



Agenda

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SERVED BY Amy Quynn
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HISTORIC DESIGN REVIEW BOARD FIELD TRIP

TUESDAY, JANUARY 8, 2008 – 12:00 NOON

HISTORIC PRESERVATION DIVISION, 2ND FLOOR CITY HALL

HISTORIC DESIGN REVIEW BOARD MEETING

TUESDAY, JANUARY 8, 2008 – 5:30 PM

CITY COUNCIL CHAMBERS

A. CALL TO ORDER

B. ROLL CALL

C. APPROVAL OF AGENDA

D. APPROVAL OF MINUTES

November 27, 2007

E. COMMUNICATIONS

F. BUSINESS FROM THE FLOOR

G. ADMINISTRATIVE MATTERS

1. Case #H-08-010. Amending an Ordinance creating a new section 14-6.2 F SFCC 1987 establishing requirements regarding electric facilities and making other such changes as are necessary.

J. OLD BUSINESS

1. Case #H-06-034 B. 120 Kerney. Downtown & Eastside Historic District. CDT Development, LLC, agent for Gimo Graziano, proposes to construct a yardwall and a pedestrian gate to a height of 5' where the maximum allowable height is 4'11" on a Contributing property. (Marissa Barrett)
2. Case #H-07-120. 1008 Canyon Road. Downtown & Eastside. Christopher Purvis, agent for Rob and Janet Tenory, proposes to amend the previous HDRB approval to construct an approximately 575 sq. ft. addition to a height of 11'6" and to increase the existing height from 11' to 13'6" where the maximum allowable height is 14'6" on a non-contributing building. (Marissa Barrett)
3. Case #H-07-084. 417-419 E. Palace. Downtown & Eastside Historic District. Christopher Purvis, agent for Tommy Gardner and Darlene Streit, proposes to install three signs on a significant property, one 7.5" x 96" sign on the front portal beam and two 27" x 72" yardwall-mounted signs. An exception is requested to install signage on a yardwall (Section 14-8, H, 4, a). (David Rasch)

4. Case #H-07-123. 515 + 519 Cerrillos Road. Historic Transition District. Martinez Architecture Studio, agent for WIV Co, proposes to remodel a contributing building by restoring the front primary elevation and constructing a 4,480 sq. ft. addition and to remodel a non-contributing building by removing approximately 1,891 sq. ft. and constructing a 1,613 sq. ft. addition and constructing a 4,284 sq. ft. building to a height of approximately 36' where the maximum allowable height is 15'6" and to construct screening for rooftop installed solar panels at a maximum height of 29' where the maximum allowable height is 16'5". Height exceptions are requested (Section 14-5.2 D,9). (David Rasch)

J. NEW BUSINESS

1. Case #H-08-002. 463 Calle La Paz. Downtown & Eastside Historic District. Sandra Kiger, agent for Michael and Patricia French, proposes to construct an approximately 465 sq. ft. addition to the existing height and alter windows on a non-contributing building. (Marissa Barrett)
2. Case #H-08-003. 1020 Camino San Anacio. Downtown & Eastside Historic District. Martinez Architecture Studio, agent for Sarah Nolan, proposes to construct a 15' wide x 5' high vehicle gate and a stuccoed retaining wall at a maximum of 1'6" above highest grade on a contributing property. (David Rasch)
3. Case #H-07-025. 717 Acequia Madre. Downtown & Eastside Historic District. Staff proposes to rescind the previous HDRB approval. (Marissa Barrett)
4. Case #H-07-026. 719 Acequia Madre. Downtown & Eastside Historic District. Staff proposes to rescind the previous HDRB approval. (Marissa Barrett)
5. Case #H-08-004. 717& 719 Acequia Madre. Downtown & Eastside Historic District. Spears Architects, agent for Richard and Elizabeth Schnieder, proposes to construct an approximately 6,114 sq. ft. single family residence and attached garage and guesthouse to the maximum allowable height of 14'11" and a yardwall to the maximum allowable height of 5'1" on two vacant lots. (Marissa Barrett)
6. Case #08-008. 610&612 Miller and 431 Camino de las Animas. Downtown & Eastside Historic District. Richard Martinez, agent for Balser, proposes to remodel three-non-contributing properties, consisting of 10,348 sq. ft. in three residences and one studio with 2,953 sq. ft. of additions and alteration of yardwalls which will match existing heights. A 1,689 sq. ft. garage-portal will be constructed to a height of 12'6" where the maximum allowable height is 15'6". (David Rasch)
7. Case #H-08-009. 311 Staab St. Downtown & Eastside Historic District. Victoria Rogers, agent/owner, proposes to remodel a contributing garage by removing non-historic vehicle and pedestrian doors and replacing them with doors and windows in existing openings. (David Rasch)
8. Case #H-08-001. 115 Calle La Pena. Downtown & Eastside Historic District. Jerry Martin, agent/owner, proposes to enclose an approximately 169 sq. ft. portal and construct an approximately 74 sq. ft. addition on a non-contributing building. An exception is requested to exceed to 30" window rule (Section 14-5.2 E, c). (Marissa Barrett)
9. Case #H-08-007. 50 E. San Francisco St. Downtown & Eastside Historic District. Architectural Alliance, agent for Romero Rose Co, proposes to remodel store front windows and doors on a non-contributing building. An exception is requested to exceed the 30" glazing rule (Section 14-5.2 E, 1, c). (David Rasch)

K. MATTERS FROM THE BOARD

M. ADJOURNMENT

For more information regarding cases on this agenda, please call the Historic Preservation 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 January 8, 2008 Historic Design Review Board Field Trip, please notify the Historic Preservation by 9:00 am on Tuesday, January 8, 2008 so that transportation can be arranged.

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CITY OF SANTA FE
HISTORIC DESIGN REVIEW BOARD

Santa Fe, New Mexico
January 8, 2008

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MINUTES OF THE
CITY OF SANTA FE
HISTORIC DESIGN REVIEW BOARD

TUESDAY, JANUARY 8, 2008

A. CALL TO ORDER

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

B. ROLL CALL

Roll Call indicated the presence of a quorum as follows:

MEMBERS PRESENT:

Ms Sharon Woods, Chair
Mr. Jake Barrow
Mr. Robert Frost
Ms. Cecilia Rios
Ms. Deborah Shapiro

MEMBERS ABSENT:

Ms. Karen Walker
One Vacancy

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.

C. APPROVAL OF AGENDA

Ms. Rios moved to approve the Agenda as amended with no minutes considered. Mr. Frost seconded the motion and it passed by unanimous voice vote.

D. APPROVAL OF MINUTES

November 27, 2007

The minutes were not considered because they were not in the packet.

E. COMMUNICATIONS

Mr. Rasch announced that several holidays had kicked the Board off Tuesday so there was only one meeting in January, February, May, and November.

Chair Woods encouraged the Board to contact the County to go over and see the new drawings for the courthouse. She asked when the public hearing was to be for quorum notice.

Mr. Rasch said he would take care of the quorum notice.

F. BUSINESS FROM THE FLOOR

None.

G. ADMINISTRATIVE MATTERS

1. **Case #H-08-010.** Amending an Ordinance creating a new section 14-6.2 F SFCC 1987 establishing requirements regarding electric facilities and making other such changes as are necessary.

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

"On June 12, 2007, the HDRB approved conditions that direct the Historic Preservation Division staff to approve walls surrounding PNM stations within the historic districts. Now, the HDRB is being asked to take action on other structures related to use of electrical power such as transmission and distribution poles and ground-mounted transformers.

"Of the several types of poles which may be proposed for construction within the historic districts, all would exceed the maximum allowable structure height calculations, since the design heights indicate 72' to 78' high above grade. The poles can be painted in earth-toned or sky-toned colors.

"Ground-mounted transformers are typically constructed with metal-sheathed boxes that stand approximately 3' to 5' high. Placement of the boxes should be sensitive to the streetscape and not compromise historic resources physically or visually. The boxes can be painted in earth-toned colors or decorated with mural paintings.

STAFF RECOMMENDATION:

"Staff recommends that proposals for poles be heard by the Historic Design Review Board to grant height exceptions and that proposals for ground-mounted transformers be approvable by Historic Preservation Division staff with guiding conditions approved by the HDRB."

Chair Woods asked if the Board was voting on a blanket approval here or per-case approvals.

Mr. Rasch said the Board could specify. He explained that this was precipitated by an ordinance change.

Mr. Nick Schiavo was sworn and said he was in the Long Range Planning Division and was the City's new Energy Specialist and was working on the adoption of the facility plan for PNM. It was not completely clear to him what the Board wanted to see so too the time to explain the structures and to find out what else the Board would like to see.

In the packet he pointed out which were high voltage transmission lines that were stepped down at a substation for distribution feeders to homes and businesses. He said they were so high because of the potential high voltage danger. PNM had to follow the federal standards.

Chair Woods asked about buried lines.

Mr. Schiavo said the guidelines included an undergrounding ordinance. If PNM did not wish to underground they had to go before the Governing Body and share the difference in costs. It was more costly with transmission lines and required building a vault to circulate air so they would not overheat. He said the cost could easily reach \$2 million for 500-600 feet of transmission lines. Any time PNM came into Santa Fe, it had to be undergrounded or have permission for above ground.

Mr. Schiavo briefly explained the pictures in the exhibit [Exhibit A] and what they would be used for.

Ms. Rios asked how often he would anticipate this happening.

Mr. Schiavo said there were 3-5 projects per year average.

Ms. Shapiro asked what he meant by "project."

Mr. Schiavo said anything greater than three poles. A box only would not come to him and Mr. Rasch would review it for aesthetics in the neighborhood.

Mr. Frost asked if the ordinance required that existing lines be placed underground.

Mr. Schiavo hesitated to say yes and added that it was not cost effective to do short runs underground. He said an upgrade might change the size of the lines. As the poles approach becoming unsafe, they have to be replaced.

Mr. Barrow asked if PNM had a plan of where they would later be required so that the Board could review it.

Mr. Schiavo said they had a ten-year plan and it was revised about every six months. There was a plan for the downtown and he offered to get the exact details for the Board.

Mr. Barrow clarified they were not looking outside of historic districts. He strongly urged Mr. Schiavo to bring them far in advance.

Ms. Rios asked about designs on the boxes.

Mr. Rasch said there were youth groups and Arts Commission that want to use those boxes for decoration but decorating them was not required.

Ms. Shapiro asked if the Board had jurisdiction over those boxes.

Mr. Schiavo agreed. He said PNM asked for an easement and sometimes it was just determined by the way the lot was laid out.

Ms. Shapiro asked if they could hide those boxes.

Mr. Schiavo agreed.

There were no speakers from the public regarding this case.

Chair Woods encouraged the Board to consider different responses for boxes vs poles.

Ms. Rios asked to poll the Board.

Mr. Rasch asked how many boxes per year.

Mr. Schiavo said it depended on developments.

Mr. Barrow believed each should be brought to the Board. He thought the long range plans had to be reviewed by the Board. Thirdly he agreed the poles would need to be brought to the Board.

Ms. Shapiro agreed.

Mr. Frost concurred.

Chair Woods asked if they had the legal right to tell PNM no poles. She asked Mr. Schiavo for his thoughts.

Mr. Schiavo said PNM was subject to the National Safety Code and would have to ask for a height variance each time. He thought something potentially as large as transmission could be worked around but not at the transmission level.

Mr. Frost said those boxes were what they were trying to avoid. They chose the easy location but part of this Board's purview was streetscape harmony. So all of them needed to come before the Board to make sure they could be placed as unobtrusively as possible.

Ms. Shapiro related her two experiences with this. She said they had a good discussion on where to put the box.

Ms. Rios moved to recommend approval to the Governing Body with all electric poles, substations, and ground transformers to be placed within the historic districts be brought to the Historic Design Review Board for review and approval. Mr. Frost seconded the motion.

Mr. Barrow highly recommended that the long range plan to brought to the Board so it could respond with concerns.

Mr. Barrow's amendment was friendly to Ms. Rios and Ms. Shapiro and the motion passed by unanimous voice vote.

Mr. Schiavo asked for some clarification. He recommended stating "three poles or more" and have it be transmission and distribution poles. The Board agreed.

The handout,: New Mexico Bulk Transmission System was attached as Exhibit A

H. OLD BUSINESS

1. **Case #H-06-034 B.** 120 Kemey. Downtown & Eastside Historic District. CDT Development, LLC, agent for Gimo Graziano, proposes to construct a yardwall and a pedestrian gate to a height of 5' where the maximum allowable height was 4'11" on a Contributing property. (Marissa Barrett)

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

BACKGROUND AND SUMMARY:

"On June 27, 2006 the Historic Design Review Board approved the removal of the approximately 129 square foot non-historic second story and the construction of approximately 532 square foot addition to a contributing building. The conditional approval by the Board included all walls and gates to be brought back to the Board at a later time.

"This application proposes the construction of an approximately 34' long yard wall along the street facing, north property line to a height of 5' where the maximum allowable height is 4' 11". The Board may increase the height of the wall 1" to allow the requested 5' high according to the wall and fence guidelines

since the height increase will not exceed 20% of the average.

"The wall will include 5' 6" accent pilasters and a 3' wide, 5' 3" high wood pedestrian gate. The wall will be stuccoed with El Rey stucco to match the contributing building and the gate will be finished with a natural stain to match the doors on the house. A photo of the exterior light fixtures that will flank the gate was submitted.

STAFF RECOMMENDATIONS:

"Staff recommends approval of this application on the condition that the wall does not exceed the maximum allowable height of 4' 11" or the Board grants the additional 1" to the requested 5' height. Otherwise this application complies with Section 14-5.2 (C) Regulations for Contributing buildings and Section 14-5.2 (E) Downtown and Eastside Historic District design standards."

Present and sworn was Mr. Mike Tapia, 252 Loma Entrada, who said they were not clear going back what their actual allowable heights were so that was why they submitted at 5'. He said they were agreeable to having the wall at 4' 11". He said they did want to get approval because the project had gone on longer than anticipated.

Ms. Rios noted Ms. Barrett changed the wall length to 34' long.

Ms. Barrett said it was a typographical error.

Ms. Rios asked Mr. Tapia for clarification on the wall and pilaster heights.

Mr. Tapia said the pilasters would be at 4' 11" and the wall six inches lower at 4' 5"..

Ms. Shapiro asked about exterior lighting.

Mr. Tapia said it was a cast fixture of ceramic or clay.

Ms. Rios asked for the height of the gate.

Mr. Tapia said it would be 4' 5".

Mr. Barrow said when the two story came off, an A/C system was mounted on the roof. He asked if that had been approved.

Mr. Rasch said it was shown on page 26.

Chair Woods asked him to hide the equipment.

Mr. Tapia said they would.

There were no speakers from the public regarding this case.

Ms. Rios moved to approve Case #H 06-034B with conditions:

- 1. That the wall be at 4' 5",**
- 2. That the pilasters be at 4' 11",**
- 3. That the gate height be 4' 5".**
- 4. That the HVAC system be screened,**
- 5. That the light fixtures be as described.**

Mr. Frost seconded with the clarification that the ceramic fixtures match the wall. Ms. Rios agreed and the motion passed by unanimous voice vote.

- 2. Case #H-07-120.** 1008 Canyon Road. Downtown & Eastside. Christopher Purvis, agent for Rob and Janet Tenory, proposes to amend the previous HDRB approval to construct an approximately 575 sq. ft. addition to a height of 11'6" and to increase the existing height from 11' to 13'6" where the maximum allowable height was 14'6" on a non-contributing building. (Marissa Barrett)

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

BACKGROUND AND SUMMARY:

"The approximately 2,900 square foot, Spanish Pueblo Revival style single-family residence located at 1008 Canyon Road was first constructed in 1928 with later additions through the years. Also located on the lot is an approximately 580 square foot garage. The Official Map lists the north half of the single family residence as Contributing and the southern half as non-contributing. The garage is not listed on the Official Map.

"This application was conditionally approved at the October 9, 2007 hearing for construction of an approximately 44 square foot addition to the non-publicly visible, non-primary elevation of the main residence to a height of 10' 6" where the maximum allowable height is 14'. Also approved was the construction of an approximately 715 square foot addition and attached carport to the non-publicly visible south elevation of the garage (which will be converted to a guesthouse). The addition was approved at a height of 12' where the maximum allowable height is 14' 6" and the existing building height was approved to be increased from 11' to 12' where the maximum allowable height is 14' 6". The carport was approved at a height of approximately 10' 7".

