



Agenda

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HISTORIC DESIGN REVIEW BOARD FIELD TRIP

TUESDAY, NOVEMBER 22, 2011– 12:00, NOON, ON-SITE

HISTORIC PRESERVATION DIVISION, 2nd FLOOR CITY HALL

HISTORIC DESIGN REVIEW BOARD MEETING

TUESDAY, NOVEMBER 22, 2011– 5:30 P.M.

CITY COUNCIL CHAMBERS

- A. CALL TO ORDER
- B. ROLL CALL
- C. APPROVAL OF AGENDA
- D. APPROVAL OF MINUTES
November 8, 2011
- E. FINDING OF FACTS & CONCLUSIONS OF LAW

Case #H-09-050. 949 Santander Lane
Case #H-11-037. 311 Berger Street
Case #H-11-113. 105 Rim Road
Case#H-11-109. 509 Plaza Balentine
Case#H-11-115A. 9/9½ Montoya Circle
Case#H-11-116A. 1331 Cerro Gordo Road
Case#H-11-116B. 1331 Cerro Gordo Road
Case#H-11-117. 621 Old Santa Fe Trail

Case#H-11-118A. 409 Hillside
Case#H-11-118B. 409 Hillside
Case#H-11-119. 411 San Antonio Street
Case#H-11-120. 804 Apodaca Hill
Case#H-11-121. 840 Don Cubero Avenue
Case#H-11-124. 716 Gildersleeve Street
Case#H-11-105B. 237/239 E. DeVargas Street

- F. COMMUNICATIONS
- G. BUSINESS FROM THE FLOOR
- H. ACTION ITEMS

1. Case #H-10-033. 801 Griffin Street. St. Catherine's Industrial Indian School (outside of historic districts). John Polk, agent for NM Consolidated Constructions Services LLC, proposes to relocate three landmarks: Building #9 Montoya House; Building #10 Chavez House; and Building #11 Abeyta House.
2. Case #H-11-122. 740 Acequia Madre. Downtown and Eastside Historic District. Paul W. Kenderdine, agent for Christine Mather, proposes to remodel a non-contributing residence by

constructing approximately 494 square feet of additions that are lower than the existing height, replace windows, and make other exterior alterations.

3. Case #H-11-126. 126 Quintana Street. Westside-Guadalupe Historic District. Veronica Angriman, owner, proposes to remodel a non-contributing residence by constructing an approximately 157 square-foot, 10'-5" high trellis structure across an opening and replacing the center portion of a three-part window with a door surmounted by an awning.
4. Case #H-11-127. 1170 Camino Delora. Downtown and Eastside Historic District. Trey Jordan, agent for Lori and Joel Dunlap, proposes to remodel a non-contributing residence by removing a window and replacing it with a French door, constructing an approximately 227 square-foot dining room addition, and constructing a 3' high stuccoed yard wall.
5. Case #H-11-128. 665 Garcia Street. Downtown and Eastside Historic District. Christopher Purvis, agent for Helena Ribe, proposes to remodel a non-contributing residence by enclosing an 80 square-foot entry and extending the existing portal by 3'.
6. Case #H-11-129. 106 West San Francisco Street. Downtown and Eastside Historic District. Dale Zinn, agent for 100 San Francisco Partners, LTD, proposes to remodel a non-contributing commercial building by replacing wood display cases and a transom on a non-historic storefront with a large plate glass window.
7. Case #H-11-130. 114 La Vereda. Downtown and Eastside Historic District. Architectural Alliance, Inc., agent for Anne-Laure Aubry, proposes to remodel a contributing residence by replacing windows, installing decorative screens, constructing a planter, and replacing a HVAC system. An exception is requested to remove historic material (Section 14.5.2 (D)(5)).
8. Case #H-11-131. 806 Old Santa Fe Trail. Downtown and Eastside Historic District. Liza Williams, owner, proposes to paint signage on a non-contributing commercial structure and on a yard wall, and to paint murals on both structures. Two exceptions are requested: to paint signs on walls (Section 14-8.10 (H)(4)(a)) and to paint walls more than one earth tone color (Section 14-5.2 (E)(2)(e)).

I. MATTERS FROM THE BOARD

J. ADJOURNMENT

For more information regarding cases on this agenda, please call the Planning 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) days prior to hearing date. If you wish to attend the November 22, 2011 Historic Design Review Board Field Trip, please notify the Historic Preservation Division by 9:00 on Tuesday, November 22, 2011.

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November 22, 2011

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MINUTES OF THE
CITY OF SANTA FÉ
HISTORIC DESIGN REVIEW BOARD

November 22, 2011

A. CALL TO ORDER

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

Chair Woods welcomed the public to the meeting. She noted that the agenda was lengthy for this meeting and asked people to be succinct in their comments. She announced that anyone wishing to appeal a decision of the Board had 15 days from the approval of Findings of Fact and Conclusions of Law to appeal it to the Governing Body.

B. ROLL CALL

Roll Call indicated the presence of a quorum as follows:

MEMBERS PRESENT:

Ms. Sharon Woods, Chair
Mr. Rad Acton
Dr. John Kantner
Mr. Frank Katz
Ms. Christine Mather

MEMBERS ABSENT:

Ms. Cecilia Rios, Vice Chair
Ms. Karen Walker

OTHERS PRESENT:

Mr. David Rasch, Historic Planner Supervisor
Mr. John Murphey, Historic Planner
Ms. Kelly Brennan, Assistant City Attorney [arriving later]
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 said #2, Case #H-11-122 was postponed to December 13.

Ms. Mather moved to approve the agenda as amended. Dr. Kantner seconded the motion and it passed by unanimous voice vote.

D. APPROVAL OF MINUTES – November 8, 2011

Ms. Mather requested the following change to the minutes.

Page 31 in the motion - There were too many "overs" in the motion statement.

Mr. Katz requested the following change to the minutes.

Page 15, third paragraph, 4th to the last word should be "can" - we have to kick the can down the road.

Dr. Kantner requested the following changes to the minutes.

Page 2 under Findings of Fact and Conclusions of Law, second line from the bottom said, "Dr. Kantner said..." It was not Dr. Kantner speaking. Mr. Katz said it was he that made the statement.

Page 21, 4th paragraph, 6th line - "Dr. Kantner asked if the gate would be this wrought iron..." He asked if the wrought iron would be as it was illustrated in the packet.

Page 40 in the case caption, he believed the applicant's name was Diane Taliaferro and not Taligferro. Chair Woods requested the following change to the minutes.

Page 7 - "Dr. Kantner surmised that moving them wouldn't jeopardize their status." She wondered if it was a question or a statement.

Dr. Kantner said that was in reference to Mr. Rasch's comment and he concluded that Mr. Rasch felt that moving them wouldn't jeopardize their status. He was inquiring about their status so it was a question.

Chair Woods said on page 11, third paragraph was a statement made by Mr. Polk, "Remember the rooms are covered with asphalt." It should have said, "Remember, the roofs are covered with asphalt."

Page 11, last paragraph - "It was a very difficult line task."

Page 20, middle of the page, "Chair Woods asked if it would be the same style of French doors (~~mountin pattern~~) (styles and rails)."

Page 30 at the bottom at the staff report regarding windows - "She pointed out that windows were not relevant to status now." She was referring to replacement of windows.

