



Agenda

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HISTORIC DESIGN REVIEW BOARD FIELD TRIP

TUESDAY, SEPTEMBER 25, 2007 – 12:00 NOON

PLANNING DIVISION, 2ND FLOOR CITY HALL

HISTORIC DESIGN REVIEW BOARD MEETING

TUESDAY, SEPTEMBER 25, 2007 – 6:00PM

CITY COUNCIL CHAMBERS

A. CALL TO ORDER

B. ROLL CALL

C. APPROVAL OF AGENDA

D. APPROVAL OF MINUTES

August 14, 2007

August 28, 2007

E. COMMUNICATIONS

F. BUSINESS FROM THE FLOOR

G. ADMINISTRATIVE MATTERS

H. OLD BUSINESS TO REMAIN POSTPONED

I. OLD BUSINESS

1. Case #H-07-67. 220 Closson. Westside-Guadalupe Historic District. Mark Lopez, agent for Joe Barela and Yvette Catanach, proposes to remodel two contributing buildings by replacing windows and doors, constructing approximately 205 sq. ft. to the front of building, constructing approximately 465sq. ft. to the rear building, increase the height of the front building to 13' where the maximum allowable height is 16' 7" and increase the height of the rear building to 13' where the maximum allowable height is 15'. An exception is requested to construct addition to a primary elevation, Section 14-5.2 (D,2,C).

2. Case H-07-112. 846 Old Santa Fe Trail. Downtown & Eastside Historic District. Jeffrey Seres, agent for Garcia St. Group, requests an extension of a previous approval to construct a 1,494 sq. ft. guest house and attached garage to a height of 12' 6" where the maximum allowable height is 13' 3", construct 1,141 sq. ft. of additions to the maximum allowable height of 12' 10" on a Contributing building, construct a yard wall to the maximum allowable height of 5' 3". An exception is being requested to exceed the 50% rule (Section 14-5.2,D,2,d).

J. NEW BUSINESS

1. Case H-07-97. 712 Gildersleeve. Don Gaspar Area Historic District. Blaine Young, agent for John Craig, proposes to remove a temporary non-historic carport, to construct a 464 sq. ft. addition on a contributing residence, restore a window opening, alter a parapet, foam insulate exterior walls and restucco.
2. Case H-07-108. 1220 Cerro Gordo. Downtown & Eastside Historic District. Courtney Mathey, agent for David Groeneveld, proposes to construct a 136 sq. ft. addition to a height of 14' on a non-contributing two-story residence.
3. Case H-07-113. 413 & 417 Sosaya Lane. Downtown & Eastside Historic District. Richard Gorman, agent for Roy and Taha Bidwell, proposes to alter a previous approval by deleting a single-family residence, altering a courtyard wall to construct a 72" high coyote fence and wall, and to construct a 288 sq. ft. portal to a height of 10'3" with an outdoor fireplace on a non-contributing building.
4. Case H-07-114. 333 Magdalena St. Downtown & Eastside Historic District. Owen Nelson, agent for Brent Walker and Kevin Grey, proposes to remodel a non-contributing building by enclosing an approximately 75 sq. ft. portal, constructing an 300 sq. ft. pergola, constructing an approximately 18 sq. ft. stairwell addition, constructing an approximately 160 sq. ft. second story portal, constructing an approximately 1080 sq. ft. carport to the height of 10'6" where the maximum allowable height is 15'9", constructing a coyote fence to the maximum allowable height of 6', constructing a vehicular gate, door and window alterations, and hardscaping.
5. Case #H-07-116. 560 San Francisco Street. Westside-Guadalupe Historic District. Desirae Lujan, agent for Larry Lujan, to construct a vehicular gate to the maximum allowable height of 6' on a contributing property.
6. Case #H-07-109. 147 Elena Street. Westside-Guadalupe Historic District. Mark Lopez agent for Ubaldo Salazar, proposes to remove a deteriorated roof on a non-contributing residence and to reconstruct a roof with raising the height from 12' to 14' where the maximum allowable height is 14'2", replace non-historic windows, and construct a pitched roof. An exception is requested to construct a pitch where there are less than 50% pitches in the streetscape (section 14-5.2 D,9,d).

7. Case #H-07-110. 906 Trail Cross Court. Historic Review District. Hunter Reoman, agent for Marc Bertram, proposes to construct a two-story single family residence, attached garage, and a free standing guest house at a total of 7,568 sq. ft. to a maximum height of approximately 25'6" where the maximum allowable height is 19'5". Due to sloping site, four additional feet are requested to 23'5" and a height exception is requested for an approximately two additional feet (section 14-5.2 D,9).

8. Case H-07-115. 1677 Cerro Gordo. Downtown & Eastside Historic District. Mary Ray Cate, owner/agent, proposes to install photovoltaic panels on the 1st story roof of a non-contributing residence, to construct a 120 sq. ft. addition on a non-contributing guesthouse to match adjacent height approximately, and to construct a 704 sq. ft. garage/studio to a maximum height of 20' where the maximum allowable height is 16'. Four additional feet of height are requested due to sloping ground. An exception is requested to reuse non-compliant windows in the guesthouse addition that are larger than 30" (section 14-5.2 E,1,C).

9. Case #H-07-111. 1347 Canyon Road. Downtown & Eastside Historic District. Barbara Cleaver, agent/owner, proposes to construct a 6' coyote fence where the maximum allowable height is 7'10" on a non-contributing property.

10. Case #H-07-87. 226 N. Guadalupe. Westside-Guadalupe Historic District. Olivo Dalagiacoma, agent/owner, proposes to remove a wood plank fence and replace it with a metal fence to 84" high where the maximum allowable height is 41", replace non-primary windows, and restucco a contributing building. A height exception is requested to exceed the maximum allowable height (section 14-5.2 D,9).

L. MATTERS FROM THE BOARD

M. ADJOURNMENT

For more information regarding cases on this agenda, please call the Planning Division at 955-6605. Interpreter for the hearing impaired is available through the City Clerk's Office upon five (5) days notice.

If you wish to attend the September 25, 2007 Historic Design Review Board Field Trip, please notify the Planning Division by 9:00 am on Tuesday, September 25, 2007 so that transportation can be arranged.

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CITY OF SANTA FE
HISTORIC DESIGN REVIEW BOARD

Santa Fe, New Mexico
September 25, 2007

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

SEPTEMBER 25, 2007

CALL TO ORDER

A regular meeting of the City of Santa Fe Historic Design Review Board was called to order by Chair Sharon Woods on the above date at approximately 6:00 p.m. in City Council Chambers, City Hall, 200 Lincoln Avenue, Santa Fe, New Mexico.

ROLL CALL

Roll Call indicated the presence of a quorum as follows:

MEMBERS PRESENT:

Ms Sharon Woods, Chair
Mr. Jake Barrow
Mr. Robert Frost
Mr. Charles Newman
Ms. Cecilia Rios
Ms. Deborah Shapiro
Ms. Karen Walker

MEMBERS ABSENT:

None.

OTHERS PRESENT:

Ms. Marissa Barrett, Senior Historic Planner
Mr. David Rasch, Historic Planner Supervisor
Mr. Carl Boaz, Stenographer

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

APPROVAL OF AGENDA

Ms. Shapiro moved to approve the Agenda as published. Mr. Frost seconded the motion and it passed by unanimous voice vote.

Ms. Walker said she would like to propose that the HDRB meetings start at 5:00 or 5:30 instead of 6:00.

Chair Woods said she would like to consider that under Administrative Matters.

APPROVAL OF MINUTES

August 14, 2007

Ms. Rios requested the following changes to the minutes:

On page 10, last sentence "She said she had been there 4~~t~~ 40+ years."

On page 11, 3rd paragraph "She said one of ~~my~~ her bedroom windows was partially covered by ~~her~~ the current structure..."

On page 15, 12th paragraph should read. "Ms. Rios noted that type of stucco was not very common today and asked if he would consider keeping the stucco."

On page 26, regarding the vote on the motion, "The vote resulted in a tie vote with Mr. Newman and Mr. Frost voting in favor and Ms. Rios and Ms. Walker voted against. Ms. Shapiro abstained and Chair Wood voted in favor, breaking the tie vote."

On page 33, last sentence, "Ms. Rios asked if ~~they~~ the canales be lined."

Mr. Newman requested the following changes to the minutes:

On page 25, 5th paragraph, there should be a semicolon after "building."

On page 37, 4th paragraph, second sentence, "He referred the architect to ~~Blockman~~ Gluckman Mayner, who had designed the renovation to the O'Keeffe Museum ..."

Ms. Rios moved to approve the minutes of August 14, 2007 as amended. Mr. Frost seconded the motion and it passed by unanimous voice vote.

August 28, 2007

Mr. Newman requested the following changes to these minutes:

On page 7, last paragraph, it should read, "Mr. Newman said the risk was that if approved, it would start proliferating."

On page 7, second paragraph, first sentence should be stricken.

On page 40, special conditions: #4 - should read, "it was a peculiar lot with severe grade change so #4 was met."

Mr. Barrow requested the following changes to these minutes:

On page 45, paragraph 12, "... they could not make informed decisions here on cases."

Mr. Boaz requested the following change to these minutes:

On page 4, the motion should read, "Mr. Newman moved that all detectable warnings in the historic districts be yellow with earth toned concrete."

Ms. Rios moved to approve the minutes of August 28, 2007 as amended. Mr. Frost seconded the motion and it passed by unanimous voice vote.

COMMUNICATIONS

Mr. Rasch said the next agenda was Oct 9 and they would meet at the Genoveva Chávez Community Center on Rodeo Road. He said it was a rather short agenda and hoped they could post administrative work.

Chair Woods said she would not be there and Vice Chair Rios would preside.

BUSINESS FROM THE FLOOR

None.

ADMINISTRATIVE MATTERS

Chair Woods suggested the Board begin meeting at 5:30 instead of 6:00.

Ms. Walker moved to direct staff to post the change in meeting time from 6:00 to 5:30 for the next agenda. Mr. Frost seconded the motion and it passed by unanimous voice vote.

Mr. Rasch distributed copies of the Case Review Submittal Requirements draft and the Case Review Fact Sheet that Mr. Newman prepared. [Attached as Exhibits A and B].

Ms. Rios said they had not all had a chance to thoroughly review these.

Chair Woods suggested they could review them in the next two weeks and then direct staff to post it for a month from now. She felt it was not something they should rush.

Mr. Barrow thought if there were only minor editing needed, perhaps they could advance it.

Mr. Newman noted he had made changes over the weekend.

Chair Woods suggested requiring a certain sized font so they could read it, even when reduced in size.

Mr. Frost proposed no less than 12 point. He felt it should be a plain font style.

Mr. Rasch explained that the item had to be posted and the information had to be in packet. For the Oct 23rd meeting the deadline would be Oct 16th.

Chair Woods asked Board members to get corrections to Mr. Newman and asked Mr. Rasch to present anything legal at the next meeting.

OLD BUSINESS TO REMAIN POSTPONED

None.

Chair Woods notified the public that anyone wishing to appeal a decision of the Board to the Governing Body had seven days to file the appeal. She said all the Board members were volunteers and worked. She said the only things she would hear were

things this Board had jurisdiction over.

OLD BUSINESS

1. **Case #H-07-67.** 220 Closson. Westside-Guadalupe Historic District. Mark López, agent for Joe Barela and Yolette Catanach, proposes to remodel two contributing buildings by replacing windows and doors, constructing approximately 205 sq. ft. to the front of building, constructing approximately 465sq. ft. to the rear building, increase the height of the front building to 13' where the maximum allowable height was 16' 7" and increase the height of the rear building to 13' where the maximum allowable height was 15'. An exception was requested to construct an addition to a primary elevation, Section 14-5.2 (D,2,C).

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

BACKGROUND AND SUMMARY:

"The multi-residential buildings located at 220 Closson Street consist of two structures and seven units. The front building which contains units one through three and six was first constructed by 1942 and became a multi-residential building by the late 1940s according to research conducted for the 2006 Historic Cultural Properties Inventory. The directories suggest that in the 1950s the rear building (units 4, 5, and 7) went by the address 220 ½ Closson Street. Both buildings appear on the New Mexico Department of Transportation 1958 aerial photograph in the relative same footprint as present today.

