District. Richard Barrett and Sarah McCarty, owner/owner, proposes to remove an approximately 130 sq. ft. non-historic greenhouse addition and construct an approximately 225 sq. ft. addition to a height of 11' where the existing height is 12' on a contributing building. (Marissa Barrett)

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

BACKGROUND AND SUMMARY:

The Spanish Pueblo Revival style single family residence located at 514 Douglas Street was built around 1930 and includes minor alterations such as window replacement and a 1986 greenhouse addition. The Official Map lists the building as Contributing to the Downtown and Eastside Historic District.

The applicant proposes removing the approximately 130 square foot non-historic, non-publicly visible green house addition and constructing an approximately 225 square foot addition in it location. The addition will be to a height of 11' where the existing height is 12'. The addition will have divided light doors and windows and will be stuccoed in Navajo White to match the existing. One skylight is proposed which the applicant states will not be publicly visible.

STAFF RECOMMENDATIONS:

Staff recommends approval of the application on the condition that the skylight is not publicly visible. Otherwise this application complies with Section 14-5.2(C) Regulations for Contributing Structures, Section 14-5.2(D) General Design Standards, and Section 14-5.2(E) Downtown and Eastside Historic District Design Standards.

Dr. Kantner asked if the skylight would be visible from the street.

Ms. Barrett said it would depend on the location. There was an existing one on pitch so it might be a little visible.

Ms. Shapiro asked if removing the existing greenhouse would affect its contributing status.

Ms. Barrett said it would not.

Present and sworn was Mr. Richard Barrett, 514 Douglas who had nothing to add to the staff report. Dr. Kantner asked him to address the skylight visibility issue.

Mr. Barrett didn't think it would be visible. There was one right next to it that was not visible and had been approved by the City in 1993. The one you see was not on the building they were adding to. It was on the guest house adjacent to it.

Ms. Walker asked if they could see the skylight from the street today.

Mr. Barrett didn't think so.

Mr. Rasch said the picture was taken from the street.

Present and sworn was Ms. Sarah McCarty who said there was one that they could see.

Mr. Barrett said the one proposed would be lower so he didn't think it would be seen.

There were no speakers from the public concerning this case.

Ms. Shapiro moved to approve Case #H 09-047 per staff recommendations including that the skylight not be publicly visible. Ms. Walker seconded the motion and it passed by unanimous voice vote.

Chair Woods explained to the applicants that the skylight could not be publicly visible and cautioned them to make sure the proposed skylight would not be seen from the street.

Ms. Barrett suggested doing a mock up to make sure it could not be seen.

3. **Case #H 09-050.** 949 Santander Lane. Downtown & Eastside Historic District. Will McDonald, agent for Carrie and Eric Rowland, proposes to remodel a non-contributing building by constructing approximately 438 sq. ft. of additions to match the existing height of 17' 9", remove a flat roof portal and replace with a shed roof portal, increase the height of a portion of the building from 9' 9" to 12' 5" where the maximum allowable height is 14' 4", replace doors and windows and construct an approximately 1,082 sq. ft. guest house to a height of 13' 2" (18' 3" on down slope) where the maximum allowable height is 14' 4" (18' 4" on down slope), reconstruct yardwall and install new gates. (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 949 Santander Lane was constructed in the 1960s and has received alterations which include window and door replacements and

additions. The Official Map lists the building as non-contributing to the Downtown and Eastside Historic District.

The applicant proposes remodeling the building by constructing an approximately 361 square foot addition to the non-publicly visible west elevation. The addition would match the existing height of 17' 9". An approximately 77 square foot addition is proposed on the east, street facing elevation. A portion of the existing building height will be increased from 9'9" to 12' 5" where the maximum allowable height is 14' 4". The height increase is to conceal the proposed photo voltaic panels.

Also proposed is the reconfiguration of the non- publicly visible south elevation portal. (A portion of the portal is visible.) The flat roofed portal will be removed and reconfigured on the southeast corner of the building. The proposed portal will have a corrugated metal shed roof. A similar portal is proposed at the east elevation addition.