"This application proposes altering the previous garage approval as follows:

"Construct an approximately 575 square foot addition to the non-publicly visible south elevation of the garage. The addition will be to a height of 11' 6" where the maximum allowable height is 14' 6". The height of the existing building is proposed to be raised from 11' to 13' 6" where the maximum allowable height is 14' 6". The carport addition has been eliminated.

"The newly converted garage to guesthouse will include aluminum clad divided light doors and windows in the color white. One skylight is indicated on the floor plan. An overhang supported by exposed

vigas is proposed over the French doors on the north elevation. The building will be stuccoed to match the existing building in a similar texture.

STAFF RECOMMENDATIONS:

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

Present and sworn was Mr. Christopher Purvis, 227 E. Palace, who said the neighbors were concerned about the carport so he eliminated it.

There were no speakers from the public regarding this case.

Ms. Rios asked if there were any rooftop appurtenances.

Mr. Purvis said there were but they were not visible.

Mr. Frost moved to approve Case #H 07-120 per staff recommendations with the continued condition that no rooftop be visible. Ms. Rios seconded the motion and it passed by unanimous voice vote.

3. **Case #H-07-084.** 417-419 E. Palace. Downtown & Eastside Historic District. Christopher Purvis, agent for Tommy Gardner and Darlene Streit, proposes to install three signs on a significant property, one 7.5" x 96" sign on the front portal beam and two 27" x 72" yardwall-mounted signs. An exception was requested to install signage on a yardwall (Section 14-8, H, 4, a). (David Rasch)

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

BACKGROUND AND SUMMARY:

"417 and 419 East Palace Avenue are two adobe buildings that were constructed before 1928 in the Craftsman style and in 1951 in the Spanish-Pueblo Revival style respectively. A free-standing garage was constructed in 1928 in a vernacular style. The buildings served as the Catholic Maternity Institute from the 1950s to the 1960s. At an unknown date during this period, perhaps of a non-historic date, a flat roof addition was constructed on the rear of 417. Three porches and two additions were removed from 419. The 417 building is listed as significant and the 419 building and the garage are listed as contributing to the Downtown and Eastside Historic District.

The HDRB previously approved remodeling of the significant structure and free-standing garage and the construction of another free-standing building on the southeast corner of the property next to 419.

"In the late fall of 2007, the property owner was permitted to construct free-standing business signs behind and above the existing yardwalls. These signs were not aesthetically appealing at the height needed for visibility.

"Now the applicant proposes to construct the following signage for the property.

- "1. A 7.5" high x 96" wide wooden sign will be mounted to the center of the header on the front portal. The letters will be a forest green color.
- "2. Two 27" high x 72" wide wooden signs will be mounted to the existing free-standing stuccoed yardwalls along Palace Avenue and Armijo Street. The signs will be forest green, teal blue, sand, and white in color.

"According to the sign regulations in Section 14-8.10 H, 4, a, 'no sign shall be displayed from any fence or wall or open lot unless it is deemed necessary to the conduct of business.' An exception is requested and the required responses are attached.

STAFF RECOMMENDATION:

"Staff recommends approval of the exception needed for this project if the Board has a positive finding of fact to grant the exception to install signage on free-standing yardwalls (Section 14-8.10 H, 4, a.) Otherwise, this application complies with Section 14-5.2 (C) Regulation of Significant Structures and Section 14-8.1- (H) Special Sign Regulations in the Historic Districts."

Chair Woods clarified that they already had a sign on the portal and now were asking for something 96" long on a significant building.

Mr. Purvis (still under oath) said he wrote the exceptions first and had staff approve those and then they designed the sign. He explained that the sign they saw on the building was all that would be placed there.

Chair Woods asked if they were going to have these other two signs on the wall.

Mr. Purvis agreed.

Ms. Rios asked if advertising was addressed in the ordinance.

Mr. Rasch said the name of the business was common but not the slogan but the ordinance did not prohibit them.

Mr. Frost said it shouldn't be there except if necessary for the conduct of the business and the ordinance did not include the advertising of the business.

Mr. Purvis said the owners were not present but was sure they would be okay if the Board disallowed the rest of the sign.

Chair Woods asked if he could move "partners" below "realty" and eliminate the slogan and phone number.

Mr. Purvis agreed. He said the original solution did not work for them.

Mr. Barrow asked if the insignia was part of it.

Mr. Purvis explained it was their logo.

There were no speakers from the public regarding this case.

Ms. Shapiro moved to approve Case #H 07-084 (as corrected by staff) with the conditions that the sign width reduced to four feet and slogan, phone, and website be removed. Ms. Rios seconded the motion with the clarification that the sign height would be the same.

Mr. Barrow asked that the logo be reduced a little and letters be reduced.

Mr. Rasch asked if the Board had a positive finding of fact.

Ms. Shapiro said the Board found that the criteria for an exception had been met.

Mr. Frost said the responses were listed on page 11.

Mr. Barrow explained that the least negative impact was the reason for reduction of sign size.

The motion passed by unanimous voice vote.

Mr. Purvis asked about putting a gate in the wall on Armijo.

Mr. Rasch said he would need an exception because it was historic.

4. **Case #H-07-123.** 515 + 519 Cerrillos Road. Historic Transition District. Martínez Architecture Studio, agent for WIV Councilor Ortiz, proposes to remodel a contributing building by restoring the front primary elevation and constructing a 4,480 sq. ft. addition and to remodel a non-contributing building by removing approximately 1,891 sq. ft. and constructing a 1,613 sq. ft. addition and constructing a 4,284 sq. ft. building to a height of approximately 36' where the maximum allowable height was 15'6" and to construct screening for rooftop installed solar panels at a maximum height of 29' where the maximum allowable height was 16'5". Height exceptions were requested (Section 14-5.2 D,9). (David Rasch)

At the request of the applicant, this case is transcribed in verbatim format.

Chair Woods: Our next case H 07-123, 515 and 519 Cerrillos. May we have a staff report please?

Mr. Rasch: Yes, Madam Chair, Board members.

515 Cerrillos Road, previously a car dealership, recently known as Healy Matthews Stationers and now known as the Luna Building, was constructed by 1938 in the Moderne style. Non-historic alterations, including a Spanish-Pueblo Revival style portal, have significantly affected the historic integrity and the building is listed as non-contributing to the Transition District.

519 Cerrillos Road, previously known as the Santa Fe Theater and later as car dealerships, was constructed by 1948 in the Modern style. Reversible or non-character-defining alterations have preserved the historic integrity of the building and it is listed as contributing to the Transition Historic District.

The two buildings with open space encompass a lot size of 51,031 square feet. The property is proposed to be developed as a mixed use project with 20,500 square feet of commercial space and 15 residential units.

On October 23rd of last year, the Board postponed on this proposal and requested that a 3-D model be constructed to provide visual clarity to the project. On December 19th of last year, this Board postponed action, pending a redesign that considers options to lower the amount of height exceptions requested and for submittal of zoning information.

Now, with no interest in redesign, the applicant requests action from this Board regarding the remodel of this property with the following five items.

Number one, the contributing 8,685 square foot structure at 519 will be restored and remodeled. The non-original alterations to the primary elevation will be removed. That is the west elevation, facing the street. An approximately 3,516 square foot addition will be constructed on the rear to match the existing height. The addition complies with the 50% footprint rule, Section 14-5.2 D, 2, d.

Number two, the non-contributing 6,555 square foot structure at 515 will be remodeled. Approximately 1,891 square feet of structure will be removed and approximately 1,613 square feet of additions will be constructed on the north side to match the existing height.

And number three, a 4,284 square foot building will be constructed over a sub-grade parking lot to a height of approximately 36' where the maximum allowable height is 15' 6" as determined by a one-street frontage linear calculation along Manhattan.

Mr. Rasch: For discussion purposes, a radial height calculation for the rear lot location yields a maximum allowable height of 16' 9" and a two-street frontage linear calculation for the lot facing both Cerrillos and Manhattan has a maximum allowable height of 16' 6". Therefore, any way you look at it, it is approximately the same. A height exception is requested and the required criteria responses are attached.

Number four, a portal will be constructed at the parking entrance on Manhattan to a height of approximately 15'.

And finally, number five, solar panels will be installed on all buildings. The panels will be screened with constructed walls that are placed back from the exterior parapets. However, since solar panels shall not be added to contributing structures if they are publicly visible, Section 14-5.2 D, 3, b, solar panels are considered to be rooftop appurtenances, Chapter 14 definitions, and the measurement of height excludes rooftop appurtenances, Chapter 14-5.2 D, 9, c iii, then height exceptions are required for the parapet screens because the maximum allowable heights for the Cerrillos Road frontage is 16' 5". The screens rise approximately two feet from the respective heights on 23' on 515 and 27' on 519 as existing conditions that already exceed the allowable height. A height exception, Section 14-5.2 D, 9, is requested and the required criteria responses are attached.

You may have found in your packet a zoning worksheet. I have the underlying zoning staff's report and the minutes that went to the Business Capital District hearing to clear the underlying zoning.

Staff recommends denial of this application unless the Board has a positive finding of fact to grant the height exception needed for this project. Otherwise, this application complies with Section 14-5.2 (C) Regulation of Contributing Structures, (D) General Design Stands, and (G) Transition Historic District design standards.

Chair Woods: David, I have a quick question. I'm on number three, the 4,284 square foot building is in the 519 address or the 515?

Mr. Rasch: I believe it's behind the 515 address. The applicant may clarify further whether that is a lot consolidation or not and to add that new building at this time.

Chair Woods: So if there is two lots coming before us, can the Board members make a motion for each lot or do they all need to be one motion under the application.

Mr. Rasch: We may need legal advice on this but I would believe that the Board can fashion their action in any way they wish; one action for the whole project, or they could have separate actions because there are three separate buildings. There is the contributing structure at 519, the non-contributing structure at 515, and then the new building. So you could even make three separate actions if you so choose.

Chair Woods: Is that the case?

Ms. Brennan: [nodded her head]

Mr. Boaz: Roberts Rules of Order allows a procedure called *ad seriatim* that allows a member to request a motion be split into separate component motions.

Chair Woods: So what are you saying?

Mr. Boaz: Parliamentary procedure allows the motion to be divided into separate parts.

Chair Woods: For the address or for the structures?

Mr. Boaz: Any way you wish to divide it.

Chair Woods: Okay. Good. And what is it in Latin again? That was good.

Mr. Boaz: It is called *ad seriatim* which literally means divided separately.

Chair Woods: Okay. Are there any other questions for staff?

David, if you would like to come forward and for anything that you are presenting that is different and then we are going to take a five-minute break so people can come up and the public can look at your model and your colors. Okay? So if you want to come forward and be sworn in.

Mr. Martínez: Okay. Richard.

Chair Woods: Richard. Sorry. Richard. It's not even seven o'clock ...and I'm already losing it. So, as you are presenting, you can be sworn in and tell if there are any changes and then we are going to break for five minutes.

Mr. Hnasko: Madam Chair, my name is Tom Hnasko. It is spelled H N A S K O. The H is silent, and I am appearing as counsel for WIVCO and I intend to give a brief presentation with Mr. Martínez to follow me but we certainly would defer to the Board's pleasure on that. And as a part of his motion and also an equity partner of the property, a minority interest but I am appearing today and have comments I do act as counsel for the applicant.

Chair Woods: Okay

Mr. Boaz: Please state your address for the record.

Mr. Hnasko: My address is 218 Montezuma Street, Santa Fe, New Mexico 87508.

Mr. Boaz: Under penalty of perjury, do you swear or affirm that the testimony you are about to give is the truth, the whole truth, and nothing but the truth?

Mr. Hnasko: I do.

Chair Woods: Okay. Why don't you go ahead and present and before I have the Board ask their questions, we will break for the public to see your presentation.

Mr. Hnasko: Thank you madam Chair and the Board.

On behalf of the applicant, there are three issues, I think, that were raised in the last meeting. Two of which will be addressed primarily by Mr. Martinez and those were the concerns raised by the Board about the lighting and the setback of the stairwell. I think those have been addressed and Mr. Martinez will elaborate on those.

As you can see before you, Mr. Martinez and his firm have constructed a detailed to-scale model of the projects that include not only the proposed additions to the project but surrounding elevations of buildings on the streetscape.

My presentation will primarily concern the height exception that we are requesting that the Board act on tonight and we hope that they will. First I would state that the Board has authority, of course, to grant the height exception under 14-5.2 D. And preliminarily, in looking at the height exception, we recognize this is a very important property. There is no question about that. It is a gateway to downtown Santa Fe and the streetscape is saying so and are utmost in the Board's consideration and the public's consideration and our consideration.

I would note that the Board has in its possession a survey of heights and that that survey indicates that the maximum height allowed for the additions will be 15'... I've got 15' 10" but I've heard 15' 6".

That height, as determined by the survey, I might add, is lower than the existing building. Now, I would say that the survey in the Board's possession for the existing buildings shows the Luna sketch here at 20' 7". Mr. Martinez has conducted a survey himself which has markedly different results than that. He set the Luna Building at 27' 6". I know that the Board is constrained by the survey it has in its possession which is approximately 7 feet lower for that building.

So, based on the average height allowed, we would actually have to decrease the height from the existing structure and it would be tough to harm that existing structure. I would submit to the Board that this exception in this instance is not only in the Board's authority but it is appropriate under the circumstances.

Mr. Hnasko: Now preliminarily, it is important to consider the visual impacts of the streetscape as a whole, because the proposed building has to be looked at in context. The matter is contextual as one can see by looking the model, given the height variations and the significant heights of buildings that are adjacent to this proposed development but yet out of the confines of the Transition Historic District.

Mr. Hnasko: Nonetheless, we have those buildings we have to deal with what they create, the visual impact, some of them negative on our gateway on Cerrillos Road to downtown.

First and foremost, we have the Anaya Building, which has a 49 foot height, directly behind this property which creates an adverse visual impact that this proposed development tries to ameliorate it.

And it does it by doing a few things. First of all, the height exception that they are requesting today, without considering the solar panels that comprise four feet, really is 32 feet. By our calculations, that is approximately five feet higher than the existing building. By the survey you have in your possession, it's higher than five feet but nonetheless, not significant.

Now what it does in terms of the historic board's authority, and your charge as a committee, I believe, it creates an aggregation of this large development on Cerrillos Road. Instead of having the development look monolithic and large, it actually creates an aggregation that appears to be smaller buildings in one development.

It accomplishes that by the setback and by having the gradual height increase and using only a five foot height exception to create that aggregation. So I think that is very important. And the board has that authority and its charge under 14.5.2G3b3. As the board will note from the presentation of the model, the streetscape development is very much a human scale.

So the height that is proposed will be tucked back. It will ameliorate the effects of the Anaya Building at 49 feet. And it will create and serve the purposes of the ordinance which fosters and promotes aggregation of buildings in a large scale development so that it does not look monolithic.

So I would respectfully submit to the board that this height exception that we are requesting serves the purpose of the historic design goals by moving away from a monolithic large structure and showing a gradual increase from a very human scale on the street to a slightly increased scale behind which gives the appearance of another structure all together which is precisely what we have.

Now we raised these issues in our early community meeting notifications. We had neighborhood meetings, the ENN meetings, on November 21 of 2005. Again on November 30 of 2005, on April 10 of 2007 and June 28th of 2007. And the comments at those meetings were very similar.

Mr. Hnasko: Even though it is outside the jurisdiction of this Board, technically, I think that Board member Frost put it well when talking about the poles at PNM that we have some streetscape harmony.... is one of the charges of this Board.

And the comments at the public meetings were really directed to that. That the entrance on Cerrillos Road to Downtown on this blighted property created the appearance of large buildings behind the proposed development. And large buildings around which really created a visually adverse impact on the community. We think that the height exception will ameliorate that impact and create harmony in the streetscape.

So the concerns at the community meeting were not about height. They were about doing something with the property and making it harmonious with the environment. Incidentally, I would point out that we didn't, to my knowledge, and I was not present at these meetings, but I believe that no member of OSFA attended the meetings. And the first time we heard.....

