



# Agenda

CITY CLERK'S OFFICE

DATE 5/16/12 TIME 1:25

SERVL BY Cherrille Vesp

RECEIVED BY [Signature]

## HISTORIC DISTRICTS REVIEW BOARD FIELD TRIP

TUESDAY, May 22 2012 at 12:00 NOON

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

## HISTORIC DISTRICTS REVIEW BOARD HEARING

TUESDAY, May 22, 2012 at 5:30 P.M.

## CITY COUNCIL CHAMBERS

### A M E N D E D

- A. CALL TO ORDER
- B. ROLL CALL
- C. APPROVAL OF AGENDA
- D. APPROVAL OF MINUTES: May 8, 2012
- E. COMMUNICATIONS
- F. FINDINGS OF FACT & CONCLUSIONS OF LAW

Case # H-10-104 826 B Canyon Road  
Case # H-11-097 533 Agua Fria Street  
Case # H-11-136B 576 Camino del Monte Sol  
Case # H-12-029 659 Garcia Street

Case #H-12-031B 544 Canyon Road  
Case #H-12-033 243 Closson #15 & #16  
Case #H-12-035 125 N. Guadalupe

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

1. Case #H-12-017A. 402, 406, 410, and 414 Don Gaspar Avenue and 128 and 130 South Capitol Street. Downtown & Eastside Historic District. City of Santa Fe, Historic Preservation Division Staff proposes an historic status review and primary elevation designations of these properties for the State Executive Office Building project. (David Rasch). POSTPONED TO JUNE 12, 2012.
2. Case #H-11-117B. 621 Old Santa Fe Trail. Downtown & Eastside Historic District. Wayne S. Lloyd, agent for David Lamb, owner, proposes to remodel contributing and non-contributing commercial structures including the replacement of all windows, construct a 1064 sq. ft. garage and increase building heights with construction of parapets where the maximum allowable height is 16'1", and perform other minor alterations. Two exceptions are requested to remove historic material (Section 14-5.2 (D)(1)(a)) and to change the character of primary elevation windows (Section 14-5.2(D)(5)(a)). (David Rasch).
3. Case # H-11-079B. 1041 Camino de Cruz Blanca. Historic Review Historic District. Richard Martinez, agent, Mark & Beth Jernigan, owner, proposes to remodel a contributing residential structure including the replacement of historic windows, removal of historic materials, and perform other minor alterations. An exception to remove historic materials is requested (Section 14-5.2(D)(1)(a)) and (Section 14-5.2(D)(5)). (David Rasch).

4. Case #H-12-036. 327 E. De Vargas St. Downtown & Eastside Historic District. Mary Helen Follingstad, agent for Boyle House, LLC, owner, proposes to repair and install railing along rear portal of significant residence. (John Murphey).
5. Case #H-12-038. 209 E. Buena Vista. Don Gaspar Area Historic District. Peter Gozar, agent for Stephen Wiman, owner, proposes to replace a street fence and gate, yard walls, and a gate door. (John Murphey).
6. Case #H-12-039. 1144 D Canyon Road. Downtown & Eastside Historic District. Bernie Romero, agent, for Karen Carney, owner, proposes to remodel a contributing residential structure including the construction of a 59 sq. ft. bathroom addition, a 170 sq. ft. portal, and perform other minor alterations. (David Rasch).
7. Case #H-12-040. 1139 Lot 1A & 1141 Lot 2A E. Alameda. Downtown & Eastside Historic District. Liaison Planning, agent for East Alameda LLC, owner, proposes to build a 4,193 sq. ft. 15'-0" high single family residence and a separate 630 sq. ft., 13'5" high single family residence on adjoining lots where the maximum allowable building height is 16'0". (John Murphey).

**I. MATTERS FROM THE BOARD**

**J. 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 should contact the City Clerk's office at 955-6520 at least five (5) working days prior to the hearing date. If you wish to attend the May 22, 2012 Historic Districts Review Board Field Trip, please notify the Historic Preservation Division by 9:00 A.M. on Tuesday, May 22, 2012.



# Agenda

CITY CLERK'S OFFICE

DATE 5/3/12 TIME 4:15

SENT BY Michelle Vago

RECEIVED BY [Signature]

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TUESDAY, May 22 2012 at 12:00 NOON

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Case # H-12-029 659 Garcia Street

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Case #H-12-033 243 Closson #15 & #16  
Case #H-12-028 309 1/2 Sanchez Street  
Case #H-12-035 125 N. Guadalupe

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

1. Case #H-12-017A. 402, 406, 410, and 414 Don Gaspar Avenue and 128 and 130 South Capitol Street. Downtown & Eastside Historic District. City of Santa Fe, Historic Preservation Division Staff proposes an historic status review and primary elevation designations of these properties for the State Executive Office Building project. (David Rasch). POSTPONED TO JUNE 12, 2012.
2. Case #H-11-105B. 237 & 239 E. DeVargas Street. Downtown & Eastside Historic District. El Castillo Retirement Residence, agent for Duty & Germanas Architects, owners, proposes to amend a previous approval to remodel a contributing property. (David Rasch).
3. Case #H-11-117. 621 Old Santa Fe Trail. Downtown & Eastside Historic District. Wayne S. Lloyd, agent for David Lamb, owner, proposes to remodel contributing and non-contributing commercial structures including the replacement of all windows, construct a 1064 sq. ft. garage and increase building heights with construction of parapets where the maximum allowable height is 16'1", and perform other minor alterations. Two exceptions are requested to remove historic material (Section 14-5.2 (D)(1)(a)) and to change the character of primary elevation windows (Section 14-5.2(D)(5)(a)). (David Rasch).
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8. Case #H-12-040. 1139 Lot 1A & 1141 Lot 2A E. Alameda. Downtown & Eastside Historic District. Liaison Planning, agent for East Alameda LLC, owner, proposes to build a 4,193 sq. ft. 15'-0" high single family residence and a separate 630 sq. ft., 13'5" high single family residence on adjoining lots where the maximum allowable building height is 16'0". (John Murphey).
9. Case #H-12-037. 414 Acequia Madre. Downtown & Eastside Historic District. Stefan Merdler, agent, Robert and Lora Sandroni, owners, proposes to remodel a significant residential structure including the construction of a 58 sq. ft. addition, a yardwall extension, and perform other minor alterations. An exception is requested to exceed the 50% footprint rule (Section 14-5.2(D)(2)(d)). (David Rasch).

I. MATTERS FROM THE BOARD

J. ADJOURNMENT

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**HISTORIC DISTRICTS REVIEW BOARD**

May 22, 2012

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4. <u>Case #H-12-036</u> 327 E. DeVargas Street	Approved with conditions	16-17
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**MINUTES OF THE**  
**CITY OF SANTA FÉ**  
**HISTORIC DISTRICTS REVIEW BOARD**

**May 22, 2012**

**A. CALL TO ORDER**

A regular meeting of the City of Santa Fé Historic Districts 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.

**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. Christine Mather  
Ms. Karen Walker

**MEMBERS ABSENT:**

**OTHERS PRESENT:**

Mr. David Rasch, Historic Planner Supervisor  
Mr. John Murphey, Senior Historic Planner  
Ms. Kelley Brennan, Assistant City Attorney  
Mr. Carl Boaz, Stenographer

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

**C. APPROVAL OF AGENDA**

Mr. Rasch said the first case was postponed.

