



# Agenda

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## HISTORIC DESIGN REVIEW BOARD FIELD TRIP

TUESDAY, JUNE 22, 2010 – 12:00 NOON

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

## HISTORIC DESIGN REVIEW BOARD HEARING

TUESDAY, JUNE 22, 2010 – 5:30 PM

## CITY COUNCIL CHAMBERS

**A. CALL TO ORDER**

**B. ROLL CALL**

**C. APPROVAL OF AGENDA**

**D. APPROVAL OF MINUTES**  
May 25, 2010

**E. FINDING OF FACTS & CONCLUSIONS OF LAW**  
Case #H-09-046. 649 Granada/107 Laughlin  
Case #H-10-040. 432 Acequia Madre

**F. COMMUNICATIONS**

**G. BUSINESS FROM THE FLOOR**

**H. OLD BUSINESS**

1. Case #H-09-012. 526 Galisteo Street. Don Gaspar Area Historic District. Christopher Purvis, agent for Ms. Ortiz, proposes to amend a previous approval to remodel a contributing and non-contributing property with installation of exterior lights. (David Rasch)
2. Case #H-09-013. 1047 Old Santa Fe Trail. Historic Review District. Clemens and Associates, Inc, agent for Michael W. McAdams proposes amending a previous approval of yard walls and gates on a non-designated property. (Marissa Barrett)
3. Case #H-10-016-B. 507 Johnson Lane. Downtown & Eastside Historic District. Bruce Smith, owner/agent, proposes to remodel a non-contributing property by replacing windows, increasing height to the maximum allowable of 14' 2", removing approximately 168 square feet, constructing an addition of approximately 130 square feet, rebuilding side lot line walls and fences to the maximum allowable height of 6', and constructing a streetscape yard wall to the maximum allowable height of 59". (David Rasch)
4. Case #H-10-042. 623 Camino de la Luz. Downtown & Eastside Historic District. Patricia Tusa and Rob Civitello, owners/agents, proposes to construct an approximately 2,417 sq. ft. single family residence and 416 sq. ft. attached studio to a height of approximately 14' at midpoint of the street-facing elevation, 18'7" on the downslope where the maximum allowable height is 14'7", construct an approximately 484 sq. ft. freestanding garage to a height of 11' where the maximum allowable height is 14'7" and construct a yardwall and vehicular gate to a height of 5' where the maximum allowable height is 5' 4" on a vacant lot. (Marissa Barrett)

5. Case #H-10-52. 534 W. Alameda. Westside-Guadalupe Historic District. Michael Monnet, agent for Reid Engstrom, proposes to replace windows and doors, construct an approximately 15 square foot mechanical room addition to match the existing height of 10', repair cracks and paint exterior of the building, and replace roof on a non-contributing building. (Marissa Barrett)

**I. NEW BUSINESS**

1. Case #H-10-054. 211 Barela Street. Westside-Guadalupe Historic District. Jill Janov, owner/agent, proposes construction of a vehicular gate to match the existing wall height of 6' on a contributing property. (Marissa Barrett)
2. Case #H-10-056. 515,517, and 519 Camino Del Monte Sol. Downtown and Eastside Historic District. Jasper Vassau, agent for Sallie Bingham, proposes to remodel contributing residences by constructing a 374 square foot addition on a non-primary elevation and to construct a zaguan entrance in a non-historic wall. (David Rasch)
3. Case #H-10-057. 500 Garcia Street. Downtown and Eastside Historic District. Liaison Planning, agent, for Nancy and Tony Jacobs, proposes to replace brick coping including the pattern on a non-contributing building. (Marissa Barrett)
4. Case #H-10-058. 631 Old Santa Fe Trail. Downtown & Eastside Historic District. Mary Kreutz, agent for Katherine Bell, proposes to replace windows on a non-contributing building and construct an approximately 32 square foot freestanding storage shed to a height of 8' where the maximum allowable height is 14' 11". (Marissa Barrett)
5. Case #H-10-055. 726 Agua Fria Street. Westside-Guadalupe Historic District. Carlos Kellogg, owner/agent, proposes to replace doors and windows on a contributing building including closing off openings. An exception is requested to alter doors and windows on primary elevations Section 14-5.2 (D,5,a). (Marissa Barrett)

**J. MATTERS FROM THE BOARD**

**K. ADJOURNMENT**

For more information regarding cases on this agenda, please call the Historic Preservation Division at 955-6605. Persons with disabilities in need of accommodations or an interpreter for the hearing impaired, contact the City Clerk's office at 955-6520, five (5) working days prior to hearing date. If you wish to attend the June 22, 2010 Historic Design Review Board Field Trip, please notify the Historic Preservation Division by 9:00 on Tuesday, June 22, 2010.

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June 22, 2010

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

**June 22, 2010**

**A. CALL TO ORDER**

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

**B. ROLL CALL**

Roll Call indicated the presence of a quorum as follows:

**MEMBERS PRESENT:**

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

**MEMBERS ABSENT:**

Ms. Sharon Woods, Chair [excused]

**OTHERS PRESENT:**

Mr. David Rasch, Historic Planner Supervisor  
Ms. Kelley Brennan, Asst. City Attorney  
Mr. Dan Esquibel, Planning Staff  
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 noted a typographical error in the agenda at the fourth case under Old Business. The 484

square feet should have said 480 square feet.

Also, the correct case number for the fifth case under Old Business is 10-053.

He said a representative of a neighbor on the fourth case would arrive late and asked if the Board could table the case until that person arrived.

Vice Chair Rios said as the presiding officer she was not voting but felt it wasn't fair.

Ms. Walker didn't favor changing the agenda either.

**Ms. Walker moved to approve the agenda as amended with the changes mentioned by Mr. Rasch and keeping the order of cases as presented. Dr. Kantner seconded the motion and it passed by unanimous voice vote.**

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

**May 25, 2010**

Ms. Shapiro asked for a correction on page 20, 2<sup>nd</sup> line from the bottom has an extra "there" at the end of the line to remove.

**Ms. Shapiro moved to approve the minutes of May 25, 2010 as amended. Ms. Walker seconded the motion and it passed by unanimous voice vote.**

#### **E. FINDINGS OF FACTS AND CONCLUSIONS OF LAW**

Case #H 09-046, 649 Granada/107 Laughlin

Case #H 10-040, 432 Acequia Madre

**Dr. Kantner moved to approve the findings of facts and conclusions of law as present. Ms. Walker seconded the motion and it passed by unanimous voice vote.**

#### **F. COMMUNICATIONS**

There were no communications.

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

There was no business from the floor.

Vice Chair Rios announced to the public that anyone who wished to appeal to the Governing Body a decision of the Board had thirty days to file an appeal.

## **H. OLD BUSINESS**

1. **Case #H-09-012.** 526 Galisteo Street. Don Gaspar Area Historic District. Christopher Purvis, agent for Ms. Ortiz, proposes to amend a previous approval to remodel a contributing and non-contributing property with installation of exterior lights. (David Rasch)

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

### **BACKGROUND & SUMMARY:**

526 Galisteo Street is a commercial contributing building with the east and south elevations as primary and a non-contributing accessory structure. The property has two street frontages in the Don Gaspar Area Historic District.

On March 10, 2009, the Historic Design Review Board approved remodeling on the property which includes the construction of an 869 square foot addition with a 240 square foot ramada on the west, non-primary elevation of the contributing building, along with switching the front door and a front window, and replacing a sliding glass door on the rear with a window, replacing the vehicle door infills on the accessory building with doors and windows repairing and extending the existing streetscape yardwalls.

On July 14, 2009, the Historic Design Review Board approved an amendment to the remodeling project that included altering the front door, restored the off-white color, installing an outdoor freezer located to the west of the addition on the principal building with a 7' high white board fence screen applied to the previously approved pergola, retaining the shed-roof porch on the accessory building north elevation, reducing the vehicle door infill on the accessory building east elevation from previously approved triple door/window installations to paired door/window installations, applying a temporary wood board screen to the iron gate during remodeling, and altering the site paving to include more asphalt in the front and significantly more flagstone in the rear with a random-cut pattern.

On February 23, 2010, the Historic Design review Board approved the construction of two portals at the west side of the rear yard at 414 square feet and 10' 8" high.

Now, the applicant proposes to remodel the property by installing additional exterior light fixtures along the streetscape yardwall on Paseo (#5 on site plan), hanging down from the brick parapet on the main building (#6), and on the rear portals (#7). There are 13 low wattage lights to be mounted at the base of the Paseo wall. There are 4 low wattage lights to be mounted on the east parapet with an additional 3 lights on the south parapet of the main building. There are 4 strips of low wattage lights to be mounted

inside the rear portals.

**STAFF RECOMMENDATION:**

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

Present and sworn was Mr. Christopher Purvis, 227 E. Palace Avenue, who said his client was very creative and had his own ideas. He installed the lights after purchasing them from Home Depot. Some were pointed up and some pointed in the wrong direction. He now had them aligned correctly. It provided a dim glow along the wall. Lighting the building was debatable and he would leave that for the Board. They were buried behind the rocks.

Ms. Walker said the correct term for lighting strength was lumen.