Chair Woods: You know what, I am going to ask that that not be included in the record since they are here, and if you were not at the meeting, then I don't know that that would be appropriate for you to put in the record at this time. If somebody in your group was at the meeting and can state they were not there, that is something else. But since you were not there, I don't think that's appropriate.

Mr. Hnasko: Thank you. Thank you Madam Chair. I will allow Mr. Martinez, who was present I believe at two of the meetings to comment on that.

I will say that it has been reported to me as their counsel that no objections to the height exception were raised at this meeting. That the first time the applicant became aware of it was at the last meeting before this Board, and we've tried to address it accordingly. So we believe that we have been through the government approvals. We've had Board of Adjustment approvals. We've had, obviously, the zoning and the density are consistent with the Cerrillos Road sub-district. They are consistent with all ordinances.

The Council has approved the non-contributing status of the Healy Matthews Building and finally and most importantly, I think the BCD-DRC not only approved this project but requested in the motion that the height of this building be approved. And that the solar panels be approved. That they thought the exception was warranted and that obviously they would defer to this committee to make sure it did conform to the streetscape.

But the BCD-DRC, through Mr. Hogan, stated quite explicitly that he moved to approve Case BCD 207 02 with the stipulation that they support the height, including the screening for the solar collectors and I think that that has been made a part of the record earlier today.

Mr. Hnasko: So we have the government approvals and we would request that this Board exercise its authority to approve the small height exception we are asking for. It's compatible with the streetscape. It ameliorates the negative impacts from the large Anaya Building next door and is certainly harmonious with the existing heights in the neighborhood.

I might add, finally, that the strict constructionist view of the height for the 15 feet 6 inches, or 10 inches, whatever the case may be would actually be lower than the existing building. So with that, Madam Chair, we would respectfully request the Board's favorable consideration of the application.

And I know that the Chair indicated that she desired to take a break before hearing from Mr. Martínez, so I will defer to the Chair on that. Thank you very much.

Chair Woods: What I think we should do at this point is, I'm going to ask the Board not to question the applicants until we hear from Mr. Martínez, we have our break, and then we hear from the public. And then we will go ahead and do our questions. Why don't, before we go into... I didn't realize you were going to break it into two of you presenting. So, Mr. Martínez, if you would come forward please and give your presentation.

Mr. Boaz: Please state your name and address.

Mr. Martínez: Richard Martínez, 460 Cerrillos Road.

Mr. Boaz: Under penalty of perjury, do you swear or affirm that the testimony you are about to give is the truth, the whole truth and nothing but the truth?

Mr. Martínez: I do.

I am giving a very short presentation. There were four issues that came up at the last meeting, the first one, of course, had to do with the zoning worksheet. We went back to the zoning person, Dan Esquibel, and said absolutely not. The transcripts of the meeting, and his recommendations, was what he was going to give to this Board. And he said he had actually worked that out in the past. So he gave that. And you have that in your packet.

The second issue was the stair at the sidewalk. [At this point the applicant walked away from the microphone, making it difficult to understand him.] Here. You have the stairs here. We have redesigned the stair. It has gotten better. This is the actual height of the brick work. And this is the stair [inaudible] a section showing the [inaudible] stair.

Mr. Martínez: This stair does not touch the brick work and it does not hide the decorative nature of the brickwork. It would actually be a very inviting space for the pedestrian because this is [inaudible].

Light from the parking lot was also brought up as an issue. I did not bring this drawing to the meeting because it wasn't in the purview of the Board, but this drawing [inaudible] back in October by Charlie Gonzales and this was presented to BCD. And this shows the light spillage of the lights. It shows that they do not in any way go against the lighting ordinance of Santa Fe. On the calculation for consideration [inaudible] I certify that the exterior light showing on this submittal is in conformance with the City of Santa Fe lighting ordinance.

And finally the height of the addition was an issue. So we have made this model showing the relationship of our addition and our buildings to the surrounding buildings on Cerrillos Road and on the block that we are a part of.

I want to mention that I am on the Board of the Historic Santa Fe Foundation. Me, personally. I know the people from OSFA personally, because we are a sister organization to that organization. And at no time was an issue brought to my attention that they had any problem with the height exception

The owners had some early neighborhood notification meetings before they hired the architects, that I was not a part of. But the last two that I was a part of, we had neighbors come. They were very concerned with what we doing on our site. OSFA never showed.

This last meeting was the first time we heard any problems with the height from them. Actually, I was going to say at the last meeting that we had had no opposition, because before that meeting we had had no opposition.

Our buildings and additions are shown here {walking over to the model}. These buildings [inaudible] off Paseo, that is right behind our site. This is the Anaya Building, [inaudible] these are the building across from our site on Hatch Street. This is the Life Touch Building and these buildings are the motel [inaudible] motel, [inaudible] bakery and [inaudible]. I want to note, you may notice, on this side, there's a big open space here, a big open space here, a big open space here, a big open space here. I wanted to show you that those are all parking lots.

We think that this model shows the appropriateness of what we are trying to do on this street. Thank you.

Chair Woods: Okay. So we are going to break for five minutes so that the public has a chance to come up and see this project.

[The Board took a Break for examination of the displayed model.]]

Chair Woods: I would like to call the meeting back to order, please. I have a quick question for the City Attorney, just to clarify the applicant's statement. Does the Board have any jurisdiction over the lighting being shown from under this parking structure. Can you come forward? Just so Carl can hear you. There are also people talking and we can't hear, so I'm going to ask you to please not talk. The other question I have, David: The applicant stated that technically, this was outside of the Board's jurisdiction. Is this project technically outside our jurisdiction?

Mr. Rasch: Very good question. Madam Chair, Board members. According to the code, the Transition District is staff approved. But staff probably would not approve this on our own. We would call it up to the Board. But beyond that, it has an exception request, and staff cannot approve exceptions without a public hearing and the Board having a positive finding of fact. And beyond that, we've practiced the Board hearing all cases in this Historic District for at least eight years.

Chair Woods: Okay. I have another question for the applicant. I'm sorry. I don't remember your name.

Mr. Hnasko. Tom Hnasko.

Chair Woods: Tom, could you come forward, please? You are stating that you are technically asking for a five foot height exception. And this that based on the Luna Building being 27 feet? Or what are you basing that you are asking for a five foot height exception? I understand you are not counting the solar collector walls, although staff believes through the attorney that they should be counted. But what else are you basing five feet?

Mr. Hnasko: Madam Chair, two points of clarification if I might. We are not asking for a five foot height exception, because that would be incorrect. I think the Board is constrained by the survey you have in front of you. So it would be a 12 foot height exception, excluding the solar panels.

However, I pointed out only that our measurements are markedly different than the survey the Board has in their possession. And our measurements, as depicted in the model, which is to scale, indicate that the Luna Building is actually 27 feet, six inches in height, whereas the survey that the Board has in it's possession indicates that the Luna Building is 20 feet, seven inches.

So technically, Madam Chair, we are not asking for a height exception of five feet. I am merely pointing out that, in reality, the height exception will be five feet. But this Board is constrained by the survey which it has, and it would have to be a 12 foot exception. With the solar. I have Mr. Martínez address [inaudible]?

Mr. Martínez: I'm sorry. It is not a 12 foot exception. It is from 16 foot six, which David said, to 32 feet.

Chair Woods: Okay. One of the things is to clarify. One is you are asking for exceptions on two different buildings. Is that not true? Let's clarify the buildings. If you could come forward, Richard, and show which ones you are asking for the exception, and the amount you are asking for each of those buildings. Okay?

Mr. Martínez: We have this building measured, at the front of the streetscape, right here.

Chair Woods: Okay, when we say this building, we are talking about the 4,284 square foot building that has the garage under it.

Mr. Martínez: The residential garage. Yes.

Chair Woods: Okay.

Ms. Rios: Madam Chair?

Chair Woods: Yes

Ms. Rios: When he points out the buildings, can you give us the address? Of the....

Mr. Rasch: What lot is that on?

Ms. Rios: If you can say, like, behind 515, or adjacent to....

Mr. Martínez: There are four lots on the site. The new building is at the back of the property. On the street facing façade, in the middle is to the parapet, 32 feet high. The height calculations [inaudible] is 15 six. Is that right? My paper says 15 ten. If it is six, then we are asking for [talked over]

Mr. Barrow: You are not including the solar screen.

Mr. Martínez: Solar screen is another four feet above that. Solar screen was [inaudible]. I understand that staff was saying we have to get an exception [inaudible] that would mean absolutely [inaudible] because we have [inaudible]

Chair Woods: Okay. Let's just talk about one building at a time. And when you are talking about the height from the street.

Mr. Martínez: No. I'm not talking about height from the street, I'm talking about height from finished grade which is more restrictive.

Chair Woods: Okay.

Mr. Martínez: At the street facing façade. The street is actually higher than what I am talking about. The buildings will be lower [inaudible].

Chair Woods: Okay. So you're saying, not counting the solar on that, you are asking for a 16 foot six inch height exception. And then with the addition of the four foot solar, you are asking for a 20 foot six inch exception.

Mr. Martínez: Another thing is that the site slopes more than four feet and that wasn't calculated, so there is some leeway in there for some extra height.

Mr. Rasch: Yes, Madam Chair, the Board can grant two additional feet due to slope over the footprint of the structure.

Chair Woods: Okay, I had asked just again because I was very confused by your testimony. And I wrote it down and so I think that is why we need this clarification. So if you could go to each of the buildings that you are asking for the height exception, and the amount so that the Board clearly understands that. So that is that building. Where else are you asking for your height exception?

Mr. Martínez: We have solar panels set back from the edge of the roof on all buildings except for the round [inaudible] and those are surrounded by screening that are four feet above [inaudible]

Chair Woods: Okay. Again, if you could clearly answer our question. Or you answer it. How much are you asking for in your height exception on each building. You've answered us for the 4,284. We can't grant you the exception if we were going to unless we clearly understand.

Mr. Martínez: Okay. If it is an exception, then there are four feet on all the buildings.

Chair Woods: So on all the rest of the buildings [talked over]

Mr. Martínez: [inaudible]

Chair Woods: Okay. Now this is a new addition on the back of the significant building, right?

Mr. Rasch: Contributing.

Mr. Martínez: This is a new addition on the back.

Chair Woods: So I would assume that that one you are asking for more than four feet for your exception on your new addition.

Mr. Martínez: No. We are matching the height of the significant building, and that is [inaudible]

Mr. Rasch: Even though the contributing building at 519 exceeds the current maximum allowable height, they can match that existing height, with and addition without an exception. So it is a four foot exception on that building.

Chair Woods: Okay. I think that clarifies basically the exception for the 4,000 square foot building is approximately 16 six , the others, and is it questionable with the solar collectors, the additional four feet on the other buildings. So that clarifies it. Okay. Let's hear from the public real quickly. I don't mean to rush you, but let's hear from them first, then the Board will continue. I can not see people who want to speak behind these easels, so anybody.... that's okay..... they will come forward. You can leave it, and they will come over.

Mr. Frost: Madam Chair, may I make a point while the public is coming forward?

Chair Woods: No they are already coming forward.

Mr. Frost: Thank you.

Chair Woods: Thank you. Could you come forward, please, Marilyn and be sworn in?

Ms. Bane: Madam Chair, members of the Historic Design Review Board. My name is Marilyn Bane. I live as 622 and ½ B Canyon Road. I am president of the Old Santa Fe Association and will be speaking this evening in that context.

Chair Woods: You have to be sworn in, Marilyn.

Ms. Bane: Oh. I'm sorry.

Mr. Boaz: Do you swear or affirm that the testimony you are about to give is the truth, the whole truth and nothing but the truth?

Ms. Bane: I do. I think this is a side issue for you, but I do need to clarify it if you don't mind. Unlike projects such as the Lensic, such as the First National Bank building, such as the Greer, in conjunction with the First National Bank Building, such as the County Courthouse: in this particular case the Old Santa Fe Association was not notified of, much less invited to the ENN on this project.

It is unfortunate particularly because Richard is correct, we are a sister organization. And I find it unfortunate that we could not have worked more closely on this. Because most assuredly we would have been there..... [a few moments of testimony were not recorded while the tape was being replaced]

Ms. Bane: any of the plans who understood anything before we received the packet the morning of the Historic Design review Board meeting where this was presented the last time.

So I did need to clarify that and say how unfortunate I feel that it is. And like I said this is not the most pressing issue before you tonight, but it did need to be clarified from my end. Obviously, we do have a problem with height. I will defer further comment on that to our member from the Old Santa Fe Association, Randal Bell and he will deal with that. Thank you very much.

Chair Woods: Thank you Marilyn. Randall, could you come forward please, and be sworn in?

Mr. Boaz: Name and address.

Mr. Bell: Yes. Randal Bell. I live at 314 Garcia Street, Santa Fe.

Mr. Boaz: Under penalty of perjury do you swear or affirm that the testimony you are about to give is the truth, the whole truth, and nothing but the truth?

Mr. Bell: I do. I am not going to burden the Board and take it's time to reiterate the somewhat lengthily comments that I made at the previous meeting, but I would ask you to consider those as, of course they are, part of the record. Obviously the biggest concern is height and I'm a little unclear about the applicant's presentation as to the reality of the height exception because the height exception is not determined in context only with the Luna Building, which may or may not be 20, 27 feet.

The height exception is determined in context of the height calculation for the area, which is determined to be 15 feet six inches. So that is what we are talking about. Fifteen feet six inches. But yes, the Luna Building is a pre-existing building that may have a height grandfathered in. And that is what it is.

But the reality, as we are talking about, what this ordinance provides in this spot is 15 foot six. So we are looking at, really, not just a small exception, but kind of an extraordinary exception. Twenty feet and six inches. I mean that is well over double the height of really of what is allowed by the ordinance. We find that troublesome.

The notion that it is going to maybe hide the bad building, the Anaya Building behind it, and therefore improve things I mean that's an argument I don't really buy. Actually, to me, when you add more mass, more height, more non code height you are just compounding the problem.

The Anaya Building is completely non conforming. Hopefully it will be torn down someday, and is a blight on the neighborhood.

Mr. Bell: My feeling is you really only compound the problem by adding more height adjacent to it. Oh, in effect, all of the project is well thought out, well designed. You know, we don't really have problems with the addition to the Luna Building or even the modifications to the old Healy Matthews building. It is primarily height, as it applies to any of the height exceptions, but especially as to the massive back part of the new building on what is now the parking lot. So, the OSFA would strongly urge that the application be denied on that basis.

Chair Woods: Thank you Randall. Would you come forward, please, and be sworn in?

Mr. Allegretti: My name is Tony Allegretti. 7A Arroyo Vista North, Santa Fe.

Mr. Boaz: Under penalty of perjury do you swear or affirm that the testimony you are about to give is the truth, the whole truth and nothing but the truth?

Mr. Allegretti: I do. Madam Chair, Board members. I am an equity partner in the property as well, albeit small. I have been working on this for several years now. We did have our first meetings, you can call them ENN meetings, they were unofficial, in November of 2005. Did not invite the OSFA members.

Again, this is our first development in an historic transition area. We did try to get all the neighbors, including some from South Capital. We went to mailboxes, tried to find the concerns of the neighbors before we even hired the architects to start building this project. The goal was to find out what neighbors concerns were. Height, although it was a concern on the streetscape, they felt it was acceptable in the back. That was one thing that is the reason the height is more predominant in the back.

A lot of this blighted area, I think the neighbors were just excited to see something happen. In looking at the design, we had to take it in context to see how it fits in and how it relates to what is around it. And unfortunately there are a lot of large structures around it. And we feel that we did a good job in designing in relation to what is around it, that it is the entrance and to really take a serious look at what we are building and knowing the impact of that.

I would just respectfully request that you do approve this project tonight. I feel that it would be a good project for the City of Santa Fe.

Chair Woods: I'm gonna ask a clarification question here Carl, especially. This gentleman is clearly an applicant. Is this appropriate for this to be heard under public testimony since he's an equity partner, he's part of people who invited? I mean is it appropriate that he's heard as someone from the public wishing to see this project built, or should his testimony be part of the applicant's presentation?

Mr. Boaz: It is appropriate, Madam Chair. We have had owners speak before as part of public testimony.

Chair Woods: Okay. So we just want to clarify that this gentleman is a part owner in this project. David?

