



Agenda

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HISTORIC DESIGN REVIEW BOARD FIELD TRIP

TUESDAY, March 8, 2011 – 12:00 NOON

HISTORIC PRESERVATION DIVISION, 2ND FLOOR CITY HALL

HISTORIC DESIGN REVIEW BOARD HEARING

TUESDAY, March 8, 2011 – 5:30 PM

CITY COUNCIL CHAMBERS

- A. CALL TO ORDER
- B. ROLL CALL
- C. APPROVAL OF AGENDA
- D. APPROVAL OF MINUTES February 22, 2011
- E. FINDING OF FACTS & CONCLUSIONS OF LAW

Case #H-09-008 528 Abeyta Street
Case #H-11-004A 1200 Old Pecos Trail
Case #H-11-004B 1200 Old Pecos Trail

Case #H-11-011 718 Gregory Lane
Case #H-11-010 623 Garcia Street A & B

- F. COMMUNICATIONS
- G. BUSINESS FROM THE FLOOR
- H. ADMINISTRATIVE MATTERS
- I. OLD BUSINESS
- J. NEW BUSINESS

1. Case #H-11-008. 427 Apodaca Hill. Downtown & Eastside Historic District. Pinnacle Perspective Design, LLC, agent for Peter F. Valdez, owner proposes to construct a 1,340 sq. ft. residence to the maximum allowable height of 16'7" and yardwalls to the maximum allowable height of 58" except at driveway triangles on a vacant lot. (David Rasch).
2. Case #H-11-013. 638 Old Santa Fe Trail. Downtown & Eastside Historic District. Ivory Garcia, agent/owner proposes to install awnings and replace a pedestrian gate on a significant commercial property. (David Rasch).

- K. MATTERS FROM THE BOARD
- L. ADJOURNMENT

For more information regarding cases on this agenda, please call the Historic Preservation Division at 955-6605. Persons with disabilities in need of accommodations or an interpreter for the hearing impaired, contact the City Clerk's office at 955-6520, five (5) working days prior to hearing date. If you wish to attend the March 8, 2011 Historic Design Review Board Field Trip, please notify the Historic Preservation Division by 9:00 on Tuesday, March 8, 2011.

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HISTORIC DESIGN REVIEW BOARD
March 8, 2011

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MINUTES OF THE
CITY OF SANTA FE
HISTORIC DESIGN REVIEW BOARD

March 8, 2011

A. CALL TO ORDER

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

B. ROLL CALL

Roll Call indicated the presence of a quorum as follows:

MEMBERS PRESENT:

Ms. Sharon Woods, Chair
Ms. Cecilia Rios, Vice Chair
Mr. Rad Acton
Dr. John Kantner
Mr. Frank Katz
Ms. Karen Walker

MEMBERS ABSENT:

Ms. Christine Mather [excused]

OTHERS PRESENT:

Mr. David Rasch, Historic Planner Supervisor
Mr. Carl Boaz, Stenographer

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

C. APPROVAL OF AGENDA

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

D. APPROVAL OF MINUTES

February 22, 2011

Chair Woods asked for a correction on page 2 where "Chair Chair Woods" should say "Chair Woods."

On page 4 near the bottom it should say, "Chair Woods said in the 40 years she had been building in Santa Fe she was never forced to do anything like what he had done."

Ms. Walker moved to approve the minutes of February 22, 2011 as amended. Ms. Rios seconded the motion and it passed by unanimous voice vote.

E. FINDINGS OF FACTS AND CONCLUSIONS OF LAW

<u>Case #H-09-008</u>	528 Abeyta Street
<u>Case #H-11-004A</u>	1200 Old Pecos Trail
<u>Case #H-11-004B</u>	1200 Old Pecos Trail
<u>Case #H-11-011</u>	718 Gregory Lane
<u>Case #H-11-010</u>	623 Garcia Street A & B

Ms. Rios moved to approve the Findings of Facts and Conclusions of Law as presented. Ms. Walker seconded the motion and it passed by unanimous voice vote.

F. COMMUNICATIONS

Mr. Rasch distributed a bibliography on Santa Fe Architecture [attached as Exhibit A to these minutes].

He said at the next meeting the Military Museum would be a project on Old Pecos Trail. Although a state building, they were not going through the state planning commission. Because it involved federal funding it would be considered as under Section 106. So the HDRB had no jurisdiction but it could give guidance to them.

G. BUSINESS FROM THE FLOOR

Mr. Tim Maxwell spoke about legislative activity regarding historic preservation issues.