Mr. Purvis said they were low wattage so they produced low lumens. It was not brightly lit. Having many means of them just meant it was more even light.

Vice Chair Rios asked if it was it for safety to guide clients into the restaurant.

Mr. Purvis agreed and the client did it without asking.

Vice Chair Rios asked about the lights at the building.

Mr. Purvis said the owner would like them to stay.

Vice Chair Rios asked if anyone had seen them.

Ms. Walker asked if there was any photo taken at night.

Mr. Purvis said he tried but they didn't turn out.

Ms. Shapiro asked if there were lights on pedestals on the coping of the wall.

Mr. Purvis said those were historic on the wall. He might have repaired the wiring of them but otherwise didn't touch them. He said that was on the Galisteo side. They persisted from the previous owner.

Ms. Shapiro said she could see the wiring and it looked like the lights were taped on the coping.

Mr. Purvis agreed.

Ms. Walker asked if for the ones up at the top of the building he couldn't have gotten something more harmonious with it.

Mr. Purvis thought he could or the Board could direct him to do that.

Mr. Featheringill considered placing lights on top of the parapet not traditional for lights. He would like a more traditional location - maybe on the ground. He would like down lights on walk ways and less on the building.

Mr. Purvis said he had some walk way lights.

Vice Chair Rios agreed.

Ms. Mather asked what the purpose of the lights on the coping was.

Mr. Purvis said he got as many as he could to light up the wall.

Ms. Mather said that was not satisfactory for a light solution.

Mr. Featheringill said there were two #1s on Galisteo and thought they were up lights in the middle of nowhere. He wasn't sure why they wanted up lights there.

Mr. Purvis said those were down lights from last time on the pathway.

Dr. Kantner asked if they were turned off after hours. Mr. Purvis agreed.

Ms. Shapiro asked if they complied with the night sky ordinance.

Mr. Purvis said it met the ordinance when directed to the wall.

Mr. Rasch said the city staff would check the lumens of them.

#### PUBLIC COMMENT

Present and sworn was Ms. Stefanie Beninato, 604½ Galisteo, who said she took photos of the lights last night and had them on a flash drive. Mr. Rasch showed them to the Board.

She thought the restaurant had not been a great neighbor. They came in with one plan and then added on and added on rather than coming in with the entire plan so the neighbors could see the full impact. She didn't know how the number of tables or parking got approved.

Vice Chair Rios clarified that the Board was reviewing lighting at this meeting and did not have jurisdiction over parking.

Ms. Beninato said the lighting had been a problem. They had gas vapor lights that they since removed.



She showed the pictures and described them. She counted 13 lights and they were pointed up. They were not open at night but had the lights on. There was a street light at the southwest corner of the property that illuminated the entire parking lot so it was not a dark space.

There were seven lights on the building and one that illuminated up into a tree. One the back they have 24 lights while serving. It was over illuminated, particularly with those that were pointing up. She thought it would be best for them to go away forever. They were supposed to come in with drawings and it just happened.

There were no other speakers from the public.

Mr. Purvis said the lights on the ground were the ones along the wall. This was subjective but it seemed the parking lot didn't have enough light for elderly people at night. Martin just went out and did it. He claimed customers had trouble getting to their cars at night. It was gravel.

Ms. Shapiro asked if he would be willing to do a lighting plan and bring it to the Board.

Mr. Purvis said they brought a lighting plan and the Board approved it but it didn't include the lights along the wall. It had all the rest that he had installed. It would take the Board making a decision for him to persuade the owner to do something.

**Ms. Walker moved to approve Case #H 09-012 for the ground lighting but remove the lights from the south façade of the main building and any lights on the east side.**

She commented that it was not appropriate to have any lights right up underneath the coping.

**Mr. Featheringill seconded with an amendment that the lights were on a timer and not a photocell so they would go off when business was concluded. Ms. Walker accepted the amendment as friendly and it passed by unanimous voice vote.**

Mr. Purvis asked for clarification about relocating them to the ground.

Ms. Walker said they could be put on the ground.

2. **Case #H-09-013.** 1047 Old Santa Fe Trail. ~~Downtown & Eastside Historic District.~~ Historic Review District. Clemens and Associates, Inc, agent for Michael W. McAdams proposes amending a previous approval of yard walls and gates on a non-designated property. (Marissa Barrett)

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

**BACKGROUND AND SUMMARY:**

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

This application was heard at the March 24, 2009 hearing and was postponed for redesign. The applicant has made minor alterations to the submittal.

The applicant proposes to replace the 5' 6" to 5' 8" high coyote fence along Old Santa Fe Trail with a 6' 6" (reduced from the previously proposed 7' height) high stucco yard wall where the maximum allowable height is 5' 5". The applicant received a variance from the Board of Adjustment in November 2008 (variance V-2008-07) to construct a yard wall exceeding the zoning maximum allowable height of 6'. The applicant now requests that the Board grant the 20% height increase from 5' 5" to 6' 6" allowed by the 1999 Wall and Fence Guideline Policy. This approval does not require an exception. The applicant has also revised the original submittal to include taller landscaping between the yard wall and Old Santa Fe Trail.

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

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

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

Mr. Rasch had samples for the finish of the wood gates and shared them with the Board.

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

Also proposed is a coyote fence and stuccoed pilaster with stone capping along the west property line. The fence will not exceed the maximum allowable height of 6'.

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

The Board made the following motion at the June 9, 2009 hearing regarding this case: The decision of the Board was to approve the application on the condition that the stucco mass over the pedestrian gate be removed and that the wall not exceed six feet 3 inches to five feet nine inches and that the gates be in proportion with the lowered walls.

In the spring of 2010 the Historic Inspector reviewed the construction at 1047 Old Santa Fe Trail and found that some of what was built was not in compliance with the H Board approved case as well as the approved building permit plan. The main item was that it was not consistent with the approvals of the number of stacked stone courses at the tops of the pilasters. The Board approved plans showed the number of stacked stone courses to be two throughout the entire street-facing wall, including the pilasters at the gates. The courses also did not appear to be beveled. The City-approved permit plans showed two courses of stacked stone at the wrought iron entry gate pilasters as well as the pilasters throughout the length of the wall. Permit plans also showed three courses of stacked stone at the wood gates. The stacked stone on the plans indicated a slight beveled appearance. The actual construction of the pilasters include four courses of beveled stack stone which, according to the Historic Inspector, exceeds the approved height by one course.

The applicant is seeking approval of the project as built which includes retaining the four course beveled stone caps throughout the wall. The applicant states that the original intent of the project was to match the stone cap of the main residence which includes four courses of stone caps.

Also found to be not in compliance by the inspector was the height of the grand wrought iron entry gate. The gate appears to be approximately three inches over the approved height at the center's highest point. The applicant is seeking approval to retain the gates as built.

Lastly proposed by the applicant is to change the wood gate finish from matching the stucco color to a muted Sage Green translucent stain.

#### **STAFF RECOMMENDATIONS:**

Staff recommends that the City approved permit set stands which includes two layers of stacked stones at the wrought iron gates and pilasters throughout the wall and three layers of stacked stone at the wood gate, although staff would prefer that two layers of stacked stone are used throughout for consistency as was originally approved by the Board. Staff also recommends that the light sage green stain be approved for the gates and that the vehicular ingress gate remain as built.

Vice Chair Rios asked how many pilasters were there.

Mr. Rasch said he would have to look at the plans to count them.

Present and sworn were Mr. Mark Leish 1012 Marquez Place, #201 and Mr. Jess Clemons, 1012 Marquez Place, #201.

Vice Chair Rios asked Mr. Rasch about the two emails distributed to the Board.

Mr. Rasch said they were sent to Ms. Barrett about this case [attached as Exhibit A and B].

Mr. Leish said the two main issues they wanted the Board's approval on were the wood gates that were originally to be stained to match the stucco color. The owner would prefer to use the green stain. They had not done anything with the gates, pending the HDRB decision.

Vice Chair Rios asked how many pilasters there were.

Mr. Leish said there were about 12-13 plus the ones at the entry gate. He said he was chagrined to have to deal with all the flagstone layers because he recognized the inconsistency in the plans. It was embarrassing but the intent was to have the same number on all the pilasters along the street. On the building set it showed two for the entry gate and these details showed three with the flair. Both of those were done after the Board said to take off the top mass above the pedestrian gate. To give some visual support to the entry gate was why they went back to the flared stack.

He said the drawings that showed three layers were shown at the ENN. At that point they were looking at a solid ingress gate but the input received led them to the open metal gate.

He said the detail that ended up on the building set unfortunately was the older iteration for the columns and they didn't catch it. He explained they were the designer and constructor.

Ms. Mather noticed the applicant provided a photo of the top of the chimney. She asked if that was to match the pilasters and if it had beveled edges.

Mr. Leish said they were not beveled but they were irregular like they were made with scraps. But they didn't want irregular stuff on the streetscape. They did four levels on the chimney itself and the color did match.

Ms. Walker clarified that the Board didn't require the pilasters to match the chimney. But the Board voted for two layers on the pilasters and they were not beveled. Regardless of what the applicant showed to other people, her inclination would be to stay with their decision.