Mr. Rasch: Madam Chair, I need to make two clarifications. One is the City does have a database of heights. The attorney for the applicant did quote that the Luna Building is 20 point 7. That is not the legal height of the building.

Chair Woods: Okay. David, can we hold this until we finish the public hearing?

Mr. Rasch: Okay.

Chair Woods: Okay. Thanks. Then we'll give you plenty of time. Is there anyone else from the public who wishes to speak concerning this project? Okay. Go for it.

Mr. Rasch: Madam Chair. The Luna Building is actually 21 feet high according to the official map signed by the Major. We don't have any decimal places, so they tend to round. The other thing I need to clarify is the outdoor lighting ordinance. The applicant is required to submit to the City that plan. I know you are seeing it for the first time tonight, and staff has signed off on it. So they contend that it does meet that ordinance.

Chair Woods: Okay. Thank you. Now it is the Board's turn. And you may ask questions both to the applicant and to staff. Who has some questions?

Mr. Barrow: A couple of questions for clarification about the lighting issue. I just want to clarify what that jurisdiction is and what we are talking about. And what we talked about last time was the streetscape harmony and the escaping light that would come out from that well. And I think that is a streetscape harmony issue, not. And I just wanted to see if you're all on the same page.

Mr. Rasch: I would think, Madam Chair and Board members, that the outdoor lighting ordinance is very specific in the way they need to comply. And they show the radius of the light and the radius of it, but when you read the ordinance, it does say that it cannot be visible beyond the building edge, and you may look to see if you think that is compliant.

So from the underlying zoning standard, that is the issue. Perhaps from your point of view you can look at streetscape harmony and determine if there are other structures on the street that have this in common, how that affects that historic district.

Mr. Barrow: Okay.

Chair Woods: I'm going to have the City Attorney refer to this. Because it is very important that the Board understands what the City allows us and what they do not allow us to do.

Ms. Brennan: Just to clarify. The code provision of outdoor lighting provides that applications for building permits, or applications for review by the Historic Design Review Board, including this type of new construction, additions or remodeling shall provide evidence of compliance with the requirements of this section. And this is the outdoor lighting section.

So, I would say they have, with this meeting, submitted evidence of compliance signed off by Charlie Gonzales. I'm not sure that that means that you can not consider the effects of the lighting. I'm sorry that I needed to look at the code to clarify that for you.

Chair Woods: So are you saying, as the City Attorney, we can or can not consider as our jurisdiction the impact of the lighting from underneath this building.

Ms. Brennan: I assume that the reason this provision gives the Historic Design Review Board the submittal is that it is deemed relevant to historic district.

Chair Woods: Thank you. Yes.

Mr. Barrow: I'd just like to ask an addition question to staff about solar panels on the roof in the Transition District. Maybe if there is a policy, or if we had any precedent for that. Of course in other historic districts there is a precedence where we have been really strict about that. But in this case, in the Transition District, and since, obviously every body would encourage solar, this would be a question for staff. Why would we be looking at the screen? Why would we try to hide the solar panels in this case?

Mr. Rasch: Yes. Madam Chair, Board members. It is true that in the Historic Districts zoning overlay ordinance, solar installation is encouraged. We never discourage solar installations. But there are several things that come to play here. One is on contributing or significant buildings, solar panels may not be installed if they are publicly visible. So therefore on the Luna building, to have a solar collector on that roof, it must have a screen. It absolutely must.

So it cannot be publicly visible. Therefore the height exception is required. Now when we go to the non-contributing building, while it does not say specifically in the code that solar panels cannot be visible on that building, we have practiced, for at least eight years, that no mechanical rooftop equipment can be publicly visible.

So that is a precedent we have set, even though its not as clear as for contributing buildings, the non-contributing building. And then when we go to the section on the Historic Transition District, there is a whole section on solar equipment. It is intended that the use of solar and other is encouraged.

Mr. Rasch: Solar equipment shall be screened as follows: (and it says just shall, for any building) raising the parapet, setting back from the edge of the roof, framing the collector and other means that screen the collector or integrate it into the overall structure.

So, even though it clearly intends to say we enjoy the installation, it just should be done sensitively so as not to affect the historic building, especially, but in general, the historic district.

Chair Woods: Thank you David. Is there any other questions? Robert.

Mr. Frost: Okay. I'm going to go to the back building...to the parking... to the residential building. We see tonight that the parking structure actually extends beyond the boundaries of the building. Very briefly, how is the structure supported above the parking garage? By what means? Horizontal or vertical supports? That's phase one of the question.

Mr. Martínez: Vertical and horizontal supports, but primarily vertical supports to the ground.

Mr. Frost: From the ground. Okay.

Mr. Martínez: Yes. It shows in the parking plan.

Mr. Frost: Okay. Last meeting and the meeting before we did discuss the potential...the possibility of actually dropping down the parking garage down, which would bring the building down. Not modifying the building, but just lower everything instead of having the parking garage half way underground, put it completely underground, and bring the building to ground level.

Considering the fact, in looking at this, that the building is actually on piers, why is that such an obstacle for you to do? Which is simply not changing the building, but simply dropping the garage down that five feet so that the building doesn't sit above ground level. That's what we've asked, and so the question is if the building is supported on piers, it can be supported located five feet lower and bring the building down, you see? And so if you could just answer why there is such an objection to actually doing a subterranean garage instead of a semi subterranean garage.

Mr. Martínez: The subterranean garage presupposes a longer driveway. We park on the grade of the parking. This is not a subterranean garage in any way. Are you asking that there be a roof over the...?

Mr. Frost: No. No. I'm not. What I'm saying is that you have a hole in the ground where the garage is. Why not make that hole a little deeper and drop the building down into it...

Mr. Martínez: I see.

Mr. Frost: So that we don't have the building sitting up here and then the light in the garage here. Just, you know, drop everything down. That's what we've asked for the last two meetings, and I'm just curious as to why there's such a real reluctance or... reluctance is not the word for it. Just simply refusal to look at that particular option so that you get what you want, and that the visibility and the streetscape harmony aspect from our standpoint is improved as well. Everybody wins if you do it that way. I'm just not sure why it can't be done.

Mr. Martinez: The parking is at... the slope is as great as it can be and still park on that slope. The whole area is parked, and the whole area slopes. So you park, and it slopes down. There is no driveway that goes down into the hole in the ground. Another point is that the entire parking lot relates to the buildings in front of it. There isn't any grand stairway, or elevators. Actually it slopes right to the buildings. So this parking area is related to all the buildings that are on the site. It's not an underground garage.

Mr. Frost: Excuse me, but the last time when we talked about this, you were telling us, I believe last week, that half of the depth of the garage was below grade. Correct?

Mr. Martinez: Yes.

Mr. Frost: Alright. So if half the garage is below grade, again my question is, why can't the entire garage be below grade? And drop everything down. I don't understand it myself maybe someone else can...

Chair Woods: Yeah, I think he understands. Let him answer, and then I think I can add to what's going on here.

Mr. Martinez: Again, the parking on the site relates both to Manhattan street, and to the buildings on Cerrillos road. They open onto that parking area. You can walk. You can do...this is not underground parking. This is grade parking. The grade is lowered, but when you walk out of the parking lot... you can walk directly into parking from here. It's gradual enough to park on. You can walk from the parking into these buildings. [inaudible] directly into this building, into the [inaudible] building, [inaudible] building. It is not an underground parking that requires an elevator to get out of.

Chair Woods: Okay. Richard, I think what's going to help clarify it... if you go to your parking plan back there. Do you see where your parking plan is? And if you put that up on your easel. Yeah. Okay. I think this is what's going to explain it. Okay.

Now why don't you outline with your finger what part of that parking is under the building, and what part is the perimeter of the building over it? Because basically what's happened here is that the building is floating in the middle of the parking lot, okay?

Chair Woods: So this was kind of a unique way to get their parking by raising the building and putting all the parking under the building, right?

Mr. Martinez: Yes and this...and the building is indicated by this dotted line.

Chair Woods: Why don't you just go ahead and outline the whole thing.

Mr. Martinez: [inaudible]

Chair Woods: So what he is saying, Robert, and I'm not necessarily agreeing with him, but what he's saying is you can't really sink it because the whole parking lot extends beyond the perimeter of the building, so you're driving in and out of the building, and the building is floating over a portion of the parking lot.

Mr. Frost: One more question. How many entrances, auto entrances, to this parking garage?

Mr. Martinez: One.

Mr. Frost: One. Okay. So what I'm saying is, dig a hole.

Chair Woods: Okay. We're just asking questions now. So let's just ask questions.

Mr. Frost: I'm trying to clarify my...what I was trying to say here is you're saying that the building...that the parking garage is not partially underground, but by your own testimony it is. And the building is raised above, part way above, this. Because believe me, if the building is raised five feet above grade level, there's not a car that's going to fit five feet under that building, okay.

So part of this is dug down. Dig it deeper is what we've asked in the past, is to drop the parking level itself down so you can drop the building down. You're not changing anything except dropping it. Because based on your testimony with the structure, the building is still on piers inside the parking structure as it stands now. You're not really changing the structure.

Chair Woods: Okay, Robert. We...let's give other people a chance because you are.... Okay. If you would like to speak, you may come forward, and be sworn in, and I'm going to ask you not to get upset, as you did the last time that you testified before us.

Mitch Davenport: My name is Mitch Davenport. 91 Avenida Frijoles, Santa Fe.

Mr. Boaz: Under penalty of perjury, do you swear or affirm that the testimony you are give is the truth, the whole truth, and nothing but the truth?

Mr. Davenport: I do. Only if I can be helpful. The parking lot barely parks the project with the current density. I mean, to the very parking space. If we lower it, we'll lose potentially up to eight parking spaces, and the reason is, is because what now is sloped parking, will become a ramp that you can't park on either side of. So the parking lot, if it goes down, has to expand in size.

And currently, its very difficult for us to expand that parking lot in size without tearing down more of the existing buildings. And we obviously can't tear down any of the Luna Building. We've expanded it under the addition to Luna, and we've expanded it, already tearing down part of the Healy Matthews Building.

The Barrel-vaulted ceiling of the Healy Matthews Building, we'd prefer to try and leave alone at this point, if we could. We think it's a great building. And so that's essentially the problem, is that we can't park the project any more at the current density if it goes any lower.

Chair Woods: But Mr. Davenport, that's rather self-imposed, in that you have determined the density.

Mr. Davenport: That's absolutely right.

Chair Woods: So if the density was to reduce, you would not need as many...and this is a very dense project. It's parking and it's buildings. It's a very dense project. So this is a self-imposed problem.

Mr. Davenport: No question about it, but, and I know this isn't a purview of this board, that is also imposed by the simple economics of the project. This project...we looked at it, and I want you to be sure that we did. We looked at lowering the density of this project, which is what would have to happen to do what you asked last time, and the project financially doesn't make any sense. It's just not worth building at any lower density than this.

Chair Woods: Okay, well you do have another option. If you cannot lower the density, you can still increase the underground space. As it's shown isn't exactly the way you have it, and you could probably even increase it more to make up for your ramps. So you have, because, even though you're outside the building, that can still be covered up, and you could even park on top of it then, if you needed to.

Now, I also understand economically that to put the entire thing underground is, obviously, considerably more expensive. I mean, you've really come up with the most cost-effective way to park for your density by floating this building above a parking lot. Our concern is what it looks like floating. Our concern, and I think this is what Robert was trying to say, is at night, when this thing is lit...this parking lot is lit the way it's going to have to be lit, this thing's going to look like a UFO. Because this big mass is going to be hovering five feet over the ground.

I understand during the day...because the whole testimony prior to this was that, oh, we're doing this to get light into the parking structure, and wouldn't that be nice. Well that's not why. It's there because the parking lot goes beyond the building, and you need that to get in and out. Our concern, in addition to the height, but I mean, we've got to look at one or the other, is this hovering effect of all this mass. And that's what we're trying to address with you.

And I understand if you begin to not have this thing look like it's hovering, you're going to lose some parking spaces because you're not going to be able to drive in and out. So it's basically asking not just for the height, but this unique style of a large mass building hovering over a parking lot. And that's, for me...from what I do for a living, which is design buildings, I find that disturbing in the historic district. Yes it can happen.

It's a very contemporary way to address a building. I'm not sure if we have a contemporary building. We have a fairly traditional mass building hovering over this land. So that's our concern. Can you help us here in what we can do?

Mr. Davenport: Okay. What I would say is that for a building to appear to be hovering, right, you would have to be able to see it hovering. We've created a portal so that from Manhattan, you can't see it hovering.

Chair Woods: Okay, why don't you show us that either on a drawing or on this.... We can't see the model from there. Maybe some of the many people you brought can help you hold up the model.

Mr. Davenport: This portal comes up in back of that building above ground, so you can't see it. Now if you walk right under here, well, you're right you could, you could walk underneath [inaudible] but that's on that side. On this side, this is the parking lot, and this is [inaudible]. If you walked into this parking lot, and walked over the edge of that, you'd be able to see that building...you wouldn't.

But otherwise, from Manhattan, or from these buildings over here, you're not going to be able to see that because this drops down on this grade, and there's a wall. So you can't see it hovering from here, okay? You certainly can't see it hovering from here.

Chair Woods: I beg to differ with you. If you look in the corner of that building, I can see it hovering. No, the outside corner. Move your finger towards me. Right.

Mr. Davenport: Oh, here? This one? Okay. So you're right. If you're in this parking lot behind [inaudible] in your car, you're right, you'll see it hovering. But if you're driving by here on Paseo, you can't...well maybe...

Mr. Frost: From there, through that... yeah.

Mr. Davenport: Driving by here you'd be able to see that hover.

Mr. Martínez: [inaudible]

Chair Woods: Why don't you just...just stand over from our position.

Mr. Martínez: Because, I just want to say that this [inaudible] want to be able to walk from the parking lot [inaudible]

Mr. Frost: There's not that opening there, but....

Mr. Davenport: I think the most important thing [inaudible] you can't see that building hover. The one thing I'd like to point out about the light, if this building were to go away, and this parking lot were here, it would have to be lit, and there would be a lot more light. This building is actually decreasing the amount of light that is coming off that parking lot.

Mr. Frost: Could you...do me one favor. Rotate it this way and let me look between these two buildings. No the other way. There.

Chair Woods: Would you, from a design standpoint, because, I believe for the mass of this building, it's gonna hover and it's gonna hover at night. Would you be willing to bring down mass in the corners, so it did not have this feeling.... Right now, your supports are completely under and within the parking lot, and it's cantilevered over.

Mr. Davenport: I just want to check [inaudible]. So if we were to get some mass in here?

Chair Woods: Right. I mean, this is only my suggestion, I don't know where the rest of the board is at this point, but I'm trying to throw out some ideas. In the areas that you can...in these corners, where you can...there is visibility of this floating, that you bring down some mass. And there's a couple. There's the one there, and there's the one on the back. There's a couple on the back.

Mr. Davenport: So here?

Mr. Rasch: The addition to Luna.

Mr. Davenport: Oh, right. Here. So...I think basically we could. One of the things again, we're struggling with the parking. We could potentially do something like if we'd want to add more residential units, which increases our parking requirement, there might be something like that we could do.

One of the concerns I have to point out here, is that we are looking for some actions.

Chair Woods: We understand. We have to give you action. We cannot postpone you again, so that's not an option for us. But, you know, I understand you're struggling, but you also have to understand, from the Board's point of view, the time and energy they've put into...because we take our responsibility very seriously.

So we're all struggling here. And everybody's going to probably end up giving up something. So, we understand you're struggling with cost and your density. We have our struggles as well, that we need a response from you on this. And I'm trying to throw out some ideas. And this certainly isn't going to mitigate the height for these guys. I don't know if that's going to do it or not, but.... Do any of these things begin to help the way this building is looking?

Mr. Martinez: Mitch, if we put masses in the parking lot, we loose parking. That's it. When you look at the bottom of... When you look at where [inaudible, conversation between Mr. Martinez and Mr. Davenport?] If that wall goes up?

Mr. Davenport: When this wall goes up.

Mr. Martinez: It's possible, except that we have height [inaudible]

Mr. Rasch: Eight feet.

Mr. Frost: And those are what, four feet?