"At the June 12, 2007 hearing the Board upgraded the historic status of the front building, units one through three and six, from non-contributing to contributing. At the June 10, 2007 hearing the Board upgraded the rear building, units 4, 5, and 7 from having no status to contributing. Both buildings are located in the Westside-Guadalupe Historic District.

"The board heard the remodeling of the two structures at their August 14, 2007 hearing and it was postponed for accurate drawings and for consideration of the height to keep up with the proportions of the historic neighborhood.

"This application proposes the following alterations for the front building, units 1-3 and six:

"Construct two additions totaling approximately 250 square feet to the non-publicly

visible west and north elevations. The addition will be to a height of 12 feet (existing height is 10 feet and the previously proposed addition was to 16' 6") where the maximum allowable height of 16' 7".

"Replace all non-historic windows, keeping the dimensions, with simulated divided light windows in the color white. All historic wood windows will be rehabilitated. Doors will be replaced with a six-foot panel solid wood door.

"The roof will be removed and the height (measured on the east, street facing elevation) would be raised from 10 feet to 12 feet and then step up to 13 feet, where the maximum allowable height is 16' 7".

"All exposed wood will be finished with a natural stain in the building will be stuccoed with El Rey Buckskin. Exterior lighting will be terra-cotta downward facing sconces.

"The wall facing the street on the east elevation will be lowered at the northern corner to meet the triangle visibility requirements.

"This application proposes the following for the rear building, units 4, 5, and 7:

"Construct and approximately 465 square foot addition to the primary, east elevation to a height of 13 feet (previously proposed at 14 feet) where the existing is 9'6" and the maximum allowable height is 15 feet. An exception is required to construct an addition to a primary elevation, Section 14-5.2 (D, 2, c). As required, the applicant has responded to the exception criteria (Section 14-5.2 C, 5, c, i-vi). Please see the attached letter.

"The addition will have doors and window placed in the same locations as two men make the primary elevation. Doors will be six-panel solid wood. And the window will have simulated divided lights.

"All aluminum slider windows will be removed from the west elevation and the openings will be stuccoed over. A new six panel wood door and a divided light window will be installed on the south elevation. The north elevation is at the zero lot line.

"All exposed wood will be finished with a natural stain and the building will be stuccoed with El Rey Buckskin. Exterior lighting will be terra-cotta downward facing sconces.

STAFF RECOMMENDATIONS:

"Staff recommends denial of the application unless the Board has a positive finding of fact to grant an addition to a primary elevation. Otherwise, this application complies with Section 14-5.2 (D) General Design Standards for all Historic Districts, and Section 14-5.2(I) Westside-Guadalupe District design standards."

Following the staff report she also handed out a letter to Mr. Barela from Michael Purdy [Exhibit C].

Chair Woods noted this letter talked about demolition and there was no request for a demolition.

Ms. Barrett suggested there might be some on the west elevation.

Present and sworn was Mr. Richard Horcasitas, 421 St. Michaels Drive, who explained he was helping Joe Barela and Mark López. He said they heard the Board's comments and made changes to the project.

Present and sworn was Mr. Joe Barela, Sage Brush Road, who said they did not plan to demolish that building at all.

He said at the last meeting there was an issue on height so they brought it down to a three-foot increase on the front building and two feet on the back. He said they discussed the floor elevations and then he attended an ADA Conference this week and learned some things. He said the Land Use Dept required that these be accessible units. He referenced the IBC on it whose codes had criteria used by the City of Santa Fe to insure accessibility. He read from the IBC on disabled accessibility including parking spaces, walking areas, doorways, curb ramps, etc. He said existing condition did not meet those requirements and the only way to meet them was to increase the floor elevation.

Regarding heights, he said there was a building being constructed around the corner on Agua Fria - 632 Agua Fria where the height was 14'. He said his was one foot below that. It has a bump out at the front. He passed out the pictures. [Exhibit D]

Mr. Barela said the bump up went to 15' 8". The site didn't have much traffic on it and the parking would be at the back.

Chair Woods noted that on the front building plan it said two feet and Mr. Barela stated 3 feet.

Present and sworn was Mr. Mark López, 11 Five Jays Lane, who explained where the two feet increase was (intermediate buildings) and in back one foot lower but at front it was 3 feet.

Chair Woods said the City required that only one unit meet ADA but this indicates they were going to make all of them accessible.

Mr. López clarified that only one would be ADA accessible.

Ms. Rios said they had two structures here where the front one would increase 2 feet to 3 feet and the back was going up two feet.

Mr. López said they were raising the floor. The building would go up 3' 6" and they were bumping up the floor 2½ feet and the building height another one foot. It was a shed roof and they needed to have water flow to the back.

Ms. Rios asked for the existing height of the buildings.

Mr. López said the front was 10' and they proposed 13'; the back was 7½' and proposed was 11'.

Ms. Rios asked for the interior ceiling height?

Mr. López said the front would be from 11' to 10' and the rear remain at 8'.

Mr. Frost asked where back height was measured.

Mr. López said the parking lot was zero. Finished floor was two feet below that. The 13 and 11 feet related to the zero parking lot.

Chair Woods clarified it was at the door and minus two feet.

Mr. López said it was 9' 6" and existing was two below. It was measured from the minus two.

Mr. Frost said if he were standing on the parking lot, how high would it be.

Mr. López said from existing parking lot to top was now 7.5' and it would be 11'.

There were no speakers from the public regarding this case.

Ms. Walker said she was confused on the data from staff. The addition to the primary east elevation would be 13' and asked if that was on the street or at the rear.

Ms. Barrett said staff was referring to the rear. She explained they measured 9.5' because they measured from lower grade.

Ms. Walker said they also wanted to raise the east on the street. Ms. Barrett agreed.

Mr. Barrow said he was confused too. He asked when the City adopted the IBC.

Mr. Rasch said they didn't in the historic districts.

Mr. Barrow asked if the ADA as part of this application was a new requirement. He said it was not part of their packet.

Mr. Rasch said it was new for them.

Mr. Barrow said it was only required on one unit. It was always shown on here and it was not new information.

Chair Woods said the issue grew from the accessibility.

Mr. Barrow said the IBC had not been adopted and ADA was irrelevant.

Chair Woods said it was not irrelevant.

Mr. Barrow said he was also confused about the exception and asked if it was for one unit.

Ms. Barrett clarified the exception was to add to a primary elevation on the back. This was the only place where they could add on.

Ms. Rios asked what type of stucco they were using and the color.

Mr. Barela said it would be Buckskin.

Ms. Barrett clarified that it was cementitious.

Ms. Shapiro referred to page 25 showing the existing east elevation and pointed out that the new proposal showed three doorways.

Mr. Barela explained that the 3 units would be consolidated into two but they would keep the three doors.

Mr. Newman concluded that on the two rear units, the only window would be on unit #7 and the proposed #6 would have no window in the bedroom and only a skylight in the living room.

Mr. Barela agreed and said the bedroom would only have a door.

Mr. López said the doors were all solid six-panel doors. That was the ADA unit and the door would help make it accessible. He added that some natural light would be nice.

Mr. Newman said it struck him as peculiar that they were closing all the windows on the other side.

Ms. Walker agreed and said no one's life was improved by having no natural light.

Mr. Barrow asked if they considered a flat roof. He asked if they would demolish the existing shed roof and construct a new one.

Mr. López said they would consider a flat roof and he would talk to the applicants about it.

Mr. Barrow said they would not have to raise the parapet as high.

Mr. López said the problem was the water retention. They were trying to keep the water going the same direction and trying to keep the roof in the same style.

Chair Woods said that sounded disingenuous because they were not increasing the detention pond.

Mr. López said if they made it flat, it would lower the parapet a foot.

Chair Woods reminded the Board that to approve the exception, they needed to reference the six reasons in the code (page 16).

Mr. Newman said he didn't see how this solution warranted an exception.

Chair Woods offered that the Board could approve parts and not all.

Mr. Newman said the rear units were the exception.

Ms. Rios asked if Mr. Newman didn't think the applicant should add to the roof.

Mr. Newman said only one foot was needed for accessibility and they were proposing two feet and if the one in front was made accessible, they would not need to raise the back ones. And the open space would be more private.

Ms. Barrett clarified that the only exception was adding to the rear. The height did not need an exception.

Mr. Newman recalled they discussed the scale at the previous hearing. He asked if the increased height would make it non-contributing.

Chair Woods asked what the feeling of staff was on status.

Ms. Barrett said staff would prefer 12 feet in front but the height in back was fine.

Mr. Newman said his final question was, if they lowered the status of the back building to non-contributing, there would be no exception.

Chair Woods said they could not do that, since it was not noticed.

Ms. Barrett said the Board could instruct staff to put it back on for status.

Mr. Newman recommended doing that. The changes were so significant that it would no longer be contributing and he was not sure that it should be.

Mr. Frost cautioned that it would open the door to much more changes later on but the Board could approve the exception and keep it contributing.

Mr. Barrow agreed with Ms. Barrett that the added height affected the scale.

Ms. Rios thought they should try to retain the status of the front building. She asked if they could do 12' for the front. She felt the applicants were trying to improve these buildings and retain the buildings as closely as possible to what was existing. She felt the Board should give strict concrete direction.

Ms. Walker said they could come down a foot on the back with a flat roof.

Ms. Rios moved to approve Case #H 07-067 with the following conditions:

1. That the front building be no higher than 12'
2. That the rear building have a flat roof and be lowered one foot
3. That the exception be granted noting that the applicant met the six criteria. She went through them.
 1. the applicant has kept as closely as possible to existing.
 2. the increase in building would address drainage problem.
 3. this applicant was improving the condition of the buildings and would encourage their use
 4. the applicant needed to add and was adding to the only possible place
 5. those buildings have been there a long time.
 6. the applicants have tried to keep the contributing status of both and their proposals would retain the status of both (Section 14-5.2 c 5).
4. That the stucco would be cementitious Buckskin
5. That there be no rooftop equipment
6. That lighting be down lighting.

Mr. Frost seconded the motion.

Mr. Barrow said the bedroom door should have light.

Ms. Rios agreed and added:

7. That the applicant take the door design with glass to staff. The motion passed by majority voice vote with all voting in favor except Mr. Newman who voted no.
2. Case H-07-112. 846 Old Santa Fe Trail. Downtown & Eastside Historic District. Jeffrey Seres, agent for Garcia St. Group, requests an extension of a previous approval to construct a 1,494 sq. ft. guest house and attached garage to a height of 12' 6" where the maximum allowable height was 13' 3", construct 1,141 sq. ft. of additions to the maximum allowable height of 12' 10" on a Contributing building, construct a yard wall to the maximum allowable height of 5' 3". An exception was being requested to exceed the 50% rule (Section 14-5.2,D,2,d).

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

BACKGROUND AND SUMMARY:

"The following application was unanimously approved a the Board at their May 23,

2006 hearing. The applicant is requesting a year extension of the conditional approval. Conditions placed on the approval are as follows: 1) that there be no vehicular gate on the streetscape; 2) that the returns be eliminated and the pilasters be along the lines of the wall; 3) that the pedestrian gate be recessed four feet; 4) that the pilasters reflect the angles on the façade and the tall pilasters be eliminated on the interior wall; 5) that the center window on the rear of the carport be eliminated; 6) that as much vegetation as possible along the street be retained; 7) that the large portal not have a solid roof; 8) that the interior gate be eliminated; 9) that the revised drawings be submitted to staff for review and approval; 10) that the light fixture be approved by staff; 11) that the front windows style be approved by staff; 12) that there be nothing on the rooftop; 13) that they match existing stucco, using cementitious stucco.

"The 2781 sq. ft. single-family residence located at 846 Old Santa Fe Trail is Spanish Pueblo Revival style and was built in 1955. Character defining elements include exposed wood beam ends, corbels, and railings at the portal and the battered masonry posts on the north, primary elevation. Alterations include an approximately 500 square-foot addition on the south, non-publicly visible, non-primary elevation built in the 1970s and the addition of windows to the garage. On August 23, 2005 the Board upgraded the historic status from non-contributing to contributing to the Downtown and Eastside Historic District.

"This application proposes the following changes:

"Remove all windows on the non-primary elevation's and replace it with a metal clad double hung divided light windows. Remove the north elevation altered garage door and replace it with metal clad double-hung divided light windows. Color was not submitted.