Dr. Kantner asked how difficult it would be to remove the two top layers from the pilasters.

Mr. Clemons said it was doable but would cost thousands of dollars.

## PUBLIC COMMENT

Present and sworn was Mr. Charles Brunn, 837 Don Diego, who said he drove Old Santa Fe Trail often and was involved slightly in the decision on the wall having worked for Mike McAdams. He was here to speak for the wall which he thought was beautiful and a fine addition along Old Santa Fe Trail. The flagstone caps were unusual but a welcome addition. He posed a question and then an answer. He asked if the plans had come to the Board showing the four pieces of flagstone on them if the Board would have approved them. He asked if it looked better now than if they took those two courses off. He asked if taking them off would make a better looking wall or diminish what was there now.

He said the thickness of the wall was consistent with other coping thicknesses. There were two walls down the street with brick coping at approximately this same thickness.

He thought this flagstone coping added to the majesty of the columns themselves. It made them pronounced and stuck out. To remove two of those layers would make it look like an after-thought. The wall was majestic and beautiful and with the plantings, it was fantastic. He hated to see things have to be undone without good reasons.

Vice Chair Rios asked what height those extra two courses added.

Mr. Brunn said they added about three inches.

Mr. Clemons said the four layers totaled seven inches.

Dr. Kantner told Mr. Brunn when he invoked "majesty" he had some concern because that was not normally applied to Santa Fe architecture. In fact that was what the Board was trying not to do. Santa Fe architecture tried to downplay any majesty.

His second concern was that the Board approved something and the applicant built something else and then came back to ask for the Board's forgiveness and approval on what was built. It put the Board in a really awkward position.

So he was inclined to agree with Ms. Walker both because of its majestic-ness and also because this was yet another project coming back. The Board struggled quite a bit to come to a compromise with the owner and his representatives.

Mr. Brunn said regarding this project coming back to the Board and that being kind of tiresome and weary. He thought he could state that this was a case of oversight and making decisions at the time that seemed appropriate without perhaps consulting the Board or the plans to a greater extent. He didn't think there was any subterfuge or malice intended. And that was why they were back.

He said he was trying to address the point if this had been proposed whether the Board would have approved it. He thought that was worth thinking about. It would be a decision to undo something that was beautiful by his standards.

Regarding the question of majesty he said Old Santa Fe Trail was lined with big beautiful houses with walls in front of them. And this one was in keeping with those walls. In fact, it might be a little bit more in its grandeur and its plantings and the newness of its stucco – in its closeness to the wall. It was one thing to see the architectural plan of the drawing but it didn't give the sense of how far you were from it when viewing it. This one was right in your face at the street and made it more present, much more large. He was asking the Board to embrace that.

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

Ms. Walker noted that the board members drove there again today and saw that there were lots of properties around there with no walls at all.

Vice Chair Rios acknowledged that there were a few tall walls in that area on Old Santa Fe Trail.

Mr. Brunn said it was a mix. He commended the Board for allowing it to be built. There were a wide variety of styles. He had some pictures of the wall and gate and surrounding properties to leave for the Board.

Ms. Walker said they did have those pictures.

**Ms. Walker moved in Case #H 09-013 to stay with the Board's decision which was the reason they were red tagged because they violated the HDRB's decision and stay with the two courses of stone on the pilasters which would mitigate that slant; to allow the extra height on the vehicular gate; and to approve the green stain on the wooden gates. Dr. Kantner seconded the motion and it passed by unanimous voice vote.**

3. **Case #H-10-016-B.** 507 Johnson Lane. Downtown & Eastside Historic District. Bruce Smith, owner/agent, proposes to remodel a non-contributing property by replacing windows, increasing height to the maximum allowable of 14' 2", removing approximately 168 square feet, constructing an addition of approximately 130 square feet, rebuilding side lot line walls and fences to the maximum allowable height of 6', and constructing a streetscape yard wall to the maximum allowable height of 59". (David Rasch)

Mr. Rasch presented the staff report for this case.

### **BACKGROUND & SUMMARY:**

507 Johnson Lane is a single-family residence that was originally constructed in a vernacular manner before 1950 with additions between 1950 and 1954. The building is listed as non-contributing to the Downtown & Eastside Historic District.

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

1. The parapets will be increased in height from approximately 10' to 13' 3" where the maximum allowable height is 14' 2".

2. The existing steel casement windows will be replaced with wood casement windows with two opening dimension changes on the south elevation which will be increased for French doors. Latilla awnings will be installed over the French doors at 2' deep with bracket supports.

3. The later addition on the north elevation for a laundry room will be removed and an open courtyard retained.

4. An approximately 130 square foot addition will be constructed on the east elevation of the garage. The addition will feature French doors with sidelights on the east elevation with a latillas awning.

5. The height of a rock retaining wall on the south lotline will be increased to 6' high above the highest grade with stuccoed masonry construction.

6. The street-facing yardwall and gates will be remodeled and increased in height to the maximum allowable height of 59". The wall will feature a wooden window grille, a bi-leaf wooden pedestrian gate with ornamental frame and a stuccoed mass above the gate to a height of approximately 7' 6", and a wooden bi-leaf vehicular gate.

#### **STAFF RECOMMENDATION:**

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

Vice Chair Rios asked Mr. Rasch to describe the public visibility and any rooftop appurtenances.

Mr. Rasch said he had not discussed rooftop with the applicant. The east and part of south elevations were visible but probably none of north elevation and certainly none of the west.

Present and sworn was Mr. Bruce Smith, 507 Johnson Lane. He said he appeared before the Board in March to confirm the non-contributing status of his home. The plans started five years ago. They respected the historic integrity of the property. Three different parapet heights corresponded to the historic periods in the house's construction. The reason for the application for the walls was to secure more privacy. It was built all the way at the western end and there was no outdoor space and was not open to the lane. He thanked the staff for their support and advice. No exceptions were requested.

Vice Chair Rios asked if he was proposing to put anything on the roof.

Mr. Smith said there was a skylight on the kitchen and it wouldn't be visible from the street. Then in the

back, they were making parapet higher for possible future solar panels that would then not be visible. Nothing was on the roof that would be visible.

Vice Chair Rios asked him to tell the Board about the wall in the front. There was one there now.

Mr. Smith said a wall was put in during the 1980s.

Mr. Rasch said the existing wall was 4' and the proposed wall was 59".

Vice Chair Rios asked if he would be reconfiguring it.

Mr. Smith agreed and said it was to make a place for parking space. (L shaped for 3 cars). On the right they would demolish part of that wall. It would have latillas that were harvested from a family heirloom bed in the opening.

Ms. Walker noted that he showed the vehicular gate to be solid.

Mr. Smith said they bought antique horse farm gates for the vehicular gate and he didn't know the height of them.

Mr. Rasch said they were 5' 4" high.

Vice Chair Rios asked what the width was.

Mr. Rasch said they were 10' 8" wide.

Mr. Featheringill concluded they would be taller than the wall. He asked if the wall would slope up there.

Mr. Smith explained that the lot sloped to the west.

Mr. Rasch clarified that the wall on the south increased to six feet so it would be taller than the gate.

Ms. Mather asked if he had picked the window color.

Mr. Smith said the window color was sage green and the stucco would be Hacienda. They would restucco the entire house. It would be cementitious stucco.

Mr. Rasch pointed out the stucco color.

Ms. Shapiro asked how tall the pedestrian gate was.

Mr. Smith said it was 5' 11". He took some photos of other gates like it.



Ms. Shapiro thought it was too high and too elaborate. She was a little worried about it because his house was simple and he was working on preserving it. But this gate seemed too majestic and dominating. She liked the doors themselves but not the frame around it or the arch over it which was not something the Board normally approved because of its height and mass.

Mr. Smith also showed casement windows similar at 700 Johnson Lane and the latilla awnings.

Ms. Shapiro asked how he would cut the latilla ends of the awnings.

Mr. Smith said he planned to cut them straight across.

Ms. Shapiro asked about lighting.

Mr. Smith said they had made no decisions on lighting but would be willing to work with the Board regarding the pedestrian gate or whatever the Board was suggesting.

Dr. Kantner asked if the opening to courtyard on the north façade was being done by just taking part of the wall and opening it up. Mr. Smith agreed.

Dr. Kantner asked if it would be stuccoed all the way around. It seemed like he would need a header.

Mr. Smith explained they wanted it to be open to the sky. The laundry room was added later using an original external window so they wanted to keep the definition of the space by retaining the wall.

#### PUBLIC COMMENT

Present and sworn was Mr. Waite Thompson, 503 Johnson Lane. He said he had lived there at 503 since 1979 and was the longest Anglo on the Lane and 2<sup>nd</sup> to Bobby Dominguez.

His concern was the southern boundary. Three houses were contiguous on the south from Garcia. Those three were several feet above the applicant's property - maybe 5 feet above.

As long as he had lived there a very lovely rock retaining wall ran the whole southern edge of the property and had done its job well. When they moved in there was not one wall on Johnson Lane.

My house and one other had been the only hold outs for no walls.