Mr. Davenport: Those are four feet four. So could we do that? [inaudible] have that wall be higher than eight feet [inaudible] that building, maybe that's an answer, to bring that up. This was the other concern?

Chair Woods: Well it's that whole back end is floating.

Mr. Frost: Yeah. If you look through this way, if you come over here and you look, if you're driving down and you look down that parking lot, you see what we see...what you're talking about...where you just were

Mr. Davenport: You can kind of see that's dropped off there. Well, you bet, I'll make that wall as high as you're comfortable with.

Chair Woods: Well I don't know that you...before you say you can do that...because it's four feet from the high side. If you look on your low side, you are already considerably above that, and you're going to end up with a retaining wall that I don't think is going to meet code.

Mr. Rasch: Oh, Madam Chair, a retaining...

Chair Woods: I understand how we measure it. That's not what I'm saying, David. It has nothing to do with how we measure it. It has to do with the requirements of the building code as to how high you can actually build a retaining wall, and he's going to get very high inside that parking lot.

Mr. Davenport: Do you mean structurally?

Chair Woods: Well, there's certain requirements within the code that they're going to let you do and not let you do, and we don't want to direct you to do something that the code doesn't let you do.

Mr. Davenport: Well obviously standing here today, I can't tell you I'll build that wall tall enough, [inaudible] but if that's an answer that helps us move down the road, I certainly can say that we will go along with whatever the City will allow us to do to raise that wall. That I don't have a problem with. We can do that here...

Mr. Boaz: Madam Chair, I'm only picking up about half of this conversation.

Chair Woods: Okay, you need to go back to your mike. Okay, Cecilia.

Ms. Rios: I need to ask Richard some questions in terms of detail, however, I would like for you...I don't know if Carl can pick you up if you come to the model.

Mr. Rasch: Talk loudly.

Ms. Rios: On the model, on the South elevation here, of the contributing building...right. That wall. Can you kindly describe to us what that is going to look like in terms of the openings that you have proposed there?

Mr. Martinez: Yes.

Ms. Rios: And also, Richard, we need to have... you need to tell us about colors of these buildings and... okay?

Mr. Martinez: [inaudible]

Chair Woods: Why don't you move your drawing over to your mike, so you can...

Mr. Martinez: Oh, sure. Alright. The drawing in black and white, shown here, shows the existing conditions of that wall. It is a wall which is canted-in in many places.

Ms. Rios: Excuse me, for the benefit of the recorder, would you really be specific as to whatever you're identifying? Thank you.

Mr. Martinez: This is the wall of the Luna Building, which is on the property line. What we are intending to do is to make openings that line up with the indentations of the existing wall, and to put some brick panels that would help to tie this wall with the front of the building, and give some openings in the back, and some windows in the front, so that this can be occupied by a commercial and residential areas. These areas back here are residential, and these are commercial, across the front. So this is brick, and glass, and openings.

Ms. Rios: And the color for that building?

Mr. Martinez: The color is intended to be this color, which we determined matches the stucco that's on there right now.

Ms. Rios: And can you tell us how the bricks will be attached? The bricks that you just described.

Mr. Martinez: They will be brick tiles. [inaudible]

Ms. Rios: Is the original Luna Building brick tiles or is it actual real brick.

Mr. Martinez: Bricks, but you won't be able to tell that they're brick tiles. [inaudible] some of the wall, and we're patching part of that wall.

Chair Woods: Like pavers, or...

Mr. Martinez: Just like the [inaudible]

Mr. Rasch: Basing tile.

Mr. Martinez: Basing tile, just like the existing building.

Chair Woods: Who else? Are you done C?

Ms. Rios: Would you go to the other buildings and let us know what those colors are going to be as well?

Chair Woods: [inaudible, tape defect] to move... you have all these guys here. Why don't some of you guys come up and help him and hold it, so we can see it, and we can get moving here.

Mr. Rasch: Or use that microphone, that one on the end.

Mr. Martinez: What do you want to see, this?

Chair Woods: Yeah, if you guys can just...

Mr. Martínez: This is the Healy Matthews Building. This has a brick parapet. It has brick details between the glazing. We're 're taking down part of the Healy Matthews building, so it moves back, away from the street so that its moved more over to the courtyard. You can see that here. And we're exposing the building roof all the way to the front [inaudible]

This is the addition to the Healy Matthews Building. We got a variance from the Board of Adjustment so we can place this building on the street, otherwise it would have to be 15 feet back. These windows have white colored trim around them. Then there is a brick detail on the second floor set back from the street between the windows. Overhangs that are blue [inaudible] like the existing windows in the Luna Building.

This building if the building behind. We're showing [inaudible] the façade in the back here. Those have sage green windows trim on those color boards. Right there, the Healy Matthews building will be both of these colors. But this color will be on the back part of the building so that we can bring that out... the roof color. Trim, trim, trim. We'll do trim on different buildings. Brick. And these are the storefronts on the Luna Building. [inaudible] parapet [inaudible].

Ms. Rios: On the back building, what type of relief have you given that back building. Does it just go straight up for the most part?

Mr. Martínez: On the front side of it there are yards and doors that are pushed out. You can see that here.

Ms. Rios: But the building itself, it really just goes straight up. Two stories. Correct?

Mr. Martínez: Straight up.

Ms. Rios: Give us the height, again, of that building.

Mr. Martínez: 32.

Chair Woods:: 32. Not counting the solar panels.

Mr. Martínez: Then there are inset balconies on the back side of the building.

Chair Woods: Can you turn your model so that they can see it? And I do want to thank you for doing the model. It is extremely helpful. Are there any other questions? Yes. Deborah.

Ms. Shapiro: On the contributing building, the Luna Building the wall that you are making your cut outs on, there are some windows. What color were those windows?

Mr. Martínez: There are no windows on this wall.

Ms. Shapiro: I thought in the front....

Mr. Martínez: In the front there are windows on the [inaudible]

Ms. Shapiro: On the front of the building, right next to the Sage Bakery, isn't that..

Mr. Rasch: East end of the south elevation.

Mr. Martínez: Those are windows.

Ms. Shapiro: Those are windows?

Mr. Martínez: Yes [inaudible]

Ms. Shapiro: That's what I just asked. What color are the trims on those windows.

Mr. Martínez: Those windows are the blue [inaudible]. Blue windows that are like what's on the building right here. [He showed the Board his samples.] That's the window in the front of the Luna Building. [inaudible] so those windows will [inaudible].

Ms. Shapiro: Oh. I see. And then as you go back further on the Luna Building, those windows become just spaces, right?

Mr. Martínez: Opening.

Ms. Shapiro: Openings. Are you just stuccoing around the edge of them?

Mr. Martínez: Yes.

Ms. Shapiro: Okay.

Mr. Martínez: There is no trim.

Ms. Shapiro: I was wondering what you would think about maybe I mean it is an usual application to have a solid two story wall with just lots of openings in it. Then you see the regular building behind it. I realize why you are doing that. Right? To get light in there. What would you think of putting a false window grid in there to match the front windows?

Mr. Martínez: Well, it would be a problem, because its planted behind there to have false windows. I would imagine that there would be [inaudible] in those courtyards. Through the windows, you can see courtyards.

Ms. Shapiro: The biggest ones are in the back. How big are those? Do you know?

Mr. Martínez: Those are 16 and a half feet by ten feet.

Ms. Shapiro: The window space? The cutout space?

Mr. Martinez: The floor space of the cutouts. I'm sorry, the floor space of the courtyards.

Ms. Shapiro: Okay. How big is the cut out?

Mr. Martinez: Looks about eight by eight.

Ms. Shapiro: How high is that off the ground, there, do you know?

Mr. Martinez: Yes. I would say about seven feet off the ground. There's cars that park [inaudible]

Ms. Shapiro: And what are those horizontal lines that we see? Is that the building on the other side?

Mr. Martinez: Those are metal rails. [inaudible]

Ms. Shapiro: Oh. So you do have some metal rails going across them.

Chair Woods: Any other questions? Yes, Jake.

Mr. Barrow: A couple of questions while we're talking about this wall. You mentioned that you are going to applying a brick tile to the surface. I interpreted that you are making a distinction between that brick tile and the brick that appears on the Healy Matthews building and the brick on the façade on the Cerrillos Road side. I don't know why I assumed that. But I'm thinking you are using sold brick here, but you're applying tile on that side. Is that correct, or incorrect, or what?

Mr. Martinez: I was trying to be honest. All brick will appear solid, but it will, sometimes be [interrupted]

Mr. Barrow: Tile.

Mr. Martinez: Tile. Because of the construction of the buildings.

Mr. Barrow: What is the bond style on that brick? Is all the bond styles going to match? What are the mortar joints?

Mr. Martinez: Yes. We have a board on that.

Mr. Barrow: And by that same token, when you apply a tile to the surface of the stucco, as opposed to when you are inseting it, is that brick going to be proud of the stucco by a quarter inch, and eighth inch, a 16th, a half, whatever?

Mr. Martínez: The Luna Building is currently in the streamline Modern style. It doesn't have the details of a Pueblo Revival building.

Mr. Barrow: I'm not asking that. I'm asking if the brick tiles are going to be proud on the stucco. In all cases? Or in some cases it will be different. When you made your presentation, the impression I got was that you are applying brick tile to this particular façade. Applied to the stucco surface. I'm reading that to mean that there will be a brick tile sticking out on the stucco surface, proud of it. Which would be different than the way it appears.

Mr. Martínez: It is not intended to be proud. I would say it would be flush, or inset. But not proud.

Mr. Barrow: And the reason for that is, and just correct me anywhere here where I am wrong. I guess what I'm reading here is that you'd like that wall to read as though it were constructed in brick and partially stuccoed over.

Mr. Martínez: Oh, no. No.

Mr. Barrow: No?

Mr. Martínez: No. The current Luna Building uses brick in a way that doesn't imply that the whole building is made of brick. It's panelized. It is streamlined. It runs in bands. And that is the motif that I am picking up in the other building.

Mr. Barrow: Okay.

Chair Woods: Is there any other questions?

Mr. Barrow: Yes. Let's come back to this lighting issue again. Talking about this about this lighting from just another point of view. Can you describe exactly how that area is going to be lit, and what measures you can take to reduce the amount of light that is going to potentially be escaping out of there. Because, really, I don't understand how you are going to light this.

Mr. Martínez: I presented a design of the light fixtures. And I'll show them to you again. There are a lot of fixtures. On the ceiling of the parking area, we have lights that shine completely down. They don't shine out. This was intentionally picked so that they shine down. The lights, landscape accent lights, and there are very few of those. And these are Stein accent lighting, so there are a few of those as well. But the parking lot was designed is to shine down on the floor. That's where you need the light.

Chair Woods: Any other questions?

Mr. Barrow: The accent lights point up?

Mr. Martínez: The accent lights, yes. There is a tree that has accent lights pointing up [inaudible]. Again, I went over all this with zoning to make sure.

Mr. Barrow: Just to clarify the point. When we're talking about lighting, we're not talking about the legal aspect of zoning. We're talking about the streetscape harmony, night sky, what the lights look like. Are the accent light.... they're optional, they are decorative, you are using it to....

Mr. Martínez: Yes. They are decorative. Yes. Optional.

Mr. Barrow: And the other ones, you said there were a few of them. Can you be a little more specific on one of the plan views, of where those lights are going to be. Those. Yes.

Mr. Martínez: These? They are all down on the lighted path.

Mr. Barrow: We have that in our packet?

Mr. Rasch: No we do not.

Chair Woods: I think it makes more sense for you to actually show it on the elevations than the floor plan, of where we would see those.

Mr. Barrow: Either way.

Mr. Martínez: They're primarily in the courtyard area and then where there would be signs at the front of the Healy Matthews building and in the front of the addition.[inaudible]

Mr. Barrow: It is very interesting. So the only lighting in your parking lot area, that you have indicated, is the lighting of the ceiling of the building. There is no lighting around any of those walls, or any of those additional parking lot areas that are not covered.

Mr. Martínez: No. There are lights on these walls.

Mr. Barrow: What kind of lights are those?

Mr. Martínez: Those are wall mounted [inaudible] They are a part of the [inaudible] and the light diagram from [inaudible].

Mr. Barrow: You don't have a sample of that light? What it looks like?

Mr. Martínez: No. They are inset, recessed lights.

[several people speaking at once]

Mr. Martinez: [inaudible] shine down as you can see. They are not intended to shine much past the area that they are [inaudible] In no way are they intended to shine out in the street.

Chair Woods: David, as part of our application, do we require that an applicant brings forth, on his elevations, exterior lighting?

Mr. Rasch: You may and you have very commonly in the past, required to see all locations and all fixture designs.

Chair Woods: Jake:

Mr. Barrow: Thank you. I have a couple of additional questions. We may have asked this last time, but I don't I don't remember, so you'll have to just correct me. You know, when we're talking about these height issues and all. Can you clarify what the interior heights of these rooms are. Of the occupied spaces that you are using. I'm particularly interested just in the residential unit in the back.

Mr. Martinez: From the bottom of the structure, to the top of the parapet, 24 feet.

Mr. Barrow: I'm talking about interior.

Mr. Martinez: [inaudible] I'm sorry. [inaudible]

Mr. Barrow: Oh. Okay. Alright. 24 feet.

Mr. Martinez: So minus the parapets and all that, they are nine feet on bottom and eight and a half feet on the top floor.

Mr. Barrow: So the interior ceiling height..

Mr. Martinez: They are nine feet and eight and a half feet.

Mr. Barrow: Both of those are residential, first and second floor?

Mr. Martinez: Yes. They are units that go up and down.

Chair Woods: Any other questions? Are you done Jake?

Mr. Barrow: For the moment, yes.

Chair Woods: Any one else? I have a comment. You are using the darker stucco, the darkest stucco on the barreled building, but yet you are picking a white, white trim against that dark stucco. And especially on windows that have this kind of slanted line on top, it is a lot of contrast on the dark, dark stucco and a very blank, white trim. Can you address that?

Mr. Martínez: Yes. The white trim is intended to tie into all of the rest of the building. Because all the rest of the building has the white trim on the windows. The dark color is to bring that mass as close to the street as possible and to tie into the bronze roofing that is going over the top.

Chair Woods: Is there any other comments? Yes.

Mr. Barrow: This is not a comment, it is a further question about the solar panels. Just clarify. This is not a [inaudible] This is a circulating liquid system and you got the absolute minimum? You checked that?

Mr. Martínez: Yes.

Mr. Barrow: What is it?

Mr. Martínez: This is a thermal system. A solar. Not a voltaic system. It's a thermal system.

Mr. Barrow: Yeah. Circulating liquid [inaudible] panel.

Mr. Martínez: We talked with Larry Maes and we're putting the panels sideways on the roofs of these buildings so they are longer rather than tall. And this is the absolute minimum they can be and still be a thermal system.

Mr. Rasch: They are four by eights?

Mr. Martínez: Four by eights. On an angle.

Chair Woods: Anybody else? Okay. Before we entertain a motion, I would like to remind the Board that we can make a separate motion on each one of these buildings. The first being the Luna Building. The second being Healy Matthews. The third being the 4,284 square foot building in the back. That is certainly an option of the Board in addressing this.

Again, to review, just because this is a very complicated project. As I understand it, and I would ask the applicant to correct me if I am wrong, that on the Luna building and the Healy Matthews building you are basically asking for a four foot height exception based on the parapet height of the solar panels. On the back building, which is 32 feet high, not counting the solar panels, you are asking for a 16 foot, six inch height exception. If you were to count the solar panels, you are asking for a 20 foot, six inch exception.

I would also remind the Board that, because there has certainly been some contention in this project, that they can request staff to draft findings of fact and conclusions of law which will be provided to the applicant. Since that is too difficult for us to do right at this meeting. I would also like to remind the Board, based on the exception ordinance, if you were to approve this project, you would need to cite the exceptions and how it is that you believe that what the applicant stated is positive.

If you were to deny this application, or any part of the application, again, you would need to go through the exceptions.... Can you tell us what page those are on, so we [a few words were not recorded while the tape was being replaced, during which time Mr. Rasch referred the Board to page 79.]