**Ms. Walker moved to approve the agenda as amended. Ms. Rios seconded the motion and it**

**passed by unanimous voice vote.**

#### **D. APPROVAL OF MINUTES: MAY 8, 2012**

Ms. Walker requested a change on page 21 one third down the page. She had asked if the Board was insured under the city.

**Ms. Rios moved to approve the minutes of May 8, 2012 as amended. Ms. Mather seconded the motion and it passed by unanimous voice vote except for Mr. Katz who abstained.**

#### **E. COMMUNICATIONS**

Mr. Rasch reported that Santa Fé was voted third out of top ten for Historic Preservation in the nation. Charleston and Savannah were one and two.

He hoped board members were taking the heritage tours which were wonderful events. He did the Aztec National Monument which was largely unexcavated. Counselor's Trading Post tour had homesteads of Hispanic families. He also did the Mesa Verde tour which was only \$3.

He announced that on Friday night the awards ceremony would start at 5:30 and be over by 8:00. Mayor Coss would be there. Councilors were invited. Apparently there was an article in the Journal.

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

**Case # H-10-104     826 B Canyon Road**

**Case #H-12-031B     544 Canyon Road**

**Case # H-11-097     533 Agua Fria Street**

**Case #H-12-033     243 Closson #15 & #16**

**Case # H-11-136B     576 Camino del Monte Sol**

**Case #H-12-035     125 N. Guadalupe**

**Case # H-12-029     659 Garcia Street**

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

## G. BUSINESS FROM THE FLOOR

Present and sworn was Ms. Stefanie Beninato who pointed out some anomalies. 616 Galisteo had a permit that went through the Historic Preservation Division. They were not building anything but just repairing something that was falling down. Her concern was that they had not shown any ownership of the property. There was no deed. The mother died 16 years ago and there was no will; nothing was probated. The building inspector's office that issued the permit did so without a deed.

Regarding the Manderfield School appeal at Council, she was going to strongly urge the Board not to allow staff to make recommendations on the substance of the application but only whether it met the code. Because every time staff does that it drives a wedge that allows the Council to disregard the Board's decision and side with staff. Staff felt differently on the west wall and it was said over and over again by David Rasch. She didn't understand why Mr. Rasch was representing the Board to the Council since he was not a lawyer. She thought the Board needed to talk about these things and do something so that Council would not have that wedge to disregard the Board.

The other thing that happened during that appeal was that the Findings of Fact were found to be inadequate. The Board made the east and the west elevations primary (on the Manderfield School) but that got dropped out during the discussion on the motion. The Council specifically asked Ms. Brennan whether she had drafted those and she said no. And actually she sounded very happy that that the Board had basically screwed up on the Findings of Fact and Conclusions of Law.

Chair Woods interrupted her to advise her not to attack other people.

Ms. Beninato said that was just her observation. She said she was only saying the Board should have Ms. Brennan reviewing all of these things and having her say that they were legally sufficient and that they encompassed everything the Board really wanted to encompass. She thought it was good that the Board was drafting them but thought they needed to have the lawyer backing them up and stating that they were legally sufficient and not driving a wedge where she agreed they were not legally sufficient. So there were two wedges driven in during that appeal to say nothing about Carmichael Dominguez's relationship with the school on the school board and his resentment that at the Acequia Madre School the Schools had to refurbish the windows. That was another problem that was not brought to anyone's attention until after he made the motion and after there was discussion. He basically had a conflict of interest and should never have made the motion but he was the maker of the motion. Not only the appellant but also Councilor Dominguez said it was all about money and had nothing to do with design. It was only Councilor Ives who brought up the lack of the Findings of Fact being sufficient.

Present and sworn was Mr. Wayne Lloyd who said he didn't know what last speaker was talking to but regarding staff making recommendations about a project meeting the requirements of code, it was to the benefit of both the Board and the client. He didn't have the ordinance with him but thought the staff were required to do that and during his 32 years of work, it had been done.

Present and sworn was Mr. Christopher Purvis who said that a month ago he brought a case that needed to come back with modified windows and drawing of the gate and he brought them but his case was left off the agenda. So he asked if he could show them to the Board or not.



Chair Woods asked for an explanation from staff about what happened.

Mr. Murphey said there was a problem in the front office in getting everything on the agenda. He said three of Mr. Rasch's cases and one of his were not put on the agenda.

Chair Woods said she would like to accommodate Mr. Purvis but notice had to be published. She apologized to him and said she would speak to staff about it. The Board was prevented even to vote to hear him because, without notice, the neighbors didn't know about it.

Mr. Acton asked if this was a significant revision to the plan.

Mr. Murphey said it was the gate and windows.

Mr. Acton wondered if staff could approve it.

Chair Woods explained that was not possible because the motion specifically said it would come back to the Board and the Board was not allowed to do that without notice being made since that would be changing the motion without public notice.

Mr. Acton said the 15 day minimum notice deadline now appears to be egregious so they would have to try to get it reduced.

Mr. Purvis said he understood.

Chair Woods asked if his case was now noticed for the following meeting. Mr. Murphey agreed.

There were no other speakers from the public.

Chair Woods announced to the public that if anyone disagreed with a decision of the Board they could appeal it to the Governing Body within 15 days from the date the Findings of Fact and Conclusions of Law were approved.

## **H. ACTION ITEMS**

1. **Case #H-12-017A. 402, 406, 410, and 414 Don Gaspar Avenue and 128 and 130 South Capitol Street.** Downtown & Eastside Historic District. City of Santa Fé, Historic Preservation Division Staff proposes an historic status review and primary elevation designations of these properties for the State Executive Office Building project. (David Rasch). POSTPONED TO JUNE 12, 2012.

This case remained postponed.

2. **Case #H-11-117B. 621 Old Santa Fé Trail.** Downtown & Eastside Historic District. Wayne S. Lloyd, agent for David Lamb, owner, proposes to remodel contributing and non-contributing commercial structures including the replacement of all windows, construct a 1064 sq. ft. garage and increase building heights with construction of parapets where the maximum allowable height is 16'1", and perform other minor alterations. Two exceptions are requested to remove historic material (Section 14-5.2 (D)(1)(a)) and to change the character of primary elevation windows (Section 14-5.2(D)(5)(a)). (David Rasch).

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

### **BACKGROUND & SUMMARY:**

621 Old Santa Fé Trail is a commercial building that has been altered over time. It was originally constructed in a vernacular manner before 1928 in the Downtown & Eastside Historic District. Alterations include architectural character revision in the Spanish-Pueblo Revival style. On October 25, 2011, the HDRB confirmed the contributing historic status for all three buildings with the west and south elevations of buildings 1 and 2 as primary without the non-historic portal and with the north elevation of building 3 as primary. On February 14, 2012, the HDRB downgraded the status of Building 3 from contributing to non-contributing due to substantial non-historic alterations.

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

1. All windows on all three building will be replaced, with some that will be replaced with different window lite patterns. The west elevation of building 1 has paired 6-over-1 and evidence of triple 3-over-1 historic windows. The applicant is proposing to replace theses windows with 6-over-6 lite patterns but no evidence has been submitted that window lite patterns were consistent on any given elevation as required by Section 14-5.2(D)(5) which states that, "replacements [windows] shall be duplicated in the size, style, and material of the original" and that "replacement or duplication of missing features shall be substantiated by documentation, physical or pictorial evidence."