Some people bought 501 Garcia and asked him about putting up a wall and he urged them to talk with Ms. Sofie Lucero. Mr. Lucero built the retaining wall and was never certain about how much weight it would really hold. It was a charming old wall. She consulted an engineer and never found out the results but they decided not to build the wall and eventually moved back to Boulder. The point was that to my knowledge there hadn't been a discussion since about a wall on the southern boundary there.

It concerned him to have a masonry wall built on top of that retaining wall whether it could hold this masonry wall. At present there were coyote fences along that wall. Coyote fences were not as heavy.

Vice Chair Rios asked if Mr. Thompson was opposed to it.

Mr. Thompson said he would hate to see the retaining wall disappear. He was the only permanent resident. The other two below the retaining wall were absentee owners from New York. He thought an engineer report done by a reputable engineering firm that said the retaining wall was capable to hold that weight would be sufficient.

Mr. Smith explained that the proposal was not to build a six foot wall on the whole south side but only as far as the paddock doors. The coyote fence that went the rest of the way was fine.

They got three professional opinions about the suitability of the retaining wall and would not do anything to jeopardize the adjoining properties. The wall was made of broken up bits of cement.

Ms. Walker said it would be about 20' then.

Ms. Shapiro noted there was a historic braided wire fence there and asked if he planned to remove it.

Mr. Smith said they were kind of attached to that fence and thought of using it elsewhere.

Mr. Thompson said the wire fence was on his property.

Vice Chair Rios clarified that he would have to take care of that elsewhere.

Mr. Thompson asked that the three professional indications that the foundation could handle that wall be entered on the record.

Vice Chair Rios said the applicant was giving sworn testimony.

Mr. Thompson felt that to have those professional estimates entered as testimony in the case would help him. The only way he would consent to that work on his property line was to have a statement drawn up by his attorney.

Mr. Smith said the opinions were not all positive. He believed the feasibility of that rested with the Land Use Department.

Vice Chair Rios agreed.

**Ms. Mather moved to approve Case #H 09-016B with the following conditions:**

- 1. That the stucco be cementitious in the color Hacienda;**
- 2. That no rooftop appurtenance be visible from a public way;**
- 3. That exterior lighting be submitted to staff for review and approval.**

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

4. **Case #H-10-042.** 623 Camino de la Luz. Downtown & Eastside Historic District. Patricia Tusa and Rob Civitello, owners/agents, proposes to construct an approximately 2,417 sq. ft. single family residence and 416 sq. ft. attached studio to a height of approximately 14' at midpoint of the street-facing elevation, 18'7" on the downslope where the maximum allowable height was 14'7", construct an approximately 480 sq. ft. freestanding garage to a height of 11' where the maximum allowable height was 14'7" and construct a yardwall and vehicular gate to a height of 5' where the maximum allowable height was 5' 4" on a vacant lot. (Marissa Barrett)

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

**BACKGROUND AND SUMMARY:**

This case was heard at the May 25<sup>th</sup> 2010 hearing and was postponed to the June 8 2010 hearing pending clarifications of design, materials, and colors.

623 Camino de La Luz is an approximately 10,321 square foot vacant lot located in the Downtown and Eastside Historic District. This application proposes construction of an approximately 2,417 square foot single family residence and an approximately 416 square foot attached studio to a height of 14' measured at the midpoint of the west, street facing elevation, and 18' 7" on the down-slope, where the maximum allowable height is 14' 7" and 18' 7" on the down-slope if granted by the Board. Since the lot slopes more than 2' across the footprint of the proposed building the Board may grant 4 additional feet for the slope change. This does not require an exception but is to help mitigate height issues due to slope. Also proposed is a freestanding approximately 484 square foot garage to a height of 11' where the maximum allowable height is 14' 7".

The main residence and studio sit on top of the hill and will be Spanish Pueblo Revival in style. The building will be constructed from RASTRA or similar product and will have rounded corners and parapets. Windows will be divided light, Loewen aluminum clad in the color "Patina Green". Windows under the portal will have larger panes as permitted by code. The applicant has revised the original proposal by replacing the non-compliant windows on the west elevation with divided light French doors. The windows under the inset portal on the west elevation may include larger panes of glass. The building will be stuccoed using El Rey Madera. An example of the proposed exterior light fixture can be found at the end of the packet.

Two skylights are proposed for the main residence and will not be publicly visible. An exterior courtyard will include a 6' high yard wall and outdoor fireplace.

The 440 square foot garage will be located at the northwest corner of the lot on the lower level.

Windows and doors will be divided light and the garage doors will be located on the south elevation and will be wood stained carriage style doors (see photo in packet for similar design). The parapet of the garage has been altered from the original proposal to no longer include a sloping metal roof. Instead the roof of the garage will be a full continues parapet with no height shifts. The wood details around the east elevation door and west elevation window have been eliminated. An overhang, which will not exceed 18", is proposed over the garage doors on the south elevation. Overhang material needs to be clarified.

Lastly proposed is a 5' high stuccoed yard wall along the west, street facing property line. The wall will include a bench seating area and a 13' long, 5' high, steel frame and latilla vehicular gate.

#### **STAFF RECOMMENDATIONS:**

Staff recommends approval on the condition that there be no publicly visible rooftop appurtenances and that the garage door overhang material is clarified. Otherwise this application complies with Section 14-5.2 (D) General Design Standards for All H-Districts and Section 15-5.2 (E) Downtown and Eastside Historic District Design Standards.

Vice Chair Rios asked if City terrain management said that where he wanted his house was appropriate and accepted by them.

Mr. Rasch said the reason it came up was that the ordinance allowed the Board to grant up to four additional feet in height without an exception if it could be shown that there was at least two feet in slope on the property. The Land Use Director felt the slope was not in a buildable area but technical staff felt it was appropriate for the Board to give up to four feet additional height if it chose to.

Ms. Mather asked Mr. Rasch if the square footage of the garage had changed.

Mr. Rasch explained that the garage originally was further east and touched the slope so they had to shift it to the west and that caused it to be smaller.

Present and sworn was Mr. Robert Civitello, 1301 Upper Canyon, Unit C, who shared some documentation with the Board. [Exhibits C and D]

Mr. Civitello clarified that at the request of Historic staff they did a certified slope analysis that Terrain Management approved.

Ms. Shapiro asked him to clarify the gate design.

Mr. Civitello said the steel was the carriage and the latillas required another steel band to hold them up. It would slide sideways.

Ms. Shapiro asked if the tops would be irregular. She said most latillas were slightly uneven at the top. Mr. Civitello said that would be okay.

Ms. Shapiro asked about external lighting.

Mr. Civitello said he had not located it yet but would submit any lighting to staff.

Ms. Shapiro asked if he had any rooftop appurtenances. Mr. Civitello said there were none.

## PUBLIC COMMENT

Present and sworn was Mr. Karl Sommer, P.O. 2476, Santa Fe, 87504 who said he was present on behalf of Ms. Cecilia Rumsey, the adjacent neighbor to the north. Her property was entered out of Delora and was lower in elevation. This was difficult for the Board because the Board was called upon to exercise judgment in an area not otherwise within the Board's purview where one party could be greatly adversely affected by the Board's discretion. It was premised upon certain technical data that was submitted to the Land Use Department. He met with the City Engineer and looked at the slope analysis.

He asked three things of the Board. He thought it should be denied because the Board should not exercise its discretion in a manner that was being asked of it.

Secondly, if the Board decided to entertain its discretion, it should not be allowed at the maximum allowable height until information that was reliable was submitted to the Board.

Finally, it should be denied because the proposal because it would interfere with the declaration of solar rights Ms. Rumsey had. He explained that the height would be going from 14' to 18' on her property line. She was five feet from her property line and had solar collectors on the southern boundary.

Vice Chair Rios interrupted and asked Ms. Brennan for an opinion. Mr. Sommer wanted to address the issue of declaration of solar rights which was not within the Board's purview. She asked if the Board should go forward.

Mr. Sommer said the Board was being called upon to exercise its discretion in favor of one party over another. It was important for the Board to know how the exercise of its discretion would affect the party. He was not here saying the Board had to enforce solar rights at all.

Ms. Brennan agreed it was not in the Board's purview but the Board could hear his statement and discuss it.

Mr. Sommer read the relevant part of the ordinance for slope allowance. He showed the surveys that had been submitted by Mr. Civitello's surveyor. The first was a slope analysis in accord with 2' contours. These contours were allowed at 2' and at 30% slopes at five foot contours by code.

But this calculation at the bottom was done at a one foot contour. The surveyor said that area could be disturbed. It was 42% between those two contours. The code didn't allow one foot contours. The same was true at the top of the slope which was two' contours until it got to the top where it was one foot

contours. It appeared to lessen the slope. So the calculations were done on a basis that were not allowed.

He emailed the results to Mr. Scott Yeager and the City to point out that it wasn't correct. He reminded them that Land Use had to affirm that it was in a slope area that was allowable to be built in.

Mr. Yeager drew a line on his analysis that he said was previously disturbed but he was not a certified engineer. In that area you find bed rock - exposed bed rock and it was in the line for total slope.

That was important because the house would be built right to that line. There were rocks in that area. He said he was not an engineer or a surveyor. But if the Board granted the height when the slope was not certified it would be wrong. It was important because Ms. Rumsey's house was right there and was below that house with solar collectors. So this house would have tremendous adverse impact on her.