Doors and windows will be replaced, including some dimensions, with divided light "Anderson" clad windows in the color sandstone.

Construct an approximately 1,082 square foot Spanish Pueblo Revival style guest house (951 square feet heated space and 131 square foot portal) to a height of 13' 2", measured midpoint on the east, street facing elevation, where the maximum allowable height is 14' 4". The footprint of the new guesthouse has a slope change of over 2' and therefore the height on the down slope, west elevation is proposed at 18' 3" where the maximum allowable height is 18' 4" (maximum allowable height plus 4' additional feet). The height is permitted by the Board without an exception due to the sloping ground. The applicant may have a topo map to address this.

The guest house will include divided light clad windows in the color sandstone, a corrugated metal shed roof portal in the color bronze, and all exposed woodwork will be finished with a natural stain. A deck will be located on the rear, non-publicly west elevation. An overhang will also be located on the west elevation over the door and will match the east elevation portal style.

Lastly proposed is removing approximately 25' of the street facing yard wall in order to create more parking. A stuccoed yard wall matching the existing height will be constructed approximately 20' back from the street. Two new pedestrian gates will be located in the new wall. Also the existing front entry gate will be reconfigured.

STAFF RECOMMENDATIONS:

Staff recommends approval on the condition that there are no publicly visible skylights and that the pedestrian gate details and exterior light fixtures are submitted to staff before a building application is submitted. Otherwise this application complies with Section 14-5.2 (D) General Design Standards for All H-Districts and Section 14-5.2 (E) Downtown and Eastside Historic District Design Standards.

Present and sworn was Mr. Will McDonald, 488 Arroyo Tenorio, who said he believed Ms. Barrett said the addition would be the same height. He clarified that the addition to the existing house would be three

feet higher than the parapet level. He showed where it was raised. He was adding about a foot and a half on the right side and the total length of it was approximately three feet. He showed it on the north elevation.

Chair Woods asked for the height from existing grade.

Mr. McDonald said that was the highest point on the building and it was 17' 9".

Chair Woods asked what the ceiling height would be.

Mr. McDonald said it might be 9.5' to 10'. He explained that the existing house had a ceiling under 8' high. They were taking the roof off. He showed where on the floor plan. Some of the extra height was extra insulation and some was to hide the photovoltaic system.

Chair Woods asked how high the parapet would extend above the roof.

Mr. McDonald said it was probably 1' 8". The photovoltaic system would be angled at 10 degrees. The owner was into solar and knew how to do it. Someone above the lot might see them but the top of the solar panels would be below the top of the parapet.

There were no speakers from the public regarding this case.

Ms. Shapiro asked if he was taking out all the existing windows.

Mr. McDonald said he was not taking out all of them. Not the ones on the north or west elevations. He pointed out others that would stay.

Ms. Shapiro said it seemed like there were a variety of windows some with vertical panes and some with horizontal panes. On the south elevation there was the very large window. She asked if the new ones would have thickened muntins.

Mr. McDonald said the large one was a fixed window with simulated divided lights with 5/8 muntins.

Ms. Shapiro concluded that every single window on the south elevation had a different orientation and size.

Mr. McDonald said the small one matched two existing ones.

Ms. Shapiro was concerned that it looked like a mish mash.

Mr. McDonald said his client preferred to have fewer divisions.

Ms. Shapiro suggested maybe the top could be stationery with three awnings below so that they would

line up. She was also concerned if on the back of the property, the west wall was very tall it could be seen from the property behind it. It was a very tall mass.

Mr. McDonald said that was mitigated by a slope that continued down the hill. He shared the information about the grade [attached as Exhibit D]. The grade dropped down and continued down to the west so the neighboring lot was below this. There was also significant screening by the fir trees.

Chair Woods said she once lived there and agreed that the fir trees were dense but the guest house was too tall. It made more sense to step it down. The floor level shown on page 12 at that point looked like it was six feet out of the ground and would tower over them.

