



# Agenda

CITY CLERK'S OFFICE

DATE 8/19/09 TIME 8:25 am

SERVED BY [Signature]

RECEIVED BY [Signature]

**\*AMENDED\***

## HISTORIC DESIGN REVIEW BOARD FIELD TRIP

**TUESDAY, AUGUST 25, 2009 – 12:00 NOON**

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

## HISTORIC DESIGN REVIEW BOARD HEARING

**TUESDAY, AUGUST 25, 2009 – 5:30 PM**

## CITY COUNCIL CHAMBERS

**A. CALL TO ORDER**

**B. ROLL CALL**

**C. APPROVAL OF AGENDA**

**D. APPROVAL OF MINUTES**

July 22, 2009

July 28, 2009

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

542 Camino del Monte Sol

**F. COMMUNICATIONS**

**G. BUSINESS FROM THE FLOOR**

**H. ADMINISTRATIVE MATTERS**

1. Case #H-09-056. Old Pecos Trail Road Improvements. Historic Review District and Downtown & Eastside Historic District. Jon Romero, agent for the City of Santa Fe, proposes to install concrete sidewalks, curbs and gutters and detectable warning ramps and to remove encroaching vegetation in front of the Vierra House and a barbed wire fence in front of a vacant lot. (David Rasch)

**I. OLD BUSINESS**

1. Case #H-07-137. 519 Johnson Lane. Downtown & Eastside Historic District. Keith Beardmore, owner/agent, proposes to remove and relocate a portion of a 6' high wall and construct a 7' wide gate where the maximum allowable height is 4'10" on a non-contributing property. (Marissa Barrett)
2. Case #H-09-004. 963 Camino Santander. Downtown & Eastside Historic District. Architectural Alliance, agent for Karen Rogers, proposes to amend a previous approval by constructing an approximately 496 sq. ft. carport to a height of 11'10" where the maximum allowable height is 16'6" and replace a vehicular gate on a non-contributing property. (Marissa Barrett)
3. Case #H-09-022. 1301A Upper Canyon Road. Downtown & Eastside Historic District. Mark C. Little, agent for Elizabeth Keefer, proposes to remodel and non-contributing residence by constructing approximately 3,000 sq. ft. of additions, replacing doors and windows, and restuccoing. An exception is requested to exceed the maximum allowable height of 14'4" (Section 14-5.2 (D)(9)). (David Rasch)

**J. NEW BUSINESS**

1. Case #H-09-053. 1170 Camino San Acacio. Downtown & Eastside Historic District. Feather & Gill Architects, agent for Chris Clancy, proposes to construct an approximately 96 sq. ft. storage shed to a height of 7'6", remodel a non-contributing building by constructing a second story portal to match existing height, replace a window with French doors, construct an outdoor fireplace, hardscaping, replace wood fence with a coyote fence to the maximum allowable height of 4'2", reconfigure the pedestrian gate entry. (Marissa Barrett)
2. Case #H-09-054. 811 ½ W. Manhattan. Westside-Guadalupe Historic District. Mary Buck, owner/agent, proposes to construct a coyote fence to the maximum allowable height of 6' on a non-contributing property. (Marissa Barrett)
3. Case #H-09-055. 214 Old Santa Fe Trail. Downtown & Eastside Historic District. Mark Shaw, agent for Charles Barnett, proposes to construct three 3' high stuccoed pilasters on a contributing property. (Marissa Barrett)
4. Case #H-09-049. 689 Gonzales Road. Downtown & Eastside Historic District. Andy Sandoval, agent for Mr. & Mrs. Bill Fulginiti, proposes to remodel a non-contributing residence by construct 3 small additions and replacing non-conforming windows and doors. Two exceptions are requested to have window openings closer than 3' to a corner (Sections 14-5.2 (E)(2)(b)) and to exceed the 30" maximum dimension with glazing (Section 14-5.2 (E)(1)(c)). (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 25, 2009 Historic Design Review Board Field Trip, please notify the Historic Preservation by 9:00 am on Tuesday, August 25, 2009.

**SUMMARY INDEX**  
**HISTORIC DESIGN REVIEW BOARD**

August 25, 2009

<b>ITEM</b>	<b>ACTION TAKEN</b>	<b>PAGE(S)</b>
Approval of Agenda	Approved as presented	1-2
Approval of Minutes		
July 22, 2009	Approved as amended	2
July 28, 2009	Approved as submitted	2
Findings of Fact & Conclusion of Law		
<b>542 Camino del Monte Sol</b>	Approved as presented	2-3
Communications	Discussion	3-4
Business from the Floor	None	4-5
Administrative Matters		
1. <b>Case #H 09-056</b>	Approved as amended	5-9
Old Pecos Trail Road Improvements		
Old Business		
1. <b>Case #H 07-137</b>	Approved as recommended	9-10
519 Johnson Lane		
2. <b>Case #H 09-004</b>	Approved as recommended	10-12
963 Camino Santander		
3. <b>Case #H 09-022</b>	Approved with conditions	13-17
1301A Upper Canyon Road		
New Business		
1. <b>Case #H 09-053</b>	Approved with conditions	17-19
1170 Camino San Acacio		
2. <b>Case #H 09-054</b>	Approved as recommended	19-23
811½ W. Manhattan		
3. <b>Case #H 09-055</b>	Approved with conditions	23-24
214 Old Santa Fe Trail		
4. <b>Case #H 09-049</b>	Approved with conditions	24-28
689 Gonzales Road		
Matters from the Board	Discussion	28-29
Adjournment	Adjourned at 7:51 p.m.	29

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

**August 25, 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 [arriving later]  
Ms. Christine Mather [arriving later]  
Ms. Cecilia Rios  
Ms. Deborah Shapiro  
Ms. Karen Walker

**MEMBERS ABSENT:**

**OTHERS PRESENT:**

Mr. David Rasch, Historic Planner Supervisor  
Ms. Marissa Barrett, Senior Historic Planner  
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. Shapiro seconded the motion and it**

**passed by unanimous voice vote. Dr. Kantner and Ms. Mather were not present for the vote.**

#### **D. APPROVAL OF MINUTES**

**July 22, 2009**

Ms. Rios requested the following changes to these minutes:

On the bottom of page 23, 3<sup>rd</sup> line from bottom, Solar A.M. should be solarium.

Dr. Kantner arrived at this time.

On page 33, it should read "Mark" not "Art."

On page 45 - I think your entrance has.

Ms. Shapiro requested the following changes to these minutes:

On page 49 at the top, third sentence should say, "It's not going to be a backlit panel." And the word, "word" should be "wood."

Mr. Rasch requested the following changes to these minutes:

On page 4, 6<sup>th</sup> line: "of skiers" should be "obscurities."

On page 45, fifth line, should say, "useful" instead of "use."