Ms. Mather moved to approve the minutes of November 8 2011 as amended. Mr. Katz seconded the motion and it passed by unanimous voice vote.

E. FINDINGS OF FACT & CONCLUSIONS OF LAW

Case #H-09-050. 949 Santander Lane	Case #H-11-037. 311 Berger Street
Case #H-11-113. 105 Rim Road	Case#H-11-109. 509 Plaza Balentine
Case#H-11-115A. 9/9½ Montoya Circle	Case#H-11-116A. 1331 Cerro Gordo Road
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Case#H-11-105B. 237/239 E. DeVargas Street	

Chair Woods noted that often a Board member moved to approve a case "per staff's recommendations" but none of these say that. So we have to go back and include that in findings of fact.

Mr. Rasch agreed to do so.

Ms. Mather asked for an addition on #H11-117 where the Board deemed the portals were not part of contributing status; they also said the parapet overhangs were not part of its contributing status.

Mr. Rasch said they were not over the contributing part but he would include that.

Dr. Kantner said in Case #H-11-124 he was pretty sure the applicant's name was Taliaferro.

Mr. Katz moved to approve the Findings of Fact and Conclusions of Law as amended. Ms. Mather seconded the motion and it passed by unanimous voice vote.

F. COMMUNICATIONS

There were no communications.

Chair Woods announced to the public that anyone wishing to appeal a decision of the Board had 15 days from the approval of Findings of Fact and Conclusions of Law to file an appeal to the Governing Body.

G. BUSINESS FROM THE FLOOR

Ms. Karen Heldmeyer, 325 E. Berger, was sworn and handed out a copy of an email she sent to Matt O'Reilly [attached as Exhibit A]. She said what was important and she forgot to say was that half of the property was faced by the CCA historic curbstones that was a protected structure as the first curbstones in Santa Fé and it would be useful to the applicant when Mr. Rasch communicated with them that they should not rip up the curbstones.

Chair Woods asked if they were between the street and the property line.

Ms. Heldmeyer said she was not sure where the property line was. They were in several blocks of Don Gaspar and faced half of 311 and curved in to define the driveway.

Chair Woods thanked her.

H. ACTION ITEMS

1. **Case #H-10-033.** 801 Griffin Street. St. Catherine's Industrial Indian School (outside of historic districts). John Polk, agent for NM Consolidated Constructions Services LLC, proposes to relocate three landmarks: Building #9 Montoya House; Building #10 Chávez House; and Building #11 Abeyta House.

Mr. Polk interrupted as Mr. Rasch began the staff report to say that OSFA had asked him for a postponement and he agreed.

Chair Woods asked if he wished to come to the next meeting. Mr. Polk agreed.

Mr. Katz moved to postpone Case #H-10-033 to December 13. Ms. Mather seconded the motion and it passed by unanimous voice vote.

2. **Case #H-11-122.** 740 Acequia Madre. Downtown and Eastside Historic District. Paul W. Kenderdine, agent for Christine Mather, proposes to remodel a non-contributing residence by constructing approximately 494 square feet of additions that are lower than the existing height, replace windows, and make other exterior alterations.

This case was postponed under Approval of the Agenda.

3. **Case #H-11-126.** 126 Quintana Street. Westside-Guadalupe Historic District. Veronica Angriman, owner, proposes to remodel a non-contributing residence by constructing an approximately 157 square-foot, 10'-5" high trellis structure across an opening and replacing the center portion of a three-part window with a door surmounted by an awning.

The applicant for this case was not present.

Ms. Mather moved to table Case #H-11-126 to the end of the agenda. Mr. Katz seconded the motion and it passed by unanimous voice vote.

4. **Case #H-11-127.** 1170 Camino Delora. Downtown and Eastside Historic District. Trey Jordan,

agent for Lori and Joel Dunlap, proposes to remodel a non-contributing residence by removing a window and replacing it with a French door, constructing an approximately 227 square-foot dining room addition, and constructing a 3' high stuccoed yard wall.

The applicant for this case was not present.

Ms. Mather moved to table Case #H 11-1127 to the end of the agenda. Dr. Kantner seconded the motion and it passed by unanimous voice vote.

5. **Case #H-11-128.** 665 Garcia Street. Downtown and Eastside Historic District. Christopher Purvis, agent for Helena Ribe, proposes to remodel a non-contributing residence by enclosing an 80 square-foot entry and extending the existing portal by 3'.

The applicant for this case was not present.

Dr. Kantner moved to table Case #H-11-128 to the end of the agenda. Ms. Mather seconded the motion and it passed by unanimous voice vote.

6. **Case #H-11-129.** 106 West San Francisco Street. Downtown and Eastside Historic District. Dale Zinn, agent for 100 San Francisco Partners, LTD, proposes to remodel a non-contributing commercial building by replacing wood display cases and a transom on a non-historic storefront with a large plate glass window.

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

BACKGROUND & SUMMARY:

Constructed in c.1908, the subject property is a storefront in the Laughlin Building, a two-story, brick commercial block along West San Francisco Street. Changes to openings and the introduction of a portal in the 1970s resulted in the building's noncontributing status to the Downtown and Eastside Historic District.

The applicant proposes to remodel the storefront of 106 West San Francisco Street by removing three non-historic wood display cases and a transom on the east side of the entry. A large, single-light glass window mounted in a metal frame will replace these components. The plan does not call for changing the dimension of the existing opening.

The adjacent non-historic doors and windows to the west will remain in the current proposal, but are planned for replacement in another phase of the project. The applicant, however, proposes to paint the trim of the entire storefront in a charcoal black color as part of the current application.

STAFF RECOMMENDATION:

Staff recommends approval of this application, which complies with Section 14-5.2 (D)(9), General

Design Standards, Height, Pitch, Scale and Massing, and (E), Downtown and Eastside Historic District.

Present and sworn was Mr. Dale Zinn, who had nothing to add to the staff report and stood for questions.

Ms. Mather asked if he also planned to paint the door in this black color.

Mr. Zinn said only the trim would be painted charcoal black.

Chair Woods asked if that color existed anywhere on this property.

Mr. Zinn said no but he was trying to mask some problems in the natural wood.

Ms. Brennan arrived at this time.

Mr. Acton asked if this was constructed by Bill Lumpkin.

Mr. Zinn didn't think so. Interestingly, Pflugers was the trading post and saloon owner out in Lamy and came in and opened a shoe store for 48 years. This was the first portal downtown and Laughlin Barker hired Meem to do that portal first. This looked like it could have been Bill Lumpkin's but he could not determine that. He had no drawings.

Mr. Acton wondered if there were any parts of that display window that could be salvaged. He wondered if it had any value.

Mr. Zinn doubted it. He said he wanted to go back to the 1930's through 1970's and not what it was in 1918.

There were no speakers from the public concerning this case.

Ms. Mather moved to approve Case #H-11-129 as submitted per staff recommendations. Dr. Kantner seconded the motion and it passed by unanimous voice vote.

7. **Case #H-11-130.** 114 La Vereda. Downtown and Eastside Historic District. Architectural Alliance, Inc., agent for Anne-Laure Aubry, proposes to remodel a contributing residence by replacing windows, installing decorative screens, constructing a planter, and replacing a HVAC system. An exception is requested to remove historic material (Section 14.5.2 (D)(5)).