He said the Board didn't have in front of them the design they had before. They moved the garage over and in this location the house went up 18' - 4' higher than the Board would normally allow. He submitted to the Board that they should not allow it.

He added that Ms. Rumsey had been living there 42 years and enjoyed the property. Her roof was about the same height as the finished floor of this proposed home that was within five feet and 18' up from her house.

He said the Board could go ahead and exercise its discretion. If exercised and the Board granted 4' higher, that decision would leave here and go to the Land Use Department and they would never look at the height. They would never come back here again. So the Board should deny it because of the impact on Ms. Rumsey's house and secondly insist that the information the Board received was accurate and correct. The information he saw was bed rock in an area that was going to be disturbed and an analysis that was not certified by anybody. The solar rights declaration was relevant because this house at 18' would over shadow most of her collectors.

Mr. Sommer said Ms. Rumsey was not here to be a bad neighbor. Mr. Civitello and Ms. Tusa bought this in January and probably paid \$300,000 for it and had to build a house that would maximize the use of this property. That desire was understandable. But he questioned that the City should allow it because of the impact on her.

He thought it should be denied because of its impact and also thought the Board should not exercise its discretion because of the uncertified information.

Vice Chair Rios asked for Ms. Brennan's comments and whether the Board could go forward and whether the information was reliable.

Ms. Brennan said the Board had the authority to act and could rely on certifications provided by staff.

Ms. Walker said she wouldn't dream of voting on an inaccurate topo. 2' was normal. She personally wouldn't vote on it until they had accurate information. She noted that several years ago some clients of

hers went to consider the property but couldn't because a shed there had been demolished without a permit so they were not allowed to touch it for two years. So they walked away. She remembered that the shed had been near the top of the ridge and asked if Mr. Rasch remembered that location.

Mr. Rasch did remember it being demolished but not the location.

Vice Chair Rios asked Ms. Brennan to comment on Mr. Sommer's statement about the slope analysis.

Ms. Brennan said she also was not an engineer but the technical staff did review it and felt the Board had the authority to act.

Present and sworn was Ms. Celia Rumsey, 1200 Camino Delora, who said she had been in New Mexico since 1974, over half of her lifetime. She made a commitment to New Mexico and had lived on this property since April 3, 1978. Everything that had happened on that property and it was a lot, was a labor of love.

She said Sharon Woods told Mr. Civitello on May 5<sup>th</sup> that this must be a labor of love for him. She was sure it was but hers was also a labor of love. She had plants on the property that commemorated the highs and lows of her life. She put in her own rock. She dug up trees and planted trees. She pulled the weeds for 32 years. Everything element of that property on the land was her labor of love as was the house. She described her attempt to conserve energy and build green including all the solar gain windows and hot water system which would be compromised by Mr. Civitello's building as proposed.

She said she had built her career here in Santa Fe. She had four one-artist shows in museums in town and other places as well. She felt Mr. Sommer's statements were important. She did have the solar declaration in place which meant no one could impede it. She said she had notified Mr. Civitello and the Del Norte Credit Union of her declaration of solar rights.

This proposal would allow him to go over edges that his present topography claimed were fill areas. And the only way to verify that was with a soils engineer. Also Mr. Yeager had not certified the fill line or measured it. So she questioned how well informed these documents were and understood it was not under the Board's discretion. But if the Board approved it, that would adversely affect her place.

She said she had been a solid citizen and made a commitment to Santa Fe and to her property. Having lived there for 32 years, she worked for Margaret Schoonover who died in 1982. Her heir, Sandra MacKenzie had been selling these lots. She didn't remember the shed. But she also didn't recall any bulldozer flattening off that property where he wanted his house. So she didn't know how the fill could have gotten into these places shown on the topo map. She swore she was telling the truth as she knew but could not verify those two things.

So she was requesting that the Board deny the project. The house was 2800 square feet but didn't need to be that big or encroach on the grades. She didn't want them to not have a house or be a neighbor but at this point it would severely compromise her energy conservation and the quality of her life and her

memory of being on that property. She had worked very hard on that property for a long time. She had been conserving water and energy and hated to see that compromised.

Vice Chair Rios asked her if she was flat opposed to the proposal as presented because of the location where the applicant wanted to put their house. She heard Ms. Rumsey say that in another location it could be okay.

Ms. Rumsey thought so but would like to review that proposal.

Mr. Sommer said he indicated to the Board that the solar collectors were five feet from the property line and then 18' feet up was what was being requested. It was not necessary to have that height to build on this property. They didn't need to do that to build on the property. But they wanted a courtyard in the middle and was not a necessity but what they wanted.

The ordinance dealing with slopes contemplated a gradual slope and that was not the case here. It was flat and then dropped off sharply.

Vice Chair Rios asked if the 18' was with the added four feet for slope.

Mr. Rasch agreed - that was what the Board could grant without an exception.

Mr. Civitello commented that somewhere along the line, because they wanted to build, they became a malevolent force. He was a good citizen too. Based on the information received, they were led to believe they could build here. He would question some of the statements just made.

He noted that Mr. Yeager was a professional and had worked here in Santa Fe a long time. He put his seal and his signature on it which would put him at great risk if it was not accurate but he was not present to defend himself.

Mr. Civitello approached and provided a sketch to pass around that showed the proximity of other structures including Ms. Rumsey's residence. He pointed out that the only part that was five feet away was the mechanical room that was 10' 6 high.

The sketch showed the buildable area by a brown line and showed what was approved by Terrain Management. The stipples showed what would be allowed for 50% of their structure and they only had 33% in the slope. So the only remaining area was a white area that was buildable but not built upon.

The elevation along the side was configured in order to conform to that limiting line.

He also showed shadow diagrams of actual photographs of the model as positioned on the property. One at 10:00 a.m. showed shadows going straight back. It was taken in late spring. He also had diagrams for noon and at 4 p.m.

His contention was that they could verify that the shadows would not impede on Ms. Rumsey's solar



collectors or the outdoor area around her house. They were proposing a basic two bedroom house and the only extravagance might be his wife's studio.

Vice Chair Rios asked him to respond about a different location.

Mr. Civitello acknowledged there could be other designs made but he had considered three different locations and was doing this within the confines and limits of what they were given. In his view, the design would not impede her solar. For purposes of solar and permitting he would prove solar was not an issue in this case. He said he had tried to contact Ms. Rumsey but his phone call had not been returned.

Mr. Sommer asked to see the pictures and the diagram and they were shared with him.

He showed the model again.

Mr. Featheringill asked where were the collectors were located.

Mr. Sommer said they were on the roof. He approached to show their location and also a document to Mr. Featheringill with the attached solar rights declaration.

He explained that he was showing a certified survey and said the house was five feet away. The solar panels there were at 9' 6" high. He pointed out all the locations of the solar collectors on the house and the solar panels' locations.

Ms. Shapiro asked how tall her house was.

Mr. Sommer said it stepped down. Her house was approximately 11' to the parapet and as it went down it was stepped comparable to the slope in elevation.

Ms. Brennan clarified that Mr. Sommer thought the slope analysis and solar reflected on the Board's discretion but said the Board had information upon which they were entitled to rely and the declaration of solar rights was a private matter between two parties and not within the purview of the Board.

Vice Chair Rios said she understood that and thought the rest of the Board did, as well.

Mr. Sommer showed the property line on the model. He made some other comments that were not audible.

Vice Chair Rios asked Mr. Civitello to point out the different heights on the building.

Mr. Civitello said there were only two points where the height reached 18½' and showed them on the model. The greatest distance between the two houses occurred where the height was the highest.

Vice Chair Rios asked what the distance was between where his house was the highest at 18½' and

Ms. Rumsey's house.

Mr. Civitello said the minimum distance between the two houses was ten feet as required by code and increased as it became higher. He didn't have the dimension with him.

Dr. Kantner asked about the necessity of having the height as shown on the northern end of the house where the kitchen and bedroom were located. He asked if that part could be stepped down.

Mr. Civitello said his sketch showed where the step downs were located. Each of the floors stepped down as well. The mechanical space dropped and dropped again. He said they had made every attempt to reduce the height.

Vice Chair Rios asked about the ceiling height in the portions of the structure that were at an 18' height.

Mr. Civitello said the ceilings there were 9' high. He thought maybe their step downs could be greater. He said they would do everything they could do to accommodate the needs of the people who lived around them.

Mr. Featheringill asked how much roof structure they had from ceiling to roof.

Mr. Civitello said it was 12" of roof structure and a little for slope. The parapet could be minimal at two feet or less.

Vice Chair Rios reminded the applicant that anything changes discussed would have to be submitted to staff.

Mr. Sommer said the area on the property line where the elevation was 18' was where Ms. Rumsey's floor was 13' below that point. So this property sat very high as opposed to where she was.

Present and sworn was Mr. Dan Woodward, 141 Calle don José. He said regarding the question regarding the dimension from the ceiling to parapet height that the ceiling in relation to parapet height was approximately 2'. It had one foot of parapet and one foot of insulation.