On page 53, "crawfers" should be "coffers."

On page 73, fifth line should be "you" instead of "your."

**Ms. Walker moved to approve the minutes of July 22, 2009 as amended. Ms. Rios seconded the motion and it passed by unanimous voice vote. Ms. Mather was not present for the vote.**

**July 28, 2009**

**Ms. Walker moved to approve the minutes of July 28, 2009 as submitted. Ms. Rios seconded the motion and it passed by unanimous voice vote. Ms. Mather was not present for the vote.**

Chair Woods announced to the public that anyone wishing to appeal a decision of the Historic Design Review Board had seven days to file the appeal and should contact staff for assistance.

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

### **1. 542 Camino del Monte Sol**

**Ms. Rios moved to approve the findings of fact and conclusions of law for 542 Camino del Monte Sol as presented by staff. Ms. Walker seconded the motion and it passed by unanimous voice vote. Ms. Mather was not present for the vote.**

## **F. COMMUNICATIONS**

Mr. Rasch announced that Ms. Brennan was not feeling well so she could not be present.

Ms. Mather arrived at this time.

Mr. Rasch announced that there would be two special HDRB meetings in September: September 1 at 5:30 was the final presentation on the Drury SW case.

On September 22, the HDRB would meet at 6:00 to consider four cases. He added that on October 6<sup>th</sup> at 5:30 the Board would deal with make up and perhaps consider Chapter 14 amendments.

He also announced that the regular meeting originally scheduled on Nov 10<sup>th</sup> was switched to November 9<sup>th</sup>.

Mr. Rasch sought advice from the Board regarding the application of Chapter 14 regarding height and designation of historic status in the Historic Review District. He showed a map of the Historic Review District that had a red line for its boundaries and on which the shaded area was under the Board's jurisdiction. Staff had height maps for all the buildings in the Historic Review District. He asked if the Board should take jurisdiction over all of it or not.

There were no status designations in the Historic Review District but the ordinance didn't say anything about leaving that district out. He currently had 30 inventories that recommended a historic designation and he asked the Board if they should determine historic status of buildings in the Historic Review District.

Ms. Walker asked about annexation.

Mr. Rasch said that was next. He said there were three phases of annexation. The first was at the south end of town but the third one did get close to the Board's jurisdiction. It went up to Hyde Park and extended beyond Canyon Road and south into the Review District. So he asked the Board if staff should look into getting that annexed area into the historic districts.

Ms. Walker felt the arbitrary line in the Historic Review District was silly. She thought all of it should be under height calculations and all of it should have designations and she was in favor of Upper Canyon Road being in the Downtown & Eastside District.

Chair Woods said they needed to have a public hearing on it.

Ms. Rios asked to Mr. Rasch to identify the boundaries for the Historic Review District.

Mr. Rasch said it went from Old Pecos Trail, followed around Garcia, Camino Cabra, down to Mountain Drive and up to the Presbyterian Church.

Ms. Rios asked if he agreed with Ms. Walker's view.

Mr. Rasch said he saw no reason not to do height and status. He added that the Board had to do the rewrite and the City Council had to agree.

He thought they should extend the overlay also. The Randall Davey area certainly should be included and he would seek funding for inventories of those structures.

Chair Woods agreed on Upper Canyon and status but not for height. Most of the buildings were not historic in any way. Also there were a lot of hills so the whole height thing was different.

Ms. Walker thought there were a lot of the homes there from the 1970s so in ten more years a lot would be 50 years old. She thought there was enough age to justify it.

Ms. Rios thought it would require a close review. She didn't want to include in the Downtown District things that were only 20 years old. But in some of those areas there were a good number of homes at or close to historic age.

Chair Woods recalled that the Board debated about Chapter 14 whether they were using the 50 year mark or a certain period of time that made things historic. In five years, many of the Stamm homes would become historic. But she didn't feel that was what they were protecting. It was not a forum tonight but they needed to determine what it was that they were preserving in Santa Fe now.

Mr. Rasch said he could see the Board was split so it would be interesting.

Dr. Kantner understood the ordinance was to preserve a certain character and not just certain buildings.

Chair Woods said part was the styles ordinance and the other part was preservation and designating certain buildings that limited what could be done to them.

Dr. Kantner thought the styles could be applicable to the Historic Review District.

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

None.

## **H. ADMINISTRATIVE MATTERS**

1. **Case #H 09-056.** Old Pecos Trail road Improvements. Historic Review District and Downtown & Eastside Historic District. Jon Romero, agent for the City of Santa Fe, proposes to install concrete sidewalks, curbs and gutters and detectable warning ramps and to remove encroaching vegetation in front of the Vierra House and a barbed wire fence in front of a vacant lot. (David Rasch)

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

### **BACKGROUND & SUMMARY:**

Old Pecos Trail from south of Cordova Road to south of Berger Street will be improved for better vehicle and pedestrian flow. This section of the Trail is located within the Downtown & Eastside Historic District and the Review Historic District.

The applicant proposes to remodel the street with the following four items.

1. The roadway will be widened to accommodate turn lanes between Barcelona and Coronado. There are no central medians proposed.
2. Sidewalks, curbs, and gutters will be constructed in earth-toned concrete where they do not presently exist along both sides of the street south of Cordova and only along the west side for the remainder of the project.
3. The vegetation that encroaches into the right-of-way in front of the historically significant Carlos Vierra house on the southwest corner of Coronado will be removed.
4. The barbed wire fence that encroaches into the right-of-way in front of the vacant lot on the west side between Coronado and Berger will be removed. There is no proposal for a replacement wall or fence which would be required to follow maximum allowable height and design guidelines.

### **STAFF RECOMMENDATION:**

Staff recommends approval of this application which will continue towards downtown with a project started further south on Old Pecos Trail.

Mr. Jon Romero said he bought a back up to show on the displays. The intent was to provide sidewalk connections from Cordova Road down towards Berger Street near Cliff's Liquor with a sidewalk on both sides to Cordova and then on the west side. The color of concrete was Old Mill Buff going up to the museum where it was grey.



As they proceeded in front of the Vierra property it would be colored. At Coronado they would continue with colored up to the brick pavers.

There was shrubbery in front of Vierra that encroached on the ROW and needed to be removed for the sidewalk. Then across from Cliff's Liquor there was an older dilapidated barbed wire fence also in the ROW that had to be removed to put in the sidewalk. Staff did inform the owner that what he wanted to do afterward would need to come to HDRB.

In front of the Children's museum they would widen it for turns into the museum.

### **Public Comment.**

Present and sworn was Ms. Karen Heldmeyer, 325 East Berger, who said the history of this project was several years old. The initial effort was to place sidewalks on both sides for safety, especially at the Armory complex. Money came through Senator Wirth and then Grubescic. The neighbors had consistently wanted sidewalks and a left turn lane going into the Armory. There have been accidents. They liked this particular design because they felt it would provide safety.