"Construct approximately 490 square feet to the non-primary east elevation. Construct approximately 195 square feet and a 299 square foot portal to the non-primary, non-publicly visible south elevation. Remove an existing carport (date not provided) on the north elevation and infill approximately 108 square feet. All additions will not exceed the maximum allowable height of 12 feet 10 inches. Additions will include metal clad double hung divided light windows and doors. Color was not submitted. Three windows do not meet the 36 inch window (corner) rule, one being non-publicly visible. Stucco will match the existing and color and texture, stucco type was not submitted. Plans do not indicate any skylights or rooftop equipment.

"The historic footprint of the building is 2,281 sq. ft. which would allow for a 1,141 square-foot addition. However, a 500 square-foot non-historic addition was constructed which now only allows for an additional 641 sq. ft. of modern construction. The

proposed additions will exceed the 50% footprint rule by 500 square feet. An exception is being requested to exceed the 50% rule Section 14-5.2 (D, 2 d). As required by the City code the applicant has answered the questions in section 14-5.2 (C, 2, c, i-vi).

1. *“Do not damage the character of the streetscape:*

“All of the additions are proposed at the rear of the existing residence or setback greater than 10 feet from the streetside primary façade.

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

“The 500 square-foot addition of 1970 was added by a previous owner of the residence before preservation standards were adopted. Including the 500 sq. ft. as part of this proposal will allow the new owner to bring the existing residence to its full potential and maintain a covered portal off of the living area. The 500 sq. ft. is a modest portion of the overall request of this proposal which will bring the overall lot coverage to only 25% of this lot that allows a total of 40% lot coverage (50% if private open spaces provided).

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:*

“ This proposal maintains the residential use of their property and adds another accessory dwelling unit.

4. *“Are due to special conditions and circumstances which are peculiar to the land or structure involved and which are not applicable to other lands or structures in the related streetscape:*

“The property is zoned R 3 which allows a minimum 4,000 square-foot lot size and 40% lot coverage (50% if private open spaces provided). This proposal brings the lot coverage to only 25%. Excluding the requested additional 500 sq. ft. would only reduce the proposal lot coverage to 23%.

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

“As noted above the 1970 and addition of 500 sq. ft. was by a previous owner. This exception will not exceed this square footage.

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

"This proposal will preserve the existing residence in harmony with the Downtown and Eastside historic district.

"This application also proposes a 660 for square-foot guest house, 254 sq. ft. of portals and a 576 sq. ft. attached garage to a height of 12' 6" where the maximum allowable height is 13' 3". The new construction will be Spanish Pueblo Revival in style which will include metal clad divided light doors and divided light double hung windows. Color was not submitted. Two doors and one wood clad garage door do not meet the 36 inch window (corner) rule, however they are not publicly visible. The building will be stuccoed in an earth tone in a smooth finish. Plans do not indicate any skylights or rooftop equipment.

"Lastly proposed are a coyote fence along the side of the property to the maximum allowable height of 6 feet, a three-foot high court yard wall where the maximum allowable height is 6 feet, and a streetscape wall to the maximum allowable height of 5' 3". The 3 foot high courtyard wall will include a six-foot high double door entry gate and light fixtures which will obscure clear view of the character defining element of the primary elevation. The streetscape wall will include two 12 foot long wood vehicular gates and a three-foot by 5 foot 3 inch wood pedestrian gate. Along both vehicular gates will be exterior lighting and beside the pedestrian gate will be a mailbox. Stucco type and color and wood finish were not submitted.

STAFF RECOMMENDATIONS:

"The original recommendation was made by staff at the May 23, 2006 hearing: Staff recommends that the Board analyze the additional square footage as to whether allowing the exception of the 50% footprint rule will affect the contributing status of the building. Staff would like to point out that the major and additions are on the non-publicly visible south elevation and that the character defining element (the portal) on the primary north elevation is being retained. Staff recommends that the north elevation garage door is retained unless proof of non-historic date is provided. Otherwise staff would recommend approval on the condition that stucco type and color is specified, that window trim color is specified, that there are no publicly visible skylights or rooftop appurtenances, that all publicly visible windows meet the 36 inch window rule, and that the addition to the contributing building is either a slightly different stucco color or texture.

"At this time staff recommends that the Board approved the application as per the motion which includes 13 conditions, at the May 23, 2006 hearing."

Mr. Barrow noted that those 13 conditions were in conflict with the current proposal.

Ms. Barrett said this application was exactly the same as in 2006. The Board took a lot of time in looking.

Present and sworn was Mr. Jeff Seres, 122 Lorenzo Road, who said he would stand for questions.

Ms. Walker said the Board had become fond of complete application. No colors were submitted; nor stucco and no wood finish on the north.

Mr. Seres replied that the stucco was conditioned to be cementitious. Color would be earth tones. The windows would be dark green, or red.

Ms. Walker asked if the gate would obscure the elevation.

Mr. Seres said the gate was gone.

Mr. Barrow clarified that all the streetscape wall and gate were removed in the staff recommendations.

Mr. Frost asked how they were going to do all of this and save the trees in the backyard.

Mr. Seres said the one tree in the center would be saved and the others would be removed. He said one of them was dead now. Mr. Rasch pointed out the one that would be saved. The bristle cone pines would be removed.

Mr. Seres said it was because of the driveway configuration for the guesthouse. He said the analysis here was that they could not be saved.

Chair Woods asked if he was not willing to move it to save the trees.

Mr. Seres said they would look at that.

Ms. Rios asked how many trees were in the back.

Mr. Seres said there were five.

Ms. Rios asked how much open space it would have.

Mr. Seres pointed it out on the site plan, stating they would have a 15' setback.

Ms. Barrett said it was 25% lot coverage.

Ms. Shapiro asked about the material for the driveway.

Mr. Seres said it would be gravel.

Ms. Walker talked about how to keep a tree within six inches of concrete with deep root feeding.

Ms. Barrett noted a document received this morning. [Exhibit E] and clarified that the applicant would have to bring revised drawings.

Mr. Barrow asked if he could just eliminate the garage.

Mr. Seres said they might or just go to a one-car garage.

Chair Woods asked if they were going to build this to keep or to sell.

Present and sworn was Mr. Charles Schiffer, 806 Paseo de la Cuma. Who explained that the property was for sale only because of what had happened in the market.

Chair Woods asked if he was not planning to build this proposal.

Mr. Schiffer said would be willing to sell it before building but intended to build and then sell.

Ms. Rios asked Ms. Barrett to speak to the letter.

Ms. Barrett said the writers were not in support of the project and asked not to exceed the 50% footprint.

Mr. Rasch said it was from the neighbors next door to the west.

Ms. Rios asked if the proposed alterations would be visible.

Ms. Barrett said not from Old Santa Fe Trail.

Ms. Shapiro said if the garage became a carport, you could see through it and it

wouldn't impact the trees.

There were no speakers from the public regarding this case.

Mr. Rasch explained that the letter writers thought the whole wall was to be demolished and he pointed out to them the small portion that would be demolished. The wall was on the lot line and they believed it was on their property so the proposal would not demolish the wall.

Mr. Barrow moved for approval of Case #H 07-112 per staff recommendations, all of the former conditions and the following conditions:

- 1. That the applicant either remove plans for the garage or reduce the size of the garage or build a carport to maintain trees on site and**
- 2. That those changes be brought to staff for review and approval.**

Ms. Rios seconded the motion.

Chair Woods clarified that the intent of the motion was to save trees; some way to save them.

Mr. Barrow accepted that statement and the motion passed by unanimous voice vote.

Mr. Seres asked if that was an extension for a year from today.

Mr. Rasch agreed.

NEW BUSINESS

- 1. Case H-07-97.** 712 Gildersleeve. Don Gaspar Area Historic District. Blaine Young, agent for John Craig, proposes to remove a temporary non-historic carport, to construct a 464 sq. ft. addition on a contributing residence, restore a window opening, alter a parapet, foam insulate exterior walls and restucco.

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

BACKGROUND AND SUMMARY:

"712 Gildersleeve St is a single-family residence that was constructed before 1936 in the Spanish Pueblo Revival style with Territorial revival window surrounds. In 1999 one of the two garage door openings on the west elevation was infilled with a door and window wall. The building is listed as contributing to the Don Gaspar Area Historic

District. The east elevation is considered to be primary.

"The applicant proposes to remodel the building with the following six items.

1. "An existing non-historic freestanding metal carport will be removed from the west side of the residence.
2. "A 464 square foot addition will be constructed on the west elevation to a height of approximately 17 feet where the adjacent two-story parapet is approximately 19 feet high. The proposed addition complies with the 50% footprint rule which allows for a maximum of a 653 sq. ft. of additions. This is only 464.

"The addition will feature a carport on the ground floor and a kitchen extension with portal on the second floor. The portal, with territorial detailing, will be set back from the carport on all three sides. The remainder of the roof deck will be enclosed with a Territorial detailed balustrade.

"A window opening on the south elevation will be restored for emergency ingress/egress.

"The sloping parapet on the West elevation will be redesigned with a more traditional stepped configuration.

"The building exterior will be insulated with spray foam and we stuccoed in an earth tone color. The brocade texture will be mimicked.

"Windows will be white and wood portal and railings will be a grey-blue.

STAFF RECOMMENDATION:

"Staff recommends approval with the conditions that the exterior insulation does not change the character of the building, including the proud opening surrounds, and that the stucco texture is retained. Otherwise, this application complies with Section 14-5.2 (C) Regulation of Contributing Structures and (H) Don Gaspar Area Historic District design standards."

Present and sworn was Mr. David Schutz, general contractor and acting as agent. His only objection to staff recommendations was that they wanted to insulate with 2" foam insulation and bullnose the windows. Some of them were recessed and had a shadow line. Most of the windows affected by that recommendation were on the side. Not only was it costly, but they would have to extend the jambs. He didn't think it

would violate the ordinance. In Don Gaspar, some were protruding and some recessed.

Chair Woods suggested he could lighten the foam and feather it in.

Mr. Schutz said that was correct and they would spray, not use rigid insulation.

Mr. Rasch referred to page 13 showing what he was describing.

Mr. Schutz shared pictures.

Mr. Frost noted that the parapet line was very unique and the Board would like to see that this attribute remain.

Mr. Schutz said he had no problem with that.

Mr. Frost asked if he could you modify roofline to keep it.

Mr. Schutz said he could.

Chair Woods asked staff if that would be a character-defining feature.

Mr. Rasch said he didn't consider it because it was so odd and was not visible but if it was considered primary that would require an exception.

Chair Woods didn't think they had to consider that.

Ms. Walker said the Board fell in love with it on the site visit but didn't know how he would keep it.

Mr. Schutz said they would prefer to straighten it out because the entire roof drained with that one canale.

Ms. Walker suggested he just needed to keep the look.

Ms. Rios asked about stucco color and what the original color was.

Mr. Schutz said they were asking for Buckskin but wanted to use a synthetic color coat with a trowel style, no problem with staying with that look.

Ms. Rios suggested he had an opportunity to use a lighter color. There were whites in that neighborhood so he wouldn't have to go with brown. She said he needed to

retain the type and style of finish.

Mr. Schutz said it would have to be cementitious then instead of synthetic.

Chair Woods said the present color was paint, not stucco. The color underneath was Fawn, not Buckskin. She said they could see it in the back.

Mr. Barrow asked if it was a frame building.

Mr. Schutz said it was pen tile. He said they had another one like this up from the Episcopal church and it didn't work (cementitious stucco). He didn't know if they didn't use the right technique but it was a concern here.

Mr. Barrow said it was a flat building with round corners and a 2" board would give the same insulation value.

Mr. Schutz said it would be an uneven surface when applied but the stucco could even that out.

Mr. Barrow said okay. And secondly expressed concern about retaining the window detail. He asked if they would be able to remove just the trim and reapply it on the surface. The return changed the style and shadow. It would be complicated and change the detail.

Mr. Schutz thought it would be possible.

PUBLIC COMMENT

Present and sworn was Mr. John Craig, 712 Gildersleeve who said he didn't want to change the front or the back. It was only the windows on the side elevations that the public could barely see. He said it was a narrow lot line and he didn't think it would affect its character.

Chair Woods asked if he were saying on the sides, the Territorial would come off.