A permit for archaeology from Cultural Properties Review Committee for work at Santa Fe Convention Center changed some processes in state government because the tribes asserted their need to be heard in the process. Two years ago five tribes asked the state to list Mt. Taylor as an historic cultural property. At one of the CPRC hearings 700 people attended and after the hearings the CPRC designated it as historic cultural property which would exclude certain activities and some property owners subsequently filed a lawsuit. Under the designation, if they wanted to do mineral exploration on their land they had to contact the

tribes to let them know but they felt that was a bureaucratic road block and filed the suit.

In late February the judge ruled in that lawsuit that he saw no fault with the cultural designation but did with the committee process because not all 2,000 property owners were notified. The tribes appealed it to the New Mexico Supreme Court.

A bill was introduced in this session by Rod Adair who said they "didn't want to see that Mt. Taylor thing happen again." The bill would require notification of all mining rights holders for the property, pay for the title search and if any disagreed, they couldn't have their property designated as historic.

There were several hearings by legislative committees and Senator Adair went from 100% approval to 2/3 and then down to 51% to agree. And the restriction wouldn't apply to properties in the city.

The bill went to the House and passed two committees and the senate version was tabled by a senate committee. In the Senate the bill was 421 and in the House it was 422. Senator Adair and Representative Richard Vigil were the sponsors.

What it would mean if passed was that people who didn't pay the owner's taxes or mortgage would have authority over the home's historic status.

Mr. Maxwell said there was some discussion of making CPRC strictly an advisory body without regulatory power but it got struck pretty early.

Ms. Walker asked if any Santa Fé people were left on the CPRC.

Mr. Maxwell there were none to his knowledge. One was from Lincoln County, one from NMSU, the Governor of Laguna and Ed Boles.

Chair Woods asked if it made sense for the HDRB or as individuals to write a letter about these bills.

Mr. Maxwell said it would be very helpful and he had email addresses for four of the members.

Chair Woods thanked him for coming.

Mr. O'Reilly said the proper procedure would be if the Board wish, to write a letter to the Governing Body to take a position.

Chair Woods said in the past the HDRB had written such letters as a Board. She would look into it. But certainly individual members could do so. When she received Mr. Maxwell's email she would write down the notes she took on the bill language.

Chair Woods announced to the public that anyone wishing to appeal a decision of this board had 30 days after findings of fact were approved to appeal the decision to the Governing Body.

H. ADMINISTRATIVE MATTERS

There were no Administrative Matters.

I. OLD BUSINESS

There was no old business to consider.

J. NEW BUSINESS

1. **Case #H 11-008.** 427 Apodaca Hill. Downtown & Eastside Historic District. Pinnacle Perspective Design, LLC., Agent for Peter f. Valdez, owner proposes to construct a 1,340 sq. foot residence to the maximum allowable height of 16' 7" and yardwalls to the maximum allowable height of 58" except at driveway triangles on a vacant lot. (David Rasch).

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

BACKGROUND & SUMMARY:

427 Apodaca Hill is a 0.63 acre vacant lot in the Downtown & Eastside Historic District with a 6' high board fence and vehicle gate enclosing the property frontage. The applicant proposes to construct a two-story 1,340 square foot single-family residence to the maximum allowable height of 16' 7" and the replace the board fence with a stuccoed yardwall to the maximum allowable height of 58" except at driveway visibility triangles.

The building is designed in the Spanish-Pueblo Revival style with wall-dominated stepped massing, rounded edges, and exposed wooden elements including headers, carved corbels, and protruding vigas. The second story is achieved within the maximum allowable height by sinking the first story into grade by approximately 2½ feet. The vertical walls are articulated with varied massing as required by Section 14-5.2(E)(2) except for the north elevation.

Also featured would be a stone-finished fireplace and chimney on the north elevation, recessed portals on the north and south elevations, and second floor balconies on the east and south elevations. Stucco color would be "La Luz" and trim color or exterior light fixture designs were not submitted.

The yardwalls would be 3' high along the street frontage and step up to the maximum height outside of visibility triangles. At the rear of the single parking space to the north of the frontage a bileaf pedestrian gate would be installed between stuccoed plasters with applied sconces and surmounted with a stuccoed arch to 9' high. The existing 6' high board fence bileaf vehicle gate would be retained at the wider opening in the yardwall to the south of the frontage.

STAFF RECOMMENDATION:

Staff recommends approval of this application with the conditions that the north elevation should have some vertical articulation if it would be publicly visible and that the windows and doors should have true-divided or simulated-divided lites. Otherwise, this application complies with Section 14-5.2(D) General

Design Standards and (E) Downtown & Eastside Historic District.

Mr. Rasch called attention to a letter received at 5:00 by a neighbor in opposition because of the retaining wall on the north lot line [Exhibit B]. He felt most of this was not under the Board's jurisdiction.