One item they always brought up was the protection of the Vierra House. There was a lot of mature vegetation next to that house that insulated it from the traffic on Old Pecos Trail. Consistently it had been said in public meetings that if staff could be judicious in treatment of that shrubbery, some of it could be saved. It was very old and related to the integrity of the house. It would take a little more caution.

Present and sworn was Mr. Dave McQuairie, 2997 Calle Seralda, who was present on behalf of the disabled community. He said they would like to endorse the staff's project which incorporated ADA requirements and recommended the Board approve it.

Present and sworn was Mr. Roger Zieman, 1058 Camino Manana had some questions. It had come before Council in the past. At one point they were proposing moving power lines and taking part of church property on Cordova Road on north side to produce a right turn lane for east bound traffic on Cordova Road.

Mr. Romero said he knew what he was talking about and it had been removed from the project but there was to be a provision for a north to south u-turn on Old Pecos Trail there.

Mr. Zieman asked if it would have a median there. Mr. Romero said it would not.

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

Ms. Walker noted that one parcel of land was not in the ROW and would need to be condemned or purchasing it.

Mr. Romero said there actually were several portions. One was the southwest corner of Old Pecos Trail at Cordova Road to facilitate the u turn. There was also the church.

Ms. Walker asked if he had contacted the owners to save the trees.

Mr. Romero said they would not remove anything beyond the five foot side sidewalk. That was required by ADA to accommodate two wheel chairs to pass each other.

Ms. Walker asked in the event there was enough space, if staff might shape the sidewalk to save some of them.

Mr. Romero said most of the vegetation was against the wall. They would rehabilitate the curb and gutter and build the sidewalk right up against the curb there in order to save what we could. They had to contact the Vierra House owner regarding the vegetation encroaching on the ROW and driveway improvements. He confirmed that the owner wanted to save as much vegetation as possible.

Ms. Mather asked him to point out where the crosswalks were on this whole strip.

Mr. Romero said the crosswalk was in the area of this signal with paths across the drives and side streets.

Ms. Mather asked if there was none in front of the Children's Museum. Mr. Romero agreed there was not. He said placing one there would give a false sense of security and it would also create accidents.

Ms. Mather asked if the only ones were at Cordova and Old Pecos Trail. Mr. Romero agreed.

Dr. Kantner asked if they were expanding the roadway east into the dirt area across from Vierra. Mr. Romero agreed.

Dr. Kantner said it looked like there was lots of ROW there and asked if the City couldn't shift the ROW there.

Mr. Romero explained that doing so would create a jog in the roadway that they couldn't have without acquiring more ROW so it would not be an abrupt jog. They would have to go further north of Cordova. He said there was room for the sidewalk there without the shift. He apologized that he did not have all the dimensions with him.

Ms. Rios asked if it was possible to have less than five feet width.

Mr. Romero said current City code required five feet on arterials. A four foot width was allowed on residential streets.

Chair Woods said the Board could make a recommendation to the Governing Body.

Ms. Walker felt most of their historic streets were not straight and the shift to the east would be more interesting.

Mr. Romero said if they were offset, a vehicle would have to swerve to avoid running into the sidewalk.

Ms. Shapiro suggested the whole road could be moved a foot to the east.

Mr. Rasch said that was not possible because there were some significant Santa Fe Trail ruts on the other side.

Ms. Shapiro thought they needed a study of that intersection.

Ms. Barrett said the Archaeological Review Committee approved the design presented here and agreed that if it was moved east it could encroach on that rut.

Ms. Mather asked how much of the frontage was less than five feet wide. It appeared to her that it was less than half of the frontage that was impacted by the new sidewalk. Maybe just a small part could be narrower. At the tennis court it would not be as important.

Mr. Romero said he didn't know which part had enough room. Perhaps an option could be to cut just part of the pine trees off.

Ms. Mather favored having just a small portion narrower.

Mr. Romero said it would need Public Works approval to do that.

Mr. Zieman said he just found out about third hearing today. The sign was in an obscure place on the corner where the traffic was busy and you would have to slow down to even see the sign. He said the main concern for them was that there were two entrances to St. John's Church from Old Pecos Trail now. The President of the Church Administrative Council thought this issue was dead but recently heard the City was talking about closing one of them. He said he was adamantly opposed to closing it. The church needed to have both of them kept open.

Mr. Romero said the City discussed it with Mr. Dave Thomas, and engineer who represented the church. He said rather than just closing one of them off they were consolidating them in a wider access point. He said Mr. Thomas did agree to that.

**Ms. Rios moved to recommend approval of Case #H 09-056 per staff recommendations with the condition to narrow the sidewalk in front of the Vierra House to save the vegetation. Ms. Walker seconded the motion.**

Mr. Romero asked if the Board could you set a minimum width.

Ms. Rios said she was not sure because they had not been given information on it.

Mr. Rasch clarified that the Board could approve with a specific width or direct Public Works to work

with staff or the Board could postpone it.

Mr. Featheringill thought working with staff might be a good solution.

Ms. Rios agreed.

**Mr. Rios amended her motion to add the condition that Historic staff would work with Public Works on a specific width. Ms. Walker agreed that the amendment was friendly and it passed by unanimous voice vote.**

## **I. OLD BUSINESS**

1. **Case #H 07-137.** 519 Johnson Lane. Downtown & Eastside Historic District. Keith Beardmore, owner/agent, proposes to remove and relocate a portion of a 6' high wall and construct a 7' wide gate where the maximum allowable height is 4' 10" 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 at 519 Johnson Lane was constructed around 1981 according to the 1991 Historic Cultural Property Inventory. The Official Map lists the building as non-contributing to the Downtown and Eastside Historic District.

The application was approved by the Board at the November 27, 2007 hearing with the condition that latilla color sample and gate details be submitted to staff and that the wall facing the streetscape not exceed 5'10". The applicant was unable to submit for a building permit in the allotted time and now comes before the Board asking for the exact same alterations.

This application proposes to repair the existing 6' to 7' high yard wall as well as relocate a portion of the north wall a distance of 5' to the northeast corner of the property. The new wall will run for approximately 20' along the east property line and 30' along the north property line. The relocated wall is proposed to be 5' 10" high and will have a gradual step down from the existing 7' high yard wall. The maximum allowable height for walls and fences in this streetscape is 4' 10" and 6' for side lot lines. The Board may allow for a 20% increase in height to the maximum of 5' 10" without an exception request as you did in the Nov hearing.

Latilla windows are proposed for the east, street facing wall in order to match the existing and to add "interest". A 7' wide wooden gate is also proposed for the east elevation wall. The gate will be composed of two swing doors to a height of 5' 10" and will be similar to the existing gates in design and finish. The latilla window will be wood and painted to match existing.