Chair Woods: So the height exception section is 14-5.2D and the applicant has stated his criteria for the exceptions. And however you decide to frame your motion: whether it is all in one, or you divide the buildings, however you wish to do it, you need in this one to go through your exceptions, whether you are approving or denying. So is there any questions? Does that help direct the Board on proceeding to a motion at this point?

I would also encourage you to be as specific as you can without getting conversational in your motion. At this time, I would encourage the Board to entertain a motion.

Okay, you guys. It's already a quarter after eight, and I'm falling asleep. [giggles]

Mr. Barrow: Well, I'll make an attempt at this. In this motion, I am going to divide the project into three parts.

Chair Woods: Are you doing three motions? Or three parts?

Mr. Barrow: Three motions.

Chair Woods: Three separate motions.

Mr. Barrow: Separate motions.

Chair Woods: Okay.

Mr. Barrow: The first is 519 Cerrillos Road, known as the Luna Building. Contributing to Transition Historic District. On that particular building, I will move to deny the applicant's request, primarily based on the criteria submitted: provide the least negative with respect to the purpose of this section as set forth in 14-5.2A1. I don't believe that the applicant has met that particular criteria due to the solar panels.

Chair Woods: Okay, so we have a motion to deny the Luna Building. Is there a second? Okay. Motion dies for lack of a second. I would like to entertain another motion, please.

Mr. Barrow: Could I try another motion?

Chair Woods: Is there a rule on that?

Mr. Boaz: Yes he can.

Chair Woods: Go ahead, do another motion. Okay.

Mr. Barrow: Okay. Regarding 519 Cerrillos Road, known as the Luna Building, I would move to approve the project as designed with the following modifications: That there be no solar panels place on the Luna Building, pursuant to section 6 - provide the least negative impact with respect to the purposes of this section as set forth. All other aspects of the design would be approved.

Chair Woods: Is there a second?

Mr. Frost: Can I ask a question before we second?

Chair Woods: No we can not discuss without a second.

Mr. Frost: Okay. I'll second.

Chair Woods: Okay. Now you may discuss.

Mr. Frost: Mr. Barrow, are you talking that the solar panels would not be allowed only on the original section of the Luna Building and allowed on the new construction of the addition to the Luna Building?

Mr. Barrow: Thank you very much. I would disallow the solar panels only on the contributing portion of the building.

Chair Woods: Question? Okay.

Ms. Rios: Do we know how many panels they are asking for on the contributing part of the building?

Chair Woods: Can the applicant answer that question?

Mr. Martínez: I believe there are two per unit. How many? Hold on.

Chair Woods: Say it again, please, David.

Mr. Rasch: 18 on the contributing building. Ten on the addition.

Chair Woods: Okay. So we have a motion. I'm sorry.

Ms. Rios: We are still discussing, if you don't mind, Madam Chair. I do want to say that I think this Board, or I want to remind the Board. I realize that this is a contributing building. However we are in The Transition District. We are in an area where we did have a lot of industry. You know, there was a car garage right there.

I think that in this day and age, that we need to do whatever we can to encourage energy saving methods. And sometimes you have to do a little bit of give and take. In my opinion, I think even though we have a contributing building, I think that any time an applicant comes forward with an energy saving project that we really need to look at this very carefully and try to accommodate them.

Ms. Rios: I think the Board should remember it was in the Transition District; an area where we had a lot of industry. I think we need to do whatever we could to encourage energy savings methods. In my opinion, I think an applicant comes forward with an energy savings component, we need to accommodate them.

Mr. Barrow: I couldn't agree more, but in this particular case, the height of this building and the request for an exception, I just do not feel was met. I'm more than comfortable with the other solar aspects of the project.

Chair Woods: David, do you believe that this building would lose its contributing status by adding this setback parapet to the top to hide the solar panels?

Mr. Rasch: Madam Chair, Board members. One thing is, if you do grant the exception to increase the height, this building would not be used in the averaging for any height on this streetscape. So it would disallow that building to be used in further height calculations. As to the contributing nature of the building, it is set back, but it is publically visible.

I do not think that this Board should ever allow a height exception, that is why we have such a strong height ordinance. But I don't think it would negatively impact the status.

Chair Woods: Thank you. Yes, Deborah?

Ms. Shapiro: Is there any chance you could double up on the panels on the new part?

Mr. Martínez: There is a chance. We have to make sure solar shines on these panels. And I set the parapets back eight feet from the edges, so that restricts the area.

Ms. Shapiro: Maybe on that one, maybe we could use that in the motion, that you could bring a rearrangement of the panels on the new half of the building, without putting them on the old, on the contributing part.

Chair Woods: Deborah, I don't think you're gonna fit 18 panels on that small addition.

We have a motion in favor of the Luna Building with the condition that there not be solar panels on the contributing part. And we have a seconded. All in favor:

Mr. Barrow: Aye.

Mr. Shapiro: Aye.

Chair Woods: All opposed?

Mr. Frost: Aye.

Ms. Rios: Aye.

Chair Woods: Okay. I will vote to break the tie, with Cecilia and Robert.. So the motion fails. We need to entertain another motion on the Luna Building. Was that clear enough? Okay.

Ms. Rios: No.

Mr. Rasch: Yes

Chair Woods: I voted with you and Robert. The motion does not pass. The motion dies because I voted against. I voted a no, with you two.

Mr. Rasch: The motion was to approve with conditions. Three nos.

Chair Woods: Right. So there are three nos. So that means that the motion dies. We need another motion on the Luna Building. Can we have another motion on the Luna Building? If it takes this long on each building, we're going to be here a long time.

Mr. Frost: Okay, I would like to entertain a new motion for, again, strictly for just 519, the Luna Building. That it be approved, as submitted, with the following conditions: That we allow the new construction portion of the building to expand those parapet walls closer to the edge of the building, the screen walls, thereby allowing for an additional number of solar units to be placed on the rear section of the building, of the new section of the building. And that, should you have any requirement or any need for a minimal number of panels on the contributing building, that those parapet walls be moved as far to the rear of that building as possible to include maybe no more than six to eight panels on the back side of the contributing building.

Chair Woods: Is there a second?

Ms. Shapiro: Second.

Chair Woods: Okay. Is there discussion? I will add to the discussion. I think that to set those parapet walls back on a contributing building, eight feet all around, does far less damage than to take that parapet out almost to the edge of the addition and add another four feet to that building. In my opinion, I disagree. I think it is much less visible to do it the way they are doing it, with eight feet set back and it has the minimal impact on the project. You are adding four more feet. And four feet set back is a whole lot different than four feet on that edge. Any other comment?

Ms. Rios: I agree with Sharon, definitely, on the back building. You do not want to go forward with that four feet, you want to have it as they proposed.

Chair Woods: Is there any other discussion. [several Board members having a conversation that cannot be heard] Okay. What's eight feet all the way around?

Ms. Shapiro: The distance between the parapet and the screen wall is eight feet all the way around on the back [inaudible]

Chair Woods: Right, and you are saying that in order to create more space for solar panels on the back building, that you'll move that parapet wall...[interrupted]

Ms. Shapiro: The screen wall.

Chair Woods: The screen wall closer to the edge of the building.

Ms. Shapiro: By four feet.

Chair Woods: By four feet. So we have a motion, and a second, to approve the Luna Building with taking the solar panels off the contributing building (except for a maximum of six to eight kept as far back as possible) and to move the parapet walls on the addition out four feet to add additional panels. So we have a motion and a second. All in favor:

Ms. Rios: Yes

Ms. Shapiro: Aye

Mr. Frost: Aye

Chair Woods: All opposed ?

Mr. Barrow: No.

Chair Woods: Okay. That takes care of the Luna Building. Can we have a motion on the Healy Matthews Building? Oh, that's a really good point.

Chair Woods: We've already voted and we did not address the exceptions on that motion. Please don't make us do this again, Carl. Thank you. Okay. Do we have a motion on the Healy Matthews building? And this time, we do need to address the four foot additional parapet wall.

Mr. Barrow: Can I ask a question?

Chair Woods: Yes.

Mr. Barrow: As a point of clarification, the Healy Matthews building is the building with the barreled roof?

Chair Woods: Yes.

Mr. Barrow: Right. Oh, it both parts.

Chair Woods: Right.

Mr. Barrow: And again it has a four foot exception on one section of the new wing?

Mr. Martínez: Correct.

Mr. Rasch: There are solar panels on the front of the Healy. In front of the barrel vault, but they look like they don't have any extension on the parapet.

Mr. Martínez: I didn't have to raise the parapet .

Chair Woods: Can we entertain a motion, please?

Mr. Barrow: I make a motion that the Healy Matthews portion of the project be approved as designed, and I feel that the applicant has met the criteria.

Chair Woods: Of the exceptions per page 79?

Mr. Barrow: Of the exceptions.

Ms. Rios: I will second that.

Chair Woods: Is there any discussion? All in favor?

All: Aye.

Chair Woods: All opposed? Okay.

Chair Woods: Now we need to have a motion on the last buildings, which is the 4,284 square foot building in the back. Okay. We need a motion please. C, could you like to take this one on?

Ms. Rios: Not really, but I'll...

Chair Woods: We're going to put this one over to the experience on the Board.

Ms. Rios: In reference to the building closest to the Anaya Building, I move that this building be taken back to the drawing board.

Chair Woods: Excuse me, the attorney's not going to allow us to do that.

Ms. Rios: Excuse me, we can do that. We are looking at this project, and I think the building needs to be reduced in height, and this is my motion. That it needs to be taken back to the drawing board and I would strongly suggest that the massing of this building, the height, be reduced.

Chair Woods: So is the motion stating that we are denying the application for this building?

Ms. Rios: No.

Chair Woods: Okay.

Ms. Rios: I am just saying that they have to go back to the drawing board to redesign.

Chair Woods: But we have to give them either approval or denial because we have already tabled them twice. We have to do either one.

Ms. Rios: I don't think there is anything in the ordinance that says I can't make the motion that I am making. If there is, in fact, I want to see it.

Mr. Rasch: I don't know of one.

Chair Woods: As I understood from the City Attorney that we had to move forward on this.

Ms. Rios: Someone else has to make a motion, because that was my motion.

Chair Woods: Well, since the motion has been made to postpone, although the applicant has stated very seriously that they will not be redesigning, they have requested either an approval or denial. Is there a second?

Mr. Frost: I'm going to second so we can have some discussion on this.

Chair Woods: We cannot discuss on a postponement.

? [inaudible]

Chair Woods: No. Hold it just one moment, please.

Mr. Rasch: I think you can discuss?

Chair Woods: We can discuss?

Mr. Rasch: Yes.

Chair Woods: Okay. I'm sorry. Go ahead for your point of order.

Mr. Hnasko: With all due respect to the Chair and the Board, at this time we request, as per the ordinance, that the Board either approve or deny this part of the application. That's set forth in 14-2.7.E1: The Board shall review and approve or deny.

We respect the Board's decision and any disagreements they may have, but we do respectfully request action on this application, and no further postponement as that is equivalent to a tabling. I made my position clear with the City Attorney that the Board has an obligation to act on this application and we respectfully request that it do so.

Chair Woods: So we have a motion and a second for postponement. We've heard the point of order. All in favor?

Ms. Rios: All in favor of the motion I made?

Chair Woods: Yes. All in favor?

Ms. Rios: Aye.

Mr. Frost: Aye.

Ms. Shapiro: Aye.

Chair Woods: Any opposed?

Mr. Barrow: No.

Chair: Carl, I don't know what to do.

Mr. Boaz: What is the vote?

Chair Woods: The vote is three have voted for postponement, and one....

Mr. Barrow: No, I agreed with postponement.

Chair Woods: Okay. So we have four that have voted for another postponement, requiring that the applicant lower the building. You know, you have made your point of order. It's on the record.

Mr. Hnasko: My point of order would be....

Chair Woods: We understand the point of order that you..... Can a postponement be appealed to the Governing Body? Kelly, can you answer that, please?

Mr. Rasch: I've been told it is not a final action.

Ms. Rios: Madam Chair, I do want to say that I did hear one of the owners, this gentleman here indicated that if we could give them approval on most of the project, that it seemed like when we were discussing that back building, there were a lot of questions. I don't know, perhaps I read incorrectly.....[interrupted]

Chair Woods: Okay. You know what? No. We have voted. I'm sorry. We have voted. There is nothing I can do at this point. I understand that you're not very happy. You may go talk to the City Attorney. At this point, there is nothing I can do. So we need to go on with our next case. I know you are upset, but I think you really also, got a lot tonight. And I hope you are aware of that. So thank you. We are going to go on to our next case.

The verbatim transcription for this case concluded here.

I. NEW BUSINESS

1. **Case #H-08-002.** 463 Calle La Paz. Downtown & Eastside Historic District. Sandra Kiger, agent for Michael and Patricia French, proposes to construct an approximately 465 sq. ft. addition to the existing height and alter windows on a non-contributing building. (Marissa Barrett)

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

BACKGROUND AND SUMMARY:

"The approximately 5,009 square foot Territorial Revival style single-family residence was constructed in 1987 and is listed on the Official Map as a non-contributing building located in the Downtown and Eastside Historic District. The building has many architectural details that mimic the significant guesthouse also located on this lot.

"This application proposes the following:

"Construct an approximately 465 square foot addition to the north elevation to match the existing height of 13' 10". The addition will include the removal of the north elevation courtyard wall and exterior fireplace. Windows and doors will be true divided lights and will include wood surrounds and pediments and will be finished an off-white color to match the existing. The addition will also include a brick coping in a reddish color to match the existing building.

"The adobe addition will be finished with a cementitious stucco to match the existing building in texture and color.

"Plans include the installation of five low-profile skylights and the possible relocation of two existing skylights. No skylight will be publicly visible.

"Lastly proposed is to remove three windows on the west elevation and install a pair of true-divided light French doors to match the existing style.

STAFF RECOMMENDATIONS:

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

Present and sworn was Ms. Sandra Kiger, 708 Coyote Ridge, Santa Fe. She said that for the one window on the north elevation, her client would like to have a little bit longer. She pointed it out and said she wanted it to be the same size as another window.

Mr. Frost asked if the line on the elevation was the yard wall.

Ms. Kiger explained that on that elevation they proposed removing the yard wall.

Chair Woods asked her to point out where the wall was being removed.

Ms. Kiger pointed out that it was an interior yard wall.

There were no speakers from the public regarding this case.

Ms. Rios moved to approve Case #H 08-002 per staff recommendations and that the window on the north be elongated as described. Mr. Frost seconded the motion and it passed by unanimous voice vote.

2. **Case #H-08-003.** 1020 Camino San Acacio. Downtown & Eastside Historic District. Martínez Architecture Studio, agent for Sarah Nolan, proposes to construct a 15' wide x 5' high vehicle gate and a stuccoed retaining wall at a maximum of 1'6" above highest grade on a contributing property. (David Rasch)

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

BACKGROUND AND SUMMARY:

"1020 Camino San Acacio is a single-family residence that was constructed before 19567 in the Spanish-Pueblo Revival style. The building is listed as contributing to the Downtown and Eastside Historic District, although there is no Historic Cultural Property Inventory on file.

"The building is situated above the street with sloping grade down to the street that is eroding.

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

- "1. A stuccoed retaining yardwall will be constructed at the front lot line to stabilize the slope from further erosion. The wall will rise above grade at a maximum of 18" and range from 3' to 4' 6" high as measured from the street-facing elevation. The wall will feature a buttress and a step to comply with the 25' - 8" change in height and 50' 12" change in plane guidelines. Stucco color will match the residence.
- "2. At 37' back from the front lot line, a 5' high x 15' wide automatic sliding vehicle gate will be constructed. The gate will be made of rust-finish metal in vertical slats. The gate will be flanked by 5' high stuccoed pilasters and a wing wall to screen the mechanical system. The pilasters and wing wall will be stuccoed to match the residence.

STAFF RECOMMENDATION:

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

Mr. Martínez, still sworn, referred to the site plan and showed the street was on the top of that property line and the wall was on the street and gate set back at the existing wall.

He said this house was built in 1991 so it could not be contributing.

Chair Woods agreed.

Mr. Rasch said he would change the map.

Mr. Frost asked what the little stone in the middle of the yard was.

Mr. Martínez said he didn't know but thought they would not leave it.

Ms. Shapiro asked about exterior lighting.

Mr. Martínez said they would not have exterior lighting.