Mr. Craig agreed.

Chair Woods thought that might be difficult to approve.

Mr. Craig said he didn't know what the original color was and didn't know if what was visible under the paint was original. He would like to either keep the existing color

or match 714 Gildersleeve and that might be Buckskin. He said he really didn't like the color underneath.

He said the owners of 714 Gildersleeve used foam and it was amazingly smooth when finished. He said they understood what the Board said about proud surrounds on the side.

Ms. Walker said they noticed on the south side an unattractive cooling device.

Mr. Craig said they were going to remove it and planned to use a non-visible rooftop downdraft.

Mr. Barrow asked how the Board would insure the stucco would be flat to a 1/16".

Chair Woods said he could put it in the motion to retain the same level of flatness.

Mr. Rasch asked if they could include a condition for an inspection to be done. If the foaming was very irregular he wondered how it would age.

Mr. Barrow didn't know the answer to that. But the leveling coat could be inspected.

Chair Woods said she was not comfortable legislating foam or a board.

Mr. Barrow agreed.

Mr. Frost asked if there was a reason to use foam rather than rigid insulation.

Mr. Craig said he was concerned that it look proper. He referred the Board to 714 Gildersleeve and another on Galisteo before Coronado that were spray insulated also. He said he wouldn't be happy if it wasn't flat.

Ms. Rios asked if they would have exterior lights.

Mr. Craig said they would on the back portal underneath.

Ms. Rios said that could be submitted to staff.

Mr. Barrow moved to approve Case #H 07-097 per staff recommendations and:

- 1. That the color be maintained,**
- 2. That the stucco be cementitious**
- 3. That the windows be proud and trims on the side be maintained,**

4. That at conclusion of the leveling coat the stucco be inspected
5. That the exterior lighting be downward lighting
6. That they show the same reveal on the front elevation

Ms. Rios seconded the motion and asked that the conditions included keeping the sloping parapet.

Mr. Barrow said he was indifferent on that issue.

Ms. Rios moved to amend the motion that the parapet line on the south elevation be maintained. Mr. Frost seconded the motion.

After a brief discussion on it, the suggestion was made to retain the shadow of the original parapet line much like a historic window opening that had been infilled.

Ms. Rios accepted retaining the shadow at one and a half to two inches as friendly and the motion to amend passed by unanimous voice vote.

Mr. Barrow added to his motion a condition;

7. That the stucco maintain the brocaded texture, be cementitious and the original color be maintained. Ms. Rios accepted it as friendly and the motion, as amended, passed by unanimous voice vote.
-
2. Case H-07-108. 1220 Cerro Gordo. Downtown & Eastside Historic District. Courtney Mathey, agent for David Groeneveld, proposes to construct a 136 sq. ft. addition to a height of 14' on a non-contributing two-story residence.

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

BACKGROUND AND SUMMARY:

"1220 Cerro Gordo Road is a single-family residence that was constructed in the 1970s in the Spanish Pueblo revival style. In 2003 there was significant remodel of the building with an addition on the east side. The building is listed as non-contributing to the Downtown and Eastside historic district.

"The applicant proposes to remodel the property with the following three items:

1. "An existing coyote fence screened at the gas meter will be removed and the meter relocated.

2. "A136 sq. ft. addition will be constructed on the north elevation of the two-story section. The addition will be 14 feet high where the adjacent parapet is approximately 18 feet high.

"All exterior treatments and a new window will match existing conditions, including wall battering, a stone wainscot, and a 16 inch deep metal window awning.

3. "The existing chimney will be extended to meet code requirements.

STAFF RECOMMENDATIONS:

"Staff recommends approval of this application which complies with Section 14-5.2(E) Downtown and Eastside Historic District design standards."

Present and sworn was Mr. Courtney Mathey, 2 Camino Pequeño who said this little addition would help break up the entry view of the house. The two story massing would be broken up with it.

Mr. Newman asked if he would consider eliminating the metal eyebrow. Or if there was a design rationale.

Mr. Mathey said there was one just like it on the other side. There was not a solar gain and he would like to keep it open in inclement weather. It looked better with it.

There were no speakers from the public regarding this case.

Ms. Walker moved to approve Case #H 07-108 per staff recommendation. Ms. Rios seconded the motion and it passed by unanimous voice vote.

3. **Case H-07-113.** 413 & 417 Sosaya Lane. Downtown & Eastside Historic District. Richard Gorman, agent for Roy and Taha Bidwell, proposes to alter a previous approval by deleting a single-family residence, altering a courtyard wall to construct a 72" high coyote fence and wall, and to construct a 288 sq. ft. portal to a height of 10'3" with an outdoor fireplace on a non-contributing building.

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

BACKGROUND AND SUMMARY:

"413-419 Sosaya Lane are single-family residential buildings in an older family

compound in the Downtown and Eastside Historic District which were constructed during the first part of the 20th century. The Historic Design Review Board conditionality approved plans to remodel this compound on July 27, 2004, August 24, 2004, and September 27, 2005. Any outstanding approvals that have not been constructed through permits are now expired.

"Now the applicant proposes to amend the approvals with the following three items:

1. "The proposed construction of 417 will be abandoned for open space.
2. "A 288 sq. ft. portal will be constructed on the south elevation of 413 to a height of 10'3" where the adjacent parapet height is 12 feet. The portal with outdoor kiva fireplace and banco is designed in the Spanish Pueblo Revival style featuring exposed header beam, carved corbels, and viga rafters.
3. "The open space will be enclosed with a redesigned yard wall along the streetscape and inside the lot. The stuccoed streetscape wall is designed at 72 inches high with a low stone planter. The maximum allowable height for the streetscape is 64 inches. The interior lot fence is designed at 72" high with coyote latillas between stuccoed pilasters.

STAFF RECOMMENDATIONS:

"Staff recommends approval of this application with the condition that the streetscape section of the yard wall not exceed the maximum allowable height of 64" or the Board should grant the additional 8" requested through the 20% allowance rule according to the Wall and Fence Guidelines. Otherwise, this application complies with Section 14-5.2 (E) Downtown and Eastside Historic District design standards."

Chair Woods asked where the wall was proposed on the site plan. Mr. Rasch showed it.

Chair Woods asked if all walls were too high.

Mr. Rasch said the interior walls could be 6' and the Board could add 20% for the front.

Ms. Walker asked if there were some reason to add 20% and if they did, if it would affect future wall heights.

Mr. Rasch said it would affect future heights because all existing fences and walls

were measured to calculate allowable heights.

Mr. Barrow asked if this style of coyote with pilasters was prevalent in this part of the east side. He felt it was very stylized.

Mr. Rasch said traditionally they were either all coyote or solid stuccoed. This was a new design feature and creeping in to the City.

Present and sworn was Mr. Richard Gorman, P.O. Box 8841, Santa Fe, who said he was the original designer of the compound out there. On the issue of wall height, he said in the original application, the Board approved it at 72" and the logic was the same now. The existing wall at 413 was 64" and on other side was 64". All of the walls would be 64" and it this one would provide a variation if it was higher.

Mr. Frost asked if he could step it down 8".

Mr. Gorman said this was solely to create privacy in their yard for the Bidwells.

Ms. Rios asked for the length of coyote and stucco wall.

Mr. Rasch referred to page 37 to show what was previously approved. He added that the permits expired so the Board was now re-considering them.

Mr. Gorman said the coyote was approximately 65' long and the adobe wall in front, which varies.

Mr. Rasch said the planter was 8' and the whole wall was 24' 8".

Mr. Frost asked where they were putting the horizontal rails.

Mr. Gorman explained that the decision between Bidwells and Sonneberg has the first two with the good section in their back yard and then the good side facing outward for three sections and then go back to the last section with good inside.

Chair Woods noted there was an unapproved slot fence in back.

Mr. Gorman said what happened was that he got approval for another house in between, and a temporary fence was put in.

Ms. Shapiro asked if the pilasters were higher than the fence.

Mr. Gorman said the property sloped up so the pilaster made the transition. It was a total of 18".

Ms. Shapiro asked for the pedestrian gate description.

Mr. Gorman said it originally had an arch over it but they eliminated it. It was to clearly say it was a secondary entrance.

Ms. Shapiro asked what it was made of.

Mr. Gorman said they would try to go out and find a gate.

Ms. Shapiro commented that along Sosaya Lane, she was impressed with solid walls there. It was getting more and more walled off. She asked if they could do coyote to the gate and wall in front instead of an adobe wall.

Mr. Gorman said the feeling of mass along the street was most favorable.

Ms. Shapiro thought it was pretty walled in.

Mr. Gorman added that the one he built next door was coyote.

Ms. Rios asked about the coyote tops.

Mr. Gorman said they would be stepping and uneven.

Mr. Frost asked what type of lighting and what height they would be under portals.

Mr. Gorman said they hadn't selected locations and anything on walls would be sconces.

Present and sworn was Mr. Roy Bidwell owner of the property, who said they were trying create something rather unique and by doing away with the proposed dwelling that would have been in between, they wanted to create a special garden in there that would be a continuation of the best that was Santa Fe in their estimation and wanted to be one of those dwelling one would read about and enjoy driving around and seeing, behind adobe walls. He said they wanted to perpetuate that feeling and to lower the wall would defeat that entirely. He said they proposed to landscape the property heavily with trees and shrubbery, meandering landscape in there.

He thought the best effect would be if they could do a wall rather than coyote fence.

He thought coyote worked well between the properties and the suggestion that having no pilasters was a good one. He said they should continue the mass that was the front of the house when they build the next part.

Chair Woods said, on behalf of the Board, they appreciated that the other house would not be built and thanked him.

Ms. Walker said she walked these streets and with the wall at 5' 6" she would get a little glimpse of their garden but at six feet would not.

There were no speakers from the public regarding this case.

Chair Woods summarized that the gate and lights were not decided.

Mr. Frost moved for approval of Case #H 07-113 per staff recommendation with the following conditions:

- 1. That the pilasters be removed from the coyote fence design,**
- 2. That the wall remain at 64"**
- 3. That lights under the new portal be brought to staff for approval and placement not interfere with neighbors**
- 4. That the gate design be brought back to staff**
- 5. That the coyote tops be uneven.**

Mr. Barrow seconded the motion and it passed by unanimous voice vote.

- 4. Case H-07-114. 333 Magdalena St. Downtown & Eastside Historic District. Owen Nelson, agent for Brent Walker and Kevin Grey, proposes to remodel a non-contributing building by enclosing an approximately 75 sq. ft. portal, constructing an 300 sq. ft. pergola, constructing an approximately 18 sq. ft. stairwell addition, constructing an approximately 160 sq. ft. second story portal, constructing an approximately 1080 sq. ft. carport to the height of 10'6" where the maximum allowable height was 15'9", constructing a coyote fence to the maximum allowable height of 6', constructing a vehicular gate, door and window alterations, and hardscaping.**

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

BACKGROUND AND SUMMARY:

"333 Magdalena St. is one of three Spanish Pueblo Revival style buildings located within a condominium association. 333 Magdalena St. was first constructed before

1950 and has received major remodeling. Remodeling includes a second story addition in the 1970s, replacement of all doors and windows (some location alterations) and a second story portal and closure in the 1980s. The official map lists the building as non-contributing to the Downtown and Eastside Historic District.

"This application proposes the following:

1. "Construct an approximately 1080 sq. ft. freestanding carport to a height of 10'6" where the maximum allowable height is 15 feet 9 inches, at the northeast corner of the condominium property. The carport will have wood beams and posts. The overhang of the carport on the east elevation is approximately 2 feet. The carport will be finished with a medium brown stain.
2. "Construct an approximately 300 sq. ft. pergola on the west elevation to a height of 10 feet where the maximum allowable height is 15' 9". The pergola will have wood beams, posts, and latillas on top. It will include an outdoor fireplace and barbecue area. The portal will be finished in a medium brown stain.
3. "Construct an approximately 160 sq. ft. second story portal on the west elevation. The portal will include wood beams, posts, and latillas on top. A 3-foot high wood guard rail is also proposed. All wood will be finished with a medium stain.
4. "Construct an approximately 18 sq. ft. interior stairwell and closure to a height of 17' 6" where the existing height is 24' 6" at the southwest corner of the building. The enclosure will be stuccoed to match the existing building.
5. "Enclose an approximately 75 sq. ft. first-floor portal on the east elevation. Aluminum clad divided light windows will be installed in the color bronze and the door will be stained wood with glass lights to match the existing.
6. "Replace the existing doors on the second story of the west elevation with aluminum clad divided light windows and doors in the color bronze.
7. "Construct a courtyard coyote fence on to the maximum allowable height of 6 feet on the west elevation.
8. "Construct an 18 foot long, 4' 6" high mechanical sliding vehicular gate at the east elevation of the property, facing Magdalena Street. The gate will be metal with an open design; gate finish was not submitted.
9. "Hardscaping includes new 24' x 24' raised planter boxes and flagstone paving.