The wall will be finished with STO "Abiquiu" which is the existing stucco for the wall and building. The

applicant provided for the details of the latilla window.

**STAFF RECOMMENDATIONS:**

Staff recommends approval of this application on the condition that the wall not exceed the maximum allowable height, with the 20% increase, of 5' 10". 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.

Ms. Walker asked if they had discussed any fenestration of this seven foot wide gate when they approved it in November 2007.

Ms. Barrett said this was a pedestrian gate, not a vehicular gate and it definitely was not a condition.

Present and sworn was Mr. Keith Beardmore, 519 Johnson Lane, who said they had agreed to lower the six foot wall down to 5' 10" and there were no other changes.

There were no speakers from the public regarding this case.

Chair Woods referred to page 17, top elevation where they were going over the top of the gate and asked if that was existing. Mr. Beardmore agreed.

**Ms. Walker moved to approve Case #H 07-137 per staff recommendations. Dr. Kantner seconded the motion and it passed by unanimous voice vote.**

2. **Case #H 09-004.** 963 Camino Santander. Downtown & Eastside Historic District. Architectural Alliance, agent for Karen Rogers, proposes to amend a previous approval by constructing an approximately 496 sq. ft. carport to a height of 11' 10" where the maximum allowable height is 16' 6" and replace a vehicular gate on a non-contributing property. (Marissa Barrett)

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

**BACKGROUND AND SUMMARY:**

The approximately 3,310 square foot Spanish-Pueblo Revival style single family residence located at 963 Camino Santander was constructed by 1947 and has received major alterations which include large additions on the southeast and north elevations, portal additions, and window and door alterations. The Official Map lists the building as non-contributing to the Downtown and Eastside Historic District.

This application was heard at the February 10, 2009 HDRB hearing for the construction of approximately 2,208 square feet of additions, window and door replacements, construction of an approximately 1,287 square foot freestanding guesthouse to a height of 14' where the maximum allowable height is 16' 6", and construction of a yard wall to a height of 5' where the maximum allowable height is 6'.

The Board approved the application with the following conditions, that the wood grills and front door be reused, that the guesthouse be setback at least 10' from the rear property line, that the owners and architect work with neighbors in regards to the coyote fence or wall along the north corner property lines, that the garage height not exceed 13', that there be no publicly visible rooftop appurtenances including proposed skylights and solar panels, that the windows on the north elevation of the guesthouse be 6 lights, that the window trim for both buildings be mist blue, that exterior light fixtures be approved by staff before a building permit application is submitted, that the stucco be cementitious, that the ducting and AC unit be approved by staff, that vegetation (vines in particular) are grown on the north elevation fence or wall, that the owner save the trees on the north corner of the property and that the outdoor kitchen hood vent be approved by staff.

The applicant met with staff on April 15, 2009 to review revised drawings addressing the Board's condition and an administrative approval was issued by staff for all conditions being met.

The applicant now comes before the Board for an amendment to the approval to include the following two items:

Construct an approximately 418 square foot carport to a height of 11' 10" where the maximum allowable height is 16' 6". The carport will connect to the approved freestanding guesthouse which is located at the rear of the lot. The carport will be simple in style and will include wood posts and beams and exposed vigas with galvanized metal caps. All wood work will match the guesthouse which is a "Fruitwood" stain. An approximately 3' high stuccoed wall will be located at the rear of the carport. The wall will be stuccoed in El Rey "Sandalwood" to match the guesthouse.

Lastly proposed is to replace the existing manual steel vehicular gate with a 5' 9" high wood panel mechanical vehicular gate. The gate will be finished with a "Fruitwood" stain. The existing gate opening will be relocated approximately 6' further into the property. The existing wall will be extended the additional 6' and will be to the maximum allowable height of 6'. The wall will be stuccoed to match the existing. A new opening with latillas will be constructed in the wall so that the new gas meter can be read. A keypad on a pedestal will be installed at the driveway entrance.

#### **STAFF RECOMMENDATIONS:**

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

Present and sworn was Mr. Eric Enfield, 612 Old Santa Fe Trail, who handed out further drawings of the project [attached as Exhibit 1]. He explained that they reduced the area of the carport due to site constraints. When they laid out the guesthouse, there was the requirement of being ten feet from existing buildings and a couple of buildings were right on the property line and they wanted to comply with zoning so it was three feet less in width to 19' 6". The wall would be extended six feet to allow a car to pull in front

of the gate and not restrict movement on Camino Santander.

Ms. Walker asked if he had discussed with his client a partially fenestrated gate.

Mr. Enfield said he did and they put in a latilla opening in the fence as a compromise. His client asked that he show the Board some photographs of gates in the immediate vicinity. He showed them.

Ms. Rios asked if his client wanted a solid gate rather than a see-through gate or solid gate.

Mr. Enfield agreed. He had discussed it with her. On a previous approval he got approval with fenestration. He thought in that meeting the condition regarding the gate was that he meet with staff on the design. He thought since the gate was 5' 6" and would allow people to look over it that it would be okay. This design was 5' 9". He had a letter from her that he could read but preferred not to. She had to go back to Texas today and not able to be present.

There were no speakers from the public regarding this case.

Ms. Walker said she thought the owner would consider the upper foot to be fenestrated.

Mr. Enfield said she was a single woman and didn't want people to see in. The opening did allow someone to look in through the wall although it was designed for reading the meters.

Chair Woods asked which members wanted a fenestrated gate according to the ordinance.

Ms. Walker said she would like to see it fenestrated at the top.

Dr. Kantner suggested either fenestrated or at 5' 6".

Ms. Mather said at 5' 1" she could not see through either of them.

Mr. Enfield read the letter from his client.

Ms. Rios asked Ms. Barrett what the ordinance said.

Ms. Barrett said there was no ordinance that supported solid or fenestration. If it was contributing you could use that provision to see the building but this was a non-contributing building so the Board could not use the ordinance.

Ms. Rios asked how far back it would be set.

Mr. Enfield said it was 16-18' back.