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

Dr. Kantner said he was sympathetic to the solar exposure issue but was not something the Board could address here. He was more concerned about the mass of the building on the north end. If the Board were to grant 17' as opposed to the full maximum height of 18' 7", he thought it would not look as much like the bow of a ship jutting out there.

Mr. Civitello said they were willing to work with staff to improve that situation and perhaps if they could, they would reduce it to whatever minimally would work.

Ms. Walker pointed out that oftentimes applicants were not clear in their understanding when coming to

the Board that the Board was not required to give extra four feet or two feet in height. It was discretionary.

Mr. Civitello said he understood.

Ms. Shapiro referred to the two rooms on the north side that had the 18' walls and asked how many steps were between the rest of the house and those two rooms. Mr. Civitello told the Board it stepped down but did not indicate to the Board how much.

Mr. Civitello said currently there were two risers at 6".

Ms. Shapiro asked if he could step it down more and if he could entertain an eight foot ceiling. If he added two more risers and took out a foot in the ceiling, then it would be lowered two feet.

Mr. Civitello said he was willing to entertain that.

Ms. Shapiro felt that might mitigate it. It would also help so that the house was not all the same mass. It would have more angulations in it and give it better character.

Mr. Civitello showed where it currently showed each elevation dropping down on the north elevation. Ms. Shapiro asked if the mechanical room had a 9' ceiling.

Mr. Civitello said it was dropped considerably. He said that in the kitchen it was possible to have a fur down over the cabinets and drop it further.

Ms. Shapiro pointed out that he could gain even more savings if he could spray foam the ceiling too.

Mr. Civitello said perhaps but would rather not limit himself to that right now.

Ms. Shapiro asked if he would be willing to bring back another option.

Mr. Civitello felt they were very close at this point. They indicated they were willing to work with staff on it and were willing to reduce it from 18' 7" to 17' 6" of 17' and then they could see how that all would work. He said he would be happy to return if that was what it would take.

Vice Chair Rios asked if this was the second or third time he had been before the Board.

Mr. Civitello said it was the second time but they had missed the last one.

Vice Chair Rios explained often it was when the project was complicated that neighbors objected. She said the Board was trying to get the best for him and his neighbors.

Mr. Civitello said he understood and was in favor of that.

Vice Chair Rios asked if he had a willingness to come back and try to lower things on it according to what the Board members were saying, particularly those involved in the construction trade.

Mr. Civitello said as he understood, the directive was to work on the north elevation in order as best as possible to reduce the overall height along that entire side as they were able.

Ms. Walker commented that each time he made a modification it cost more money but presumed he was doing most of it himself.

Mr. Civitello said he was the architect but they had involved the engineer and the surveyor to do two different studies.

Ms. Walker asked him then why he couldn't do a second drawing modifying the location.

Mr. Civitello explained that he had already done three. And there was not a whole lot of area to work with.

**Ms. Shapiro moved to postpone Case #H 10-042 to give the applicant time to work on lowering parapet heights, the ceiling heights, the level of the floor on the north elevation; to bring an exterior lighting plan and to approve the moving of the garage location.**

**Vice Chair Rios thought it was premature to approve the moving of the garage. Ms. Shapiro agreed and withdrew that part of her motion. Mr. Featheringill seconded the motion.**

Mr. Featheringill asked if she wanted to give him a goal.

Ms. Shapiro said the goal would be to lower the kitchen and that area as much as two feet.

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

Mr. Rasch said he assumed Mr. Civitello would let him know when he was ready to return.

5. **Case #H-10-052.** 534 W. Alameda. Westside-Guadalupe Historic District. Michael Monnet, agent for Reid Engstrom, proposes to replace windows and doors, construct an approximately 15 square foot mechanical room addition to match the existing height of 10', repair cracks and paint exterior of the building, and replace roof on a non-contributing building. (Marissa Barrett)

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

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

141 ½ Elena Street is a single-family residential building that was constructed before 1958 in a vernacular manner. The building is listed as contributing to the Westside-Guadalupe Historic District and

the west elevation may be considered as primary.

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

1. A 548 square foot addition will be constructed on the west, primary elevation. The addition will match existing adjacent height of 12' and it exceeds 50% of the existing 1,016 square foot building. The addition will feature stepped massing, an arched window on the west elevation, and Prairie-style windows that will match existing windows. Two exceptions, to construct an addition on a primary elevation (Section 14-5.2 (D)(2)(c)) and to exceed the 50% footprint rule (Section 14-5.2 (D)(2)(d)), are proposed and the criteria responses are attached to the end of this report.

2. An "L"-shaped 344 square foot portal will be constructed on the west elevation of the existing residence and on the south elevation of the addition. The portal is designed in the Spanish-Pueblo Revival style at 10' 4" high

**EXCEPTION for construction on a primary elevation:**

**(i). The proposed construction on a primary elevation does not damage the character of the streetscape.**

The home is not visible from any public locations. Therefore, the additions to the home will have no effect or relation to the character of the streetscape.

Staff response: Staff is in agreement with this response.

**(ii). The proposed construction on a primary elevation shall prevent a hardship to the applicant or an injury to the public welfare.**

The owner seeks to add a bedroom and bath to an existing one bedroom, one bath home and a portal along the south and west sides. The applicant submits that given the nature of the proposed additions and the fact that the home is not visible to the public, approval of the requested modifications would minimize hardship to the applicant.

Staff response: Staff is in agreement with this response.

**(iii). The proposed construction on a primary elevation shall 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 modifications would provide for a functional, modern and well-designed bedroom, bath and portal, in the pueblo revival style, to the home that will maintain use as a residence.

Staff response: Staff is in agreement with this response.

**(iv). The proposed construction on a primary elevation is due to special conditions and circumstances which are peculiar to the land or structure involved and which are applicable to the other lands or structures in the related streetscape.**

The configuration of the lot and location of the existing home only allow for an addition to the west (primary) façade. The owners purchased the home in 2006 which had been altered by previous owners (replaced windows and exterior doors and re-stuccoed).

Staff response: Staff is in agreement with this response.

**(v). The proposed construction on a primary elevation is due to special conditions and circumstances which are not a result of the actions of the applicant.**

The owners purchased the home in its present condition and seek to add an additional bedroom and bath to create a two bedroom, two bath home. The alterations were by previous owners (replaced windows and exterior doors and re-stuccoed).

Staff response: Staff is in agreement with this response.

**(vi). The proposed construction on a primary elevation shall provide the least negative impact.**

The owners purchased the home in its present condition and seek to add an additional bedroom and bath to create a two bedroom, two bath home. The alterations were by previous owners (replaced windows and exterior doors and re-stuccoed).

Staff response: Staff is in agreement with this response.

**EXCEPTION for construction that exceeds the 50% footprint rule:**

**(i). The proposed construction that exceeds the 50% footprint rule does not damage the character of the streetscape.**

The home is not visible from any public locations. Therefore, the additions to the home will have no effect or relation to the character of the streetscape.

Staff response: Staff is in agreement with this response.

**(ii). The proposed construction that exceeds the 50% footprint rule shall prevent a hardship to the applicant or an injury to the public welfare.**

The owner seeks to add a bedroom and bath to an existing one bedroom, one bath home and a portal along the south and west sides. The applicant submits that given the nature of the proposed additions and

the fact that the home is not visible to the public, approval of the requested modifications would minimize hardship to the applicant.

Staff response: Staff is in agreement with this response.

**(iii). The proposed construction that exceeds the 50% footprint rule shall 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 modifications would provide for a functional, modern and well-designed bedroom, bath and portal, in the pueblo revival style, to the home that will maintain the use as a residence.

Staff response: Staff is in agreement with this response.

**(iv). The proposed construction that exceeds the 50% footprint rule is due to special conditions and circumstances which are peculiar to the land or structure involved and which are applicable to the other lands or structures in the related streetscape.**

The configuration of the lot and location and layout of the existing home only allow for an additional wing to the existing home to achieve a new bedroom and bath that are modest in size and are in keeping with the scale of the existing home.

Staff response: Staff is in agreement with this response.

**(v). The proposed construction that exceeds the 50% footprint rule is due to special conditions and circumstances which are not a result of the actions of the applicant.**

The owners purchased the home in its present condition and seek to add an additional bedroom and bath to create a two bedroom, two bath home.

Staff response: Staff is in agreement with this response.

**(vi). The proposed construction that exceeds the 50% footprint rule shall provide the least negative impact.**

The proposed modifications to provide the new bedroom, bath, and portals match the existing height, style, form, color, proportion, texture, and material of the existing home and are within all underlying zoning regulations and provide the least negative impact with respect to the purposes of the Historic District regulations.

Staff response: Staff is in agreement with this response.

#### **STAFF RECOMMENDATION:**

Staff recommends approval of the exception requests to exceed the 50% footprint rule and to place an

addition on a primary elevation. Otherwise, this application complies with Section 14-5.2 (C) Regulation of Contributing Structures, (D) General Design Standards, and (I) Westside-Guadalupe Historic District.

Vice Chair Rios asked if this was an adobe building.

Mr. Rasch agreed that it was adobe.

Vice Chair Rios asked Mr. Featheringill how the elastomeric paint would affect an adobe building.