10. "No exterior light fixtures are proposed at this time. The applicant states that if any new exterior light fixtures are required they will meet they will match the existing wall sconces.

STAFF RECOMMENDATIONS:

"Staff recommends approval on the condition that overhangs on the east elevation are 18 inches or less, that the vehicular gate finish is clarified, otherwise this application complies with Section 14-5.2(D) General Design Standards for all Historic Districts and Section 14-5.2 (E) Downtown and Eastside Historic District design standards."

Mr. Newman asked if the gate on page 10 was actually set back from Magdalena.

Ms. Barrett said that was correct.

Ms. Rios asked about public visibility.

Ms. Barrett said the west elevation was somewhat visible from Washington, the gate from Magdalena, and the enclosed portal was not visible, though maybe some of the stairwell.

Mr. Barrow said the ordinance didn't address gates specifically but he wondered if it would be part of the streetscape.

Ms. Barrett it would because it was visible.

Mr. Barrow noted that gates had been creeping in over the years and particularly in the last year.

He asked if staff had seen an increased number of gates coming to the Board.

Ms. Barrett agreed.

Present and sworn was Mr. Owen Nelson, PO Box 6434, Santa Fe, who said the owners wished to maximize the outdoor spaces The carport just gave a little weather relief.

Chair Woods noted in the letter it said metal sliding gate and asked if it was see through in design.

Mr. Nelson agreed it would be open and fairly low. It was just to stop cars, not for security.

Chair Woods said the second story pergola was a concern because it added to the massing.

Mr. Nelson said he didn't know that it would be a huge concern. It actually broke up the monolithic aspects of the building. The other buildings there were similar.

Chair Woods asked if the roof came all the way out.

Mr. Nelson said it would line up with the first floor portal to provide nice stepping

Mr. Newman suggested it really wasn't a second floor portal but more of a ramada.

Mr. Nelson said that was correct.

Mr. Barrow asked him to describe the style intentions of the gate and how it related to the ordinance.

Mr. Nelson said that since it was just to stop cars, he would suggest a rusted patina, simple frame, almost as if it wasn't there. The simpler, the better.

Ms. Shapiro asked if the mechanicals would be hidden.

Mr. Nelson agreed and said it was cantilevered.

There were no speakers from the public regarding this case.

Mr. Barrow moved to approve Case #H 07-114 per staff recommendations with one exception that the gate not be included.

Ms. Rios seconded the motion.

Chair Woods noted there was an air conditioner on the roof.

Mr. Frost said it was a swamp cooler.

Mr. Nelson said that was on a different property, not on this house.

Ms. Walker said in the staff report spoke to keeping off the rain but a ramada would

not stop the rain.

The motion passed by unanimous voice vote.

Mr. Nelson asked if he could bring back the gate at a future time.

Mr. Rasch said the exact design would have to wait a year but a new design could be brought back. Or it could be appealed to the Governing Body.

5. **Case #H-07-116.** 560 San Francisco Street. Westside-Guadalupe Historic District. Desirae Luján, agent for Larry Luján, to construct a vehicular gate to the maximum allowable height of 6' on a contributing property.

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

BACKGROUND AND SUMMARY:

"The 1985 Historic Cultural Properties Inventory lists the single family residence located at 560 W. San Francisco Street as New Mexico Vernacular style. The building has received minor alterations which include a block addition to the rear, south elevation of the building, possibly constructed in the 1950s. Historic staff, the HDRB and City Council reviewed the status of the building in 1992 as part of the City's Historic District Status Map project. It was approved as a contributing structure at the finalization of the project and remains listed on the Official Map as such.

"This application proposes the following alterations:

"Construct an approximately 16' long, 6' high coyote vehicular gate and pedestrian gate where the maximum allowable height is 6'. The gates will be located approximately 10' from the south property line along San Francisco Street. The vehicular gate will be mechanical in operation and both gates will have irregular latilla tops. The intention of the design is to have the appearance of a continuous coyote fence. The gate will not connect to the contributing building.

"No change to the contributing building is proposed.

STAFF RECOMMENDATION:

"Staff recommends approval of this application as it complies with Section 140-5.2 (D) General Design Standards for All H-districts and Section 14-5.2 (I) Westside-Guadalupe

Historic District Design Standards.”

Mr. Frost asked if there would be any reason to deny a solid fence in that same location.

Ms. Barrett said for the HDRB it would be fine.

Ms. Walker wondered if there would be visibility between latillas.

Mr. Newman referred to page 11, and asked if a fence at this height would have a negative impact on the contributing status.

Ms. Barrett said no.

Present and sworn was Ms. Desirae Luján who said the only see through was between the pedestrian gate and the vehicular gate. She said it was for security and to keep the dog in that weighted about 50 lbs.

Mr. Barrow recalled they had this issue once before where dogs were an issue and he wondered where that fit into the ordinance.

Mr. Rasch said that use was not part of the ordinance but could be part of the applicants’ testimony.

Mr. Barrow said in the packet they indicated there were quite a number of gates in the neighborhood. Granted that there were some there, he asked how predominant were they; if they were unusual or common. He said he didn’t see very many.

Ms. Barrett said there were a few down San Francisco but didn’t know how many. There was one on the left hand side.

Mr. Barrow said it was not in the ordinance but the request was based on the idea that since the others had a gate they should have one too. He suggested it was not a strong argument.

Chair Woods noted that she was a single woman looking for security.

Ms. Rios asked how high it would be.

Ms. Luján said she proposed six feet and twenty feet back from the street.

Ms. Rios asked if the tops would be irregular so it looks more like a fence.

Ms. Luján agreed.

Ms. Shapiro asked how tall the chain link fence was.

Ms. Luján said it was four feet and the dog jumped over that. She said it was six feet because it conformed to the rest of the walls in the area.

There were no speakers from the public regarding this case.

Ms. Rios moved to approve Case #H 07-116 as submitted.

She agreed with Mr. Barrow there was an accretion but thought there were good reasons here. If she wanted to keep the dog in, it was legitimate.

Ms. Shapiro seconded the motion and it passed by majority voice vote with all voting in favor except Mr. Barrow who voted against.

6. **Case #H-07-109.** 147 Elena Street. Westside-Guadalupe Historic District. Mark López agent for Ubaldo Salazar, proposes to remove a deteriorated roof on a non-contributing residence and to reconstruct a roof with raising the height from 12' to 14' where the maximum allowable height was 14'2", replace non-historic windows, and construct a pitched roof. An exception was requested to construct a pitch where there were less than 50% pitches in the streetscape (section 14-5.2 D,9,d).

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

BACKGROUND AND SUMMARY:

"147 Elena Street is an adobe single-family residence that was constructed by 1934 in a vernacular manner. Minor remodeling including an addition on the rear and window replacement occurred in 2000. The building is listed as non-contributing to the Westside-Guadalupe Historic District.

"The applicant proposes to remodel the building with the following three items.

1. "The deteriorated roof has already been removed. The 1985 Historic cultural Property Inventory cites a low gable roof concealed by parapets.

"The existing canales will be infilled and the parapet height increased from approximately 12' to approximately 14' where the maximum allowable height is 14' 2".

"A pitched roof will be constructed where the streetscape roof pitch calculation is only 27%, not the necessary 50% or more. An exception is requested to construct a pitched roof and the required responses are attached (Section 14-5.2 D, 9, d).

2. "All window openings will be installed with aluminum sliders in the existing opening dimensions.
3. "The rear addition sheathing will be completed and the building will be restuccoed to match the existing color.

STAFF RECOMMENDATION:

"Staff recommends denial of the pitched roof exception request unless the Board has a positive finding of fact to grant the exception needed for this project. Otherwise, this application complies with Section 14-5.2 (I) Westside-Guadalupe Historic District design standards."

Present and previously sworn was Mr. Mark López,

Mr. López said it did have a previous permit pulled for an addition on the rear and windows none of which was completed. It had a sod roof with lots of dirt piled on top. The dirt was removed and owners proposed a shed roof hidden by a parapet on the front elevation with a two-foot extension for positive drainage. He said they would like to finish the sheeting and windows and install the shed roof.

Ms. Walker asked how his client would feel about a flat roof and also put in decent windows instead of aluminum sliders.

Mr. López said the shed roof would work out better and since the existing roof was in such bad shape, they were unable to inhabit it for fear of collapse of the ceiling. They were attracted to the shed roof so it would match the rear of the building and have no water standing. He said they would really like a shed roof.

Chair Woods asked which way the shed roof would go.

Mr. López said it would slope north to south.

Chair Woods asked what the material was.

Mr. López said propanel would be used.

Chair Woods asked what color.

Mr. López said it was currently multicolored. They would want one color, possibly maroon would complement the stucco or maybe tan.

Chair Woods asked if they would have gutters and down spouts.

Mr. López said they had not talked about water catchment. A gutter would be okay or installing some water collection in rain barrels.

Chair Woods said because it was visible he would need to tell the Board what he wanted. The way it was now, he would not get a permit.

Mr. Frost thought if he put a slight hip in the middle, he could keep the roof nicer and still keep the parapets and canales.

Mr. Barrow asked how he would preserve all the adobe while the roof was not there. This was very important because they had a recent case where it was virtually destroyed.

Mr. López said they wanted to do the process as fast as possible. There has been some capping to preventing leakage. He understood they got the cart before the horse.

Mr. Barrow asked if it was properly sealed.

Mr. López said the last time he was there it had a new level of concrete and some tarring.

Mr. Barrow asked if he were the builder.

Mr. López said he was not.

Ms. Shapiro asked if there were any beams in there.

Mr. López said no.

Ms. Shapiro asked if there was any bond beam.

Mr. López said if there was he was not aware of it.

Ms. Rios asked if he discussed a flat roof with his clients.

Mr. López said he told them an exception might not be approved and a flat roof would be imposed. He said they were not happy with that.

Ms. Rios asked about visibility.

Mr. López showed the Board where it would be visible from the neighbors. He said the northwest corner was visible, at least the parapet and drip edge.

Chair Woods asked what the plans were for the gates in front.

Mr. López said they had no discussion about that. He said Mr. Rasch, at the site visit, said they could match the color of the new stucco.

There were no speakers from the public regarding this case.

Chair Woods asked if, in order to maintain a flat roof and have some kind of pitch so the applicant could be assured of draining, they could have 2' 2" and still meet code and if raising it to 14' 2" would work.

Mr. Newman agreed, as Mr. Frost said, that they could modify the insulation in the roof and direct water to the canales without the need for quite as much parapet.

Chair Woods said she was thinking to give them 14' 2" and the roof would not be visible.

Ms. Rios asked about a comparison of cost – what the applicant was proposing compared to flat roof that would be comparable to have same life as propanel,

Chair Woods said it would be more costly to do propanel without vigas. She said it would cost less to do a built-up roof with insulation underneath. She felt it would be the least expensive and would maintain the character of building.

Ms. Rios asked about roof life expectancy.

Chair Woods said it would depend on the installation but one could buy a 20-year guarantee on a built up roof.

She summarized the Board's discussion included an exception for a pitched roof, increase in height, and replace all windows with aluminum sliders in existing openings.

Ms. Shapiro asked the applicant if he would prefer that the Board postpone the case to give him time to think about roof and sliders or to have the Board deny it.

Mr. López said they were anxious to get it covered up.

Chair Woods said the motion would have to specifically state what the applicant would have to do. She said the Board would have to actually vote to approve the case with conditions.