**Ms. Mather moved to approve Case #H 09-004 according to staff recommendations. Dr. Kantner seconded the motion and it passed by majority voice vote with all voting in favor except Ms. Walker and Ms. Rios who voted against.**

3. **Case #H 09-022.** 1301 A Upper Canyon Road. Downtown & Eastside Historic District. Mark C. Little, agent for Elizabeth Keefer, proposes to remodel a non-contributing residence by constructing approximately 3,000 sq. ft. of additions, replacing doors and windows, and restuccoing. An exception is requested to exceed the maximum allowable height of 14' 4" (Section 14-5.2 (D)(9)). (David Rasch)

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

**BACKGROUND & SUMMARY:**

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

On May 12, 2009, the HDRB approved an increase to the maximum allowable height at 18' 4" due to slope and granted preliminary approval to remodel the building with the conditions that the main east elevation remain at 12' 3" high, that the existing north elevation remain at 18' 2" high, and that an exception would be needed for the north addition to step downslope to a maximum allowable height of 19' 6"

Now, the applicant proposes to remodel the building with approximately 3,000 square feet of additions on all elevations except for the south elevation. The remodel brings the architectural style more into compliance with the Spanish-Pueblo Revival style with exposed wooden headers, portals on the west and south elevations, deeper reveals on windows and doors, and a larger radius on building edges,

The garage addition on the southeast corner has a height increase above the existing 12' 3" to 13' 6". The existing north elevation is retained at 18' 2". The building's overall height from the proposed north addition is 22' 2". These proposed building heights exceed the preliminary height approvals for the east and north elevations. An exception is requested to Section 14-5.2(D)(9) and the required responses are below. Although not read, they were included herein.

- i. Do not damage the character of the streetscape;

*We feel that our proposed design is harmonious with the "Pueblo Revival" style, and will enhance the character of all adjoining streetscapes and the neighborhood, especially the "River Streetscape" which we have addressed as one of our most important façades with strong architectural detailing. (see North Elevation)*

*The height calculation was determined to be 14'-4", and we are asking for an exception of an extra 4'-0 feet to be added because of the twelve (12') feet of elevation (slope) drop across the building site. The extra 4 feet will allow us to keep the proposed structure at the same parapet height as the existing structure, except at the garage where we will have to raise the parapet by 1'-6" to accommodate the steep slope of the existing driveway and still keep positive drainage away from the proposed structure. We propose that the master bedroom wing's massing will step down from the height of the existing structure to*



*follow the site elevation drop (site slope).*

Staff is in agreement with this response.

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

*Our proposed project is trying to find a balanced solution between working with a building site that has an elevation drop of up to twelve (12') feet and an owner that wants to "age in place" and cannot have too many steps throughout the house if she wants to retire in her new home. We have tried to limit the use of stairs to areas that are not high traffic zones after one is inside the house. We would have liked to eliminate the 3 steps between the Living/Dining Room and the kitchen but it was not possible with stepping the building masses down and keeping the minimum ceiling height code requirement. We feel our proposed building will only enhance the neighborhood and the fabric of the "Core Historic District" and definitely will not cause any injury to the public welfare.*

Staff is in agreement with this response.

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;

*The proposed structure is in keeping with the unique heterogeneous character of Santa Fe in both scale, and detail and we feel goes a long way in strengthening the existing structure's character. As we explore and get to know the existing structure we are finding that the structural integrity, roofing, electrical, and plumbing are all sub standard and need to be brought up to code for occupant safety and welfare. The site drainage is of major concern and needs to be addressed to keep the entrance courtyard and house from flooding during heavy rains. All of these issues will be addressed in our proposal and will allow a new owner/resident to live and maintain a wonderful Santa Fe River property thus preserving property values.*

Staff is in agreement with this response.

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

*Many of the homes in this area or related streetscape are located on sites that have similar slope issues, such as the existing house to the East of our proposed project. Our site is long and thin so our only option is to run the house down the slope, and step the building massing with the slope maintaining a harmonious outward appearance.*

Staff is in agreement with this response.

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

*The existing structure and site modifications at 1301A Upper Canyon are the result of construction and multiple remodels going back to the 1940's when the structure was a work shed. The general slope from Canyon Road to the River is still as it always was. The new owner, Elizabeth Keefer, has done nothing to create the existing slope on the property.*

Staff is in agreement with this response.

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

*We feel that the proposed project will only have a positive impact with respect to the continued existence and preservation of historical areas and buildings, and to the continued construction of buildings in the historic styles, and to the general harmony as to style, color, height, proportion, texture and material between buildings of historic design and those of more modern design.*

Staff is in agreement with this response.

The front courtyard will be redesigned with a stuccoed yardwall to 6' high with planters, pilasters, steps, a bileaf pedestrian gate, and an antique iron grille.

The building will be restuccoed with cementitious material. Stucco and trim colors were not submitted.

#### **STAFF RECOMMENDATION:**

Staff recommends approval of the exception request to exceed the maximum allowable height due to the sloping site and the sensitive stepped massing and with the conditions that the courtyard design and all finish materials and colors be discussed at the hearing and that the exterior light fixture design be approved by staff before building permit application. Otherwise, this application complies with Section 14-5.2 (D) General Design Standards and (E) Downtown & Eastside Historic District.

Chair Woods referred to page 21, the proposed east elevation, on the bottom elevation was having confusion on what was the dimension line and what showed the height of the roof.

Mr. Rasch believed it was a dimension line but suggested that the applicant could respond.

Present and sworn was Mr. Mark Little, 1123 South Luna Circle who said he had nothing to add to the staff report.

Chair Woods asked him if the top line a dimension line or the top o the parapet.

Mr. Little said it was not so much a dimension line as showing what was existing and what was proposed.

Chair Woods said by continuing that line all the way across was giving it too much height. She thought

there should be a way to reduce it at that point. She asked him to look at the forehead over the window.

Mr. Little clarified it further.

Ms. Walker asked why he raised the height of the garage.

Mr. Little said when they got it nailed down it was much higher than what the surveyor showed them by about a foot and a half.

Ms. Rios asked what the public visibility was.

Mr. Rasch said it was not visible from Canyon Road but it was from the river. However there was no public access to the river there.

Ms. Rios asked about the stucco color and trim color.

Mr. Little said he brought the window color but not stucco. It was white.

Ms. Rios asked if there would be rooftop appurtenances.

Mr. Little said it had skylights on the west but they were not visible.

Ms. Shapiro noted on the east elevation there was a screened in porch. She asked if the drawing showed a header of wood. She thought it looked thick.

Mr. Little said there was a viga that came across and sat on the post. Six inch vigas run across solid.

Chair Woods asked for the height of the screened porch to that bearing beam from the floor level.

Mr. Little said he wasn't sure but could scale it on the drawings.

Mr. Rasch clarified that the note said metal flashing.

There were no speakers from the public regarding this case.

Mr. Little said the screened porch height was approximately 10' 6"

Chair Woods asked if the area below was about 4 feet. Mr. Little agreed.

Chair Woods thought it seemed high and very vertical which made it seem 14-15 feet high.

Mr. Little said he intended it to.

Chair Woods suggested if he could lower it somewhat it would help.

Mr. Little said his client wanted it higher to allow them to see Cerro Gordo from the living room. He thought it would be impossible to see it if he had to lower it.