The restoration consultant recommends replacement of historic windows that are beyond repair for the primary west and south elevations of building 1, but recommends that some of the historic windows on the west and south elevations of building 2 should be repaired rather than replaced.

An exception is requested to replace all historic windows and to replace them in a manner that does not duplicate the existing lite patterns (Section 14-5.2(D)(5)(a)(I)) and the required exception criteria responses are at the end of this report.

2. The buildings will be reroofed and where shed roof overhangs exist they will be altered to parapets.
3. The protruding vigas on the non-historic portal on the south elevation of building 1 and the west elevation of building 2 will be removed and stuccoed over.
4. All buildings will be restuccoed, but the type and color was not submitted.

5. Roof-top equipment will be removed and replaced with units that the applicant states will not be publicly visible. Staff did not confirm that the units will not be visible with mockups at a site visit.
6. Building 3 will be increased in height from approximately 10' 4" to 15' 4" where the maximum allowable height is 16' 1".
7. The eastern most portal on building 3 will be infilled and a portal will be constructed on the east and south elevations.
8. A 1,064 square foot 4-car garage at 13' high will be constructed as an addition to building 3. A pergola will be constructed on the roof of the garage to 15' 11" high.
9. A 5' high yardwall will be constructed in front of the south elevation of building 3 with a pedestrian gate and archway to approximately 9' high. Also proposed are two metal buttresses on the wall.
10. The parking lot will be paved with asphalt and other areas will be finished with concrete and brick as shown on the site plan.
11. Water harvesting will be installed with underground storage. Design details of down spouts were not provided.

#### EXCEPTIONS TO REMOVE HISTORIC MATERIALS AND REPLACE NOT IN-KIND

i. Do not damage the character of the district;

Installing new windows will "improve" the character of the district in that the present state of the windows is shabby and in disrepair.

Staff response: Staff is not in agreement that new windows will improve the character of the district although most windows are beyond repair.

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

If these windows are not replaced or otherwise repaired, further deterioration could allow moisture penetration into walls that could facilitate the growth of mold, creating a danger to the inhabitants.

Staff response: Staff is in agreement with this response.

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

By allowing windows within the same "primary façade" to be of the "same number of lights" (example 4 over 4) above and below holds on to what we believe was the original design. This design has been altered over time do to convenience and insensitivity to the original design. By allowing "like windows" to be installed in the same primary façade unifies that façade and strengthens the heterogeneous character of the district.

Staff response: Staff is not in agreement with this response. Historically, windows may have been replaced with what was available and attempts to harmonize all windows may not have been desired. The character on the street-facing façade is that the windows do not match in lite pattern and no evidence has been shown that 6-over-6 windows were there.

**STAFF RECOMMENDATION:**

Staff recommends approval of the exception request to replace historic windows on primary elevations only where necessary and only in-kind to match existing or evidenced lite patterns and recommends approval of the application as complying with Section 14-5.2(C) Regulation of Contributing Structures, (D) General Design Standards, and (E) Downtown & Eastside Historic District with the conditions that cementitious earth-tone stucco shall be applied to all structures and that gate and light fixture designs shall be submitted to staff for approval, but that staff defers to the Board regarding the rooftop pergola and the metal buttresses as not typical of Santa Fé Style.

Ms. Mather asked if the non-historic portal was on the south elevation of building 1.

Mr. Rasch clarified that a non-historic portal was on both building 1 and building 2.

Ms. Mather asked if a stucco color was indicated.

Mr. Rasch said no.

Ms. Rios asked how many windows were to be replaced.

Mr. Rasch said all windows were to be replaced.

Mr. Wayne Lloyd (already sworn) said the stucco would match existing and would be cementitious. The color was faded from 20 years.

Regarding the staff report he agreed with everything except for the non-traditional pergola. He didn't find anything in the code that prohibited the pergola. He agreed with metal and buttresses which they could eliminate.

He said they worked with Mr. Patterson and simply didn't have enough photos of the hodge podge of windows there. They tried to pick what was most indicative on the primary façade and then would get all of the windows on that façade to look the same. Among the choices were six over one, one over one, and they just felt bad about duplicating that mess. But he added that if the Board felt required them to replace each one in kind they would live with it. He didn't believe that was the way the buildings were originally built but he couldn't prove it.

There were no speakers from the public regarding this case.

Ms. Mather referred to the windows on the primary elevation on building 2 where the consultant recommended they should be repaired rather than replaced and asked if that was correct.

Mr. Lloyd agreed that was correct and they were willing to do that. They stood by his report.

Ms. Mather said that was the west elevation and south.

Mr. Rasch asked if any of them on the south was arched. Mr. Lloyd said no.

Ms. Mather referred to building one and pointed out that when they described the various window styles as a hodge podge they then picked a window style that wasn't among any of those windows. Her preference was that they pick a window style that would match one of the current styles. She thought a "six over clear" would match that look best and would look nice alongside a "three over clear."

Mr. Lloyd agreed.

Ms. Mather asked Mr. Rasch if there was anything like that pergola on the roof in the neighborhood.

Mr. Rasch was not familiar with a pergola on the roof as much as on the ground. That was why he said it was not traditional. But the actual structure did meet style and height requirements.

Ms. Mather understood.

Ms. Rios asked what the purpose of the pergola was.

Mr. Lloyd pointed out a stair on the north side of the garage. They were putting in an art studio there so the outside stairs came up to that and it would allow people to have cocktails and watch the sunset.

Ms. Rios asked if it was not publicly visible. Mr. Lloyd and Mr. Rasch agreed.

Ms. Rios asked what the garage door material was. The first two appeared to be the same and the third looked lower.

Mr. Lloyd explained that the middle was a double car door; the one on the left was car sized and the other was for a boat and didn't need to be as high.

Ms. Rios asked if it was of wood. Mr. Lloyd agreed.

Ms. Rios asked how many windows were to be replaced in total.

Mr. Lloyd said at least 30. Each building had at least 10 windows.

Ms. Rios asked if they wanted to replace more than they would repair.

Mr. Lloyd agreed and on the primary façade they would repair all that could be repaired. On non-primary façades they could get better thermal panes and proposed to replace them.

Ms. Rios asked if the color was brown. Mr. Lloyd agreed.

Ms. Rios if they were putting anything on the roof top.

Mr. Lloyd said they were consolidating venting on the roof but out of public view and they could show the detail to staff so they could see the vents were not visible. He showed where they were going on the floor plan. He added he could defer to a field test.

Mr. Acton said on building one on the south elevation where it looked like elevated drainage systems.

Mr. Lloyd said those were tubs or troughs in front now. He didn't know if they were left from livery stable days but they would be putting them across from canales to troughs that would tie to the cistern.

Mr. Rasch said the tubs were shown on page 28.

Mr. Lloyd explained that they would be planters but the center trough was for the water cistern.

Mr. Acton noted on building 2 a wall with some kind of folding glass door.

Mr. Lloyd said it was on building 3 under the ten foot portal.

Mr. Acton asked if those were going to be undivided lights. Mr. Lloyd agreed.

Mr. Acton asked who the manufacturer was.

Mr. Lloyd said they had recommended the Nana doors but they had not been priced out.

Chair Woods said it would look like a big sliding glass door.

Mr. Lloyd disagreed. They were three foot doors with the ability to move them to one side.

Ms. Walker asked if on the west facing building the arches would be retained. Mr. Lloyd agreed.