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

BACKGROUND & SUMMARY:

114 La Vereda is a single-family residence that was constructed in a vernacular manner before 1928. The building is listed as contributing to the Downtown & Eastside Historic District and staff recommends

that elevations 2-5 (as shown on attached floorplan) shall be designated as primary. All historic single-pane windows are in excellent condition and the applicant submitted an unsubstantiated statement that the historic windows are replacements.

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

1. All windows will be removed and replaced with casement windows. The primary elevation windows are double hung and code requires that if replacement is necessary, then they shall be replaced in-kind. An exception is requested to remove historic materials (Section 14-5.2(D)(5)) and the required criteria responses are at the end of this report.
2. Decorative wood grilles will be installed on the east elevation to break up the solid massing. A note on the drawings states that the final design has not been determined.
3. Two skylights will be installed at the south portal.
4. An existing HVAC unit of the roof, which is not visible from Palace Avenue, will be replaced.
5. A low stacked-stone planter will be installed on the east elevation.
6. An existing wall and coyote fence will have another face of coyotes fencing installed to hide the metal supports creating a two-faced fence. Height was not specified.
7. The courtyard will be redesigned with a brick walk between planter areas and existing brick surfacing will be refinished.

EXCEPTION TO REMOVE HISTORIC MATERIALS.

(i) "Do not damage the character of the district;"

The new windows that will replace the existing windows will match the existing windows in operation, style, material and color. The living room windows will remain double-hung to match the existing and will not be changed to casement. Therefore, the new windows will not damage the character of the district in that they will look like the existing single pane windows.

Staff response: Staff is not in agreement with this statement. Drawings indicate double-hung windows on a primary elevation changing to casement and the remainder of the south elevation at the master bedroom has not been submitted in existing and proposed drawings.

(ii) "Are required to prevent a hardship to the applicant or an injury to the public welfare"

The owner of the property is elderly and has fibromyalgia and joint problems. Currently, she cannot open or close the existing old windows without much difficulty and pain. She will be living alone in the house, and will not have someone who can assist her in operating the windows. Therefore, she needs to have new windows that have mechanisms that make it easy to operate them.

Staff response: Staff is not in agreement with this statement. There are non-primary elevation windows that

may be altered to allow for controlled ventilation and existing windows may be repaired and altered on the interior with hardware to assist with operation.

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

This design option ensures that an elderly person can reside in a house in the historic district and therefore strengthens the unique heterogeneous character of the City.

Staff response: Staff is not in agreement with this statement. There are other solutions which could preserve the historic windows and allow for easier operation for ventilation which are compliant with the preservation of an historic structure.

STAFF RECOMMENDATION:

Staff recommends denial of the exception request to remove historic windows from primary elevations with the conditions that the skylights shall not be publicly visible, that the wall/fence height shall not exceed 6' high, and that the wooden grille designs shall be approved before a building permit application is submitted.

Mr. Rasch drew attention to the exhibit on page six that showed elevations 2-5 (basically south and east elevations of courtyard) which he recommended as primary. Primary elevations would affect this application.

Dr. Kantner asked why elevation 1 would not be primary.

Mr. Rasch agreed that it faced Palace but it was a blank wall and the applicant could testify that it was altered. According to his research it was an addition and had previously had openings in it.

Ms. Mather asked if the new approved garage was illustrated.

Mr. Rasch explained that it was the same footprint as the carport was and would just have the front enclosed.

Dr. Kantner said it was shown on page 15.

Mr. Katz asked if elevations 2-5 were visible or behind walls.

Mr. Rasch said they were behind yard walls and a person would have to be at the wall to see them.

Chair Woods asked about the condition of the windows.

Mr. Rasch said they were wood double hung windows with single glass and were in excellent condition.

Chair Woods asked if the drawings in the packet were complete.

Mr. Rasch said there was only one that was missing. At the south elevation the garage was blocking the casement windows of the master bedroom.

Chair Woods asked if he believed if these windows were all replaced that it would affect the historic status of the building.

Mr. Rasch said the Board had changed its opinion on what it considered status-worthy buildings. When he started 8 years ago, replacement of historic windows was the sole reason for causing an elevation to lose status. More recently, the Board believed changes of massing were more important status considerations. But in his opinion, windows were just as important so he felt historic windows at least on primary elevations should be retained in order to maintain its status.

Chair Woods asked Mr. Rasch to go through exceptions since he felt they didn't meet the criteria in their responses.

Mr. Rasch clarified that since this was a design and historic material exception only three criteria were requirements.

He read the responses into the record. As shown above.

Mr. Acton noted that the rooftop appurtenance was being replaced. He asked what the size of the new one would be and whether it was bigger or smaller than the existing one.

Mr. Rasch said the new one would be about the same size at 18" high.

Mr. Acton pointed out that La Vereda Avenue was a private road so issues of visibility from that road were not under the Board's jurisdiction.

Mr. Rasch thought it might be called a public way.

Mr. Acton asked if the Board had the authority to ask them to screen it.

Mr. Rasch didn't think they could screen it that much.

Mr. Acton asked what the maximum building height was.

Mr. Rasch said it was 17' 3":

Ms. Mather asked Chair Woods if the Board should be ruling on what the primary elevations were on the building.

Chair Woods said that had not been publicly noticed so they couldn't.

Mr. Rasch said the primary elevations were germane to this proposal.

Dr. Kantner asked in what other ways the applicant could make the windows easier to operate.

Mr. Rasch said a double hung window was sometimes hard to operate but maybe a tool could be used. Even if it didn't operate well, it might just need repair.

Present and sworn was Mr. Eric Enfield who agreed with everything Mr. Rasch said. In discussions he had agreed to match the style of the windows and he convinced his client that new double hung windows could be made easier to operate. So they would replace in the same style.

He said the height of the coyote fence would match the existing fence. They did steel posts on the inside and she didn't like the aesthetics. He had done a double faced coyote fence before. The existing fence was approved by the Board in 2008.

He explained that his client, Anne-Laure Aubry, was a French diplomat who decided to retire in Santa Fé. She was his third owner of this property.

She decided to pursue the garage and they were building it. He had worked on this property for 5-6 years. She wanted some other changes in small miscellaneous details that staff appeared to support like the grills on the outside of the blank wall and Mr. Rasch was right about that wall. There might have been openings and it was the alcove for the master bedroom. They blew out the walls and built a new wall on the exterior.

He said the new A/C unit would be same height or lower. The present one was 30" high and he wanted 24-26" with a smaller unit. He convinced her to keep the existing ducts and just replace the unit on the roof. He didn't know when the swamp cooler was placed there but it was before 2006.

He had a letter submitted to Mr. Rasch about the renovation in the 1970s. She wrote a letter about it and stated she replaced the windows. Mr. Rasch had asked him to get it notarized but he felt it should not be.

Chair Woods said it then should not go in the record.

Ms. Brennan agreed.

Mr. Rasch said the A/C unit was not visible.

Mr. Enfield said the stone planter in the front was to break up the massing of the front wall. It was 16" high and followed the slope of the street. They would also replace the gravel walk in the courtyard with tumbled rock.

He approached the neighbors and the homeowners' association. He handed out copies of their letter [Exhibit B]. It was approval from the La Vereda Directors of these changes.