**Ms. Rios moved to approve Case #H 09-022 per staff recommendations and the following conditions:**

- 1. That the applicant has met the criteria for an exception;**
- 2. That the stucco color be submitted to staff;**
- 3. That the trim be painted white as exhibited by the applicant;**
- 4. That there be no visible rooftop appurtenances;**
- 5. That the exterior lighting be submitted to staff for review and approval.**

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

## **J. NEW BUSINESS**

- 1. Case #H 09-053.** 1170 Camino San Acacio. Downtown & Eastside Historic District. Feather & Gill Architects, agent for Chris Clancy, proposes to construct an approximately 96 sq. ft. storage shed to a height of 7' 6", remodel a non-contributing building by constructing a second story portal to match existing height, replace a window with French doors, construct an outdoor fireplace, hardscaping, replace wood fence with a coyote fence to the maximum allowable height of 4' 2", reconfigure the pedestrian gate entry. (Marissa Barrett)

Mr. Featheringill recused himself from this case and left the bench.

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

### **BACKGROUND AND SUMMARY:**

The two story, Spanish Pueblo Revival style single family residence was constructed after 1945 according to the Historic Cultural Properties Inventory. The building received major alteration which include a second story addition and opening alterations. The Official Map list the building as non-contributing to the Downtown and Eastside Historic District.

This application proposed to remodel the non-contributing building by constructing a second story portal on the north elevation to match the existing height of 22'. The portal will be simple in design and include wood posts, beams, and carved corbels. The existing non-compliant second story windows will be replaced with divided light French doors. The parapet of the first story section on the north elevation will increase from 12' 6" to 17'. The portal finish will match the existing.

Also proposed is the construction of an approximately 96 square foot storage shed to a height of 7' 6". The shed will include a wood door and a wood canopy lined with metal. The storage shed will be stuccoed

to match the existing main residence.

New hardscaping is proposed which will include an outdoor fireplace and banco area at the northern end of the property, flagstone walkways, and replacement of the existing wood fence. A new coyote fence will be installed at the maximum allowable height of 4' 2". The fence will have irregular latilla tops and will be located on the existing stone retaining wall where the current wood fence sits. Also proposed is the reconfiguration of the pedestrian entry gate. The existing gate will be removed and a new 7' high wood gate will be constructed in the same location. The gate entry will include stuccoed pilasters, an exposed lintel, and a stuccoed arch. Stucco will match the existing building.

Lastly proposed is the installation of a surround and cover over the existing below grade crawl space entrance.

### **STAFF RECOMMENDATIONS:**

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

Present and sworn was Ms. Solange Seiquis, who had nothing to add to the staff report.

There were no speakers from the public regarding this case.

Chair Woods asked Mr. Rasch to display the proposed east and north elevations. She noted that at the portal the applicant had to raise the parapet on the lower floor for it to meet code on both elevations. She wondered if it could be broken up in the center with some railing so that it wasn't such a massive addition of parapet.

Ms. Seiquis said brought exactly that idea and had a handout for the Board to see. [attached as Exhibit 3].

Ms. Seiquis said the idea was to match it with the coyote they were trying to replace but a railing would be possible.

Chair Woods said whether it was wood or metal it should have some opening through it. Coyote was too solid. So just at the top should be a railing.

Ms. Walker asked for dimensions on the new proposed north elevation coyote fence on the west by the fireplace.

Ms. Seiquis said it was 50".

Chair Woods noted that at the bottom it was 3' 8" so it was almost 8' high.

Ms. Seiquis agreed.

Mr. Rasch clarified that when there was a wall or fence, the Board read from highest grade so it didn't need an exception.

Ms. Barrett pointed it out on page 12.

Dr. Kantner asked if the gate opened into a stairwell. Ms. Seiquis agreed.

Chair Woods asked if they were not changing that elevation.

Ms. Seiquis explained that it was in an unsafe condition so they were replacing it.

Chair Woods asked if it would be on top of the wall.

Ms. Seiquis said it would be replaced exactly as it existed now.

Ms. Walker wondered if that would look a little odd.

Dr. Kantner explained that the drawing was showing what you would see if you could see through the wall.

Ms. Rios asked how high the railing would be.

Chair Woods said the railing had to be 42" above the floor. She disagreed with having the latilla as part of the architecture. It was breaking it up but she suggested a railing would be best, either wood or metal.

Dr. Kantner asked what kind of room was behind the upper French doors.

Ms. Seiquis said it was the master bedroom.

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

Ms. Seiquis said it was not so visible.

**Ms. Mather moved to approve Case #H 09-053 per staff recommendations and the condition that on the north and east second story the opening be covered by a railing of either wood or metal to be approved by staff. Ms. Shapiro seconded the motion and it passed by unanimous voice vote.**

Chair Woods excused herself from the meeting and Vice Chair Rios presided.

Mr. Featheringill returned to bench.

2. **Case #H 09-054.** 811½ W. Manhattan. Westside-Guadalupe Historic District. Mary Buck, owner/agent, proposes to construct a coyote fence to the maximum allowable height of 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 single family residence located at 811 ½ West Manhattan Street was built after 1945 and is listed as non-contributing on the Official Map. The building is located down an approximately 106 foot long driveway easement and therefore is not publicly visible. No changes to the building are proposed.

The application proposes construction of a coyote fence to the maximum allowable height of 6'. The fence will be located along the west property line and will run for approximately 26' at the southern end, break for 22' for the driveway entrance to the neighboring condominium, and then resume for 52' and connect to the existing yard wall. The latillas will have irregular ends and the stringer will face the easement. The fence will match many existing in the area.

#### **STAFF RECOMMENDATIONS:**

Staff recommends approval of the application as it complies with Section 14-5.2 (D) General Design Standards for All H-Districts and Section 14-5.2 (I) Westside-Guadalupe Historic District Design Standards.

Present and sworn was Ms. Mary Buck who distributed a hand out [attached as Exhibit 4] and stood for questions. She said her letter indicated she wanted a fence along the driveway to screen her property from the parking lot. There originally was not to be parking lot there but the final development plan was not kept so she had worked three years with the developer and didn't get anywhere. The driveway into the condos was 14' back. There was a 22' access and her driveway was 17' wide so there was no problem for emergency vehicle access.

She said the fencing was historic to her neighborhood so this was to keep with the historic plan for the neighborhood and screening of the parking lot.

Ms. Rios asked if there were numerous owners of the condos.

Ms. Buck agreed. She said Billy Chapman was the person she talked with. She added that she hired a lawyer and also had it surveyed. She said she had either been totally ignored and shouted at.

Ms. Rios explained that the Board was reviewing the architectural style to make sure it was according to the ordinance. If there were legal issues, the Board could not deal with them.

Ms. Buck apologized. She said she had been working 20 years on this. All of the other 14 properties had fencing and it made sense for her to fence that area.

Ms. Barrett pointed it out in the hand out.