Chair Woods was a little concerned about the findings of fact that Ms. Beninato brought up. They were talking about cementitious stucco to match and to repair any repairable windows; no buttresses and window replacement be either 3 over 1 or 6 over 1 and garage doors of wood. She had some concerns about the pergola.

Mr. Katz said the pergola was to view sunsets and when the sun was that low the pergola wouldn't provide any shade. He also it would feel better if the garage doors would be the same size and noted that if they didn't have the pergola that garage door could be at full height. Mr. Lloyd agreed.

Ms. Rios asked what kind of lining would be in the new canales.

Mr. Lloyd said it would be similar to what was there - galvanized.

**Ms. Rios moved to approve Case #H-11-117B with the following conditions:**

1. That the stucco be cementitious to match existing;
2. That windows on south and west façades be 3 over one or six over one;
3. That there be no metal buttresses;
4. That the garage door be made of wood and trim would be brown;
5. That the rooftop equipment would not be publicly visible;
6. That the lining of the canales be galvanized metal;
7. That the proposed muntin pattern on the north side of building 3 be approved as proposed.

Ms. Walker seconded the motion.

Ms. Mather asked for a friendly amendment that all the windows on primary façades that could be repaired would be repaired.

Ms. Rios accepted the amendment as friendly and the motion passed by unanimous voice vote.

3. **Case # H-11-079B. 1041 Camino de Cruz Blanca.** Historic Review Historic District. Richard Martínez, agent, Mark & Beth Jernigan, owner, proposes to remodel a contributing residential structure including the replacement of historic windows, removal of historic materials, and perform other minor alterations. An exception to remove historic materials is requested (Section 14-5.2(D)(1)(a)) and (Section 14-5.2(D)(5)). (David Rasch).

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

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

1041 Camino de Cruz Blanca, known as the Katherine Gay House, is a single-family residence with an associated mirador above the house to the northeast. The building was constructed in the Spanish-Pueblo Revival style in 1929 by Katherine Stinson Otero with additions after 1954 by Bill Lippincott and Sallie Wagner. A free-standing guest house located to the east of the primary residence was constructed in the Spanish-Pueblo Revival style before 1954 with an addition on the west after 1954 in a harmonious and sensitive manner. The buildings are listed as contributing to the Historic Review Historic District and primary elevations have been designated.

On August 23, 2011, the HDRB approved remodeling of the main residence, including the reconstruction of the portal on elevation 15.

Now, the applicant proposes to remodel the main residence and mirador with the following seven items.

1. The parapet on primary elevation 7 in the courtyard would be increased in height 14" to match existing adjacent height.
2. Historic windows on primary elevations 15, 17, and 18 and on non-primary elevations were assessed by a consultant and were found to be in various states of repair. An exception is requested to remove historic materials (Section 14-5.2(D)(1)(a)) and (Section 14-5.2(D)(5)(a)) and the required criteria responses are at the end of this report.

3. Historic viga canales will be removed and replaced in-kind from primary elevations 15 and 17, non-primary elevation 13, and mirador non-primary elevation 5. An exception is requested to remove historic materials (Section 14-5.2(D)(1)(a)) and Section 14-5.2(D)(5)(b)) and the required exception responses are at the end of this report.
4. Historic viga tails will be removed and stuccoed over from primary elevation 15, non-primary elevations 12 and 14, and mirador non-primary elevation 5. An exception is requested to remove historic materials (Section 14-5.2(D)(1)(a)) and Section 14-5.2(D)(5)(b)) and the required exception responses are at the end of this report.
5. The existing metal trash or firewood door in the east end of the south yardwall will be removed and replaced with a wooden pedestrian gate and steps.
6. Six skylights will be installed at various locations which are proposed to be not publicly-visible.
7. Two mechanical units (36" x 36" x 35") will be installed on ground-mounted pads in front of primary elevation 17 and non-primary elevation 12.

#### EXCEPTION TO REMOVE HISTORIC MATERIALS

1. *Do not damage the character of the district.*

Given that the replacement elements will match the existing configuration, the appearance of the house will remain intact and combined with the minimal public visibility of the structure; will have no negative effect on the character of the district. To the contrary, the improvement will extend the useful life of this contributing structure.

Staff response: Staff is not in agreement with this response because historic windows are an important element of a building's historic character and properly maintained historic windows last much longer than replacement windows.

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

The proposed replacement windows and the canales will match the existing elements. The replacement windows are needed to prevent cold air from entering the house, as is the case with the existing deteriorated windows, thereby minimizing use of heating and energy. The replacement canales are needed to prevent water from entering the adobe walls, which occurs presently due to the deteriorated nature of the existing canales.

Staff response: Staff is not in agreement with this response because there are other means to prevent cold air from entering the house (i.e. caulking, weather stripping, storm window installation, etc.) and listed historic buildings are exempt by federal law from standards in the International Energy Conservation Code.



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

The proposed replacement windows and canales will meet current building codes allowing the continued use of this house. The proposed improvements will maintain the existing historic character of the contributing structure and extend the useful life of the structure.

Staff response: Staff is not in agreement with this response because the applicant has not cited which code is not being met by the existing codes or how the replacement windows will meet a code standard.

#### **STAFF RECOMMENDATION:**

Staff recommends denial of the exception request to remove historic windows from primary elevations and remove other character-defining historic materials (vigas) from any elevations as not having met the exception criteria. Otherwise, this application complies with Section 14-5.2(C) Regulation of Contributing Structures, (D) General Design Standards, and (F) Historic Review Historic District.

Ms. Mather said point #2 talked about historic windows on primary elevations. She asked if he meant the entire window would be removed.

Mr. Rasch said the applicant was prepared somehow to qualify it. The consultant did itemize things but didn't make a recommendation whether the entire window would be replaced or if part would be repaired.

Ms. Mather said she had the same question about the vigas. She wasn't sure which were full vigas and which were faux vigas.

Mr. Rasch thought faux vigas which not character defining were still on primary elevations. He didn't know if they were historic or not.

Present and sworn were Mr. Karl Sommer and Mr. Richard Martínez.

Mr. Sommer met with Mr. Ra Patterson who couldn't be present but reported his recommendation.

The problem with the faux vigas was that they were rotting and falling off. There were three levels of stucco and can't tell when they were put on there. He just knew they were rotting and causing a problem. He didn't see it as a character defining element. Kathryn Stinson Otero didn't use faux vigas as character defining.

They didn't know if they were historic and requested that the Board allow them to be removed and not replace in kind.

Regarding the windows, Mr. Patterson examined them. His overall recommendation was that the

windows be replaced in kind with wood windows - casements that opened to the inside.

He handed out a drawing regarding the windows for the board members [attached to these minutes as Exhibit A].

At location A there were three triple 66"x46" windows. He analyzed each element including case, frame, sash and sill and all the glazing and tried to do it all separately. It was hard on this window but he recommended replacement because all the window cases have moved away from the wall and water intruded so they have to be removed completely and then replaced. The cost was three times replacing in kind with same materials. This was work Mr. Patterson did.

Mr. Sommer wasn't able to pin down how he got to that conclusion. The Board has a guideline of 30%. His recommendation was to replace. The other location "A" had the same problem. It was on the front façade where it was at issue. Some were below the roofline and the water pours down into the window and two were not historic. But the front ones were locations "BADA." The D location was the bathroom.