Mr. McDonald said they were making modifications to the main house. Kerry's mother and Jan's husband would live in this guest house and it was important to get it on one level for a person of old age but it should last for a hundred years so maybe the care of elderly people shouldn't be overriding. But that was the origin of this design to have it at one level.

Chair Woods asked what the ceiling height would be.

Mr. McDonald said it would be 9'.

Chair Woods summarized they were asking for and assuming the Board could grant the extra four feet because of the slope of the property.

Ms. McCarty agreed that the Board could grant up to four feet so it would be up to 18' 4" and they were asking for 18' 3".

Mr. McDonald, responding to Chair Woods, said the parapet was about 1' 8" above the roof level.

Chair Woods noted that the house below was a full story below this one so 18' above was very high and very imposing. She thought they were asking for a lot.

Mr. McDonald said he was asking from street grade for 13' 2" and he might be able to take a foot off of that to make it more agreeable.

Dr. Kantner asked if it would be possible to move it to the east where the slope was better in order to alleviate the height on the west side.

Mr. McDonald said it wouldn't help. He explained that there was actually an area in the northwest corner that was fairly flat and a retaining wall at the contour there that was 85" tall. But then it dropped down seven feet to a relatively flat area so they would not gain a lot by moving east.

He said they could drop the parapet a foot on the northwest area - the plaza area - and just achieve the insulation with a step down in that area. That part could be as much as a foot and a half.

Ms. Shapiro suggested he could drop the bedroom, the kitchen and the closet a foot there.

She asked if there was an angle on the south part.

Mr. McDonald agreed. Working on the constraints of setbacks between existing and new building had to be ten feet. It also provided more space for the living room.

Ms. Walker proposed the Board should see a revised drawing per Dr. Kantner's idea.

Ms. Shapiro moved for a partial approval of Case #H 09-050 per staff recommendations, approving the reduction of the size of the wall across the front; to ask the applicant to bring back the windows with a consistent design, to not remove the parapet on the portal but keep the portal the way it now exists; that the height of the addition on the main house be approved as well as the small addition; that the proposal for the guest house be brought back to the Board with drawings showing consistency in the windows and showing all elevations with breaking up of the massing was that the parapet was not so high. Ms. Walker seconded the motion.

Chair Woods said she was confused because Ms. Shapiro started her motion with a reduction in height but didn't specify which building and then approved the height of the addition on the main house as well as the small addition.

Ms. Shapiro said it was for a reduction in the height of the guest house.

Ms. Shapiro added to her motion that the Board approved allowing them to open up the garden wall.

Ms. Barrett asked if the part to keep the portal as is meant the Board was not approving the reconfiguration from the L shape to just the west elevation. Ms. Shapiro agreed.

The motion passed by unanimous voice vote.

4. **Case #H 09-051.** 632 Camino del Monte Sol. Downtown & Eastside Historic District. Architectural Alliance, Inc., agent for Charles and Emily Henry, proposes to remove split rail fence and construct a stucco yardwall to the maximum allowable height of 6' and install a wood vehicular gate and pedestrian gate on a non-contributing property. (Marissa Barrett)

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

BACKGROUND AND SUMMARY:

The Territorial/Ranch style single family residence located at 635 Camino del Monte Sol was constructed in 1957 and has received minor alterations which include window and door replacement and

additions. The Official Map list the building as non-contributing to the Downtown and Eastside Historic District.

The applicant proposes removing the approximately 5' high non-historic split rail fence at the street facing east, property line. The 6' high coyote fence located along the northeast property line and driveway will also be removed.

The applicant proposes replacing the split rail fence with a stuccoed yard wall to not exceed the maximum allowable height of 6'. The wall will step in height and will be stuccoed to match the existing house. A wood pedestrian gate will be installed in the wall. Pilasters will flank the gate and will include a stone cap by Pavestone in "Buff Blend". A new driveway will be created at the southeastern end of the property which includes having the wall setback approximately 15' from the street in that location. Also proposed at the southeast end of the wall is a wood vehicular gate to a height of 5' 6". The mechanical gate will be solid wood and will have the stone capped pilasters on each side. Wood gate finishes was not submitted.