**Public Comment:**

Present and sworn was Ms. Adele La Brecque, 811 West Manhattan Avenue, who said she bought her condo ten years ago from the Chapmans and was unaware of this driveway. They had to use the driveway that belonged to Ms Thompson (Buck). She thought they had been very good neighbors.

Ms. Buck said they would still have access to their units; in fact better access.

Ms. Rios repeated that the Board didn't have jurisdiction.

Ms. La Brecque asked what the purpose of the fence was. She showed a diagram and said it was very narrow in here and two cars could not pass in here. When they came up the driveway and if they met there, it would be a real hazard. She said it also would create a blind spot so people could not see who might already be in the drive. They have service trucks that came in and ambulances or plumbers or electricians there. She could not see how the fence could serve any purpose. She felt the only thing it was preserving was Ms. Thompson's driveway.

Ms. Rios explained that in the permitting process, a permit would not be issued if the fence was not reasonable and safe.

Ms. Barrett agreed. She said the application would go to fire and zoning where there was a review. She pointed out that there was a sign off by zoning in the packet on page six and seven.

Ms. Rios assured Ms. La Brecque that it had to go through all the other departments for approvals.

Ms. La Brecque repeated that she thought they had been good neighbors.

Ms. Rios said she hoped they could continue to be good neighbors. She repeated that they had an option to call City staff.

Ms. Barrett said if Ms. La Brecque called her tomorrow she could give her the numbers for the Zoning Department and felt her issue was a zoning issue.

Present and sworn was Ms. Robin Cooley, 811 D W Manhattan, who spoke to the purpose of the fence. It might be technically a parking lot but there were no lines or blacktop. It was just gravel and landscaping. She considered her house to be a free standing house, not so much a condo. These were freestanding houses with coyotes fencing around each yard. She felt that adding more fencing would just make it look more like an alley. She also had a concern about the mail boxes.

Ms. Rios asked if she was objecting to all the fencing being proposed.

Ms. Colley said she would agree with Ms. La Brecque. She didn't object to having fencing on one side.



She said one moving truck disrupted all the traffic there. It was hard to park and a couple of parked cars created a traffic problem. Their moving truck had a problem getting in. There was a plumbing emergency and trucks had to come in.

Ms. Rios asked if she was saying the proposed fence would impede the traffic in and out there.

Ms. Cooley agreed but didn't know if the law saw it that way.

Ms. Rios said that was a matter that zoning and other departments addressed but not this Board.

Ms. Cooley said when she looked at their compound she didn't see a parking lot. She saw nice landscaping and rocks. Maybe there was something else they could do to please her.

Present and sworn was Ms. Maria Colon, 729 W Manhattan. She said her mother lived at 811 and was a neighbor. She was concerned about safety. Her mother had to have an ambulance come and it was hard for the ambulance to get in there.

She didn't see the purpose of the fence and was not aware there was an easement when her mother bought it in 2002.

There were no other speakers from the public.

Ms. Cooley said if a fence went up she would propose a mirror be installed to cope with the blind spot it would create and a mirror could show who was coming.

Chair Rios asked about Ms. Thompson.

Ms. Buck explained that her full name was Mary Buck Thompson. She noted the picture in the packet. There were two less parking spaces and it went through several departments and was approved. Where the four cars were in the packet two on the north and two on the south. That was to be a common landscape area. It was never completed. She had talked with the developer for three years. He knew it was to be there. She gave up. It was a historic neighborhood and it was her driveway and the parking lot was not in keeping with the neighborhood. It spilled over and was ugly. Her house was built 70 years before the condos.

Dr. Kantner asked if she would consider a lower fence. Perhaps that would demarcate her boundaries but would make it safer.

Ms. Buck said she wouldn't. This was already a compromise of Billy Chapman working with Jack Hiatt.

Ms. Rios reminded her that the Board had the ability to recommend a lower height.

Ms. Barrett noted that it was a side wall so it was six feet unless the Board cited an ordinance.

**Mr. Featheringill moved to approve Case #H 09-054 per staff recommendations. Ms. Walker seconded the motion and it passed by unanimous voice vote.**

3. **Case #H 09-055.** 214 Old Santa Fe Trail. Downtown & Eastside Historic District. Mark Shaw, agent for Charles Barnett, proposes to construct three 3' high stuccoed pilasters on a contributing property. (Marissa Barrett)

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

### **BACKGROUND AND SUMMARY:**

The Vernacular style commercial building located at 214 Old Santa Fe Trail was built from 1912-1921 and has received minor alterations which includes a 1945 addition to the rear of the building. The Official Map lists the building as Contributing to the Downtown and Eastside Historic District.

On July 28, 2009 the owner was issued a red tag for building CMU pilasters without HDRB approval or a building permit. The owner stopped work immediately and contacted City staff.

The applicant proposes construction of three pilasters to a height of 3'. The 2x3x3 pilasters will be located along Old Santa Fe Trail and will be stuccoed to match the contributing building stucco color. The applicant states, in the application letter, that glass cases may be placed on the pilasters at the open of the store to display items such as jewelry or sculptures and will be removed at the store's close in the evening.

### **STAFF RECOMMENDATIONS:**

Staff recommends approval of the pillars as they comply 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.

Ms. Rios asked if they were three feet high. Ms. Barrett agreed.

Present and sworn was Mr. Ma, 214 Old Santa Fe Trail, who had nothing to add to the staff report.

There were no speakers from the public regarding this case.

Ms. Mather asked if he put this jewelry out all year round.

Mr. Shaw said he didn't when it was stormy.

Ms. Walker asked about the color.

Mr. Shaw said it would match existing.

**Ms. Shapiro moved to approve Case #H 09-055 per staff recommendations with the condition that the applicant confer with staff on the stucco color**

**Ms. Walker seconded the motion and asked for a condition that the stucco be cementitious. Ms. Shapiro agreed to the condition and it passed by unanimous voice vote.**

- 4. Case #H 09-049.** 689 Gonzales Road. Downtown & Eastside Historic District. Andy Sandoval, agent for Mr. & Mrs. Bill Fulginiti, proposes to remodel a non-contributing residence by constructing 3 small additions and replacing non-conforming windows and doors. Two exceptions are requested to have window openings closer than 3' to a corner (Section 14-5.2 (E)(2)(b)) and to exceed the 30" maximum dimension with glazing (Section 14-5.2 (E)(1)(c)). (David Rasch)

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

**BACKGROUND & SUMMARY:**

689 Gonzales Road is a single family house that was constructed in the late 20<sup>th</sup> century in a simplified Spanish-Pueblo Revival style. The building has visibility from Gonzales Road and Lejano Lane with non-conforming characteristics including non-divided-light windows like many structures in the surrounding area. The building is listed as non-contributing to the Downtown & Eastside Historic District.