He didn't know what to tell the Board except this was Mr. Patterson's analysis and they would have him repair the ones that could be repaired. To the far right, "N/H" means non-historic and they would be replacing those. The label "Below" meant the window was below the grade of the dirt and had to be reconstructed because water was pouring down it.

Inside a hallway were two N/H locations. The F, D, C inside were below the roofline. The contractor was here and could describe more fully why that had to be done. The one on the hallway was in good condition and faces to the courtyard to the north.

Mr. Sommer had asked Mr. Patterson why he recommended them to replace those on the front façade. He said it was because they have to be replaced in a particular style. Mr. Sommer didn't think that met the Board's standard but that was what he said. He also said they had to open inward or else they would have moisture on the inside.

He suggested there really was an issue on those windows on the front façade. There were pictures of them in the packet. He couldn't tell from Mr. Patterson's report whether they could be repaired or not. Mr. Watson did a report also and believed those windows could be repaired. That was where they were. The vigas should go. The canales were being replaced in kind and that summarized their presentation. Mr. Martínez was also here.

There were no speakers from the public regarding this case.

Mr. Acton noted on the inside of the courtyard there were also triple windows on primary façades and asked if those would be kept.

Mr. Sommer said those were not part of this application. They were east facing and hadn't been analyzed. Mr. Rasch agreed.

Mr. Acton appreciated how windows facing south and west endured the brunt of weather and expansion and contraction and were faring least well. He thanked Mr. Sommer for the walk through because the list was frustrating. He concluded that they had some percentage of rot that had occurred on each window. So the Board might have to pick and choose which did warrant repair.

Chair Woods had a concern. She asked if this process was going to keep happening with a few changes and then coming back with more bits and pieces. She wanted to see it in total so the Board could determine properly if it was going to affect the status or not. So she asked where this was going.

Mr. Sommer said the Jernigans brought up that point when they were here in town and they did plan to put in front of the Board their overall plan for the property. He thought he could summarize them but Mr. Martínez could probably do it better.

Chair Woods suggested maybe the Board should postpone this to see it all together. It would be more reasonable for the Board to see it all at one time.

Mr. Sommer said the problem was the timing and the delay that would create. He could recommend that to the Jernigans that they present an entire plan for the next phase but it would take a lot of work by Mr. Martínez to do.

Mr. Martínez explained the idea was that bedrooms and bathrooms could be renovated and so the Jernigans could live in the house and then decide on the rest of it. The kitchen had to be redone. These were the worst elements of the house and the Jernigans would live in these rooms and then decide. They hadn't done that yet.

Ms. Rios said to Mr. Martínez regarding the faux vigas that the Board was talking about the south elevation with 10 vigas.

Mr. Martínez agreed. Those vigas were above the canales; above the roof in the parapet. They also proposed to remove the vigas in the back of the mirador. Those were the worst vigas and they were letting water into the house. That was the summer kitchen and they were above the carved glass windows. They were nailed in from the outside. He thought those were replacements of other viga tails.

Mr. Acton said there were several classes of faux vigas. One class was to replace those that were once real and rotted out. Second were those added during the construction; third were faux parapets added to parapets later on to cohere the house.

The Board might have imposed that on them early on although there was no record of that. But if it was above the roofline then he didn't have much sympathy for that class of fake viga.

Mr. Rasch noted that protruding vigas were part of what the Board adopted for that primary elevation.

Mr. Acton understood.

Chair Woods read from Mr. Patterson's report and asked if the new windows they were proposing were following exactly what Mr. Patterson had recommended. Mr. Martínez agreed.

Chair Woods asked if they would be custom made. Mr. Martínez agreed.

Chair Woods considered, as a contractor that was quite extraordinary. It was very expensive.

Ms. Walker asked if the two mechanical units would be publicly visible.

Mr. Martínez said they were not visible. One was behind the courtyard wall and the other on a completely non-visible façade and both were on the ground and not on the building.

Mr. Rasch agreed with the applicant that they would not be visible. He would have preferred it not be in front of a primary elevation but it did meet the code.

Dr. Kantner asked if exceptions would be required if they replaced windows that were repairable.

Mr. Rasch said that would be true on primary elevations and also true if they used a different style.

Dr. Kantner asked if 30% was the threshold.

Mr. Rasch said it wasn't in the code but each piece of wood had to have 30% or more rot to be replaceable. But it didn't make much sense if that was true only for one piece of wood.

Mr. Martínez said an applicant had to submit exception criteria responses just to propose replacing a window. Mr. Rasch agreed.

Mr. Rasch explained that windows and doors were only protected on primary façades but other architectural features were protected everywhere so that was why exceptions for vigas and canales being replaced were required.

Chair Woods said it appeared they had a conflict between the consultants. Mr. Watson felt those four windows were repairable and Mr. Patterson didn't.

Mr. Sommer agreed. The Jernigan's preferred to go with Mr. Patterson's report. His report was unclear. It was the Board's discretion to decide based on the information.

Mr. Rasch clarified that the windows at BADA were the only windows on a primary elevation. If the Board was inclined to have BADA windows repaired, no exception was required for that.

**Mr. Katz moved to approve Case #H-11-079B with a finding that the request for exception was met**

**for the vigas and the canales and the condition that windows on the map at B, A, D and A be repaired rather than replaced. Ms. Rios seconded the motion and it passed by unanimous voice vote.**

4. **Case #H-12-036, 327 E. De Vargas St.** Downtown & Eastside Historic District. Mary Helen Follingstad, agent for Boyle House, LLC, owner, proposes to repair and install railing along rear portal of significant residence. (John Murphey).

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

**BACKGROUND & SUMMARY:**

With the core of the dwelling dating to c.1766-68, the Arthur Boyle House is a large, rambling, one-story adobe, and one of the surviving old homes making up the National Historic Landmark *Barrio de Analco* historic district.

The house took on its current appearance starting in the 1881 after English-born Arthur Boyle, then a Santa Fé horticulturist and florist, purchased it, reconfiguring its rooms and updating it in the Territorial Revival-style. This is most evident in its square ceiling beams and the north porch and its bay window. Because of its history and high architectural value, the house is designated significant to the Downtown and Eastside Historic District.

The owner currently seeks approval to repair the north porch.

The porch is a long, rectangular, shed-roof structure supported by square wood posts and what is thought to be by the owner, non-historic diagonal bracing. It sits on a cobblestone foundation; its floor is dirt. Below is a steep slope leading to the property line of El Castillo Retirement Residences. The exact date of the porch's current wood components is unknown, but appear to be the same material and design captured in a 1993 survey (no other photographs of this feature were found except an image from a 1963 newspaper account). That represents a portion of the porch of nearly 40' that was removed in the 1980s.

The applicant proposes to repair the porch with the following items:

1. Due to extensive dry rot, replace deteriorated posts with wood members of the same dimension. Because of code, one additional post will be added. The porch roof will not be affected by the project; And as discussed in the field today, the question of the diagonals' historic status was unknown and dimensional lumber appeared to be recent and the applicant would like to remove those from the proposed design;
2. Install a redwood balustrade-type handrail to meet a required building safety code; and
3. Replace dirt floor with a brick-on-sand treatment.

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Staff recommends approval of the application, finding the handrail is the least intrusive of the proposed designs for this required safety measure.

**STAFF RECOMMENDATION:**

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

Ms. Mather said the Board noted on the field trip that the vertical posts appeared to be slightly tapered. She asked if applicant was aware of that.