Lastly proposed is to install gravel in the new parking area and driveway and a new stone walkway from the pedestrian gate to the portal entrance of the building.

STAFF RECOMMENDATIONS:

Staff recommends approval of the application on the condition that the gate be more transparent or lowered, that the gate finish be clarified, and that any new exterior light fixtures are approved by staff before a building permit application is submitted. Otherwise this application complies with Section 14-5.2(D) General Design Standards for All H-Districts and Section 14-5.2(E) Downtown and Eastside Historic District Design Standards.

Present and sworn was Mr. Eric Enfield, 612 Old Santa Fe Trail who said the staff report was accurate and he appreciated the Board looking at this project. He said they had worked hard on this design. They had security issues having lived there for 2.5 years and had many break ins and thefts from the property. They both worked and had 6 year old and 9 year old children. The parking was close to the house right by their bedroom.

On top of break ins, the traffic was loud there. Their children and dog could not even play in the front yard. This would provide a safe place for the kids to play. The walls were lower than six feet - the pilasters were six feet high. It was not a privacy issue but to prevent people from jumping over it.

They would relocate the Aspens and have a planter area on the south side. There was a really wide shoulder on Camino del Monte Sol. The walls would look good on that streetscape as it was a wall dominated streetscape in that area.

The fence there was originally just a wire fence and then posts and a different style fence. He understood the Board had questions on the colors of walls and gates. The walls were about 5' 6"

There were no speakers from the public regarding this case.

Dr. Kantner asked what the height of the planters was.

Mr. Enfield said they were at ground level.

Ms. Walker said this was her favorite fence in the whole city.

Mr. Enfield asked her if she would like to have it.

Ms. Walker asked what kind of fenestration would be on the vehicle gate.

Mr. Enfield said it would have multiple panels in it. The gate was 5' 6" high.

Ms. Walker - moved to approve Case #H 09-051 with the conditions that the vehicle gate be fenestrated, that the finish be clarified and that exterior lighting be reviewed and approved by staff. Dr. Kantner seconded the motion and it passed by unanimous voice vote.

5. **Case #H 09-048.** 217/217A Closson Street. Westside-Guadalupe Historic District. Joseph Martinez, agent for Michael Anaya, proposes to remodel a contributing residence by replacing historic windows and doors, restuccoing and replacing concrete. An exception is requested to replace historic material on a primary elevation (Section 14-5.2(D)(5)(a)(1)). (David Rasch).

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

BACKGROUND & SUMMARY:

217/217A Closson Street is a duplex residence that was constructed between 1927 and 1933 in the Bungalow style. The building has good historic integrity with a corrugated metal pitched roof, diamond window in the front gable, full-width simple front porch, 1-over-1 and 3-over-1 wood windows with concrete sills, wooden panel doors, and brocade-textured cement stucco. A river rock wall with a wire pedestrian gate is located at the front lotline. The building is listed as contributing to the Westside-Guadalupe Historic District with the 1985 Historic Cultural Inventory recommending a contributing historic status, but the 1998 re-inventory recommending a significant status. The west and north elevations may be considered as primary.

The historic front porch concrete was replaced without permission or a permit and a violation notice has been issued. Now, the applicant proposes to remodel the property with the following three items.

1. The historic windows and doors will be replaced. An exception is requested to replace character-defining historic materials on primary elevations, Section 14-5.2(D)(5)(a)(1), and the required criteria responses are presented. [Although not read aloud, they are included herein.]

I. Do not damage the character of the streetscape;

Our request to restucco and replace the existing windows would have appositve impact on the surrounding streetscape, the existing house would look as it currently does with the exception (if granted) the stucco color of Buckskin. The windows planned are to be the same style and color that currently exists as well as make the residence more energy efficient. The wood trim throughout the exterior of the residence would remain the same color as well. This would preserve the original look and also give it a well maintained appearance.

Staff is in agreement with this response that from the street the building would look similar to existing conditions.

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

Being allowed to re-stucco and replace the windows on our residence will reduce the possibility of future costly repairs and therefore eliminate undue hardship.