What he was asking for was replacement of windows. They did research but could not date specifically the installation of windows. He passed out photos of the windows [Exhibit C]. It showed there were three types of windows. He took pictures of the hinges because they were contemporary as well as the latching

hardware.

The south living room window revealed that all mullion styles were different on them. The upper right windows were double hungs that had ropes with weights and brass latching hardware.

The third picture was a west facing window with a different mullion profile. The second picture on the right side was not cloth but wire. So there were three kinds of windows.

The doors had tempered glass in them. He came to the conclusion that these windows were recycled windows when they turned the garage into a guest house and in the 1980's sold it as a condo.

His client really had trouble operating them and would like thermal panes.

Ms. Mather wanted to ask about the primary elevations. If they were removing historic material it might affect the status of the entire structure and the Board couldn't approve that.

Mr. Rasch recommended elevations 2-5 as primary. He pointed them out on the floor plan.

Ms. Mather understood it was basically the south and east elevations within the courtyard.

Mr. Rasch agreed.

Ms. Mather suggested if it was contributing and he wanted to remove historic material the Board could go from there.

Mr. Rasch reminded them that according to code if the proposal would cause a status downgrade it shall be denied.

Mr. Acton felt it was a difficult situation because there was an approved garage addition that concealed the public view.

Mr. Rasch said it was not concealed from Palace Avenue so it didn't change it. Primary elevations didn't have anything to do with public visibility but about definition and character.

Ms. Mather asked Mr. Enfield if he felt these windows were replaced at a later time based on the three different styles on the primary elevations.

Mr. Enfield said yes and the fact that it was a garage that became a condo and became sellable in the 1980's and Glenna Goodacre sold it in the 1980's. He clarified that he had not come in to change the status of the building.

Ms. Mather said if he thought this was not historic material but was added at some other time that gave the Board a different ability to judge it. But it was hard when the Board didn't know the status.

Mr. Rasch said the client didn't want to change the status but to change the client's windows.

Mr. Enfield explained that she could get thermal help and decrease the friction on the double hungs by adding interior storms. He could accept that but his client was in New York and not here. So they could provide those storms and screens as an option for her.

Ms. Mather asked about the final design of the grills on page 15.

Mr. Rasch explained that the note said it might not be the final design.

Mr. Katz asked Mr. Rasch if internal storms required the approval of the Board.

Mr. Rasch said this Board had regularly approved that. It was reversible. The applicant would get better thermal and the Board would get better historic status.

Dr. Kantner agreed with elevations 3-5 but had trouble with elevation 2. That space would be very different from what it was now because you've already approved changes to that space.

Mr. Rasch explained that he saw a unique massing that made it characteristic of pueblo massing.

There were no speakers from the public concerning this case.

Mr. Acton asked if Ms. Brennan felt La Vereda was a public way.

Ms. Brennan had not seen it and asked if the other Board members did.

Mr. Acton said on the site visit they saw that it was very visible. If the Board could defend jurisdiction it was incumbent upon them to ask for it.

Ms. Brennan said the term used was not just public streets but public ways. This street was not gated. The Board had considered alleys off Canyon Road that looked like driveways to be areas where the public had access.

Chair Woods pointed out that if they screened it, it could impact the massing to put that much stucco up there. She believed the massing was unique and it was low.

Dr. Kantner moved in Case #H-11-130 to designate elevations 3, 4, 5 as primary and deny the request to replace the windows on those three elevations but approve the request to replace windows on the other elevations with the conditions that the final design of the grills be brought to staff for approval; that skylights not be visible; that the new HVAC unit be no bigger but not be screened; that the planters and coyote fence be approved and the courtyard be accepted.

Ms. Mather seconded the motion with a friendly amendment that replacements be in kind.

Dr. Kantner accepted the friendly amendment and added that storm windows be used on those windows not replaced.

Mr. Acton asked if he would accept elevation 2 as a primary elevation.

Dr. Kantner said he would not.

The motion passed by unanimous voice vote.

8. **Case #H-11-131.** 806 Old Santa Fé Trail. Downtown and Eastside Historic District. Liza Williams, owner, proposes to paint signage on a non-contributing commercial structure and on a yard wall, and to paint murals on both structures. Two exceptions are requested: to paint signs on walls (Section 14-8.10 (H)(4)(a)) and to paint walls more than one earth tone color (Section 14-5.2 (E)(2)(e)).

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

BACKGROUND & SUMMARY:

806 Old Santa Fé Trail is a residential/commercial structure, now known as the Liza Williams Gallery, that was constructed in the Territorial Revival style before 1950. Windows and doors have been replaced during non-historic dates. The building is listed as non-contributing to the Downtown & Eastside Historic District. The 2002 Historic Cultural Property Inventory recommends contributing status to this property.

The applicant painted murals and signage on the building and associated yardwalls without permission or a building permit and a stop work order has been issued. Now, the applicant proposes to gain approval to remodel the property with the following two items.

1. Five multi-colored murals have been painted over the stuccoed surfaces, with various subject matter, by artists represented inside the gallery. These murals are publicly visible. According to the following code citations, publicly-visible building facades and adjoining walls shall be one earth-tone color with murals or other colors allowed only under portals or inset panels under a roof overhang. An exception is requested to paint murals on areas where they are prohibited (Section 14-5.2(E)(2)(e)) and the required exception criteria responses are at the end of this report.

14-5.2(E) Downtown and Eastside Design Standards

The Governing Body recognizes that a style of architecture has evolved within the City from the year 1600 to the present characterized by construction with adobe, hereafter called "old Santa Fé style", and that another style has evolved, hereafter called "recent Santa Fé style", which is a development from, and an elaboration of the old Santa Fé style, with different materials and frequently with added decorations.

(1) Old Santa Fé Style

Old Santa Fé style, characterized by construction with adobe, is defined as including the so-called "pueblo" or "pueblo-Spanish" or "Spanish-Indian" and "territorial" styles and is more specifically described as follows:

- (b) All exterior walls of a building are painted alike. The colors range from a light earth color to a dark earth color. The exception to this rule is the protected space under portales, or in church-derived designs, inset panels in a wall under the roof, in which case the roof overhangs the panel. These spaces may be painted white or a contrasting color, or have mural decorations;

(2) Recent Santa Fé Style

Recent Santa Fé style intends to achieve harmony with historic buildings by retention of a similarity of materials, color, proportion, and general detail. The dominating effect is to be that of adobe construction, prescribed as follows:

- (d) No less than 80 percent of the surface area of any publicly visible façade shall be adobe finish, or stucco simulating adobe finish. The balance of the publicly visible façade, except as above, may be of natural stone, wood, brick, tile, terra cotta, or other material, subject to approval as hereinafter provided for building permits;
- (e) The publicly visible façade of any building and of any adjoining walls shall, except as otherwise provided, be of one color, which color shall simulate a light earth or dark earth color, matte or dull finish and of relatively smooth texture. Façade surfaces under portales may be of contrasting or complimentary colors.

- 2. Three multi-colored signs have been painted over the stuccoed surfaces. Since the RAC District allows for no more than two signs per building, one of the signs has been painted over to avoid the need for a variance at the Board of Adjustment. These signs are publicly visible. According to the following code citations, no signs shall be painted on walls. An exception is requested to paint signs where they are prohibited (Section 14-8.10(H)(4)(a)) and the required exception criteria responses are at the end of this report. In addition, these signs exceed the RAC District standards of a maximum allowable overall size of 6 square feet and the maximum allowable letter size of 8" high.