Mr. Murphey said she was as of a few minutes ago.

Ms. Mather asked if they would be finished with a natural finish. Mr. Murphey believed so.

Present and sworn was Ms. Mary Helen Follingstad, who said they proposed to paint the balustrade the same color as the new posts and existing windows. They were not thinking to have a natural finish.

Ms. Mather asked about the tapering of those vertical posts.

Ms. Follingstad said the person who drew the plans and the contractor were present and they have been made aware of it so they would figure out the tapering.

Chair Woods asked if they wished to have those diagonal pieces removed.

Ms. Follingstad thought they were put there when the post rotted and it looked like that hanging down part was the old post. So they were trying to make it safe.

There were no speakers from the public regarding this case.

Mr. Acton said they were increasing the structure by decreasing the beams above but the application didn't address replacing the beams.

Ms. Follingstad said they hadn't planned to replace the beams.

Mr. Acton pointed out that once they changed the location of posts they would no longer support that joint.

Ms. Follingstad said they would take that into consideration.

**Mr. Katz moved to approve Case #H-12-036 with the conditions that posts be tapered and**

diagonals be removed and, if necessary, to replace beams in kind. Ms. Walker seconded the motion with the clarification that the balustrade be painted to match and it passed by unanimous voice vote.

5. **Case #H-12-038. 209 E. Buena Vista.** Don Gaspar Area Historic District. Peter Gozar, agent for Stephen Wiman, owner, proposes to replace a street fence and gate, yard walls, and a gate door. (John Murphey).

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

### **BACKGROUND & SUMMARY:**

Constructed in the c.1930s, 209 E. Buena Vista is a one-story Pueblo Revival-style residence set at the back of its lot. Because of a large, non-historic addition and a change of windows, the house is noncontributing to the Don Gaspar Area Historic District.

The applicant proposes to remodel property with the following items:

1. Replace existing 50'-long wood board fence and gate fronting Buena Vista with a stucco-faced CMU wall. The proposed structure will meet the maximum streetscape height of 5'-4" and will include four pilasters trimmed with flagstone and three "window" openings. The proposed entry is a two-leaf wood door with a rounded top. The door will be painted blue. Small pendant lamps will flank the opening.
2. Replace dilapidated board fences along the west (110') and east (86') property lines with 6'-high coyote fences punctuated with interval stucco-faced pilasters trimmed with flagstone. Latilla tops will be irregularly cut, and stringers will face inward.
3. Replace existing north elevation wood entry gate with a two-leaf wood door painted blue.

All stucco elements will be coated in an El Rey-like "Suede" color.

### **STAFF RECOMMENDATION:**

Staff recommends approval of this application, as it complies with Section 14-5.2 (D)(9), General Design Standards (Height, Pitch, Scale and Massing), and (H), Don Gaspar Historic District.

Ms. Walker pointed out that in the staff report it described the new fence as having irregular tops but in the drawings they were shown as level tops.

Mr. Murphey suggested the applicant address that.

Present and sworn was Mr. Peter Gozar, 120 Lugar de Oro, who said the original wish of the client was to have straight tops and found out the Board wanted irregular tops. Although the detail was shown as level, it would have irregular tops.

Dr. Kantner asked if the highest of the latillas would not exceed six feet. Mr. Gozar agreed.

Ms. Mather asked what the current stucco color was.

Mr. Gozar said it was a light pinkish beige. The El Rey color 118 Suede was the color the Board approved as most closely matching.

Mr. Acton said at the wall along the street the project established a rhythm of capped pilaster sections and continued through the gate but then to the right of the gate was flush.

Mr. Gozar said that was an error in drawing and should follow the left side style.

Mr. Acton asked if the wall openings were wood framed with wood latillas. Mr. Gozar agreed.

Ms. Rios asked Mr. Gozar to compare the dimension of the new gate proposed with the existing gate.

Mr. Gozar said they were very similar. There was no increase in width.

Ms. Rios asked if there were lights on either side of the gate.

Mr. Gozar agreed. The lights were lantern style and the owner proposed solar powered lamps.

Mr. Acton asked if the new gate -was a single hinged leaf.

Mr. Gozar said it was bileaf.

Mr. Acton surmised each leaf would be 2' 6". He liked the perforations in the wall and asked if he had considered perforations in the gate.

Mr. Gozar said he hadn't.

Mr. Acton thought it would be nice to have an open gate.

Mr. Katz wondered why they couldn't keep the current gate as it was now.

Mr. Gozar said it was possible but the owner was working with a local craftsman on a rounded gate.

Chair Woods asked how big the pilasters were.

Mr. Gozar said they were 3' on either side and the rest were 2' wide.

Chair Woods considered a three foot pilaster as enormous to this sweet little house. Then as you move



down there was a buttress with an opening.

Mr. Gozar disagreed and explained those were just dimension lines.

Chair Woods asked if in between the pilasters at the bottom there were light areas.

Mr. Gozar said those were just imperfections in printing.

There were no speakers from the public regarding this case.

**Mr. Acton moved to approve Case #H-12-038 with the following conditions:**

1. **That the pilasters on corners and beside the gate be reduced to 2' 8";**
2. **That the gate be given a latilla window like on the stucco wall and**
3. **That the coyote latillas have a maximum height of 6' with irregular tops. Ms. Walker seconded the motion.**

**Chair Woods asked for a condition:**

4. **That the stringers be on the inside.**

**Ms. Mather asked Mr. Acton if he would accept 2' 6" pilasters. Mr. Acton did and the motion passed by unanimous voice vote.**

6. **Case #H-12-039. 1144 D Canyon Road.** Downtown & Eastside Historic District. Bernie Romero, agent, for Ms. Walker Carney, owner, proposes to remodel a contributing residential structure including the construction of a 59 sq. ft. bathroom addition, a 170 sq. ft. portal, and perform other minor alterations. (David Rasch).

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

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

1144D Canyon Road is a single-family residence that was constructed at approximately 1920 in the Territorial Revival style. The building is listed as contributing to the Downtown & Eastside Historic District and the west and north elevations may be considered as primary.

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

1. A 170 square foot portal will be constructed on the east elevation at 10' from the primary north elevation. The portal will match the existing portal on the front, west elevation.
2. A 59 square foot addition will be constructed on the south elevation. The finish will match the existing stucco and window details. The windows will be simulated or true-divided lites in a "Stormy Blue"

color.

3. The bedroom window on the south elevation will be removed and the opening dimension widened for paired windows that meet the emergency ingress/egress standard.
4. Paired windows on the east end of the south elevation and on the south end of the east elevation will be removed and infilled with wall.
5. Five low-profile skylights will be installed.
6. The ProPanel roof will be removed, insulation installed, and the existing roofing will be replaced along with a fascia.
7. All historic wood windows and woodwork will be repaired and retained.
8. The existing flagstone and low stone wall at the front portal will be removed.
9. A 6' high yardwall will be constructed along the west lotline with concrete steps and a wooden pedestrian gate.
10. A 6' high yardwall will be constructed along the north lotline with a bileaf wooden gate.
11. The building and yardwalls will be stuccoed with El Rey cementitious "La Luz".
12. Iron-finish semicircular sconces, as submitted, will be installed.

**STAFF RECOMMENDATION:**

Staff recommends that the Board assign the west and north elevations as primary and to approve the application as complying with Section 14-5.2(C) Regulation of Contributing Structures, (D) General Design Standards, and (E) Downtown & Eastside Historic District.