Ms. Rios asked if the north elevation was publicly visible.

Mr. Rasch said part but not all of it was but she should ask the applicant.

Dr. Kantner asked him to explain vertical articulation.

Mr. Rasch said when a second story was proposed the second story should set back to eliminate sheer façades.

Present and sworn was Mr. Nick Couty, 388 Calle Loma Norte, representing the owner and had nothing to add to staff's report.

Ms. Rios asked if the windows were true divided light windows. Mr. Couty agreed.

Ms. Rios asked if the construction was adobe. Mr. Couty agreed.

Ms. Rios asked about public visibility.

Mr. Couty said the south east facing side and also west facing and south were visible. The north elevation would be blocked by the house next door.

Dr. Kantner asked if the material for the chimney was natural stone and if so, what kind of stone would be used.

Present and sworn was the owner, Mr. Peter Valdez who said the material was rock and after first calling it lava rock clarified that it was sandstone.

Ms. Rios asked if the perspective they displayed was a painting. Mr. Couty agreed.

Ms. Walker asked if the sandstone on the chimney would be the same color as the stucco.

Mr. Couty said it was a little lighter.

Ms. Rios asked if they planned for any rooftop appurtenances.

Mr. Couty said nothing would be visible. The skylights were hidden behind parapets.

Mr. Acton asked about the cap on the parapet.

Mr. Couty said the parapets would be wrapped with stucco.

Mr. Katz asked if the second story portion was just on the east.

Mr. Couty said that northwest portion was a loft area, not a two-story.

Chair Woods asked if the height of 15' 7" would be all the way around from existing grade.

Mr. Couty said it would be from finished grade.

Chair Woods asked how much they were raising the grade. The Code said it must be measured from existing grade or finished grade, whichever was more restrictive.

Mr. Couty explained that they were lowering the existing grade and sloping it away from the foundation to have maximum slope into the common area. The grading drainage plan would be finished by George Gonzales. It would be approximately 2 feet lower.

Chair Woods asked if it would nowhere exceed 15' 7". Mr. Couty agreed.

Ms. Rios asked about the canale lining.

Mr. Couty said it would be waterproof roofing membrane.

Ms. Rios asked what the window inset would be. Mr. Couty said it would be 8".

Chair Woods asked if they could line the canales with tin or copper. Mr. Couty agreed.

Mr. Acton didn't see the elevation of the street wall.

Mr. Rasch said it was on page 20.

Mr. Acton said that was the gate and it was perpendicular to the street, Mr. Couty agreed.

Mr. Acton thought it looked like the indentation at the gate was 5' from the house. Mr. Couty agreed.

Mr. Acton asked if they would have any steps in the wall.

Mr. Couty said the wall would be 3' toward the street at step up to the 5' 8" at the gate which was 13' from the street.

Chair Woods didn't understand the 13' into the property.

Mr. Rasch explained that height in the sight triangle had to be 3' or less and the maximum height was 5' 8".

Mr. Acton asked if the driveway opening might be filled with a security gate in the future.

Mr. Couty agreed. At some time in the future they would propose a latilla covered metal gate.

Mr. Acton explained that would have to be submitted separately.

Ms. Rios asked him to describe the entry gate and the header and area above the header.

Mr. Couty said the entry gate was Pueblo Revival using the lintel or header to build up the adobe in the same color.

Ms. Walker said it was 9' tall.

Ms. Rios asked how tall the portion above the lintel was.

Mr. Couty said it was approximately 1'. The doors would be stained wood to match walls.

Ms. Walker asked if the opening above was open or solid to the header. Mr. Couty said it was open.

Mr. Rasch said it was at the rear of the parking space so it would face the tree.

There were no speakers from the public regarding this case.

Dr. Kantner asked about the lighting fixtures on the gate and on the house.

Mr. Couty said they had not selected the lights yet but probably would have an LED fixture that would meet code.

Chair Woods said he would have to bring the fixtures to staff for approval.

Ms. Walker noted the report said the vehicle gate would be retained.

Mr. Couty said that was incorrect. It would be removed and recycled somehow.

Ms. Rios felt the entry gate stuccoed portion was imposing.

Mr. Rasch said the amount of stucco above the header was 1' 4". In the past the Board had been concerned about that. He thought this was in proportion.

Ms. Walker felt if the sides were narrowed slightly and the top lowered slightly it wouldn't appear so high.

Mr. Couty said he would like to comply with the Board and they could narrow the pilasters and make the top proportional.

Chair Woods asked if he could get rid of the top. Mr. Couty agreed.

Chair Woods summarized the discussion.