14-8.10(G) General Requirements for Signs According to District

(1) In residential, RAC and AC districts not more than two signs are allowed per building, with combined surface area not exceeding twenty square feet.

14-8.10(H) Special Sign Regulations in the H Districts

(1) Purpose

- (a) The purpose of the sign regulations in this section is to establish and carry into effect regulatory procedures governing signs in Historic Districts of the City. These regulations pertain to permits, colors, texture and finish, materials and design, location and size. They are set forth to preserve the special qualities inherent in the City that attract tourists and residents alike and that are the basis of the City's economic stability and growth. Signs excessive in size, illumination and of commonplace design will defeat the purpose of the preservation of characteristic areas in this, the oldest capitol in the United States.
- (b) In addition to the prohibition contained in this section, approval of the display of a sign in the Historic District shall be granted by the Division only when the signs and the plans conform to the unique and distinctive character of the City, do not injuriously affect the same and do not impair the value to the community of those buildings having architectural worth.

(2) Applicability

Signs in the following areas and districts shall comply with the additional sign regulations of this section 14-8.10(H), in addition to the general sign regulations of §14-8.10 above:

- (a) All signs in the Historic Districts;
- (b) All signs in RC districts;
- (c) All signs in the RAC district; and
- (d) All signs in the AC district.

(3) Number of Signs

The total number of signs allowed is as follows:

(a) For up to two business establishments on one premises, no more than three signs per business, the total area of which for any one business shall meet the size limitations for specific types of signs as set forth in this section, or 85 square feet, whichever is less, exclusive of free standing signs;

(4) Prohibited Locations

(a) No permanent signs shall be placed on a balcony, gallery, shed, roof, door or window or placed so as to disfigure or conceal any architectural features or details of any building, or painted on walls. No sign shall be displayed from any fence or wall or open lot unless it is deemed necessary to the conduct of a business by the Division, in which event a waiver of regulations can be allowed.

(11) Color and Design

The effort of design of signs in the Historic District is to keep a moderate, attractive and compatible styling so as not to cause erratic or disturbing distractions from the architectural beauties of the City; therefore, color and design are left to the discretion of the applicant.

(15) Conflicts with Zoning Regulations

In any case where there is a conflict between the specific provisions of this section 14-8.10(H) and the general sign requirements and restrictions of the remainder of this section 14-8.10, this section shall prevail and shall be controlling for all purposes.

(26) Wall Signs

(a) Area Limitations

(I) A wall sign is subject to the following limitations:

A. The maximum allowable size is 15 percent of the façade on which the sign is to be placed. In no case shall the sign area exceed 20 square feet except in the AC and RAC districts where the maximum allowable size is six square feet;

B. Maximum size of letters shall be 20 inches in height, except in the AC and RAC districts where the maximum size shall be eight inches in height;

C. There shall be no restriction on the number of letters, words or lines of any sign as long as its overall area is within the maximum allowable square feet; and

D. No sign shall be permitted 15 feet or more above street grade measured in front of the façade where the sign is to appear.

EXCEPTION FOR PAINTED MURALS AND SIGNAGE:

I. Do not damage the character of the district.

The character of the neighborhood, where 806 Old Santa Fé Trail is, has painted signage next door at Cliff's Liquor Store, 903 Old Pecos Trail, and also, next door on the other side at 919 Old Santa Fé Trail, with both painted public murals and painted signage. To be in character with our immediate neighbors, to me, would mean to have painted signage and murals or public art. Down the street on Old Santa Fé Trail is also a brightly colored mail box. It seems to be a neighborhood of artists and RAC zoning. That is one reason I picked it for Liza Williams Gallery.

Staff response: Staff is in agreement with this statement. However, staff has no information about the dates that neighboring painted murals and signage were completed and whether or not these paintings were approved by the City.

- ii. Are required to prevent a hardship to the applicant or an injury to the public welfare;

It would create a hardship for Liza Williams Gallery if we did not have the public art and painted signage to draw people into our art gallery. We need something different to draw people into our building because we are not set up like galleries on Canyon Rd. that have automatic foot traffic. We have created our art gallery to be a destination for shoppers. Already many, many people have told us that the only reason they stopped in was because of the beautiful murals on our building.

Staff response: Staff is not in agreement with this statement. There are approved methods for drawing customers into the gallery, such as the large brightly colored sculptures of the pig and rooster which is currently installed at the front of the gallery, i.e. public art, and code-compliant applied or free-standing signage.

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

We have been told repeatedly that what we have done to the building is in complete character with the history of Santa Fé as being an art city, and that what we have done has improved the neighborhood and the building greatly. We have provided a full range of design options that prove to be colorful and in good taste.

Staff response: Staff is not in agreement with this statement. Since the building is recommended for contributing status, the painted murals and signage are not harmonious to traditional historic Territorial design and defeat the purpose of the preservation of characteristic areas.

Mr. Rasch added that the sizes allowed and letter size allowed in the district.

STAFF RECOMMENDATION:

Staff recommends denial of the two exception requests to paint murals and signage on building facades and adjoining walls as not in compliance with Section 14-5.2(E)(2)(c) and Section 14-8.10(H)(4)(a).

Chair Woods asked Mr. Rasch to read the responses and staff responses into the record.

Mr. Rasch read them as shown above.

Present and sworn were Ms. Liza Williams and Mr. Mike Fields, 806 Old Santa Fé Trail. Ms. Williams said she was sorry that they were doing this backwards and she should have gotten permission beforehand. But she had asked around the neighborhood and people said it was okay because there were already murals there. One reason she bought the building was because there was a mural next door and they loved the neighborhood and the flavor of the neighborhood and the painted signs on both sides of her building.

Mr. Fields said the mural on the adjacent building they were told had been there at least 2 years. The painted sign on Cliffs has been there for some time as well. So it looked like a big precedent in the neighborhood and he asked the Board to grant them these two exceptions.

Ms. Williams said she basically wanted to put some of her artists to work right away. She noted that many people now couldn't make their mortgage payments. She was an artist and musician and luckier than many. Two of her artist friends could not make their mortgage payments. She put them to work and the neighborhood seemed to be happy with that. She just hoped the Board could forgive her.

Mr. Fields said they did collect a number of people who signed a petition in their support and a number who wrote letters. Friends of theirs from around the world wanted to come to see what they had done with this art and the thought it was helpful in drawing people to Santa Fé.

Ms. Williams said two weeks ago the Mayor and his wife came in because of their sign painted there. When she had a gallery on the plaza in the 1990's they had bought three of her pieces and because of her sign they came and bought more. She said they were delighted with the murals and how nice the gallery looked.

She said the most fun part of the history of her gallery was when it was a dance hall. When they had their grand opening it was packed and they had no alcohol. They were carrying some part of a lot of happiness.

Mr. Rasch said he wanted to amend the application. There was one part that was left out. There was a new coyote fence in their courtyard that was not publicly visible. That was part of the violation the inspector made when inspecting the property. It was allowable and was eight feet high. He was recommending approval to add that to the application.

Chair Woods asked Ms. Brennan since it was not published, if it could be an action item.

Ms. Brennan thought it would have to be noticed.