The owner began to remodel the building without permission or a permit and a stop work order has been issued. Now, the applicant proposes to remodel the property with the following three items.

1. An approximately 30 square foot outdoor second-story deck on the southeast elevation will be infilled with wall and windows. The windows will be closer than 3' to a corner and they will be publicly visible. An exception is requested to Section 14-5.2 (E)(2)(b) and the required responses are below.

- i. Do not damage the character of the streetscape;

*As previously noted this design element is uncommon throughout most of the area and virtually nonexistent in dwellings surrounding this residence. Therefore, the integrity of the neighborhood will not be affected.*

Staff is in agreement with this response.

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

*In order to maintain uniform window spacing on the south elevation less than 3' would be necessary on the south façade and south side of the east façade.*

Staff is in agreement with this response.

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;

*The approval of this exception would allow the structure in question to maintain its aesthetic flow and balanced appearance. This will allow for a cleaner presentation of the residence and minimal damage to the interior.*

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;

*This structure when initially constructed was approved with several openings that are closer than 3' to the corners and to maintain this design, new openings must be closer than 3' as stated above.*

Staff is in agreement with this response.

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

*This particular residence as well as many of the surrounding structures seem to have been overlooked in their initial design review approvals for not only the three foot requirement but many other design element requirements as a result of this oversight request of this exception is needed to maintain the original aesthetic characteristics of this residence.*

Staff is 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).

*In maintaining the original design and flow of the building the least possible impact will be felt and the continued appearance of the area will be maintained.*

Staff is in agreement with this response.

2. A bay window on the front, west elevation and a bay window on the rear, east elevation will be installed. These windows will have single-lights and violate the 30" window rule. An exception is requested to Section 14-5.2 (E)(1)(c) and the required response are below.

i. Do not damage the character of the streetscape;

*In viewing other homes in the immediate area the majority of these homes do not exhibit compliance with this section and therefore there will be no deterrence from existing streetscape.*

Staff is in agreement with this response.

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

*At a substantial cost to the owners new windows have been purchased. New windows were purchased to be exactly like existing windows in size and design. These windows cannot be returned because "they were built to spec".*

Staff is unable to verify this, but believes that an additional cost would be required for returns.

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;

*This residential area was added to the historic boundaries in approximately 1979. This particular structure was approved and constructed in 1983 remodeled and added to in 1992. At this time all windows were approved as they exist with no mullions.*

Staff is unable to verify this, since City records are destroyed after they are 10 years old.

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;

*This particular residence as well as several others within the surrounding area seems to have overlooked in terms of certain design elements (i.e. true divided-light windows).*

Staff is in agreement with this response.

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

*The original windows installed were by Pella. These windows, due to a manufacturing problem have acquired condensation between the panes and must be replaced to avoid further problems.*

Staff is 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 this area would appear to be without several required design elements the replacement of the windows with the original style and size windows would maintain the design of this structure as it was constructed.*

Staff is in agreement with this response.

3. All windows and doors will be replaced to match the existing non-conforming window lights and require the same exception as in item 2 above (Section 14-5.2 (E)(1)(c)).

**STAFF RECOMMENDATION:**

Staff recommends approval of the exception requests to replace in-kind non-conforming windows and to construct openings closer than 3' to a corner in order to maintain a harmony with the surrounding neighborhood. Otherwise, this application complies with Section 14-5.2 (D) General Design Standards and (E) Downtown & Eastside Historic District.

Present and sworn was Mr. Andy Sandoval. He said he had nothing to add other than in this area were a number of buildings constructed in 1979-1985 and there seemed to be a lapse in inspection and follow through. A number of them to the east and south were all the same way. A lot of them were done without a permit.

There were no speakers from the public regarding this case.

Ms. Shapiro asked if there was any precedent for bay windows in this area.

Mr. Rasch said he didn't make an analysis of this but typically houses built in the 1970 and 80's did have that feature. As the applicant said this part of the district was unique.

Ms. Mather said she was not seeing a south elevation so she didn't know where those would go with the top.

Mr. Sandoval said they were symmetrical to what existed next to them.

Ms. Mather asked if the parapet would go up no higher than.

Mr. Sandoval said it would match the existing roof line.

Ms. Mather said Chair Woods had mentioned that she was concerned about the parapet as drawn.

Mr. Sandoval said they wanted to follow the existing line for symmetry.

Mr. Rasch said there were other design options like making it look more like an enclosed porch not even with stucco.

Mr. Sandoval said they would opt for a lower parapet because a post and beam design would require them to reframe everything. The owner might have a red tagged permit but reframing would be worse. They could lower the parapet down to 18" if the Board required it.

Mr. Featheringill asked if the windows were already ordered.

Mr. Sandoval said they were. Originally they were Pella windows but they were leaking and the new windows had to be custom fabricated so they could not be restocked. They had snap in grids.

Mr. Featheringill asked if the majority of windows were being replaced. Some of them had snap in grids.

Mr. Sandoval said of the ones staying, some had snap in grids.

Mr. Featheringill asked if the bay window had snap ins.

Mr. Sandoval said it did not.

Mr. Featheringill asked if he could you get them.

Mr. Sandoval thought he probably could.

Mr. Featheringill felt that would just maintain the pattern. And lowering the parapet would be better.

Ms. Mather asked if they would restucco the entire house.

Mr. Sandoval said they would not if they could match the stucco but if needed, they would restucco using cementitious material.

**Ms. Mather moved to approve Case #H 09-049 per staff recommendations and accepting the exceptions and with the following conditions;**

- 1. That snap in grids be put on the new windows and that the parapet be lowered to 18" from the top of the joist on the south east elevation;**
- 2. That if it was to be restuccoed that the applicant submit the stucco color to staff for approval.**

**Mr. Featheringill seconded the motion and asked for an additional condition:**

- 3. That the existing windows would have grids if they were remaining.**

Ms. Rios said staff could clarify the Board's action for him.

Mr. Sandoval said he didn't know where he could find snap in grids for the existing windows.

Ms. Rios said she was confused about that too. The motion needed some clarification.

The Board discussed whether Pella would make the grids.

**Ms. Mather amended her motion that the applicant would attempt to replace the grids in old windows and would put them in the new windows.**

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

**K. MATTERS FROM THE BOARD**

Mr. Featheringill thanked the Board for being nice to Ms. Seiquis. She was a landscape architect from Argentina.

**L. ADJOURNMENT**

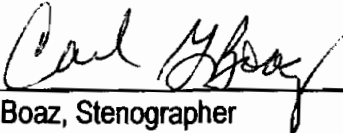
Ms. Walker moved to adjourn the meeting. Ms. Shapiro seconded the motion and it passed by unanimous voice vote.

The meeting was adjourned at 7:51 p.m.

Approved by:

---

Submitted by:

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