Ms. Shapiro asked if he would match stucco style.

Mr. Martínez said they would.

Mr. Barrow asked if one half of the gate would slide.

Mr. Martínez said the whole gate would slide in front of the existing wall.

Mr. Barrow didn't think the gate was considerate to the streetscape. It looked more prison like.

Mr. Martínez said they were trying to keep it simple. There was another house in the back of the property.

This was an easement on the site plan. The gate was for that house.

Mr. Barrow asked if it could then be further back.

Mr. Martinez said it could not.

Mr. Barrow suggested the gate could be a more open pattern.

Mr. Martinez agreed and said he could take out every other vertical.

There were no speakers from the public regarding this case.

Mr. Frost moved to approve Case #H 08-003 per staff recommendations with conditions:

1. **That the massing of gate be reduced to a more open style.**

Ms. Shapiro seconded with additional condition:

2. **That there be no exterior lighting and**
3. **That stucco reveals match existing on the house.**

Mr. Frost accepted those conditions as friendly.

Mr. Barrow requested a condition:

4. **That the stone element be retained unless it could be proved that it was not historic to demonstrate that it has no value and submit to staff..**

Mr. Frost accepted that condition as friendly and the motion passed by unanimous voice vote.

3. **Case #H-07-025.** 717 Acequia Madre. Downtown & Eastside Historic District. Staff proposes to rescind the previous HDRB approval. (Marissa Barrett)

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

BACKGROUND AND SUMMARY:

"The Historic Design Review Board conditionally approved an application to construct a new approximately 2,361 square foot single family residence to a height of 14' 6" where the maximum allowable height is 14' 11" at their March 27, 2007 hearing. The vacant lot has since been sold and the new owners wish to apply to the Board with a new application. In order to eliminate the potential for confusion of multiple actions, the original conditional approval should be voided.

STAFF RECOMMENDATION:

"Staff recommends that the Board rescind their previous action on this property before hearing another application on the same property."

There were no speakers from the public regarding this case.

Ms. Rios moved to approve rescinding the approval of Case #H 07-15. Mr. Frost seconded the motion and it passed by unanimous voice vote.

4. **Case #H-07-026.** 719 Acequia Madre. Downtown & Eastside Historic District. Staff proposes to rescind the previous HDRB approval. (Marissa Barrett)

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

BACKGROUND AND SUMMARY:

"The Historic Design Review Board conditionally approved an application to construct a new approximately 3,725 square foot single family residence to a height of 14' 6" where the maximum allowable height is 14' 7" at their March 27, 2007 hearing. The vacant lot has since been sold and the new owners wish to apply to the Board with a new application. In order to eliminate the potential for confusion of multiple actions, the original conditional approval should be voided.

STAFF RECOMMENDATION:

"Staff recommends that the Board rescind their previous action on this property before hearing another application on the same property."

There were no speakers from the public regarding this case.

Mr. Frost moved to rescind the previous action on Case #H 07-16. Ms. Rios seconded the motion and it passed by unanimous voice vote.

5. **Case #H-08-004.** 717 & 719 Acequia Madre. Downtown & Eastside Historic District. Spears Architects, agent for Mr. Martinez and Elizabeth Schnieder, proposes to construct an approximately 6,114 sq. ft. single family residence and attached garage and guesthouse to the maximum allowable height of 14'11" and a yardwall to the maximum allowable height of 5'1" on two vacant lots. (Marissa Barrett)

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

BACKGROUND AND SUMMARY:

"This application proposes construction of an approximately 6,114 square foot Spanish Pueblo Revival single family residence, attached guesthouse, and attached garage to the maximum allowable height of 14' 11". The new building will be constructed on two adjacent vacant lots located in the Downtown and Eastside Historic Review District.

"The new structure includes 3,400 square feet of main living space, a 1,020 square foot attached guesthouse, a 695 square foot attached garage, and 953 square feet of portals. The building will be constructed from adobe and will be stuccoed with light brown El Rey stucco. The portals will have low-pitched shed roofs with a charcoal grey standing seam metal roof. The beams and posts will be wood painted an off-white color (Grape Freeze).

"Windows and doors will be true divided light aluminum clad wood where exposed and true divided light wood under the portals. All windows will be finished in a custom dusty teal color (Halcyon Green). All window and doors comply with the 30" window and 36" corner rule. The garage doors will be wood with fixed windows and stained a light brown.

"Plans indicated that three skylights are proposed. No exterior light fixtures were submitted.

"Lastly proposed is a yard wall along the south, street-facing elevation to not exceed maximum allowable height of 5' 1". In certain locations the wall will include an 'authentic' stone at the base. A wall is also proposed along the east elevation at the driveway to not exceed the maximum allowable height of 6'. The wall will also include an 'authentic' stone base in certain locations as well as pedestrian gates. The gates will be wood finished in a light brown stain. The gate along the east elevation at the main entry will include a stuccoed header accent and exposed lintel.

STAFF RECOMMENDATIONS:

"Staff recommends approval of this application on the condition that no skylights or rooftop equipment are publicly visible, that the type of stone is clarified, and that an example of the exterior light fixtures be submitted to staff. Otherwise this application 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."

Ms. Barrett pointed out the samples were submitted.

Ms. Rios asked if the wall met the guidelines. Ms. Barrett said she would check to make sure.

Present and sworn was Ms. Beverly Spears, 1334 Pacheco Street, Santa Fe who said she had nothing to add to the staff report.

Chair Woods encouraged the Board to read the applicant's letter.

Ms. Rios asked if the guesthouse was closer to Acequia Madre.

Ms. Spears agreed.

Ms. Rios asked about the type of rock to be used.

Ms. Spears said it was a field rock, natural stone.

Mr. Frost said there looked to be a set of stairs going up but it didn't appear to be two story.

Ms. Spears said they went to a roof deck.

Mr. Barrow asked if they were using stabilized adobe.

Ms. Spears said it would be unstabilized with unstabilized mud mortar. She said the plan was to do more plaster under the portal but elsewhere use cementitious stucco. She added they would also do bancos against the parapet. There had been no discussion about umbrellas on the deck. She pointed out that the site had no views from the ground and the deck was "just a destination at sunset."

She showed and described the colors for stucco, portal roof, windows, and portal trim.

Ms. Barrett said the wall did meet the guidelines.

Ms. Shapiro asked about light fixtures outside.

Ms. Spears said they had not picked out fixtures. Under the portal there would be three wall sconces. At front door, there would be two wall sconces shielded with down lights and they would have no lights at the driveway.

Ms. Shapiro asked if the façade was going to have stone at the base.

Ms. Spears said the yardwalls would have masonry at the base of the walls. Stone would be in the same plane of the stucco.

Ms. Shapiro requested that she bring stone examples to staff. Ms. Spears agreed.

There were no speakers from the public regarding this case.

Ms. Shapiro moved to approve Case #H 08-004 per staff recommendations and conditions:

- 1. That exterior light fixtures be brought to staff for approval,**
- 2. That descriptions and photos of stone be brought to staff.**

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

6. **Case #H 08-008.** 610 & 612 Miller and 431 Camino de las Animas. Downtown & Eastside Historic District. Richard Martínez, agent for Balser, proposes to remodel three-non-contributing properties, consisting of 10,348 sq. ft. in three residences and one studio with 2,953 sq. ft. of additions and alteration of yardwalls which would match existing heights. A 1,689 sq. ft. garage-portal would be constructed to a height of 12'6" where the maximum allowable height was 15'6". (David Rasch)

At the request of the applicant, this case is transcribed verbatim.

Chair Woods: Okay. Our next case is Case H 08 008 at 610 and 612 Miller and 431 Camino de las Animas. May we have a staff report, please?

Mr. Rasch: Yes, Madam Chair. 431 Camino de las Animas is a single family residence that was constructed in the 1930s in the Spanish Pueblo Revival style. A free standing studio was constructed at a recent non historic date.

610 and 610 ½ Miller Street is a two family residence that was constructed after 1945 in the Spanish Pueblo Revival Style. Significant remodeling was done to both primary residences. Recently a lot adjustment readjusted the two properties to create three properties, identified as lot one, two and three in this proposal. And in this site plan, you can see where those lot lines are. All buildings, consisting of 10,348 square feet, on both properties are listed as non-contributing to the Downtown and Eastside Historic District.

I am going to go through this application in terms of each lot. And I have noted on those sheets where all those changes are, but just let me outline them quickly for you with the pointer.

Mr. Rasch: On lot one there are two major adjustments. There's a carport here that is going to change in its width and a new vehicle gate installed there [indicating on the plans]. Then between lot one, two and three there will be this yardwall. Those are the two changes to lot one.

On lot number two this courtyard is proposed to be infilled. There is an "L" shaped pergola being built on the back and infill right there [indicating where] and some parking for the lot two cars.

On lot three there is an exercise room addition, more parking, and this new garage which is accessed through this line here with a new gate back here. As well as additional coyote fencing along the perimeter lot line.

[Reading from the staff report.] On Lot number one, a six foot high yardwall will be constructed on the rear lot line between the three lots. This wall will have stuccoed pilasters and coyote infill with irregular tops.

A nine foot six inch section of the wall, nearer to the residence, will feature a stone planter with wooden carved corbels and an exposed lintel.

Number two. The existing carport at the southwest corner will be relocated and the yardwall will be increased in height to match existing height.

On lot number two: Additions totaling 522 square feet will be constructed on the east and northwest sides of the existing building.

Number two. The east addition will be in an existing courtyard and the streetscape wall will be filed in with the building wall to match existing height. The wall will feature protruding viga ends, a wooden pedestrian door in the same location as the existing pedestrian gate and a divided light window with an exposed wooden header.

Number three. The northwest addition features an "L" shaped ramada to a height of approximately ten feet. Interior lot windows and doors will be altered in location and size.

Number four: Additional parking area will be finished with brick to match adjacent parking. A bi-leaf wooden pedestrian door will be installed at the rear of the parking. It will feature protruding viga ends and an exposed header.

Chair Woods: David, are you showing us those things as you are explaining them.

Mr. Rasch: I can, yes. Here is the wall between lot one, two and three on the very interior of the lot.

Mr. Rasch: This is the new gate, I think it is at lot three, but I could be wrong on that, Richard.

On lot two, here is the courtyard that exists, here's the infill. There is a wedge here on the building, that will be infilled. A fireplace. There's the pergola, there's the brick covered parking for lot two. These are the elevations for lot number two. You can see on the existing, these are on the interior, the north elevation and the west elevation. So these are both interior elevations of the lot two.

Here is lot three. Additions totaling 1,963 square feet will be constructed on the south side of the existing residence and on the lot interior at the west side of the yard. So here's the existing lot three building, there's an addition here, and that garage on the other side of the property.

Number two. An exercise room will be constructed on the southeast corner to match existing height. The east elevation will have stuccoed wall and the west elevation will feature divided light French doors and sidelights, and exposed header, and projecting viga ends.

Number three. A garage, and outdoor living portal will be constructed on the rear of the

lot one guesthouse to a height of 12 feet, six inches where the maximum allowable height is 15 feet, six inches, as determined by a radial calculation.

Here's the garage. It will feature a stone finish on the east and north elevation which are not publicly visible. Additionally, the sloped roof on the portal will be finished with curved clay tile, also not publicly visible.

Number four: a bi-leaf wooden vehicle gate (that should say, not a gat) will be constructed at the far southwest corner of Lot three attached to the carport for lot one. The gate will have a stuccoed structure surround and an exposed header.

I do have these streetscape elevations. That new gate is right here.

Number five. A six foot high coyote fence will be constructed along the rear lot line.

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

Chair Woods: David, so you are saying that the changes do not negatively impact the streetscape for the amount of massing added and the loss of trees? In your recommendation of approval.

Mr. Rasch: Thank you for reminding me, Madam Chair. During the site visit we did recognize some mature landscaping, that I think will be removed by the application along Miller Street.

Mr. Rasch: By filling in the portal, there is a large chestnut, and then were the new car parking area will go on lot two, there appears to be a weeping cherry, or something like that.

Now the landscape ordinance is not very strong in its statement that trees of six inches caliber or more should be retained, if possible. So you have to determine if it is possible to retain them and still let the applicant do what they'd like to do. But as to streetscape, there are a number of very interesting mature trees on this site, as well as on the streetscapes. So, I would say it is a streetscape that includes mature trees. So, removing these would damage it, somewhat.

Chair Woods: Thank you. Is there any other questions for David? Could the applicant come forward? You have already been sworn in, Richard.

Mr. Martínez: If you could go to the site plan, please, David. I'm happy to report that the house on Miller Street, the long house, was my second review before this Board in 1992. These are friends of mine and they have bought the house, and its guesthouse, in the corner, and we went through the trouble of having the lot line split, so that they can take this guesthouse as their own, and sell the house in the corner as it is.

And also take a back, unobtrusive driveway to a garage and all that. Because we don't have any of that from the house.

The additions are intended to be very sympathetic with the streetscape. The existing houses go right to the street. It is very nice. This is one of the best streets, I think, in Santa Fe. And at the end of Miller Street is a gate, that you go through that you get on the Arroyo Tenorio. It is really wonderful. And to bring the other parts of the building out to the street will make this actually beautiful and in the Santa Fe style. This is Santa Fe as it is intended to be.

The chestnut tree that is in the courtyard is right up against the house. And that chestnut has got to go, in any case. We're taking that away. The weeping cherry, the owners asked me to get rid of that because for years, they have been parking on Miller Street and having this cheery tree, chopping branches off because it rains on all of the parking area.

So, they asked me to take that away. If you want, we'll move that tree into the garden. It's intended that lot two and lot three will be open to each other, that there will be one garden back there. This garden is featured, right now, in the Secret Gardens of Santa Fe and we have the same landscape architect, which will do a beautiful job on that.

Mr. Rasch: The garage and the portal outside is a response to their house, the house that runs along the north side of the property, right now it has a portal that opens into the garden. That is the center of the house. That portal is one of the biggest roofs in the house - its this area. [showing where on his renderings.] And they live out there.

Mr. Rasch: We actually have it so it can be temporarily heated in the winter time, with plastic curtains that come down and they live out there, winter and summer.

So we are making a new portal that's in the back of the garden that is facing the.... [walks to his renderings]...portal and [] the garden. None of this... it's a garden folly, it's not intended that you see the stonework or see the tile work from the street. This is an internal courtyard building. That's why I have made sure that the walls around the back are in Santa Fe style. They are straight and stuccoed. And that's why I have made sure that this building is in the center back of the property. It is not intended, in any way to be visible....

[At this point a few moments of the meeting were not recorded while the stenographer took notes and had to rewind part of the third tape, during which time the following notes were taken:]

Mr. Martinez: The position of the gate makes the house more accessible from the exercise room.

Mr. Frost: What is the reason for removing the Chestnut tree? Could you put a second planting there?

Mr. Martinez: There is parking right behind the wall and we are planting additional trees. The façade is right on the street. [He showed the location of other mature trees on his renderings.]

Mr. Frost: I'm not talking about outside the wall but something to take the place of those trees somewhere in there. Those trees are a major characteristic of the streetscape.

Mr. Frost then referred to the gate on lot one.

[verbatim from the tape continues here].

Mr. Frost: nice trees. In looking in that way, are we going to be able to save any of those pines that are back in there as well, or are we going to have to lose those?

Mr. Martinez: I'm not aware of any trees... [spoken over]

Mr. Rasch: The west lot line?

Mr. Frost: On the west line. So you're not going to take any of those down?

[there were several people speaking at once, determining the location of the trees]

Mr. Martinez: That tree over there is saved. It shows on the site plan.

Mr. Frost: Okay.

Mr. Martinez: I'm not aware of any other trees on that property line.

Mr. Frost: Because the trees is a major factor in, what you were saying, what that street is.

Mr. Martinez: Oh. Definitely. The owners love this property and the trees. Like I say, we are hiring Charles Pearson to come back to expand the garden, so it is going to be beautiful.

Chair Woods: Is there any other... Yes, Deborah.

Ms. Shapiro: Well, since you are having him come back, I was wondering like on that wall that Robert was talking about where you are taking out the cherry tree and everything. Maybe you could, just on the edge of the wall there, plant some Chamisas, just anything to soften it a little bit. Irises.

Mr. Martinez: I think we can, but those would be out of our property, but I think we could plant chamisa and things like that.