Chair Woods said either that or staff could approve it. Ms. Brennan agreed.

Chair Woods said the Board would not be voting on it today.

Chair Woods asked that those people from the public in favor of this case be sworn in together and each speaker be limited to 2 minutes. She asked that people not repeat what other people already said.

Present and sworn was Ms. Ann Schmidt, 54 Monte Alto Road, spoke on behalf of the gallery. She said she was not an artist but her partner was. She drove down Old Pecos Trail every day to get into Santa Fé and the Martinizing and Cliff's Liquors were there and she felt Ms. Williams' signs really added to the flavor of the neighborhood there. Secondly, she thought it added to the city different. Friends had mentioned the gallery. The economy was hard and this location didn't have the foot traffic as on Canyon Road. Many artists make their homes here. This wasn't Canyon Road and people probably wouldn't stop without turning their head at the sign and know that it was a place of art where they could stop in.

She thought the murals were an added economic benefit to the community. There were other murals that were grandfathered in. It wasn't really wrong. If others could be there, they should be allowed to do so also. It wasn't inconsistent and she thought it helped. She would be interest in knowing if those people who

had put in murals had gotten approval from the Board. She wouldn't have noticed it without the murals. It wasn't ugly and certainly was better than Cliffs and Martinizing.

Present and sworn was Ms. Diana Breyer who had sold her art for 55 years and said it had been tough lately. She was even thinking suicide this past summer and then she met these people and they were so positive and so nice to her. She remembered that building. She had lived in northern New Mexico since 1977 and remembered that building as an antique store.

A friend of hers put the portal on in 1972 so it was not from the original building.

Ms. Williams and husband were really helping artists and helping the economy a little bit. If it was like the entire wall it would be heavy duty but the murals were delicate including hers. She left some of the color on the wall and didn't paint the whole thing out.

Present and sworn was Ms. Nancy Freeman 850 Old Santa Fé Trail, wholeheartedly agreed with the first speaker. She was not an artist but had lived there off and on since the 1970s. She was thrilled to see a rather drab space for the historic convergence of Old Santa Fé Trail and Old Pecos Trail. There was nothing to attract anyone to that space and when she noticed what Ms. Williams was doing. And she said it wasn't just for herself but in the interest of bolstering artists in Santa Fé who were having an extremely hard time. It was whimsical. Art was subjective. She didn't love everything in the gallery but it was uplifting compared with what was there.

Present and sworn was Ms. Maureen Havey, 1324 Hick ox Street. She was an artist and coming from industrial Midwest in Chicago where there were lots of murals. This location was uniquely situated from the CCA and the Children's museum with Museum Hill. She knew Ms. Williams from 15 years before. She was an excellent business woman and enjoyed her collaboration with Ms. Williams. She was speaking in favor.

Present and sworn was Ms. Joan Malaca, 54 Monte Alto Road. She had been an art educator for 28 years and an artist all her life. She had been all over the world and wanted to live here because it had a liberal aesthetic environment. She was thrilled when she met Ms. Williams who invited her to show her art in this gallery for the first time. Ms. Williams paid her to do a mural and she chose the symbols of New Mexico petroglyphs that were on a rock wall and merely painted them on an adobe wall. People have expressed excitement. People went into gallery to buy a small version of the mural. She used her money to buy supplies at two local Santa Fé stores so it was a win-win situation.

She hoped the Board would approve of the artists finishing their work and the gallery fulfilling its dream. That space had been a desolate area and the gallery brought beauty and life to that area. It was uplifting

Present and sworn was Mr. Cruz Eaglehead who lived next door. He apologized for not knowing about the laws regarding painting. He didn't realize that was the case. The coming of Ms. Williams into the neighborhood had helped a lot of artists including himself. Restoring the mural that was there was a huge uplift to the neighborhood and it affected all in the neighborhood. They were all enthused. He thanked her for her effort. He apologized to the Board and in the future promised to pay attention to the code.

Chair Woods asked him what mural he was speaking of restoring.

Mr. Eagle head said there was a mural there 8 years ago with the former property owner he had removed it and the store was sued by them and he was sued by them for not knowing it was the other property's wall.

Chair Woods asked if he was talking about the mural at Cliff's. Mr. Eagle head agreed.

He said it was just restored when she bought the property and she hired him to repaint it. He thanked the Board for listening and hoped they could allow it.

Present and sworn was Mr. Michael Andruc, 2200 West Alameda #5. He said he was going to start on a mural there and heard about this and decided to hold off so he was out of a job. Ms. Williams and her husband were great people. He had been here a long time and it was a great place for arts. He was in the middle. He would like to get back to continue to work on it - "maybe some graffiti would work. The more art - the better."

Chair Woods asked for anyone who was opposed to this project who wanted to speak to come forward.

Present and sworn was Mr. Rob Boren, 801B Old Santa Fé Trail. He said he was not here to judge aesthetics or viability. All who live in the historic district or did business there knew they must work with this Board and put their trust in the Board to have the consistency and integrity needed. He fell under that responsibility and had to work through the Board and that provided comfort. He put his confidence in the Board.

Present and sworn was Mr. Bill Yushall, 501 E. Coronado Road. His property abutted Martinizing Cleaners and he was President of the Old Santa Fé Trail Association. He said he was not here on behalf of that association. There was much discussion and many calls. Some were in favor and some against it. He had remained objective and went by and spoke to Ms. Williams after the stop work order and found out it was for historic reasons.

He told her that listening to neighbors was poor advice to go by and went through the regulations and process with her. He had suggested she work closely with the Board to resolve it.

The bottom line was that the association members were not totally against it but the precedent that might be set here was a concern. He realized how difficult business could be. He was in the construction business which was also hard hit.

Although zoning was RAC that area was primarily residential. The Cleaners and Cliff's Liquor store were grandfathered in. And if sold the buyers wouldn't have those businesses because they were not Arts and Crafts. He asked the Board to consider the request of the applicant but he was not in favor of an exception being granted here. The rules should be followed and should not set a precedent. Thank you.

Present and sworn was Ms. Susan Bernstein, 908 Old Santa Fé Trail. She said they bought an historic house 20 years ago and had lived there. They had at times initiated landscape and wiring and had to go consult with the Board and the Board gave them sensible advice. To grant an exception should be very

carefully done. The covenants had been challenged many times. High fences, condos, some garages went to the Supreme Court. So there had been possible precedents already set and she felt setting precedents made an enormous difference. She had heard Ms. Williams wanted to have more galleries further down. It would change the nature of the neighborhood and based on that possible precedent she felt exceptions should not be granted. They were in favor of artists thriving and probably they could have a gallery without exceptions.

Present and previously sworn was Ms. Karen Heldmeyer who had also heard from lots of people. Berger Street juts off this corner. Regarding the signage, a lot of the complaints she heard were about the number and size of the signs painted on this building. There had been other temporary signs on this property - one on the portal and a metal real estate type sign. People were concerned about that precedent. The RAC zone went all the way up to Coronado from the Vierra House and people were concerned if the exceptions were granted that it would open it up for other RAC properties. She knew they were trying to call attention to what they were doing there but there were ways to do it within the boundaries of the law.

Present and sworn was Mr. Bernard Euell, 99 AB Sibley Road who had three perspectives. Having been an art official for 40 years, he had an appreciation for them trying to make a living and gallery owners trying to be a success where a gallery had never been located before. Their enthusiasm was great.