Staff is not in agreement with this response. Repair rather than replacement of existing windows and doors with installation of exterior storm windows and by taking advantage of the state tax credit program could be less costly than the cost of new windows and doors.

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

The requested repairs and replacements would strengthen the heterogeneous elements by blending in with the mixed architectural style shared by the neighboring residences on the Closson Street streetscape.

Staff is in agreement with this response.

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

The damaged stucco and the windows which are in need of repair and are due to conditions beyond our control.

Staff is not in agreement with this response. According to Section 14-5.2(B), Minimum Maintenance Requirements, an owner is required to maintain historic materials so that they are not damaged by neglect.

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

The approvals requested are a result of natural aging and wear and are required maintenance issues.

Staff is in agreement with this response. Required maintenance is what should be allowed rather than replacement of all historic windows and doors. Those doors and windows that are not on primary elevations may be replaced and if any of those windows and doors are in better condition than matching windows or doors on primary elevations then these could be switched to preserve historic materials on the building.

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).

By applying for review by the HDRB our intention is to be able to preserve the structural integrity of our residence as well as the historic significance and also make the residence more energy efficient with the least possible impact. By following the Historic District Requirements set forth we believe we can accomplish this by blending in with the surrounding residences and streetscape on Closson Street.

Staff is not in agreement with this response. Energy efficiency can be achieved with less negative outcomes for this building which is a contributing historic structure with a consultant's recommendation for upgrade to a significant status. See staff responses above in criteria 2 and 5.

2. The building will be restuccoed in cementitious "Buckskin" or in a color which matches the existing color which staff has determined more closely matches the yellow color "Cameo." The Board should discuss the stucco texture, also.

3. The porch and walkway concrete will be replaced with new concrete.

STAFF RECOMMENDATION:

Staff finds that the six exception criteria have not been met to replace all historic windows and doors on the primary elevations unless the Board finds that the windows and doors are beyond repair. Staff recommends approval for the remainder of the application with the conditions that the cement stucco should match the existing yellow color and brocade texture unless proof is shown otherwise from underlying stucco applications, and that the concrete be tinted a darker color that harmonizes better with the existing concrete of the window sills and the existing walkway.

Present and sworn was Mr. Robert Anaya 123 River Ranch Road, Stanley New Mexico, who said he spent a lot of his life at Closson Street. He had five things to present and said Mr. Anaya and Mr. Martinez might have something to add.

He said he came today to apologize for two things. They did not replace the concrete on the surface of the porch with any malice. They wanted to maintain the integrity of the porch and the structure of it and that was why they poured the concrete. He apologized for doing it without a permit.

They also removed the sidewalks on the sides of the house that were in disrepair but wanted to replace them as well.

He also apologized for talking during the meeting.

He said they were here on behalf of a high powered and high profile person in their life: their mother. She was going to live in one part of the duplex and looking forward to staying in the house.

He said the three requests came from his mother. As they watched nearby houses get remodeled with new doors, windows and stucco, she wanted to replace hers with doors and windows and stucco that would be compatible with those of houses around it.

He said when he saw the staff recommendation, with all due respect, they were asking the Board to reconsider the staff's recommendation and to allow them to replace those greatly dilapidated windows which currently were one over one, with three over one as the original windows were. Their mother wanted to have colors and textures similar to the neighbors rather than the yellow stucco on there now.

Chair Woods asked how old the house was.

Mr. Robert Anaya didn't know the exact date. Staff said it was between 1929 and 1933. It was remodeled long ago and an addition put on the back.

Chair Woods asked if the windows were original noting they inferred the windows had been replaced.

Mr. Robert Anaya said he was referring to the change from three over one windows to one over one windows.

Present and sworn was Mr. Mike Anaya, 715B Little Ranch Road, Stanley, New Mexico, who said the windows were replaced because it was easier to replace them with one over one. That's the way it was brought to his attention.

Chair Woods explained that they needed to maintain historic fabric and that was why staff made their recommendation. She needed to clarify what was original and what was not a historic window. If they had been replaced, it was no longer an historic issue. She asked if he could clear that up.