Mr. Featheringill cautioned that the elastomeric paint would trap moisture like the elastomeric stucco would.

Vice Chair Rios asked if this was a non-contributing house. Mr. Rasch agreed.

Present and sworn was Mr. Michael Monet, 2235 Henry Lynch Road, who said that the elastomeric paint would go over the existing stucco. It was breathable more than synthetic stucco because it was much thinner. He didn't think there would be a problem of retaining moisture.

Mr. Featheringill said he had not researched that. A rubber membrane would trap moisture and could be an issue with an adobe building. He suggested they could go with regular paint.

There were no speakers from the public regarding this case.

Dr. Kantner asked if there would be any new lighting on the exterior by the doors or anything.

Mr. Monet said no.

Dr. Kantner said if there were any, he could take it to staff.

Mr. Monet explained that 90% of this project was interior repair.

**Mr. Featheringill moved to approve Case #H 10-052 per staff recommendations and the conditions that any additional lighting be reviewed and approved by staff and that non-elastomeric paint be used. Ms. Walker seconded the motion and it passed by unanimous voice vote.**

Vice Chair Rios recognized staff member Mr. Dan Esquibel.

Mr. Rasch explained that when Ms. Barrett went on maternity leave Mr. Esquibel would take over her duties.

## **I. NEW BUSINESS**

- 1. Case #H-10-054, 211 Barela Street. Westside-Guadalupe Historic District. Jill Janov, owner/agent,**



proposes construction of a vehicular gate to match the existing wall height of 6' on a contributing property. (Marissa Barrett)

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

#### **BACKGROUND AND SUMMARY:**

211 Barela Street is a Vernacular style, single family residence built by 1939 and received moderate alterations which include window and door replacement and a shed roof addition. The Official Map list the building as contributing to the Westside-Guadalupe Historic District.

In the spring of 2010 the owner was red tagged for constructing a vehicular gate without HDRB approval or a building permit. The owner stopped work immediately and contacted City staff.

The application proposes construction of a 2 panel, wood slat with steel frame vehicular gate along the west, Barela Street facing property line. The gate will be approximately 13' 7" wide and 6' high to match the height of the stuccoed yard wall. The gate is set back approximately 13' from Barela Street. The wood slats are currently left untreated.

#### **STAFF RECOMMENDATIONS:**

Staff recommends approval of the application on the condition that the gate is slightly lowered to the height of the interior steel frame and finished with a natural, weathered stain. Otherwise, this application complies with Section 14-5.2 (C) Regulations for Contributing Buildings, 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. Jill Janov, 1410 California NE Albuquerque

Ms. Janov said she purchased this property a year and a half ago. She had three tenants and the house was burglarized by breaking into a rear window during the first tenant. With the next one she wanted to make it safer so she started constructing the fence. She wanted a motorized gate to open because there was no place to stop on the street.

Ms. Walker said the Board would be interested in having the gate lowered and asked Ms. Janov if that would be a problem.

Ms. Janov asked what that would mean.

Ms. Walker said the top of the gate would be even with the top of the wall on the right.

Mr. Rasch said that would mean lowering it about 8".

Ms. Janov asked how that could be done.

Mr. Featheringill explained she would not have to take it apart but run a saw across it eight inches below the top.

Ms. Janov explained that she made the gate the exact same height as the property behind it.

Vice Chair Rios agreed with Ms. Walker that it should be reduced.

Mr. Featheringill asked what color it was.

Ms. Janov said the Board could tell her what color to make it.\

Mr. Featheringill suggested it be weathered with a grey wash stain and let it go from there.

There were no speakers from the public regarding this case.

**Mr. Featheringill moved to approve Case #H 10-054 per staff recommendations at 2-3" higher than the metal frame and finished with a weathered stain. Dr. Kantner seconded the motion and it passed by unanimous voice vote.**

2. **Case #H-10-056.** 515,517, and 519 Camino Del Monte Sol. Downtown and Eastside Historic District. Jasper Vassau, agent for Sallie Bingham, proposes to remodel contributing residences by constructing a 374 square foot addition on a non-primary elevation and to construct a zaguan entrance in a non-historic wall. (David Rasch)

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

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

515 Camino del Monte Sol is a single-family residence that was constructed by 1928 in a simplified Spanish-Pueblo Revival style. It is listed as contributing to the Downtown & Eastside Historic District with the west elevation considered to be primary. 517 Camino del Monte Sol is a single-family residence that was constructed by 1933 in the Spanish-Pueblo Revival style. There is a non-historic covered storage that connects 517 to 515. The building is listed as contributing to the district with the west and south elevations considered to be primary. 519 is a single-family residence that was constructed in 1928 in the Spanish-Pueblo Revival style. It is listed as contributing to the district with the west and north elevations considered to be primary.

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

1. A 374 square foot addition will be constructed on the east elevation where an arbor presently exists. The addition will be 14' high and lower than the existing adjacent parapet height. The addition will feature a

river rock base, French doors with a zinc standing seam awning and steps with a simple iron hand rail and iron baluster rails at the windows on the north elevation, and French doors with an iron balcony on the east elevation. Window style and all finishes will match existing conditions.

2. The storage connection between 515 and 517 will be remodeled to create a zaguan passage from the front yard to the rear yard. Bi-leaf wooden pedestrian gates will be installed in the solid wall of the west elevation.

#### **STAFF RECOMMENDATION:**

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

Vice Chair Rios asked if any of this proposal would impede the contributing historic status.

Mr. Rasch said none of the three contributing structures would be impeded upon.

Present and sworn was Mr. Jasper Vassau, 211 Lorenzo Lane, who said the effort was to connect the front garden and rear garden through the zaguan. It was an adorable property and this would make it flow very nicely. For the addition on the back he had worked closely with neighbors and dropped the roof and it benefitted the design to bring the floor level down to the garden.

Ms. Walker thought it was a fabulous property.

Mr. Vassau said the gardens were fabulous too. It was a humble piece of architecture.

There were no speakers from the public regarding this case.

**Ms. Mather moved to approve Case #H 10-056 per staff recommendations and as submitted. Ms. Walker seconded the motion and it passed by unanimous voice vote.**

3. **Case #H-10-057.** 500 Garcia Street. Downtown and Eastside Historic District. Liaison Planning, agent, for Nancy and Tony Jacobs, proposes to replace brick coping including the pattern on a non-contributing building. (Marissa Barrett)

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

#### **BACKGROUND AND SUMMARY:**

The Territorial Revival, single family residence and detached garage were constructed in the early 1900s and received major additions and remodeling in 1983 and 2004. The buildings are listed on the Official Map as non-contributing to the Downtown and Eastside Historic District.

The applicant proposes replacing the brick coping on the single family residence and garage, as well as the wall pilasters. The applicant states that the current pattern of the coping was of poor design which is causing major deterioration and leaking within the main residence. The coping will be replaced with brick of a similar color but the pattern will be altered. An example of the proposed brick pattern may be found on the last page of your packet.

#### **STAFF RECOMMENDATIONS:**

Staff recommends approval of the application as it is in compliance 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. Dolores Vigil, 4366 Waking Sky, who had nothing to add to the staff report.

Dr. Kantner said the Board noticed pilasters with coping and asked if she was planning to replace any of that.

Ms. Vigil agreed.

There were no speakers from the public regarding this case.

**Ms. Walker moved to approve Case #H 10-057 per staff recommendations Ms. Shapiro seconded the motion and it passed by unanimous voice vote.**

- 4. Case #H-10-058.** 631 Old Santa Fe Trail. Downtown & Eastside Historic District. Mary Kreutz, agent for Katherine Bell, proposes to replace windows on a non-contributing building and construct an approximately 32 square foot freestanding storage shed to a height of 8' where the maximum allowable height was 14' 11". (Marissa Barrett)

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

#### **BACKGROUND AND SUMMARY:**

631 Old Santa Fe Trail is a Spanish Pueblo Revival style, single family residence constructed by 1928. The building received a major character defining, second story, non-compliant solar addition in the late 1970s or early 1980s. The Official Map lists the building as non-contributing to the Downtown and Eastside Historic District due to the major alteration.

The applicant proposes replacing the divided light wood windows and doors and non-compliant windows. The opening dimensions will be retained and the divided light pattern will match as close as possible. The non-compliant windows will be replaced with divided light windows as to comply the 30"

window rule. The window and door color will remain white and blue. Also proposed is to re-stucco the building using a cementitious stucco and to match the color and texture as close as possible.

Lastly proposed is a freestanding, temporary storage building. The storage shed will be approximately 32 square feet and 8' high where the maximum allowable height is 14' 11". The storage shed is located at the rear of the property and is not publicly visible. The shed is a brownish-tan earth tone color which matches a neighboring residence. The shed includes a solid brown entry door and a slight shed propanel roof.

#### **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 (E) Downtown and Eastside Historic District Design Standards.

Present and sworn was Ms. Mary Kreutz, 631 Old Santa Fe Trail #2.

She said she had rented this property since 1983 from Katherine Bell. It had 25 windows and was once a stables. She wanted to replace the windows and doors. Although it was non-contributing, she wanted to maintain the character of the building and be as authentic as she could with window and door sizes and would keep within the 30" rule. She would use the same color stucco in cementitious. The shed was earth tone and it wasn't visible from the street.