He once owned this building for seven years and put in \$150,000 of improvements into it to make it a classy building. He could tell the Board when each part of the building was added. It was a 19th century building. There was a large sign post visible down Old Santa Fé Trail and one between Cliffs and this property and neither one had been used although traditionally it was used for that purpose.

He felt it was a grand old building that had been turned into a tart. Mr. Eaglehead painted over the mural and he had talked with Mr. Eagle head about replacing it and he walked the neighborhood to speak with neighbors and over 70% said "don't do it." He liked the original mural but wouldn't put it in a neighborhood whose residents didn't want it.

Third, as a citizen, many people thought this was the most important board operating in the City. This Board was reminded every day that ordinances were only the force of law as much as they were enforced.

He thought the murals and signage were egregious violations of those rules. He had been asked who the hell he sold that building to.

There were no further speakers from the public concerning this case.

Chair Woods was confused about the mural at Cliffs. She noted that Ms. Williams said she bought the building because of the mural next door and Mr. Eaglehead testified that he painted over it.

Ms. Williams said there was a mural on the other side of the building.

Chair Woods asked if that one had come to the Board.

Mr. Rasch said that was the 801B property.

Ms. Williams said Mr. Eaglehead did the mural 8 years ago because Cliffs said he could and then found out they didn't own it and the former owner didn't want it there.

Chair Woods asked then if it wasn't there when she bought it.

Ms. Williams said that Cliff's sign was two feet high.

Chair Woods was concerned with the precedent. Everyone was suffering in this economy. Most of the testimony was about economy and not the ordinance. It was about keeping artists busy and bringing attention to the gallery and she sympathized. But it was a precedent being set. She asked what galleries wouldn't want murals on their buildings. She asked Ms. Brennan what kind of precedent it was setting or if it was a precedent.

Ms. Brennan said the Board was charged with looking at the ordinance, looking at the application and applying what the ordinance says to the application. Boards were often faced with difficult decisions. Economic conditions didn't trump the ordinance. It was hard to say where that precedent would stop. The sign ordinance was very broad and didn't include words but invited business in.

There were rights too in this ordinance - places where you could put murals in certain circumstances; places where you could put signs and other kinds that were permitted. The Board's job was to administer the code as written.

Mr. Acton felt the philosophy of including in the ordinance the application for an exception was driven by an acknowledgment of special circumstances.

Ms. Brennan agreed that was correct and there were criteria to use and each criterion must be met in order to grant an exception.

Mr. Acton said then the Board members must keep their own counsel whether those criteria have been met.

Ms. Brennan said the Board as a whole makes the decision and the Board's vote should also explain the reason for the vote.

Mr. Acton agreed and added that each member must do that. Ms. Brennan agreed.

Ms. Mather moved in Case #H-11-131 to agree with the staff recommendation to deny the application because the exceptions have not been met as follows:

#1 - to not damage the character of the district - she believed it does damage the character of the district.

#2 - to prevent a hardship to the applicant or an injury to the public welfare - she believed we all

share in this hardship right now and the applicant isn't different than the rest of us.

#3 - to strengthen the unique heterogeneous character of the city by providing a full range of design options - the building was an historic structure and its historic integrity should be the most important part of its characteristic.

Dr. Kantner seconded the motion.

Mr. Acton offered a friendly amendment. He asked that the Board deny the signage and ask that it be brought into conformity with RAC district sign standards but approve the murals so long as they were not expanded.

Ms. Mather didn't agree that it was friendly.

Chair Woods requested that the maker of the motion quote the ordinance sections per staff. Also it was not designated as a contributing building. It was a non-contributing building

Ms. Mather said that was #3. **Ms. Mather agreed with the staff response to that criterion.**

The denial was based on not being in compliance with ordinance section 14-5.2.E (2) (c) and 14-8.10.H (4) (a).

Mr. Acton offered up that he believed the application did meet the conditions for an exception. He contended that there was no significant damage to character of the district and there was a hardship here. It does in fact complement the character of that corridor and does strengthen the heterogeneous character of the city. The murals were of reasonable artistic quality and not offensive. In excess they would be in poor taste and the philosophy behind the ordinance allows for public feedback on quality and he thought it was high quality.

The motion passed by majority (3-1) with the Chair voting with the majority.

Ms. Williams asked if she might say one thing.

Chair Woods said no - that her hearing was over.

- 3. Case #H-11-126.** 126 Quintana Street. Westside-Guadalupe Historic District. Veronica Angriman, owner, proposes to remodel a non-contributing residence by constructing an approximately 157 square-foot, 10'-5" high trellis structure across an opening and replacing the center portion of a three-part window with a door surmounted by an awning.

Ms. Mather moved to remove Case #H-11-126 from the table. Dr. Kantner seconded the motion and it passed by unanimous voice vote.

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

BACKGROUND & SUMMARY:

Constructed between 1933 and 1939, 126 Quintana is a single-story residence exhibiting a modest display of the Spanish-Pueblo Revival style. Various alterations over the years resulted in its noncontributing status to the Downtown and Eastside Historic District.

The applicant proposes to remodel the residence by constructing an approximately 157 square-foot, 10'-5" high pergola across an opening along the south elevation. It will be a simple, open design constructed with 6"x6" wood posts and 4"x4" beams finished with a natural, water-based stain.

The applicant additionally proposes replacing the center portion of a three-part window on the west elevation of the home. The window consists of a center, three-over-one fixed glass flanked by two-over-one awnings. The applicant proposes removing the center portion and replacing it with a wood-frame, single glass door. Over this door is proposed a 3'x8' wood-frame awning roofed with a rusted Corten material similar to the existing canales.

STAFF RECOMMENDATION:

Staff recommends approval of this application, which complies with Section 14-5.2 (D)(9), General Design Standards, Height, Pitch, Scale and Massing, and (I), Westside-Guadalupe Historic District.

Present and sworn was Ms. Veronica Angriman who had nothing to add to the staff report. She said she needed this because she was going to use an umbrella and she could not put it outside and back inside every day. So she was going to put in a portal and her neighbor agreed with her design. Her mother came to visit and asked why she had no door. She apologized and decided to put a door in.

There were no speakers from the public concerning this case.

Chair Woods asked Mr. Rasch to show the photograph that had been drawn in pergola which he did. She asked the applicant what was going on there.

Ms. Angriman said she had wanted to put on a portal but changed it to a pergola. The wood piece on the wall needed to be removed after approval.

Ms. Mather moved to approve Case #H-11-126 as recommended by staff. Dr. Kantner seconded the motion and it passed by unanimous voice vote.

4. **Case #H-11-127.** 1170 Camino Delora. Downtown and Eastside Historic District. Trey Jordan, agent for Lori and Joel Dunlap, proposes to remodel a non-contributing residence by removing a window and replacing it with a French door, constructing an approximately 227 square-foot dining room addition, and constructing a 3' high stuccoed yard wall.

Mr. Acton moved to remove Case #H-11-127 from the table. Ms. Mather seconded the motion

and it passed by unanimous voice vote.