Mr. Frost moved to approve Case #H 07-109 with the following conditions:

- 1. That the roof be redesigned with a slope to fit within the parapet walls and not exposed on the side,**
- 2. To preserve the building in the meantime, that the walls be covered in plastic and draped to protect the house from the elements,**
- 3. That the windows be replaced with a more traditional divided light windows, not aluminum sliders,**
- 4. That the color of the roof (multicolored roof in the rear) be brought back to staff for approval,**
- 5. That the windows be brought to staff for approval.**

Ms. Rios seconded the motion.

Mr. Barrow suggested that the parapet cover and interior drainage, that the applicant be allowed to undertake measures to protect the building and its interior, from elements with a staff follow-up visit for inspection.

Mr. Frost agreed.

Ms. Shapiro requested a condition that the parapets be no higher than 12'. Mr. Frost agreed.

Chair Woods - I believe we should allow them more flexibility.

Ms. Shapiro withdrew.

The motion passed by unanimous voice vote.

7. **Case #H-07-110.** 906 Trail Cross Court. Historic Review District. Hunter Reoman, agent for Marc Bertram, proposes to construct a two-story single-family residence, attached garage, and a freestanding guesthouse at a total of 7,568 sq. ft. to a maximum height of approximately 25'6" where the maximum allowable height was 19'5". Due to sloping site, four additional feet were requested to 23'5" and a height exception was requested for an approximately two additional feet (section 14-5.2 D,9).

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

BACKGROUND & SUMMARY:

"906 Trail Cross Court is a 41,534 square foot vacant lot in the Sun Mountain Estates located in the Historic Review Historic District.

"The applicant proposes to construct a 7,568 square foot single-family residence, attached garage, and free-standing guest house in the Spanish Pueblo Revival style.

"The building will be approximately 25' 6" high where the maximum allowable height is 19' 5". Four additional feet of height may be granted by the Board due to sloping ground along the proposed footprint of 2' or more. An approximately 2' height exception is required beyond the potential 4' of extra height allowable and the exception criteria responses are attached.

"The building will feature stepped massing, divided light windows, exposed headers, and portals with viga posts, carved corbels, and exposed rafters.

"The finishes will be cementitious 'Buckskin' stucco, Artesanos exterior lights as submitted, 'Fruitwood' stain on exposed wood, and Hemlock trim.

STAFF RECOMMENDATION:

"Staff recommends denial of this application unless the Board has a positive finding of fact to grant the exception needed for this project. Otherwise, this application complies with Section 14-5.2 (F) Historic Review Historic District design standards."

Ms. Rios asked Mr. Rasch if this applicant wanted six feet, one inch over the allowable height.

Mr. Rasch said it was approximately six feet.

Present and sworn was Mr. Eric Enfield, 612 Old Santa Fe Trail

Mr. Enfield said he questioned why he was here. He said his clients, Mark and Kathryn Bertram and their three children wanted to build on the last available lot in Sun Mountain Estates. He said they went through the archeological review on June 21st and got approval to build. It was because of Santa Fe Trail tracks on the lot and established an easement. It limited the buildable area to a small corner of the lot to the extreme south and east.

He said that limit required them to go two stories and explained that the covenants allowed 16' above the highest point on the site and underlying zoning allowed them to go to 24' high. At 23' 5" they were below covenants by 1' 6" and 6" below allowable height by zoning.

He said he wished to clarify a couple of statements in the staff report:

First, he said he was only asking for 23' 5" not 25' 5". He said he was not sure where the 25' 5" came from but apparently from measurements after his submission and he was not aware that staff would require him to ask for an exception for two more feet. He said he was asking for exactly what his letter said: 23' 5".

He said the other clarification he wanted to make was that Mr. Rasch listed the square footage at over 7,000 square feet and the heated area was actually 5,300 sq. ft.

He said the reason the Board saw the exceptions listed in his letter was that Mr. Rasch told Mr. Enfield's staff member that they had to address those exceptions "in case the Board required us to address them." He said Mr. Rasch didn't even measure the building or review it until less than a week ago and "as the applicant, I wasn't informed that David had come up with a height calculation of 25' 5" and I would require an exception." He said he was not asking for an exception but asking for 23' 5", which was what was shown on his elevation. He said Mr. Rasch was corrected that he showed the height from the finished floor because he and his client both wanted the house to be 23' 5".

He pointed out that when he reviewed the Code in Section 14-5.2 (F, 1, a and b) it said specifically that a review by staff was all that was required unless it was commercial residential multi-unit, or a public structure, or those structures requiring review under the Height Ordinance. He said this property was not within the height review district and showed the Board a map that showed the boundaries of that area. He explained that the blue area was the area regulated by heights.

He said the Code gave specific boundaries and the southernmost boundary was the crossing of Old Santa Fe Trail to the Arroyo de los Chamisos crossing which was at the curve with the bridge. He said their lot site was outside that boundary. And we were below the height by zoning and that was all he had to live with as far as the height for this building at 23' 5" high.

He handed out copies of the code that he cited [Attached as Exhibit F] and pointed out that the lot was barely even in the Historic Review District, itself.

Mr. Enfield said he didn't mind coming before the Board because it was a nice house and he wanted to let the Board know that his handout addressed his logic on the height limits and showed where the review boundaries were. He said when they came in, Mr. Rasch said he had jurisdiction and Mr. Enfield questioned it and Mr. Rasch said he would have to go to the Board anyway because he said so.

He said that over 33% of houses in the subdivision were two-story and he had a map of the subdivision that highlighted the two-story houses. He said that 28 or 30 out of 80 were two-story houses.

Mr. Enfield asked the Board if it had ever actually reviewed a house in this subdivision. He said he thought they could not answer yes. "Maybe Cecilia could help a little bit on the history, but I don't think a house has ever been reviewed in this subdivision by the Styles."

He said this lot was 70 feet below Old Santa Fe Trail in an arroyo and the visibility from Old Santa Fe Trail would be zero. He added that it was also the lowest point in the subdivision and in the topography of the subdivision, this house was 100' below the highest portion of that subdivision. He said the visibility by a lot of adjacent houses was minimized by how it was and how close to the arroyo it was.

He added that the northwest corner of the garage was what was in the Review District and that was just basically projecting the line from the City maps across their site.

Mr. Enfield said they were complying with all setbacks and zoning and went before the Archeological Review Committee. Mr. Bertram spoke with the neighbors in the cul de sac and knew some of them personally. He didn't believe there were any objections.

Mr. Rasch said he thought one member in the audience would be speaking.

Mr. Enfield said he had highlighted the Old Santa Fe Trail easement and the two-

story master suite on his plan and would present what he proposed to do.

Chair Woods said she would like Mr. Rasch to respond at this point because there were two different height measurements and she wanted to get that straight first.

Mr. Rasch said the major difference was that this Board did not measure from finished floor but from shown grade. He said the plans showed that finished floor was a foot or more above grade in some areas. The height request started at zero at finished floor and went up to the height the applicant wanted but the staff read the height on the exterior from grade.

Mr. Enfield said the top of the building would be 23' 5" above natural grade.

Chair Woods said she understood what he said but if he did something else and that was what was before the Board, they needed to clarify it.

Mr. Enfield said that was fine.

Mr. Rasch pointed out on the drawing that finished floor was clearly above grade and at finished floor it said "zero, zero" and top of parapet was the height requested by the applicant so they were neglecting to add the excess height below finished grade.

Chair Woods asked what Mr. Rasch said the height was.

Mr. Rasch said the grade went far below the finished floor. He said he measured 25' 6" approximately.

Mr. Enfield said the house would not be higher than 23' 5" from finished grade and that was their intent. He said there was a tick mark on the finished floor that Mr. Rasch expected meant that.

Chair Woods said okay but asked what they were doing with the grade because it was going down. She asked if he was just shoveling dirt against it or creating retaining walls or something else.

Mr. Enfield said what Mr. Rasch was measuring was from the guesthouse finished floor which at a 117 mark and the top of the parapet would be at 139. He said that was 22½' if measured on that façade.

Chair Woods asked Mr. Rasch what the floor levels were.

Mr. Enfield said there were two floor levels: 117 at the guesthouse which was the façade Mr. Rasch pointed out at the top right corner...

Chair Woods asked Mr. Enfield what the finished first floor level was under the second story.

Mr. Enfield said it was 116.

Chair Woods asked what existing grade was outside of there.

Mr. Enfield said it was 7115 on the site plan and referred them to sheet - C1.

Chair Woods concluded that the finished floor was a foot above existing grade.

Mr. Enfield agreed.

Chair Woods asked what he was going to do with that extra foot or if he was counting from existing grade.

Mr. Enfield said he was counting from existing grade to the top of the parapet would be 23' 5". He said he was not asking for an exception. He said it stated it clearly in his letter that he was not asking for an exception.

Chair Woods said Mr. Rasch does a lot of measuring so obviously something in the drawings was not clear. She said the Board could do conditional approval and if there was a conflict, there could not be one on the plan.

Mr. Enfield said Mr. Rasch put a ruler on it when they hadn't graded the site yet.

Chair Woods asked Mr. Enfield to stop bashing staff and said if he continued doing it she would throw him out of here and she was not kidding.

Mr. Enfield said okay. He said he was surprised today to hear he needed an exception and as the applicant, Mr. Rasch should have informed him.

Chair Woods said this should stop now or the hearing on this case would end even though it was not fair to the applicant. "One more time and I'm going to throw you out."

Chair Woods said now there was a perceived conflict in the application of two feet and the applicant said his height would not exceed 23' 5". She asked staff, if it did not

exceed 23' 5", would he still need to come to the Board.

Mr. Rasch said that was the issue they needed to clarify, with the handout, about the review. He said there were two things to look at: 1) where the map crossed the arroyo and 2) this very convoluted statement: "Authority shall also apply to all properties accessed from public rights of way that are located east of the western boundary of the district and north of the southern boundary of the district to the intersection of Camino Corrales and Fort Union Drive."

He said it was the exact same issue that came up with the Wilderness Arroyo case, where, upon examining it, they realized it was out of the height authority. He clarified that Camino Corrales and Fort Union were northwest of this location.

Chair Woods said they were not even close to this location.

Mr. Rasch said this was in the far southern boundary of the review district, right on the border. He thought it sounded like it was in this authority but it was a very convoluted statement.

Chair Woods said she had never reviewed anything in this area so she needed to understand if his height complied with historic review, did the Board need to look at it or was it staff-approved.

Mr. Rasch said the practice in this district was, if you exceed the maximum allowable height it would need Board review and they had practiced in the past not considering specific street address locations. He said if the Board recalled, especially Cecilia, never reviewing cases in this area, then he would uphold that decision.

Chair Woods asked if 23' 5" was within the requirements of the Historic Review District.

Mr. Rasch replied that it would then come to the Board's authority to grant four feet which staff could not do.

Chair Woods asked what the maximum allowable height in the Historic Review District.

Mr. Rasch said that for this site it was 19' 5". He said that height came from calculation on page 3. He said since it was a cul de sac, it was a short streetscape, basically all the surrounding buildings averaged, plus two feet. He said there were nine buildings in the measurement area ranging from 13' to 21' and it gave the average of 19'

5". He said staff could not grant four feet, it required a Board approval.

Chair Woods asked for clarification. She said the streetscape applied in Historic Review District; there was not a maximum height in Historic Review District.

Mr. Rasch said it was still streetscape calculation.

Mr. Enfield said what Mr. Rasch was addressing was the Board's ability to regulate heights of buildings within historic districts and that was specific to the area in blue on the map. He said what Mr. Rasch was not addressing was that the underlying zoning allowed him to go 24', which meant if he didn't exceed the 24', then it was not required. He said the height calculation only came into play if the applicant was required to be part of the height calculation historic district "which is what we are not in." He repeated that they were allowed 24' by underlying zoning.

He showed the map to the Board.

Mr. Rasch said he did not have that map at all.

Mr. Barrow suggested that they could place conditions upon an approval that would require the applicant to stay within the 23' 5" and then it would be irrelevant whether it was in the district or not.

Chair Woods said she was trying to decide if they needed to hear it or not.

Mr. Barrow said they should move forward and address that issue at some other time.

Mr. Enfield continued his statement on the design of the house. He said he had highlighted the easement on the plan and created a classic U shaped Pueblo design with an entry court, extensive portals, a roof deck, and a zaguan connection with the guesthouse. He explained it was a free-standing guesthouse but was connected to the main house with a portal. He said in the southwest corner, they created a garden area surrounded by walls and they would vary in height from 4' to 5' 6" tall.