Ms. Shapiro: So the wall is right on the property line.

Mr. Martínez: Right on the property line. Right on the street. There is gardens behind this wall [showing the location on his renderings].

Ms. Shapiro:: Yeah, behind the wall, but I'm talking about along there.

Mr. Martínez: That is right on the property line. Right on the street. This was the way Santa Fe was built in the past. This is a beautiful thing. I don't think it needs planting.

Chair Woods: Okay, let's keep going, please. Any other questions?

Ms. Rios: Richard, I have a question in reference to the gate that looks really like a garage. Why are you building such a huge gate there?

Chair Woods: This is on the...

Ms. Rios: On the Camino de las Animas. Yeah, that one. Looking at it like that, it looks like a garage.

Mr. Martínez: It is not intended to look like a garage. I'm sorry if that is the way it appears. It's vertical slates, the gates, they will be vertical boards on the gates. And I wanted to put a nice arch over the top of those gates.

Ms. Rios: What is the height of that?

Mr. Rasch: It's labeled on the drawings.

Mr. Martínez: I think it's nine feet, six. I'm going to look at that.

Ms. Rios: Nine feet, six?

Mr. Martínez: To the top.

Ms. Rios: And regarding the streetscape, David, are there any other gates on that street? Did we see any vehicular gates?

Mr. Rasch: There is one wrought iron gate, probably outside of the defined streetscape to the east. And I think there is one to the west. Both on the north side of the street. But mostly its not a street with vehicle gates.

Mr. Martínez: And also, I want to point out that this gate is 20 feet back from the street, also. It is not on the street.

Mr. Frost: Because the drawings make it look like it's right on the street.

Mr. Martínez: Yes, the site plan shows that.

Mr. Frost: If I may interrupt here. So when you mention that, would it be possible to take it back... if you look at the site plan, you have a fairly long wall on the west side, if you were to maybe take the gate back part way under the building, so that it is not right even with the building, that it steps back from the existing building?

Mr. Martínez: It's possible, but you will see the side wall of the portal. There is a wall holding up that side of the.... [interrupted]

Mr. Frost: David, could you go back to page 18?

Mr. Rasch: What's the...

Mr. Frost: Eight, A1. If you go up to the gate..... [the applicant went to his renderings]. See where the gate is there now, if you backed it back down to that building there. Not all the way back, but somewhere back in there, so that it would not appear to be a garage to the existing building.

Mr. Martínez: Yes, it is possible. The owners will be concerned that we're putting the gate back, because that leaves that space open, but I can do that.

Chair Woods: Any other questions: Jake.

Mr. Barrow: While you have this up here, clarify for me where the.... you've got several different fences. The one with the pilasters and coyote mixed.

Mr. Martínez: Here's the stone planter with the corbel and the header. It goes from the edge of the stone planter to this... right there.... and it's all the way across, replacing the fence. Right now there is a wooden fence over there.

Mr. Barrow: Let me ask you about that because we've had this discussion sometimes in the past where we've come to realize, or at least some of us have, that these pilaster and coyote fences really aren't historic in the eastside, whereas the stucco and the coyote fences are. Are you wedded to this pilaster design. You can solve that in other ways, by putting some new posts.

Mr. Martínez: Yes. I am not wedded to the design. This is taking the fence that is there and replicating it, so no. The neighbors are very happy that we are making a fence.

Mr. Barrow: You might not have to have the pilaster.

Mr. Martínez: If you say not to do the pilasters, that would be fine.

Mr. Barrow: And second, let's come back to lot two a second about where the tree and the infill is. Yeah, lot two. I take a slight exception with your point, when I went down the street today, and we looked at it very critically, one of the things that I appreciated about this particular building is the three dimensionality and the relief that this beautiful little courtyard with the tree provides.

And I noticed that a lot of the houses on the street had that kind of relief. And having said that, I realize there are masses of walls right on the street, too. So it's not just that Santa Fe is represented by having walls right to the street, because there are many, many historic beautiful buildings in Santa Fe that offer relief.

And I think the streetscape here is a little bit sacrificed by this design. And I want to ask you considered in that approach, looking at the rear in order to achieve the goals of having some.... you are trying to enlarge your house to get some more useable space. But you decide to put it on the street rather than in the rear. Or the owner did.

Mr. Martínez: That's right. Originally, none of these houses had walls around them. These walls were all added.

Mr. Barrow: I'm quite aware of it.

Mr. Martínez: The rear of this building is being left alone. That's where the living room and the fireplace and all that is. Up there is being left alone. The bedrooms are down in the front of the building, and this gives the opportunity to expand the building along the street, which I think would be a wonderful thing.

Chair Woods: So, Richard, I am in disagreement with you. I think you Definitely care about this building, but I'm not so sure by the amount of infill you are proposing on these streets is a wonderful thing for the street. I'm very concerned. By all the infill that you are doing on Miller, it is really impacting the streetscape. With the infill of that whole courtyard and the walls.

Chair Woods: I'm also very concerned about the stone. And it's hard to see if we are going to see it through there, but if you look at... I've got to find.... You manage to do, Richard, truly some of the complicated projects I've ever seen [giggles] in trying to keep up with them.

Hold a second. I've got to find.... Okay. If you go to page 24 and at the top it says proposed garage portal elevation. And you look at that very top right hand corner. This rock is totally reading as a façade. You are seeing the side of the rock, it's not wrapping around the building.

As I understand it, it's going to really read as a façade. And we have no idea what this rock is. You can also see it on the next drawing. Where you are just seeing this edge. And what I would compare it to is that rock facing that they added on La Posada, where it just looks like a rock façade instead of a solid rock. So it's not hitting the corner.

And I don't see, besides you know the pitched roof, besides the rock pilasters, having this as just this rock façade. And I understand it is on the interior courtyard. But I think all of us really appreciated the beauty of that street today. I am very concerned about what you are proposing.

Mr. Martínez: This rock is a foot thick. It's actual rock going all the way up the building, then it turns to stucco. It is not intended to read like icing. It is rock.

Chair Woods: I know, but if you look at your edges, you see the edge of the rocks.

Mr. Martínez: Yes, you do.

Chair Woods: Any time that happens, it is going to look like a façade. It's not going to look like solid rock. You are going to look at the side of the building, and you're just going to see a line of rock going up and then stucco going into it. That is going to read like rock tile. Whether it is six inches thick or a foot thick, it is going to be applied. And I would argue that I don't think that's a good idea.

And that roof on that building is.... ? The material on that roof? Of the rock building.

Mr. Martínez: Of the rock part? It is barrel tile, with flat roof behind.

Chair Woods: Okay. And you haven't brought color samples of that or anything? It's just a barrel tile. Is it set in concrete, the old way? Or what does it look like?

Mr. Martínez: Yes. It is actual barrel tile that are tied down to the structure. I didn't bring samples because it wasn't intended to be at all publicly visible.

Chair Woods: Actually, we believe we can see it. You know we looked very carefully, and we think there will be visibility. I'm also very concerned about the vehicular gate. I mean this Board has struggled with vehicular gates. But with one that is nine, six with a masonry over the top. And you have a very important contributing building next to that house. I think that it seems like an overkill.

This gate. I mean we try for something that you can have some visibility through. But the whole thing housed by masonry, and then having solid wood slats, I don't think is working with either your house or the streetscape. So those would be my concerns on this project.

Is there anybody else?

Is there anyone from the public who wishes to speak?

What are the wishes of the Board?

Ms. Rios: You know, Madam Chair, I don't think we asked Mr. Martínez what type of rock he was proposing. Or if it indicated that on the report.

Mr. Martínez: The rock has been chosen from Rocky Mountain Stone in Albuquerque. It's a local rock. It is not sandstone. It is a brown...

Mr. Rasch: Looks like quartzite.

Mr. Martínez: Quartzite. It's not shiny or anything. It's just not the sandstone that you see everywhere. I can take that to David. Because I have photographs and all that for the stone.

Chair Woods: What are the wishes of the Board?

Mr. Barrow: I think I'll try to make a motion. I think it is a very complicated project. And while I think it might be possible to redesign each one of these elements and try to work through them, I'm more inclined to make this motion: That Case dash 08, dash 008, 610 and 612 Miller and 431 Camino de las Animas be postponed for design of selected elements that I will identify.

That the gate on Camino de las Animas be reduced in prominence and placed back as far back as possible along that elevation. That pilaster walls be redesigned to eliminate the pilasters. That the infill along Miller street, on lot two, be reconsidered due to the fact that that particular courtyard is so pleasing and so prominent on the streetscape.

Mr. Barrow: And that any portion of this rock designed building that is actually publicly visible from any view, even partially, be redesigned to be more compatible with the overall structures on the site. And if it can be proven and shown, without a doubt, that that is absolutely not visible, I would remove that portion of my motion.

Chair Woods: Is there a second?

Mr. Frost: Second.

Chair Woods: All in favor?

All: Aye.

Chair Woods: All opposed? Thank you, Richard.

Mr. Martínez: Thank you.

This is the end of the verbatim transcription.

7. **Case #H-08-009.** 311 Staab St. Downtown & Eastside Historic District. Victoria Rogers, agent/owner, proposes to remodel a contributing garage by removing non-historic vehicle and pedestrian doors and replacing them with doors and windows in existing openings. (David Rasch)

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

BACKGROUND AND SUMMARY:

"311 Staab Street was a single-family residential building that was constructed in the Bungalow style between 1921 and 1930. The building was converted to a duplex at an unknown date. A free-standing garage was constructed at the rear of the lot at the same date. The buildings are listed as contributing to the Downtown and Eastside Historic District. The south and west elevations of the garage are considered primary.

"The applicant proposes to remodel the 351 square foot garage to convert it to a residential unit without changes in footprint or height and proposes no alterations to the primary residence at this time. The following five items are proposed.

- "1. The non-historic aluminum roll-up vehicle door will be removed. A pair of simulated divided light French doors and a simulated divided light window will be installed in the existing opening with a recess of 3" to retain the original vehicle door opening dimension. There will be a slight wall extension from grade to eliminate the dirt grade entrance to the garage.
- "2. The non-historic aluminum pedestrian door will be removed. A simulated divided-light window will be installed in the upper portion of the existing opening with a recess of 3" to retain the original door opening width and height. A recessed closure of the lower portion of the door opening will also be recessed to retain the original dimensions.
- "3. A 24" x 18" skylight over the bathroom and a 36" x 18" skylight over the kitchen will be installed near the rear of the building. The applicant states that these skylights will not be publicly visible above the parapet.
- "4. Several simply-designed semi-circular scones facing downward will be mounted beside the doors.
- "5. The stucco will be repaired as needed to match the cementitious 'Fawn' color. Window and door trim will be 'Watercolor Blue' and 'Fruitwood' stain.

STAFF RECOMMENDATION:

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

Present and sworn was Victoria Rogers, 311 Staab Street, who clarified that the windows were architectural style. Like the previous approval. She said it was not a duplex although it had two doors.

There were no speakers from the public regarding this case.

Ms. Rios moved to approve Case #H 08-009 per staff recommendations and window clarification. Mr. Frost seconded the motion and it passed by unanimous voice vote.

8. **Case #H-08-001.** 115 Calle La Pena. Downtown & Eastside Historic District. Jerry Martin, agent/owner, proposes to enclose an approximately 169 sq. ft. portal and construct an approximately 74 sq. ft. addition on a non-contributing building. An exception was requested to exceed to 30" window rule (Section 14-5.2 E, c). (Marissa Barrett)

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

BACKGROUND AND SUMMARY:

"The Spanish Pueblo Revival style single-family residence located at 115 Calle la Pena was first constructed around 1949 and has received major remodeling in the 1970s according to the 1991 Historic Cultural Properties Inventory. The HCPI lists the remodeling as major rehab and expansion of the whole building. The Official Map lists the building as non-contributing to the Downtown and Eastside Historic District.

"This application proposes to enclose an approximately 169 square foot portal and construct an addition of approximately 74 square feet. The portal and addition are located at the southwest corner of the building and will not cause an increase in height (existing at location is approximately 9').

"Windows and doors are to be vinyl clad and will match the existing in color (white). The proposed doors and windows do not meet the 30" window rule but match most of the existing windows on the building. An exception is being requested to exceed the 30" rule. Section 14-5.2 (E, c). As required by the City code, the applicant has answered the questions in Section 14-5.2 (C, 2, c, I-iv).

"The enclosure and addition will be stuccoed to match the existing building in texture and color.

STAFF RECOMMENDATIONS:

"Staff recommends denial of the exception to exceed the 30" window rule unless the Board has a positive finding of fact to grant the exception. Otherwise this application 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."

Mr. Frost: asked if most of it was not visible.

Ms. Barrett agreed.

Present and sworn was Mr. Jerry Martin, who made it clear that on the left side was Calle La Pena and there was no visibility on that street. He said the window would not be seen by anyone. There was a wall directly in front of it.

There were no speakers from the public regarding this case.

Mr. Martin said that virtually everyone on their street signed off on the project. The parapet would improve it.

Mr. Rasch noted that the exception criteria were shown on pages 9 and 10.

Mr. Barrow moved to approve Case #H 08-001 as applicant has submitted and find that the criteria for granting an exception were met, especially since the window was not visible. Mr. Frost seconded the motion and it passed by unanimous voice vote.

9. **Case #H-08-007.** 50 E. San Francisco St. Downtown & Eastside Historic District. Architectural Alliance, agent for Romero Rose Councilor Ortiz, proposes to remodel store front windows and doors on a non-contributing building. An exception was requested to exceed the 30" glazing rule (Section 14-5.2 E, 1, c). (David Rasch)

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

BACKGROUND AND SUMMARY:

"50 East San Francisco Street is a commercial building that was constructed in 1878 with an addition in 1912 in the Territorial style. The building is listed as non-contributing to the Downtown & Eastside Historic District. The ground-level streetscape façade is dominated by three large glass display cases, one at each side and a central display island with a pedestrian walk around it. None of the storefront glass is divided and there is no portal.

"The applicant proposes to remodel the front, north elevation with the following changes.

- "1. The existing bilaterally symmetrical layout of the three display cases and the two entrances will be removed.
- "2. New entrances and displays will be constructed that more efficiently separate the three businesses that are accessed from this elevation. The front elevation will not retain the symmetrical layout.

"The existing side pilasters will be replicated and used to separate the three entrances. This design somewhat restores the street front as shown on a historic photograph.

"The new windows and doors will not have divided lights and exceed the 30" rule Section 14-5.2 E, 1, c. An exception is requested and the required criteria responses are attached.

"3. Finishes will match existing finishes.

STAFF RECOMMENDATION:

"Staff recommends denial of the exception request needed for this project unless the Board has a positive finding of fact to grant the exception to exceed the 30" glazing rule, Section 14-5.2 E, 1, c. Otherwise this application complies with Section 14-5.2 (D) General Design Standards and (E) Downtown & Eastside Historic District Design Standards."

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

Mr. Enfield said that the store front windows were existing were going to remain. Only the doors were new and they were actually using the existing glazing. He said he had worked on this building for a number of years. He explained that the building was non contributing because it had been remodeled a number of times.

He said they used the historic detail as a model. Lighting would be with recessed cans.

He said they were recycling the existing storefront and needed the exception because of the doors being replaced.

Mr. Barrow said that the original building was one building; then it was remodeled to two buildings. He asked if on the first floor: there was any way to maintain that opening.

Mr. Enfield clarified the floor plan and explained why they could not maintain that opening as it was..

There were no speakers from the public regarding this case.

Mr. Rasch noted that the exceptions were on page 5.

Ms. Rios moved to approve Case #H 08-007 as submitted and finding that the exception criteria were met. Mr. Frost seconded the motion and it passed by majority voice vote with all voting in favor except Mr. Barrow who voted no.

J. MATTERS FROM THE BOARD

Mr. Barrow passed out a resolution requesting that the City engage in a research project.

Mr. Barrow moved to put it on the agenda of the next HDRB meeting. Ms. Rios seconded the motion and it passed by unanimous voice vote..

K. ADJOURNMENT

Ms. Rios moved to adjourn the meeting. Mr. Frost 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 10:00 p.m.

Approved by:

Sharon Woods, Chair

Submitted by:



Carl Boaz, Stenographer