Chair Woods asked if La Luz was there now.

Mr. Rasch said no but it was an approved color.

Present and sworn was Mr. Bernie Romero, 11 Caminito Santero, who had nothing to add to the staff report.

Ms. Rios said the street was very narrow and a six foot wall would impact it since there was nothing there before.

Mr. Romero said originally there was a stone wall and a chain link fence. The wall was six feet from street

side but only four feet on the inside.

Ms. Rios said that was the side she was worried about.

Mr. Romero said there were other six foot walls there.

Chair Woods said the light fixture looked contemporary for this little Territorial house. It needed something in tin. Mr. Romero agreed.

Ms. Walker said as the Board was maneuvering there on the site visit, the wall made it feel like a canyon. She asked if he could put something in to open it up.

Mr. Romero said they could radius the wall at the northwest corner to soften it.

There were no speakers from the public regarding this case.

**Ms. Rios moved to approve Case #H-12-039 per staff recommendations with conditions that the wall be lowered one foot and that the exterior light fixtures be made of tin and submitted to staff for review and approval. Mr. Acton seconded the motion and it passed by unanimous voice vote.**

7. **Case #H-12-040. 1139 Lot 1A & 1141 Lot 2A E. Alameda.** Downtown & Eastside Historic District. Liaison Planning, agent for East Alameda LLC, owner, proposes to build a 4,193 sq. ft. 15'-0" high single family residence and a separate 630 sq. ft., 13'5" high single family residence on adjoining lots where the maximum allowable building height is 16'0". (John Murphey).

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

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

Lot 1A and Lot 2A are two undeveloped lots located along the west side of East Alameda, northwest of its intersection with Camino Pequeño, within the Downtown and Eastside Historic District. The lots occupy level ground and are framed by mature trees; a relic apricot tree will be retained as part of the plan.

The applicant is requesting approval for the construction for two residences to occupy these lots.

#### **Residence 1**

Proposed for Lot 1A is a 4,193-square-foot, stucco-over-frame, single-family residence with a height of 15'-0," where the maximum height is 16'-3." The house, built around a courtyard, is designed in the modern Spanish-Pueblo Revival manner, with the characteristic flat roof, raised parapets, cut-through canales, exposed wood lintels, and multi-light windows and French doors. All windows for this residence and the smaller house will be true-divided light wood units with their components stained "Weathered Clay."

A prominent motif of the design are the exterior tapered chimneys, found most predominantly on the north and west elevations. These too are the elevations that receive the most window coverage with banks of multi-light casements that tend to stretch the limits of the architectural style, and by their proportion may be too large for the wall plane. Many of the openings have a transom-like feature of divided lights, which in some instances are larger in pane size than the doors or windows below.

## **Residence 2**

Proposed for Lot 2A is a 630 square-foot, 13'-5"-high single-family residence that will be designed much like the larger house. The north elevation will feature a 130 square-foot, approximately 11'-5" high portal.

## **Walls**

The development includes two yard walls. The wall along the street frontage, at its maximum height of 3'-10," is below the 5'-9" maximum streetscape calculation. The wall features two 3'x2' wrought-iron grille openings and an arched wood door framed by sandstone skirted pilasters. The second roughly 5'-0"-high wall along the driveway features a similar design but with added sections of coyote fence and a wrought-iron vehicular entry gate.

The stucco proposed for the house and walls is an El Rey cementitious "La Morena" finish, a color not approved by the Board. The applicant had a substitute color to present.

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Staff recommends the proposed design, but suggests that some of the window coverage of the main residence be reduced to present a window-to-wall ratio that is more in keeping with the architectural style. This may include reconsidering the transom-like feature of several of the openings. Staff recommends simplifying the yard walls, as to the extent of ornamentation. Staff additionally recommends the applicant use a Board-approved stucco color.

## **STAFF RECOMMENDATION:**

Staff recommends approval of this application with suggested modifications, as it 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 were Ms. Dolores Vigil, P.O. Box 1835, and Jay Parks.

Ms. Vigil agreed with a couple of things in the staff report. One was to remove transoms in the bedroom and entry. It did seem to look like they were larger. Mr. Parks had a spec sheet on doors and transom windows.

For the wall on the north elevation they proposed to replace the coyote with a stuccoed cement wall. The steel bars would be gun-metal grey at 6" on center with no baskets.

The new cladding color they proposed was a weathered brown from a weathered clay color and she showed a sample to the Board.

The other issue was the stucco color and they would like to keep La Morena.

Chair Woods asked on what elevation they were removing the transom.

Ms. Vigil said it was the west elevation and they would get rid of both of them.

Ms. Walker asked if they were asking to keep same proposed stucco color. Ms. Vigil agreed.

Ms. Walker asked about the fireplace chimney taper.

Mr. Parks said it was tapered to soften it and keep it from being massive.

Ms. Walker said it dated the building so people would know it was not historic. She just thought it looked funny but it was not a huge problem.

Mr. Acton asked if anyone had seen this stucco color applied in town. He thought it started to get a little purple next to brown. It was an important to say you have seen it and if his perception was accurate.

Mr. Parks said they wanted to keep a little red of adobe out of it. It was a grey brown.

Mr. Acton said okay. The Board's major concern with transoms was those large panes compared to those below. If the transom windows were framed to reflect the casement below it would look better.

Mr. Parks understood. The CAD drawing didn't line up the panes to match. It was not accurately drawn.

Chair Woods clarified what Mr. Acton was saying that the drawing showed one long horizontal transoms and Mr. Acton said the framing needed to line up.

Mr. Parks showed a detailed drawing.

Mr. Acton said that would be much more aesthetically pleasing.

Dr. Kantner asked if the window on the north elevation was under a portal. Ms. Vigil agreed.

Dr. Kantner asked if the window on the south was facing the gallery. Mr. Parks agreed.

Dr. Kantner asked if none of the remaining transoms would be very visible. Mr. Parks agreed.

Ms. Mather noted on walls and gates that he mentioned a sandstone veneer. She didn't know what that would look like.

Mr. Parks said it was on the two tall columns at the gate at the bottom and the corner as well.

Chair Woods noted on the north elevation it was a slider and not a French door. She asked if there were other sliders.

Mr. Parks said they were sliders that were made to look like French Doors.

Chair Woods asked if the doors were 8' before the transom started.

Mr. Parks agreed and the transom was 18".

Chair Woods said they looked more like 24" to her at least. They were 24x30.

Mr. Parks agreed.

Chair Woods said it would help with the proportion to have a horizontal muntin as well.

Mr. Acton said that was a territorial detail we see often.

Chair Woods pointed out that this was a pueblo house.

Mr. Parks said the door glass was about 17" so they would do the same above.

Chair Woods clarified they would have 18" transoms and not 24" transoms.

Mr. Acton said the door company could do that matching.

Mr. Parks said that's what they would do.

There were no speakers from the public regarding this case.

Chair Woods summarized the issues. On the west elevation the transom had been reduced to 18". The south wall still had transoms. Ms. Vigil agreed.

Mr. Parks said the transoms would be 18" throughout the house.

Chair Woods said the stucco color not an approved color. They submitted the window color and offered to take out the coyote fence.

Mr. Parks said that was on north elevation.