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

BACKGROUND & SUMMARY:

The main house of 1170 Camino Delora appears to date to c.1947. It is a stucco-clad, single-story residence exhibiting a mixture of Territorial and Spanish-Pueblo Revival elements. During the 1960s the house experienced a reorganization of its interior spaces, including converting the garage into a living room and the entry portal into a bedroom. These alterations, along with the removal of original windows resulted in its noncontributing status to the Downtown and Eastside Historic District.

The applicant proposes to remodel the residence with the following items:

1. Construct an approximately 227 square-foot, 11'-5" high dining room addition at the northeast corner of the residence. The volume will be approximately 6" shorter than the maximum height of the existing house. The new space will include wood-frame partitioned corner windows stained to match existing vigas. The windows will be surmounted by roof-decked vigas. The addition's stucco will match the color and texture of the house. Addition will not be visible from public way.
2. Remove a Territorial Revival type window where the dining room is to be constructed, and install it along east elevation. Window will not be visible from public way.
3. Remove a wood-frame Territorial Revival style window along the north elevation and replace it with French doors. The design and finish of the doors will match existing fenestration. Door will not be visible from public way.
4. Construct a 3' high stuccoed yard wall of approximately 32 linear feet around the north portion of an existing sunken pool.
5. Construct an approximately 6' high irregularly topped coyote fence along approximately 120 linear feet of north and west lot lines.

STAFF RECOMMENDATION:

Staff recommends approval of this application, which complies with Section 14-5.2 (D)(9), General Design Standards, Height, Pitch, Scale and Massing, and (E), Downtown and Eastside Historic District.

Dr. Kantner asked if there was a maximum allowable height for the fence.

Mr. Rasch said the maximum was 6' above the highest grade.

Present and sworn was Mr. Trey Jordan, 227 East Palace, who had nothing to add to the staff's report and would stand for questions.

There were no speakers from the public concerning this case.

Ms. Mather referred to the proposed north elevation where she noticed he was moving one window.

Mr. Jordan said he was moving it to the east side.

Ms. Mather had question about the window patterns on the addition.

Mr. Jordan said some were stationery panels and some were operable. They were picking up on the history of the house. It had a funky character. The horizontal long window they picked up on and referenced the clerestory windows on the east elevation. His client liked the cool feel of the property.

Ms. Mather asked if the windows were all framed.

Mr. Jordan agreed and the frames would be stained medium brown. They were similar to the one on the right. They were playing with the same proportion and running it vertically.

Ms. Mather asked if that was not visible from a public way. Mr. Jordan agreed.

Mr. Acton noted a discrepancy on the north elevation where the overhang detail was different from the east elevation. He asked if Mr. Jordan could explain that.

Mr. Jordan wasn't sure but said it should be on the north just like the east.

Mr. Acton asked if the line of the parapet projected above the flat roof.

Mr. Jordan said it didn't and what he was seeing was the far side of the dining room. He explained that on the east elevation it was only a portion of a parapet.

Chair Woods asked Mr. Jordan not to put in the shadows for the Board's drawings because that made it much harder to understand.

Dr. Kantner moved to approve Case #H 11-127 as recommended by staff. Ms. Mather seconded the motion and it passed by unanimous voice vote.

5. **Case #H-11-128.** 665 Garcia Street. Downtown and Eastside Historic District. Christopher Purvis, agent for Helena Ribe, proposes to remodel a non-contributing residence by enclosing an 80 square-foot entry and extending the existing portal by 3'.

Ms. Mather moved to remove Case #H-11-128 from the table. Dr. Kantner seconded the motion and it passed by unanimous voice vote.

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

BACKGROUND & SUMMARY:

665 Garcia Street is a two-story, single-family residence constructed in the 1970s in the Spanish-Pueblo Revival style. The residence has received subsequent additions and is noncontributing to the Downtown and Eastside Historic District.

The applicant proposes to remodel the residence by enclosing an 80 square-foot entry along the west elevation and extending the existing portal by 3' to create a new entry. The new entry will include a single divided light wood casement window and the existing wood door moved from the current entry location. Wood vigas and a stucco parapet will cap the new elevation, which will be finished with cementitious El Rey "Navajo White" stucco. The portal woodwork will be stained light brown to match existing door.

STAFF RECOMMENDATION:

Staff recommends approval of this application, which complies with Section 14-5.2 (D)(9), General Design Standards, Height, Pitch, Scale and Massing, and (E), Downtown and Eastside Historic District.

Mr. Acton asked Mr. Murphey if he knew what material was used in the wall enclosing the entry.

Mr. Murphey suggested he should ask Mr. Purvis.

Present and sworn was Christopher Purvis who apologized for being late. He said that wall was frame stuccoed with 2x8 construction.

Mr. Acton thought it would have a different relationship with bullnoses and recesses.

Mr. Purvis said the window would be set only a couple of inches into the wall. It was missing its divisions so it would come forward with divided lites. It would be Navajo white. By bringing it forward and overhanging the wall, it would be treated as overhead.

Chair Woods thought it was funky the way the parapet sat on it. She thought it looked like a hat but then realized that parapet was further back.

Mr. Purvis said they would replace some of the vigas - the parapet was back here and overhang there was metal with a little edge.

Chair Woods said it looked like it had a beam there.

Mr. Purvis said the vigas were cantilevered and stuck out 3' beyond the wall.

Mr. Acton asked if that beam remained exposed over the 2x8 wall. Mr. Purvis agreed.

Mr. Acton said it was shown with a bull nose and canale like it projected out beyond it so it was

confusing.

He asked if Mr. Purvis could tell the Board how he would correct the drawing to make more sense to them.

Mr. Purvis said he was going to add a post but it was a problem for the landscaper.

Chair Woods countered that it didn't show it flat with the wall. She asked if it was projecting in front.

Mr. Purvis said he did that because he was going to put in a post and then took that out.

Mr. Rasch pointed out that cantilevers were not allowed in this district.

Mr. Purvis said the cantilevered vigas were the support that held up the roof.

Chair Woods turned to Ms. Brennan for clarification.

Ms. Brennan was having trouble understanding it.

Mr. Acton asked if he was saying that he had an agreement with Mr. Rasch but that was the ordinance. He understand the tree there but it needed a post within three feet of the building

Mr. Rasch read the ordinance that said no cantilevers were allowed except over vigas and corbels. The Board had accepted up to 18", corbels up to four feet and over four feet must have a post.

There were no speakers from the public concerning this case.

Mr. Purvis felt it would be better with a post. He preferred to say he failed to put in the post. It was almost correctly drawn without a post. He said there would be a post and a new beam that would support the parapet on the beam.

Mr. Acton clarified that he was bringing the parapet forward and in the same plane as the fireplace. But the fireplace tapered so it would be just proud of the fireplace. The face of the fireplace would be the face of the parapet there. Mr. Purvis agreed.

Mr. Acton moved to approve Case #H-11-128 with the conditions that the parapet be brought to the face of the fireplace flush with it and a post be located under the outside corner of the parapet and a beam extending from post to fireplace to support it. Dr. Kantner seconded the motion.

Chair Woods asked for a friendly amendment that the plaster come down between the vigas. Mr. Acton agreed and the motion passed by unanimous voice vote.

I. MATTERS FROM THE BOARD

There were no matters from the Board.


J. ADJOURNMENT

The meeting was adjourned at 7:45 p.m.

Approved by:

Sharon Woods, Chair

Submitted by:



Carl Boaz, Stenographer