Mr. Mike Anaya said there were three over one windows. When one of them broke or two of them, instead of replacing the three panes, they replaced them with one window.

Mr. Rasch thought when an upper pane broke, they just took out the upper muntins and replaced it with one pane and kept the wooden frames.

Mr. Mike Anaya said what they were going to do was replace them with the original three over one windows.

Ms. Walker asked what material they would use for the replacement windows.

Mr. Mike Anaya said they would be metal clad on outside and wood on the inside.

Ms. Walker asked what the original stucco color was; if it was always yellow.

Mr. Mike Anaya didn't know but explained that it was now painted yellow and the color underneath that was grey.

Ms. Walker asked if all the swirls were not some exotic technique then.

Mr. Mike Anaya said it was done with a trowel with the brown coat and then was just painted over it. But the brown coat was grey.

There were no speakers from the public regarding this case.

Mr. Featheringill asked if the added on the back was from the second window.

Mr. Mike Anaya agreed. There were four rooms in front and the bath and kitchen were added in the 1960's. The original roof was flat and a pitched roof was added later, perhaps in the 50's or 60's.

Mr. Featheringill asked if that texture was done at the time of the addition.

Mr. Mike Anaya said they tried to match the texture of the front. You could see the line where they came together.

Ms. Shapiro asked if they wanted to replace the sidewalk with just concrete. Mr. Mike Anaya agreed.

Ms. Shapiro asked if they were adding a wall.

Mr. Mike Anaya said they were not proposing to replace any wall.

Ms. Shapiro asked about the chain link fence.

Mr. Mike Anaya didn't know.

Ms. Shapiro asked if they could bring that back if they decided to replace it.

Mr. Robert Anaya said that Mr. López (next door neighbor) was here earlier and left. The electrical service for this house needed to be replaced and would be the same drop of electricity. Mr. López had asked if it could be moved so it didn't go across the corner of his property. Mr. Robert Anaya told Mr. López that they would ask PNM about it and let the Board know about it.

Mr. Featheringill asked if he said if their grandparents lived there or their parents.

Mr. Robert Anaya said their grandparents and their dad had lived there and their dad attended Carlos Gilbert Elementary School just down the road.

Mr. Featheringill said if the flat roof was replaced since 1960 then it might not be contributing.

Mr. Rasch said he appreciated that information. He noted that on the 1985 inventory there was no mention of it and on the 1998 inventory, because there was no suggestion of such a major remodeling, it was suggested for significant status. The testimony tonight has stated otherwise.

Chair Woods agreed if the roof pitch was changed within the last fifty years, it might impact the historic status and that was what we were trying to determine. He asked if the applicants could help with that.

Mr. Robert Anaya said they could try.

Mr. Featheringill suggested if they had family pictures that would help show when it happened, it would help.

Mr. Robert Anaya said they would look and they had family member with the knowledge so they could check with them.

Chair Woods said if they could come back with that, it would help. She asked if they would rather have the Board look at it without that information.

Mr. Robert Anaya said the condition of the windows and doors was not good. He asked if with that evaluation, the Board could grant them to move forward with the windows and relative to the stucco if they would have to bring it back.

Chair Woods said the Board might say they could go ahead but the ordinance favored keeping the historic fabric and restoring them. If the building was no longer contributing then that rule would not apply. That was where Mr. Featheringill's question came from.

Mr. Mike Anaya asked if the Board wanted them to give evidence that it was a flat roof.

Chair Woods clarified that the Board was trying to determine if it had contributing status. If it was contributing, that would restrict replacement of the windows.

Mr. Mike Anaya said it had a foot of dirt on the inside. Staff could crawl up into the attic and determine that.

Mr. Robert Anaya thought that happened in 1959 or 1960.

Chair Woods said if it had happened in 1930, the historic status would hold. If it was 45 years ago, staff would re-evaluate it.

Mr. Rasch said if the Board postponed for a possible downgrade status they would need to do a certified mailing to people within 200 feet of the property.