He said the Pueblo style house would have extensive wood beams and exposed viga ends at selected areas as shown on the elevations. He said their hope was that Mark and family and the Board could agree that this home would provide a nice addition to the neighborhood and that his family could all live there.

Mr. Newman said in looking at the drawings and his testimony showed clearly that

his 23' 5" was measured from finished floor.

Mr. Enfield agreed he said that but his letter said the maximum height they were proposing was 23' 5".

Mr. Newman said that was not what was on the drawings.

Mr. Enfield said he understood that. He agreed it was shown as a tick mark on the finished floor.

Ms. Rios asked what the heights of the first floor were.

Mr. Enfield said the ceiling heights varied from 12' to 9' viga bearing; 9' in the bedrooms and 12' in the living room.

Ms. Rios asked about exterior heights.

Mr. Enfield said exterior parapet heights were 12' 6" at the kitchen, 15' 6" at living room, and the guest suite parapets were at 13' 6". The garage was 12' 6".

Mr. Frost asked where he got the allowance of 24'.

Mr. Enfield said that RM-1 zoning allowed 24'.

Mr. Barrow asked if it was possible to have a process where it would be conditional on construction drawings.

Mr. Rasch said they normally did that.

There were no speakers from the public regarding this case.

Ms. Rios clarified that conditional approval was binding.

Chair Woods suggested a motion on height from existing grade. There seems to be a conflict with the map and the affidavit so she suggested they err on the side of the map.

Mr. Rasch said it was existing or finished grade, whichever was more restrictive.

Chair Woods said they could do that.

Ms. Walker said it was not in the Board's purview to look into covenants but they

knew that covenants had been met and appreciated that statement from Mr. Enfield.

Mr. Enfield showed the calculations showing that his project met the covenants.

Mr. Barrow moved that Case #H 07-110 be approved as the applicant has submitted and stating that there would be no need for an exception on the condition that the finished height for the parapet from existing grade not exceed the dimension of 23' 5". Ms. Walker seconded the motion and it passed by unanimous voice vote.

8. **Case H-07-115.** 1677 Cerro Gordo. Downtown & Eastside Historic District. Mary Ray Cate, owner/agent, proposes to install photovoltaic panels on the 1st story roof of a non-contributing residence, to construct a 120 sq. ft. addition on a non-contributing guesthouse to match adjacent height approximately, and to construct a 704 sq. ft. garage/studio to a maximum height of 20' where the maximum allowable height was 16'. Four additional feet of height were requested due to sloping ground. An exception was requested to reuse non-compliant windows in the guesthouse addition that were larger than 30" (Section 14-5.2 E,1,C).

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

BACKGROUND AND SUMMARY:

"1677 Cerro Gordo Road is a single-family residence that was constructed in 1980 in the Spanish Pueblo Revival style. A free-standing guesthouse was constructed in 1986. The buildings are located in the Shayakin subdivision and they are listed as non-contributing to the Downtown and Eastside Historic District.

"The applicant proposes to remodel the property with the following four items.

1. "Photovoltaic panels will be installed on the first floor roof of the two-story residential building. A publicly visible solar collector for hot water is installed on the highest roof. The proposed collectors may be publicly visible from isolated locations along Cerro Gordo road and the Board should examine this during the site visit field trip.
2. "A 120 square foot addition will be constructed on the south elevation of the guesthouse. An existing non-compliant window will be reused. An exception is requested to have windows that are larger than 30" in the diagonal (Section 14-5.2 #, 1, c and the required criteria responses are attached.

3. "A 704 square foot free-standing garage and studio will be constructed in the Spanish-Pueblo Revival style to a height of 20' where the maximum allowable height is 16'. Due to slope along the building footprint, four additional feet of height is requested.

"The building will feature deeply recessed windows and doors and a torreon element at the studio.

4. "In order to access the new garage, a section of coyote fence will be removed and reconstructed at the torreon.

STAFF RECOMMENDATION:

"Staff recommends denial of the exception requested unless the Board has a positive finding of fact to grant the exception needed for this project. The Board should confirm any potential public visibility of the solar collectors. Otherwise, this application complies with Section 14-5.2 (E) Downtown & Eastside Historic District design standards."

Ms. Rios asked if the window proposed to be reused was not publicly visible.

Mr. Rasch said it would just move out on the addition.

Ms. Rios noted that torreones were not addressed in the ordinance.

Mr. Rasch said they were not common in Spanish Pueblo Revival style in this region. He said he could not think of an existing one.

Present and sworn was Ms. Mary Ray Cate, 1677 Cerro Gordo.

Chair Woods asked who was doing the solar

Ms. Cate said it was Positive Energy. She said the drawings show them sticking up very high. She said she had Randy come out and they moved the mock ups around. There were three heights. On the highest of the three on the drawing, there were four panels. She said they would use one panel horizontally, move the others back and on lowest level have three in the front and two in the back. To make it worthwhile, it was a \$20,000 investment that they wanted to do for Mother Earth. The panel had to be high enough to get solar gain and they could not have them flat.

Chair Woods asked if the mock up there was what she was requesting.

Ms. Cate said it was. She explained that if the parapet were raised, it would create a shadow and decrease the efficiency.

Mr. Frost said the photo shown was taken today from Canyon Road and showed that in fully leafed times, the one panel on top was clearly visible. At this point, unless those trees could grow three or four feet quickly, they would still see the mock-ups.

Chair Woods asked if she had considered doing them on the ground.

Ms. Cate said she had. She talked with neighbors and they all approved the idea. She explained that all those trees around her house were evergreens. They would not lose their leaves and there was no place on the ground for the panels.

Chair Woods said the Board was concerned about the precedent it would set. She felt the applicant could raise the parapet walls on the east and it would block most of the site.

Ms. Cate said the sun comes up in east and sets in west so the longest shadows would come from the east parapet.

Chair Woods said that somehow they had to work together so it wouldn't be this visible element in the historic district.

Ms. Shapiro asked how deep the roof was and if she had thought about pushing them back against the second story wall.

Ms. Cate pointed out where they were pushed back. She explained how she tried to rearrange them for least visibility.

Chair Woods suggested they could look at the torreón and postpone the solar to have the solar guy present. Just postpone that part of it so they could work together on it.

Ms. Cate said she didn't want to wait too long because the federal tax credit would expire at the end of 2007.

Ms. Rios asked her why she wanted a torreón.

Ms. Cate said she loved the torreón at Golondrinas. She said her husband was very fond of round spaces and noted that her living room was hexagonal. She commented

that a house up from her had two round spaces.

Ms. Rios agreed but said those were just rounded elements, not torreones.

Ms. Cate agreed.

Mr. Newman thought one solution would be to reduce the height to 16' where it was now 20'.

Ms. Cate said Tim Curry could address that.

Mr. Rasch briefly explained how the height restriction applied.

Present and sworn was Mr. Tim Curry, 608 Ridgepoint Lane, who said they did a lot of study on the site and looked at the grade extensively. He said they dropped the ceilings in the torreón to 8' on the first level and 7' on the second and stepped it down. He pointed out that drainage would be a problem to step it any further. He believed they were in compliance with height restrictions.

Ms. Shapiro asked if they would have any rooftop appurtenances on this.

Mr. Curry said they would have a skylight at very top and it would not be visible because of the parapet. He said the parapet was 14" and skylight was low profile.

Mr. Frost asked if they had a solar collector on that roof.

Mr. Curry said they did not.

Mr. Barrow asked if this torreón feature was anything the applicant had seen on any other pueblo style building in Santa Fe.

Mr. Curry said he could not recall one in the City.

Mr. Rasch said there was one on El Caminito

Ms. Rios said there was one also on Tony Street and they were both Pueblo Revival.

Ms. Walker said the Caminito house was one fat big torreón.

Chair Woods felt they had enough information to move on and agreed Santa Fe was not loaded with torreones.

Mr. Barrow said that a true torreón would not have all of this fenestration.

Mr. Curry agreed that was true but said they were trying to do solar with the windows. This area was heavily treed. He thought they had a beautiful building that would be surrounded by trees. Piñon trees 16' high surrounding this structure and he thought it would be compatible with architecture in this area.

There were no speakers from the public regarding this case.

Chair Woods summarized the discussion.

Mr. Newman asked if there was an addition planned for the guesthouse that was not Mr. Curry's design.

Mr. Curry said that was correct.

Mr. Newman said the guesthouse shown on page 15 left him cold.

Ms. Cate said she designed the house and had a draftsman do the drawing. She did all the drawings for the house and the guesthouse. She explained that they were in the escarpment overlay district as well as historic and the plan didn't look as nice as she wanted.

She said she just wanted to extend the roof to the south so it could have a kitchen area. It was a source of income and she had a hard time renting it. She noted the west elevation came up to the front door and she didn't want a window there where someone at the front door would look right into the kitchen.

Ms. Cate added that the escarpment required a 2% or less slope.

Mr. Newman said he understood. He asked if the wall material would match existing. Ms. Cate agreed.

Mr. Newman moved to approve Case #H 07-115 with the following conditions:

- 1. That the portion dealing with solar panels be postponed to next meeting**
- 2. That the guesthouse addition and studio be approved as submitted.**

Ms. Shapiro requested another condition:

- 3. That a low profile skylight be used on the torreón. Mr. Newman agreed.**

Mr. Barrow asked about the exception that was requested.

Mr. Newman amended his motion to include that the non-compliant window exception be denied with a finding of fact that criterion #2 response was an economic argument and did not meet the criterion requirement, Section 14-5.2 C, 5, c.

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

Ms Cate asked if that meant she had to submit a different window plan.

Chair Woods said it did.

9. **Case #H-07-111.** 1347 Canyon Road. Downtown & Eastside Historic District. Barbara Cleaver, agent/owner, proposes to construct a 6' coyote fence where the maximum allowable height was 7'10" on a non-contributing property.

Mr. Rasch stated that a member of the audience has requested a verbatim transcript of this case but he had not received permission from the City Clerk to have it so transcribed. He explained that the City Clerk's policy was that the City no longer provided verbatim transcripts but a member of the community could request it and pay for it themselves. He said the City could provide a copy of the tape rather than a verbatim transcript.

Present and sworn was Mr. Sagmaia Dandi, 1492 Upper Canyon Road, who said he had petitioned the City Manager... Most of these people were members of the Santa Fe Neighborhood Association, the Canyon Road Association. He said he sought clarification from the City Attorney of what the legal status of a neighborhood association was.

Chair Woods asked him if he wanted to pay for a transcript or not.

Mr. Dandi said he didn't know how much it was going to be and that he was a pauper.

He agreed to accept a copy of the tape.

Mr. Dandi thanked him and asked for the staff report.

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

BACKGROUND AND SUMMARY:

"The single-family residence located at 1347 Canyon Road was constructed in 1999 and is listed as Non-Contributing to the Downtown and Eastside Historic District. The owner of the residence was issued a notice of violation by the historic inspector in the spring of 2007 for a coyote fence that was constructed without a building permit or approval by the Historic Design Review Board. This application proposes the following:

"Construct a coyote fence to a height of 6' where the maximum allowable height is 7' 10" (as calculated by a streetscape wall height calculation; zoning will not allow over 6' without a variance). The coyote fence, which has irregular latilla tops, will run along the south property line along Canyon Road.

STAFF RECOMMENDATIONS:

"Staff recommends approval of this application as it complies with Section 14-5.2 (D) General Design Standards for All H-Districts and Section 14-5.2 (E) Downtown and Eastside Historic District Design Standards."

She mentioned handouts from neighbors who could not be present [Attached as Exhibit G].

Chair Woods asked if the coyote fence met the requirements of the Historic Ordinance.

Ms. Barrett said it did.

Present and sworn was Ms. Barbara Cleaver, 1347 Canyon Road, who said she was embarrassed that she had never been here before and didn't come here for the original application for the house which was unanimously approved. She said her husband built the fence and was not here. She said he thought he had approval and repeated that she was embarrassed being here. She said she was not any longer a member of the Canyon Road Association and was for a very long time. She said she felt very harassed by this person.

Chair Woods didn't allow a comment she made into the record, saying that was hearsay.

Ms. Cleaver said she didn't know what to say.