Ms. Rios moved to approve Case #H 11-008 per staff recommendations with the following conditions:

- 1. that sandstone be used on the chimney stacked flat;**

2. that the canales would be lined with tin or copper but preferably tin;
3. that the windows would be inset 8”;
4. that the entry gate pilasters would be retained but narrowed and the top removed;
5. that the lighting fixtures would be taken to staff for review and approval;
6. that there would be no visible rooftop appurtenance;
7. that the height would not exceed 15’ 7” any place on the house;
8. that all windows would be true divided light windows;
9. that the grade would be lowered 2’.

Ms. Walker seconded the motion and asked for a friendly amendment that a sample of the sandstone chimney materials would be submitted to staff for approval. Ms. Rios agreed and the motion passed by unanimous voice vote.

2. **Case #H 11-013.** 638 Old Santa Fe Trail. Downtown & Eastside Historic District. Ivory Garcia agent/owner proposes to install awnings and replace a pedestrian gate on a significant commercial property. (David Rasch)

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

BACKGROUND & SUMMARY:

638 Old Santa Fe Trail, known as the Camillo Padilla House, is a commercial building that was originally constructed before 1912 in the Territorial style. The front portal was removed at unknown dates before and after 1982. The building is listed as significant to the Downtown & Eastside Historic District.

The applicant has already performed work on the property without permission or a building permit and now proposes to remodel the property with the following two items.

1. Three blue-colored canvas awnings will be installed on the front, east façade above two doors and one window. The awnings match the trim color, at 19” high x 2’10” wide x 1’ deep, and attached to the building with square-tubular aluminum brackets.

2. A 6’ long section of irregular-top board fence and pedestrian gate at the north end of the front façade was removed and replaced with a similar 5’ 10” high irregular-top light brown-stained board fence with a 5’ high non-painted corrugated galvanized-metal pedestrian gate which harmonizes with the galvanized planters in the front court.

STAFF RECOMMENDATION:

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

Present and sworn was Ms. Ivory Garcia who had nothing to add to staff’s report.

Ms. Rios asked if the awnings were decorative or functional.

Ms. Garcia said they were only 12 inches deep and just for appearance.

Ms. Rios pointed out that her property had the highest designation and on significant buildings the Board wanted to keep them as close to original as possible. She personally felt the awnings would detract from the building rather than contribute something positive.

Ms. Garcia said it just happened to go well with the trim and they were common in the downtown area.

Mr. Katz asked Mr. Rasch if there were other buildings in that area with awnings.

Mr. Rasch said on the field trip they did not see any other buildings in that area that had awnings on them.

Ms. Garcia said there were awnings on a liquor store that was 1½ blocks from her property.

Chair Woods asked if Cliff's Liquors was a significant building.

Mr. Rasch didn't think so.

Ms. Garcia said there was also a restaurant four blocks away that had awnings.

Ms. Walker couldn't remember seeing a galvanized gate as a common feature on any other significant property.

Ms. Garcia said there were rusted ones and hers was new now and it matched her planters. She said she could do a wooden gate if the Board preferred. There was a little fence there. She wanted the planters there and the hose would bend it bringing it through the gateway.

Mr. Acton asked Mr. Rasch if these awnings would jeopardize the significant designation.

Mr. Rasch said the Downtown and Eastside Historic Standards were not precise on awnings. The Board would look at general standards. The awnings could be easily reversed so it would not affect the structure but would of its appearance.

Mr. Acton understood the value of enforceable precedent and asked if this would affect the future considerations.

Mr. Rasch agreed that it could.

Mr. Acton thought they were being called upon to determine how easy it was to reverse.

Mr. Rasch agreed and also its appearance.

Chair Woods thought obviously if it would impact the designation of the building they couldn't approve it but the other point was streetscape. There were lots of downtown buildings with awnings in the 1990's whose owners wanted awnings for advertising on them. The Board then decided not to allow them.

Mr. Acton added that canvas in New Mexico tended to deteriorate over time. While it looked wonderful and vibrant now, it could undergo a change that would be less attractive.

Mr. Katz understood that on a significant building they would not want any addition to jeopardize the integrity of the building but that didn't tell the Board anything about appearance.

Mr. Rasch said there was no exception required here because the awnings were not considered to be an addition and could be removed. That was why he considered it could be approved but the Board's discretion was on the appearance issue.

Ms. Walker felt these awnings were not harmonious with the streetscape or nearby buildings. The fence was not harmonious either. If the awnings were removed, the Board needed to make sure it was done in a way to not damage the building.

There were no speakers from the public regarding this case.

Ms. Garcia said she put these awnings up herself and there were only small holes. There was no damage to the building.