Vice Chair Rios asked if she would follow the window pattern.

Ms. Kreutz said she would as closely as possible.

Vice Chair Rios asked if she might replace the doors.

Ms. Kreutz said they would reuse if they could salvage some of it but they were rotting. There were three exterior doors and she thought they would need to replace all of them. She would replace with wood doors.

Ms. Shapiro asked if she didn't have the windows chosen yet.

Ms. Kreutz agreed - not yet.

Ms. Shapiro said she would need to work with staff. She noted that in her drawing they were all different.

Ms. Kreutz agreed they were all different.

Ms. Shapiro commented that some were casement and some stationary.

Ms. Kreutz agreed and added that there was one slider that didn't slide. They would like to keep the same operation and do double pane if possible. They would like to do wood windows.

Mr. Featheringill asked if the shed was an earth tone matching the house.

Ms. Kreutz said she was willing to paint it to match the house. The neighbors thought it looked great as it was.

There were no speakers from the public regarding this case.

**Dr. Kantner moved to approve Case #H 10-058 per staff recommendations with the conditions to return to staff with details of window and door designs, that the shed be painted the same color as house and that the doors and windows be of wood. Ms. Shapiro seconded the motion and it passed by unanimous voice vote.**

Ms. Kreutz said they might not restucco until next year and asked if she could wait to paint until they did the stucco.

Vice Chair Rios agreed.

5. **Case #H-10-055.** 736 Agua Fria Street. Westside-Guadalupe Historic District. Carlos Kellogg, owner/agent, proposes to replace doors and windows on a contributing building including closing off openings. An exception was requested to alter doors and windows on primary elevations Section 14-5.2 (D,5,a). (Marissa Barrett)

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

#### **BACKGROUND AND SUMMARY:**

The Vernacular style single family residence located at 736 Agua Fria Street was constructed around 1925 and received minor alterations which include a non-publicly visible shed addition. The Official Map lists the building as Contributing to the Westside-Guadalupe Historic District. Staff believes the north and west elevations are primary.

The owner of the building was issued a notice of violation for stuccoing over three historic door openings without HDRB approval or a building permit in the late winter of 2010. Work stopped and the owner now comes before the Board for the following:

The applicant proposes replacing the windows on all elevations as well as closing both door entries on the north elevation and one entry on the south elevation. The reduced drawings show that the dimensions and window patterns will be altered while the scaled drawings show the dimensions and patterns to be

matched. This inconsistency needs to be addressed by the applicant. The new windows are proposed to be insulated windows although material and color were not submitted.

Since the building is contributing, an exception is needed to replace and close off opening on primary elevations, Section 14-5.2 (D,5,a). As required by code the applicant has answered the exception questions outlined in Section 14-5.2 (C,5,c,i-vi):

*1. Does not damage the character of the Streetscape:*

*The replacement of the damaged windows will maintain the character of the streetscape. All damaged windows will be replaced with insulated windows with similar features which will preserve the visually appealing style of the home as it is now.*

Staff disagrees with the applicant that the windows should be replaced but rather that they are rehabilitated and exterior storms be installed for energy efficiency.

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

*The windows are very old. The frames weather beaten, decaying and in need of replacement. The windows are held together and patched with putty. They are at risk of falling apart currently and are a risk to the occupant. They are not insulated and are cold and drafty causing undue use of energy and poor conservation.*

Although the windows have been neglected and are damaged staff believes that they are repairable using the 30% window rule. If more than 30% of a piece of wood is damaged that individual piece of wood may be replaced, if less than 30% is damaged a Dutchman insert may be used for repair. Also exterior storm windows may be installed for better energy efficiency as well as proper window repair will aid in better energy efficiency.

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

*Maintaining the historical character of the home is a priority and no changes to the design are planned.*

Staff does not concur with this statement as the historical character of the building will be damaged if the original material and openings are replaced or removed as proposed by the applicant.

*4. 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.*

*Changes are not due to any special conditions or circumstances peculiar to the land or structure involved.*

Staff concurs.

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

*Replacement of window is due to the poor condition of the windows which have not been repaired in the architectural history of the home. They are badly decayed due to weather conditions.*

Staff concurs that the windows have not been maintained although demolition be neglect is not supported by the Historic Code. It is the owner's responsibility through time to maintain all elements of a contributing building.

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

*There will be no negative impact in this project. It is our priority to maintain and ensure the existence and preservation of the home in this historical area by replacing and upgrading the needed repairs to this building. It will in no way change the outward appearance which will preserve property values and attract tourists and resident alike.*

Staff does not concur with this statement. Allowing historic openings and windows to be closed and replaced on primary elevations will negatively damage the character of the building which will cause the building to lose its contributing status. The loss of historic status of the building will negatively impact the historic district.

Lastly proposed is to re-stucco the building in a neutral tan color.

#### **STAFF RECOMMENDATIONS:**

Staff recommends denial of the exception to replace historic doors and windows citing the exception criteria has not been met and that by replacing and closing off these opening the status of the contributing building will be damaged. Staff would rather recommend rehabilitation of all original windows and openings and replacement of the non-historic aluminum windows. Staff also recommends that a scrape test is done to see what the historic stucco color was and that that color is matched with a cementitious stucco.

Vice Chair Rios confirmed that 736 was the address.

Vice Chair Rios asked if by closing these openings it would impede the contributing status.

Mr. Rasch staff believed it would alter the primary elevation that gave the building its historic character.

Present and sworn was Mr. Carlos Kellogg, 2925 Durango Drive

He explained that this was his parents' house and nothing was done to it for 80 years. He just wanted to stucco the outside and hard trowel the inside and replace the floors so it wouldn't fall down. The doorways were sealed up because of break ins and the tenant wanted to know if they could be closed. He



told them to go ahead.

Mr. Kellogg said behind those doors was a living room and a bed room. The canale above caused ice on the ground.

Vice Chair Rios asked if he wanted to keep them closed.

Ms. Walker said the Board was not allowed to approve that since it would affect the historic status.

Vice Chair Rios agreed.

Mr. Kellogg said the windows were also rotten.

Mr. Rasch said he received an email from a neighbor supporting this project with two requests - that it have cementitious stucco and the windows be 3 over one design. [attached as Exhibit E]

Mr. Kellogg showed the window style.

Vice Chair Rios was glad he was trying to help with this house. She asked how old it was.

Mr. Kellogg said it was between 80 and 90 years old.

Dr. Kantner thought if the doorways were restored, they presumably would have to put in there something that would emulate what was there before. He asked if it was already compromised enough that the issue was moot.

Mr. Rasch said the Board had changed its approach. This change was similar to massing changes which was worse than additions. So replacement windows constituted a loss of historic material but it didn't change the status as severely as massing or changes that closed penetrations.

Mr. Rasch added that if the opening dimensions were restored it would retain contributing status.

Mr. Featheringill asked about putting windows in where there had been doorways.

Mr. Rasch said that could be done. Windows could be put in as long as header and width were retained.

Mr. Featheringill asked if there were other windows in those rooms.

Mr. Kellogg said there was in the bedroom on the east side.

Mr. Featheringill assumed he would go for a full permit and the City wouldn't let him do this project unless there were egress windows. That would be a very good compromise.

Mr. Kellogg thought it would be a lot of windows but he could do it. He asked if he could do glass block.

Mr. Featheringill said no because the fire department wouldn't allow it.

Mr. Kellogg said the canale would be there. He wanted to have base cabinets there in the kitchen.

The Board generally agreed that change to his project would work.

Mr. Featheringill explained the idea more fully to him.

There were no speakers from the public regarding this case.

Ms. Shapiro noted that Ms. Barrett had suggested a scrape test. She asked Mr. Kellogg if he had been able to do that. She asked what color it was when he was little.

Mr. Kellogg said it was adobe that was not plastered.

Mr. Featheringill asked about the historic windows.

Ms. Walker asked about 30% restoration rule.

Mr. Rasch affirmed that no preservationist had looked at the windows.

**Mr. Featheringill moved to approve Case #H 10-055 accepting the exception to replace historic material and with the following conditions:**

- 1. That windows replace the doorways;**
- 2. That replacing of aluminum windows and doors could be done;**
- 3. That cementitious stucco be in adobe brown;**
- 4. That the windows be grey vinyl clad;**
- 5. That any lighting be taken to staff;**
- 6. All windows and doors shall be the width of the original doors with the header not moved;**
- 7. That the windows be 3 over one.**

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

## **J. MATTERS FROM THE BOARD**

Vice Chair Rios said that the 10- 053 Old Santa Fe Trail case had the project minus the porta potty. She thought about it long and hard and the testimony that was presented and decided to change her vote to be in favor of approval. .

Mr. Featheringill announced he had been hired by the City of Taos to rewrite their historic guidelines

and had to finish the work by the end of September and Mr. Rasch was going to help him.

#### K. ADJOURNMENT

The meeting was adjourned at 8:45 p.m.

Approved by:

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Cecilia Rios, Vice Chair

Submitted by:

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