Chair Woods said all she needed to do was just address her fence and that was all

anyone was going to do tonight, to just address her fence and what the Board had jurisdiction over.

Ms. Cleaver said her husband built the fence and if it was over six feet at any place, she would be happy to cut it down to six feet. She said she wanted to make it more irregular but they got a stop work notice so she couldn't do that. She said where it was located was dictated by embankment.

She explained that along that side of Canyon Road was a steep drop off and she was currently building a stone retaining wall behind there. She said the traffic had increased incredibly along Canyon and it was starting to loosen that steep embankment and the recent flash flood did more damage.

She showed photographs of the back of the fence and the retaining wall. She said it was where it was because it had to be and that was why all the fences were where they were because it was very steep there. She said they had traffic issues and would rather have an adobe wall and said she might present to the Board at some time but could not afford it.

She said they all needed some protection from the traffic. She said they were on the downhill slope of a straightaway and the traffic sometimes reached 60 mph and they could confirm that with Leroy Pacheco, the traffic engineer. She added that they were all letting their Elms grow up, even though they didn't like them and they were unattractive but they offered some protection. She said she was afraid of having a car in her living room.

Ms. Cleaver said security was a concern because there had been several burglaries in the neighborhood on both sides of the canyon. She said again that she was embarrassed that she was here and that it was not permitted before but she did know that her husband thought it was improved in the original permit.

Chair Woods said that was okay and the Board was not as bad as it seemed.

Ms. Cleaver said she brought pictures of the streetscape if anyone wished to see it.

Ms. Rios asked her if she would secure the fence and were willing to have irregular latilla tops.

Ms. Cleaver said she thought it should be more irregular.

Mr. Frost agreed.

Ms. Cleaver said she would be happy to do that and thought it should be.

PUBLIC COMMENT

Chair Woods invited Mr. Dandi to speak from the podium and to give testimony only that was specific to the ordinance and to the fence.

Mr. Dandi (previously sworn) said he was informed by city staff that he could ask questions.

Chair Woods explained that he could not ask the applicant questions directly but only through the Chair.

Mr. Dandi asked if he could ask the questions now or after he spoke.

Chair Woods said she would give him five minutes to speak.

Mr. Dandi said he wanted to know if she was aware of the acequia running between her fence and her house.

Chair Woods asked him if there was anything else he wanted to say or ask.

Mr. Dandi said that was it.

Chair Woods said she would ask the applicant that and thanked him. She asked Ms. Cleaver to come forward and asked him to answer the question.

Ms. Cleaver said there was no longer an acequia and when they asked for permission to build a house and came before the Historic Board, Phil Bové, of the Acequia Madre Association asked that they push the house back five feet to spare that site. She said the acequia was gone and had been built over to the north and south of them but they agreed to do that because it seemed important to him and it was not that big of an issue for them.

She said the acequia would never be revived although she wished it could be and if it could, she would be in the forefront of trying to restore that acequia. She said, "Yes. I am aware of it."

Chair Woods thanked her.

Ms. Rios asked if the fence would not impede what was the acequia.

Ms. Cleaver agreed. She said the fence was up on the embankment along the road. The acequia was down below along the side of the house because that was where they had to push it back. It was in the flat place next to the house and not on the embankment.

She said Mr. Bové could tell them exactly where it was and added that they moved the house to comply with his request.

Present and sworn was Ms. Patricia J. Feather 1345 Canyon Road, her next door neighbor for 40 years there. She said she knew the fence was needed there. She said she had trees in front of her house to prevent cars from rolling into her house. She related that before that fence was built, a car came around the curve and fell down the embankment and two children in the car were killed (in 1966). Another time a city truck left unattended, lost its brake, rolled across the road and only stopped by a barbed wire fence or it would have rolled into their house.

She said her own house was right on the road and people were always looking in the windows. She said one day she and her husband were getting ready to leave and a person whose car had an out-of-state license, was shooting pictures with a tripod and a camera into their house. She said she would like to have a fence but had trees.

Mr. Dandi returned to speak again. He said he was a lobbyist for bicyclists and pedestrians and some members here knew him from previous encounters.

He said, "What we have done is created a death trap for bicycles and pedestrians up on Canyon Road. Ms. Feather, who just spoke, has an area where you can jump off the road. You have heard the testimony about how bad the traffic is." He said he had a petition in the City Manager's office regarding this but one of the people who signed the applicant's petition was her son and both addresses were 1347.

He said the Board heard Ms. Feather talk about a barbed wire fence. He said the older manor house had barbed wire in front of it and Ms. Cleaver constructed a coyote fence in front of that 1347 in addition to constructing the one that had been red-tagged.

He suggested they might ask staff because he was told by a staff member that all the coyote fences at 1347 had been red tagged. He added that, as a former member of the Canyon Association, Ms. Cleaver had constructed skylights on her own shed.

Chair Woods asked Mr. Dandi to keep his comments to the fence which was the

only thing before the Board now.

Mr. Dandi said he had submitted to the Board the City regulations regarding driveway connections...

Chair Woods said the Board didn't have jurisdiction over that either. She thanked Mr. Dandi for submitting it but clarified that the Board could not rule on that issue.

Mr. Dandi requested that if the Board approved the project, that they refer it to Traffic.

Chair Woods said that would be up to him, not the Board.

Present and sworn was Mr. Olivo Dalagiacoma, 209 Edith Street NE, Albuquerque. He said if it were his house he would certainly build a fence like that before a car came crashing in. He said he used to live at 101 Don Juan in Santa Fe and a car did crash into his property and he had a good fence and the driver almost came into his building. He said he built a wall to protect the house and it never happened again. So he thought it was pretty obvious that in this situation that a fence was a good idea.

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

Mr. Frost moved to approve Case #H 07-111 per staff recommendations and the condition that the applicant vary the height of the coyote fence to give it a more natural look. Ms. Walker seconded the motion and it passed by unanimous voice vote.

10. **Case #H-07-87.** 226 N. Guadalupe. Westside-Guadalupe Historic District. Olivo Dalagiacoma, agent/ owner, proposes to remove a wood plank fence and replace it with a metal fence to 84" high where the maximum allowable height was 41", replace non-primary windows, and restucco a contributing building. A height exception was requested to exceed the maximum allowable height (Section 14-5.2 D,9).

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

BACKGROUND AND SUMMARY:

"226 North Guadalupe Street was a single-family residential building that was constructed before 1936 in a vernacular manner. According to the 1985 Historic Cultural

Property Inventory, the building had a brocaded-texture stucco and was still in residential use. By 1996, the building had converted to commercial use and had lost its textured stucco. The building is listed as contributing to the Westside-Guadalupe Historic District. The north elevation is considered to be primary.

"At and recent data Windows on the side elevations near the rear of the building and the six light would casement Windows on the South elevation had been replaced. A cedar picket fence enclosing the front courtyard was removed and an iron fence was being installed when a stop work order was issued for building without approval or a permit.

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

1. "Remove a six-foot high cedar picket fence and replace it with an iron fence from 60 inches to 84 inches high where the maximum allowable height of for the streetscape is 41 inches and decide is 96 inches. The fence will be painted sage green and it will feature scattered decorative panels and finials along with an arched bi-leaf 8 foot wide pedestrian gate. A height exception is requested to exceed the streetscape maximum height ((Section 14-5.2 D., nine) and the required criteria responses are attached.
2. "Remove windows at the rear of the building and replace them with single pane windows that do not mimic the historic Windows and may have been installed into altered opening dimensions.
3. "Restucco the building with a light beige color in a synthetic material.

STAFF RECOMMENDATIONS:

"Staff recommends denial of this application unless the board has a positive finding of fact to approve the exception request needed for this project. Otherwise, this application complies with Sections 14-5.2 (C) Regulation of Contributing Structures and (I) Westside-Guadalupe Historic District design standards.

Present and previously sworn was Mr. Olivo Dalagiacoma.

Ms. Walker asked for clarification on the height of the metal fence because it said it was 84" high and the drawing showed 5 feet.

Mr. Rasch clarified that the 84" pertained to the arched gate and the rest was 5 feet. He said the maximum allowable height was 41" and reminded the Board they had 20%

discretion on its height.

Chair Woods said that would be 49".

Mr. Dalagiacoma said there were three items here. He said he was confused about the windows. He thought he was asking to approve the existing windows.

Mr. Rasch said that was correct.

Mr. Dalagiacoma said when he purchased it in 1999, he contacted a local contractor to put in the fence and asked him if it needed a permit and he said he didn't think so because it was decorative. So he took down the fence and the work was red tagged.

He said he was now asking for the fence and said the property also needed stucco very badly. He noted that it had a palm tree painted on the front.

Chair Woods asked if he put in the windows in the back.

Mr. Dalagiacoma said he did not, that they were there when he purchased it in 1999.

Chair Woods said her office was on Catron nearby and she had a hard time with the big arched gate. She said she would like to see it go straight across.

Mr. Dalagiacoma said he thought the arch would give it some interest.

Chair Woods agreed that it was interesting.

Mr. Dalagiacoma asked if the fence could be higher on the side.

Mr. Rasch said it could be six feet high but not at the front of the property.

Mr. Dalagiacoma said he wanted the side fence to step down on the sides from 7' to 5'. He pointed it out on the site plan.

Mr. Rasch said that with commercial properties the side fences could go up to 8' off the streetscape.

Mr. Frost asked what was shown on the top of the fence.

Mr. Dalagiacoma said those were spikes. He referred the Board to page 19.

Mr. Frost said what was shown there were fleur de lis.

Ms. Walker asked who was the contractor was because she wanted to stay away from him.

Chair Woods said it was not appropriate to say that.

Ms. Rios noted that this building was a contributing building so it should be stuccoed in the same form, which was cementitious not artificial.

Ms. Shapiro said the texture should also be kept. She said it looked like skip trowel in back.

Mr. Rasch said it was sand finish in front.

Mr. Dalagiacoma said he did ask his neighbors for support and several neighbors did write letters on his behalf, including Mary Corley (Antiques).

Mr. Barrow said the design of this fence had to be considered in relation to the streetscape and all of the exhibits showed completely different kinds of fences. He asked what the precedence of any kind of fence on this streetscape was and also what was the precedence of a curly cue design in Santa Fe.

Mr. Rasch said the curlicue was most typical of 1970s wrought iron. Along Guadalupe he didn't recall any fences but there were a few walls.

Chair Woods noted there was an iron fence around part of Mary Corley's and it was a simple fence about seven feet high.

Mr. Frost thought the house looks better exposed. He felt it would be better to allow the contributing structure to be visible with maybe some pieces in the yard but not so much furniture.

Mr. Newman said he would propose the fence should match the design of Exhibit C in upper left hand corner on page 19 and be black.

Chair Woods cautioned the applicant to not interrupt and only speak when she asked him to speak.

PUBLIC COMMENT

Present and sworn was Mr. Charles Gonzales. 839 Paseo de Peralta who apologized for taking things down illegally. The reason for the fence was that they had expensive things in the store. There were a lot of homeless people there and they needed to protect items in the store having had to replace a window already. He felt black was fine but would like to have it at least five feet tall.

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

Mr. Newman moved to approve Case #H 07-87 with the following conditions:

- 1. That the new fence in design be similar in simplicity to the photo shown on the upper left hand corner of page 19 but the actual drawing to come to staff;**
- 2. That the height be 49 " along the street and height on the side be per applicant's request,**
- 3. That the gate be 49" inches high and black in color,**
- 4. That replacement of windows be approved,**
- 5. That the building be restuccoed with cementitious stucco and color be light beige with actual sample submitted by staff.**

Ms. Walker seconded the motion.

Mr. Frost asked for another condition,

- 6. That any change in window trim color be brought to staff. Mr. Newman agreed.**

The motion passed by unanimous voice vote.

MATTERS FROM THE BOARD

None.

ADJOURNMENT

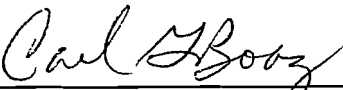
Ms. Walker moved to adjourn the meeting. Ms. Shapiro seconded the motion and it passed by unanimous voice vote.

Having completed the agenda and with no further business to come before the Board, the meeting was adjourned at approximately 11:00 p.m.

Approved by:

Ms. Chair Woods, Chair

Submitted by:



Carl Boaz, Stenographer