If three years from now they were deteriorated, she would remove them.

Ms. Walker moved regarding Case #H 11-011 to have the applicant remove the awnings as not harmonious with adjacent buildings or streetscape and that the corrugated gate be replaced with a wooden type gate that would be approved by staff. Mr. Katz seconded the motion.

Chair Woods was concerned with this motion because it did not approve or deny the application.

Mr. O'Reilly agreed that the correct form for the motion would be either to approve or deny the application before them or a combination thereof. As there were two different elements involved, the motion could be a combination of both.

Mr. Katz suggested the motion should be to deny the awnings and to approve the gate with the condition that the corrugated metal be replaced with wood and the design approved by staff.

Ms. Walker agreed with that wording and the motion passed by unanimous voice vote.

K. MATTERS FROM THE BOARD

Ms. Rios asked Mr. Rasch about the 400 year celebration plaques around the Plaza and why they didn't come before the Board.

Mr. Rasch said staff in the Legal Department and the Land Use Department determined the plaques were not structures that needed HDRB approval. Staff had been working with Public Works and the 400 Committee for several months to get these plaques in place. They were doing the same for the plaque for the Plaza that was to go in front of the First National Bank building. That one was heard by the Board as part of the application that came before the Board earlier. The plaques were flat bronze set into the

sidewalk with a two-inch border of colored concrete. They were like the ones in front of the Fine Arts Museum only larger. They were not on the Plaza. Also the History Museum didn't allow a plaque on their sidewalk because their property went out to the road.

There would be a plaque under the portal on Old Santa Fe Trail that was "equal to the obelisk, as you view the obelisk from Old Santa Fe Trail so it is mid-street. Similarly on Lincoln at mid block in line with the obelisk is another plaque... And then two would be on San Francisco Street under the edges of the portal at the edges of the Plaza as you look at it." The ceremony for the Native American plaque was last Saturday and the remaining ceremonies would be on the Saturdays in March.

Ms. Rios asked how long the banners would be up.

Mr. Rasch didn't know but said the Governing Body approved holding money for removing the banners. That was part of the HDRB's motion for approval.

Ms. Rios asked what the four plaques were for.

Mr. Rasch said they described the four periods of Santa Fe's history – the Native American, the Spanish, the Mexican and the Territorial.

Ms. Rios said she heard the plaques had the sponsors' names on them and asked what those looked like.

Mr. Rasch said it was similar to what they saw with the banners.

Ms. Rios felt the sponsors' space on the banners was too large.

Mr. Rasch said he ran it through the Legal Department who agreed to have the sponsor's names on the plaques.

Ms. Walker said at a recent meeting there was discussion about these being structures. She said Mr. Rasch previously had said that a structure had to have more than one material or something to that effect.

Mr. Rasch said a structure had to have multiple parts attached to a fixed location on the ground.

Ms. Walker said the plaques were affixed to the ground but each was a single slab of bronze and asked if that was the way they got around it.

Mr. Rasch said it certainly was a large debate as to what the Board's jurisdiction was and hopefully the Chapter 14 rewrite would address that.

Mr. Acton said the newspaper and periodical boxes on the Plaza had reached proportions of clutter and were affecting the harmony of the streetscape. He wanted to know if the Board needed to wait for someone to bring that to the Board for consideration or if the Board could work with City staff to develop a policy that would prevent the Plaza from being further overrun by them.

Mr. O'Reilly said the City Attorney was aware of this condition and so was the Governing Body and at

least one Councilor was working on a possible solution. The issues were different for newspapers than with the other publications. Staff could come to next meeting with a status report. An ordinance was in preparation.

Mr. Katz asked if it was being considered to ban them from the Plaza.

Mr. O'Reilly said no.

Mr. Katz asked if the City Attorney's office could look into the legality of banning them.

Mr. O'Reilly said that was part of what they were working on.

Ms. Walker thought they could be nearby but not on the Plaza.

Chair Woods suggested if the Board had a consensus it might be good to communicate that to the sponsor.

Mr. O'Reilly said the Board could do that. Perhaps the board could wait a couple of meetings and staff could report back. Staff could find out where it stood by the next meeting. At least two councilors had been working with downtown merchants. He was not sure how far along they were.

Ms. Walker requested a status review for the old National Park Service building on Old Pecos Trail.

Chair Woods said she would like to have a dinner for the Board in the near future.

Chair Woods thanked the two new Board members for agreeing to serve.

L. ADJOURNMENT

The meeting was adjourned at 6:35 p.m.

Approved by:

Sharon Woods, Chair

Submitted by:



Carl Boaz, Stenographer