**Dr. Kantner moved to approve Case #H-12-040 per staff recommendations with two conditions**

- 1. That there be no transom on the west elevation;**
- 2. That the transoms on south and north be 18" high;**
- 3. That the slider doors would have stiles and rails to match French door design;**
- 4. That the fence have sections in the north yard wall;**
- 5. That the window color proposed be accepted;**
- 6. That the La Morena stucco color is denied and an approved stucco color be submitted and approved by staff.**

**Chair Woods asked to include on the north elevation of the guest house that the stiles and rails be the same as on the main house and that the framing of the transoms line up. Dr. Kantner agreed. Mr. Acton seconded the motion and it passed by unanimous voice vote.**

## **I. MATTERS FROM THE BOARD**

Chair Woods wanted to discuss what happened with Mr. Purvis. She would write a letter to Mr. O'Reilly and wanted to have the facts straight from the staff.

Mr. Rasch said he left on Wednesday on vacation and that was the day the applications had to be reviewed by staff and put on the agenda. He wasn't there on Wednesday through Friday. He was not sure all cases were seen by staff at that point.

Camille drafts the agenda and whatever was submitted to her is to get put on it. And neither Mr. Murphey nor Mr. Rasch noticed that anything was missing until it was too late to publish.

Chair Woods said it meant that four cases didn't happen. She wanted to know when they were submitted to Camille and wanted all the dates given to her tomorrow. As it was, the time it takes until Findings of Fact are approved was two full months. That was absolutely unacceptable and could not continue.

It was what happened with the Turner project.

Mr. Rasch added that because of changes to code with 15 day advance publishing, they could not change the agenda like they once were able.

Mr. Rasch said Camille was juggling three agendas at once and before code was changed she only juggled two agendas.

Chair Woods said she was very angry about this.

Mr. Rasch said there were two others that had happened that way. Doug McDowell had a simple

amendment.

Chair Woods asked Mr. Katz how to address it.

Chair Woods told Ms. Brennan that Ms. Beninato said Ms. Brennan said during the appeal hearing that the Board's motion was not correct as far as Findings of Fact.

Ms. Brennan said Councilor Calvert and Councilor Ives saw that there were no findings of fact reflecting the west façade - that there was only a conclusion of law. And there were some other issues in terms of what was said at the meeting leading to a decision that was never... it was not a perfect record.

Chair Woods asked what the Board was to do.

Ms. Brennan said she acknowledged that when it was brought to her attention.

Chair Woods countered that someone had to tell the Board that it wasn't sufficient so they didn't do that. She asked if the Board needed to quote the ordinance every time a Board member made a motion.

Ms. Brennan said she didn't think the Board needed to quote the ordinance every time. "If you go back and read those minutes I think you will understand that it really was not a very good... and I don't know why that happened. I remember it as a fairly quick proceeding but there was discussion about the windows on the west façade that was never reflected really in the motion or the findings.

Chair Woods said, "We don't write the findings. So that means we have to look at them more carefully to make sure."

Ms. Brennan said, "I believe you actually changed those findings. I could be wrong but..."

Mr. Katz said "I'm consistently of the opinion that we don't have sufficient findings of fact. Sometimes it's in conformance with the recommendations of staff and so you can sort of say what staff said but I think it would be much better to have much more particular findings that for whatever reason, why we felt the west façade should be primary - the windows, the originality, the fact that it was the original building, blah, blah, blah. Whatever it was - and we need to have that."

Ms. Brennan said, "I think it would be useful... We cannot make up findings that didn't reflect something that did not occur at the meeting. We always try ... I think what you have to do - the most helpful thing - and you see it at Council is, very often, councilors will make a very precise statement of why they are making the choice they are. And I think if you felt... I think you can do that. I don't think you have to quote code. You can always refer to the staff if you agree or don't agree with their report. Or if you, as Frank just said, your basis for making the choice you are making can be simply stated."

Chair Woods said, "So, as an example tonight for what we probably should have done and say repair instead of replacing the windows on the primary façade in the Wagner House, was to protect the contributing status because another expert felt they could have been repaired, we needed to say more."



Ms. Brennan said, "I feel that discussion was really quite clear in terms of what your goals were and why you made the decision that you made."

Mr. Katz said, "But what Sharon said was absolutely right. Findings of Facts is someone says x and someone says y. And we choose x. We need to be explicit. We are finding that what Mac Watson said that it's repairable to be the fact."

Mr. Rasch said, "But I would say also, if you don't agree or are not accepting the staff recommendations to say why you disagree. Like on Manderfield, I didn't recommend that. You made that as primary. But maybe there should have been a statement for why you did not accept it."

Ms. Brennan said, "There was no statement either in the Findings of Fact or the Conclusions of Law about the west façade - the basis for it. The only thing that somewhere in the minutes there was discussion about the historic windows. And that was the problem and the councilors noticed it."

Chair Woods said, "So now as we make the motion we have to make the finding of fact of why we are making that decision."

Ms. Brennan said, "When you make a decision, all you are doing is explaining why you are making that decision. I don't think it has to be long and complicated. And the more clear the discussion has been in the meeting, the easier it is for us to find in the meeting minutes the basis for the decision and reflect it in the Findings."

Mr. Katz said, "In the window case today it probably would have been better to have said that in the light of the testimony that Mac Watson found those windows were repairable..."

Ms. Brennan said, "You didn't have Mac's information. You had a statement about it. But I think what was clear is that you do have a code that favors preservation and when there is a question on a primary façade whether or not you can preserve it, you are going to favor preservation. And sometime in that case you might say, if you cannot, you could allow for an expert to discuss it with staff and say it is beyond repair. Your code says repair it if you can on a primary elevation."

Mr. Acton thought Ms. Beninato made a legitimate point given that the Board is not allowed to be at those public hearings and that has actually been used as precedent against the Board that staff makes the recommendations. In some cases, the staff report should say it was complete and there were things at issue and that there was general compliance but where there was not you could isolate those items and not feel compelled to recommend approval or denial.

Ms. Brennan clarified that staff were required to make the recommendation. That was staff's job. The Board represented one aspect of review and staff represented another.

Ms. Beninato would like for staff to not have a viewpoint after review but that was the point to give the

Board guidance.

What was important, if the Board didn't do what staff recommended was to explain why.

Mr. Acton said in certain circumstances staff has deferred.

Ms. Brennan but it staff didn't feel strongly one way or not they are going to say that.

Mr. Katz asked to what extent staff represented before Council the Board's view. In the Manderfield case the Board chose to make the west façade primary and to what extent would staff feel obliged to represent to the Council why the board did that.

Ms. Brennan thought when there was a legal issue and the city was going to be legally exposed that would be one thing. In other cases, if staff was clear what the Board did, staff would represent that view.

What happened in the Manderfield case was that the record was not that clear nor were we in the findings. So they had the minutes. They had the findings and they clear read them. The other problem was how to explain what a primary façade was and then what had been the practice. There was not that clear of a picture.

So it was without advocacy. In the Jernigan status hearing the record was very clear and we still lost.

Mr. Rasch said in the code rewrite they had to be very clear how to establish primary elevations and how to preserve it. He said if the character was redundant they didn't repeat primary. If there was a massing issue we could still recommend the additional elevation as primary.

Ms. Brennan added that if you get enough façades you need to consider it significant.

## J. ADJOURNMENT

The meeting was adjourned at 7:55 p.m.


Approved by:

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Sharon Woods, Chair

Submitted by:

  
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Carl Boaz, Stenographer



## Showing Window Location for Phase One

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