Mr. Robert Anaya suggested they would ask consideration for the replacement of windows and maybe they could compromise with a wood exterior window. If they could get a ruling and come up with the determination of the flat roof, it would help. If their mom wanted to go with the windows they proposed, they could appeal it and take that documentation to Council as a possible alternative.

Chair Woods said the Board could determine and perhaps they could replace in kind or keep the historic windows on the primary façade. So there were alternatives. Their options were to approve as presented or with conditions or to have the historic windows stay.

Mr. Rasch added that they would have to decide what a primary elevation was too.

Ms. Shapiro asked if 30% of the historic fabric of the windows was compromised.

Mr. Rasch said no but state tax credits could be used to remodel them.

Chair Woods asked if they were thermal pane windows.

Mr. Rasch said they were all historic single pane windows.

Ms. Shapiro asked them to consider that those windows have lasted 75 years. But any window they could find today would have only a 20 year warranty. Changing them also changed the structure, the way they were put in, the spaces, etc. If they kept these windows and made storm windows for them, it would cost half as much. It was not only the cost of the window but also the stucco and dry wall inside would have to be repaired. So adding a storm window would create a four inch air space that would be more than with any insulated window could accomplish. And they would not have lost the 80 year wood.

Mr. Robert Anaya said if his mom were here today, she would stand up and say she respected what they were saying but she would sure like to have new windows with ease of operation. His mom was going to stay in the front of this unit, the primary part. So those windows would greatly impact her. They greatly respected what the Board was saying.

Dr. Kantner moved to approve Case #H 09-048, to allow the windows to be replaced with the exception criteria accepted and that the stucco texture be preserved with colors to be approved by staff and that the porch and the replacement sidewalks be with colored cement. Mr. Featheringill seconded the motion.

Ms. Walker said that not all the criteria were met. If it was a contributing house, to say the condition of the windows was beyond repair was inaccurate. She wanted to point out that not all six were met for the record.

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

I. OLD BUSINESS

1. **Case #H 08-002.** 463 Calle La Paz. Downtown & Eastside Historic District. Liaison Planning Services, LLC, agent for Michael and Patricia French, proposes to amend a previous approval by raising a side yardwall to a height of 5' 9" where the maximum allowable height is 6' and installing a pedestrian gate on a non-contributing property. (Marissa Barrett)

This case was removed from the table for consideration.

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

BACKGROUND AND SUMMARY:

The approximately 5,009 square foot Territorial Revival style single family residence was constructed in 1987 and is listed on the Official Map as a non-contributing building located in the Downtown and Eastside Historic District. The building has many architectural details that mimic the significant guesthouse also located on this lot.

On January 8, 2008 the Board approved construction of an approximately 465 square foot addition to the north elevation to match the existing height of 13' 10". The addition also included the removal of the north elevation courtyard wall and exterior fireplace.

The owner of the property was issued a red tag in July 2009 for doing work without a building permit or Board approval. The applicant wishes to amend the previous approval with the following alterations.

Increase the north property line yard wall approximately 2' to a height of 5' 9" where the maximum allowable height is 6' (wall will be stepped ranging in height from 3' 11", 4' 2", 5' and 5' 9"). The wall will be stuccoed to match the existing. Also proposed is the installation of a metal pedestrian gate. The gate will be 3' 11" wide by 3' 4" high. The metal gate will match the existing vehicular gate in style and finish.

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.

There were no speakers from the public regarding this case.

Mr. Featheringill moved to approve Case #H 08-002 as recommended by staff. Ms. Shapiro seconded the motion and it passed by unanimous voice vote.

K. MATTERS FROM THE BOARD

None.

L. ADJOURNMENT

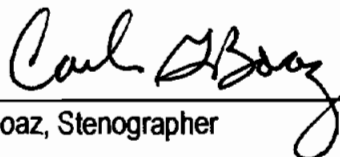
Ms. Walker moved to adjourn the meeting. Ms. Shapiro seconded the motion and it passed by unanimous voice vote.

The meeting was adjourned at approximately 8:00 p.m.

Approved by:

Sharon Woods, Chair

Submitted by:



Carl Boaz, Stenographer