



Agenda

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HISTORIC DISTRICTS REVIEW BOARD FIELD TRIP

TUESDAY, August 28, 2012 at 12:00 NOON

HISTORIC PRESERVATION DIVISION, 2nd FLOOR CITY HALL

HISTORIC DISTRICTS REVIEW BOARD HEARING

TUESDAY, August 28, 2012 at 5:30 P.M.

SANTA FE COMMUNITY CONVENTION CENTER

LAMY ROOM

- A. CALL TO ORDER
- B. ROLL CALL
- C. APPROVAL OF AGENDA
- D. APPROVAL OF MINUTES: August 14, 2012
- E. COMMUNICATIONS
- F. FINDINGS OF FACT & CONCLUSIONS OF LAW

Case #H-12-015	428 San Antonio	Case #H-12-065	954 Camino Santander
Case #H-12-063	314 Delgado Street	Case #H-12-067	150 Washington Ave. & 125 Lincoln Ave.
Case #H-12-055	507 ½ Camino Sin Nombre	Case #H-12-068	825 El Caminito
Case #H-12-060	233 Canyon Road	Case #H-12-031	544 Canyon Road
Case #H-12-062	526 Hillside Avenue	Case #H-12-066	100 E. San Francisco Street
Case #H-12-064	1242 Upper Canyon Road		

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

1. Case #H-12-069. 341 Magdalena Road. Downtown & Eastside Historic District. Jennifer & Brent Cline, agents/owners, proposes to remodel a non-contributing residence by converting bedrooms into garages. (David Rasch).
2. Case #H-11-051. 250 E. Alameda. Downtown & Eastside Historic District. Duty & Germanas Architects, agent for El Castillo Retirement Residences owners, proposes to amend a previous approval to construct a 5,370 sq. ft. addition on a non-contributing property. (David Rasch).
3. Case #H-12-033. 243 Closson #15 & #16. Westside-Guadalupe Historic District. Jonah Stanford, Mojarra Stanford Architects, agent for Barbra Brown, owner, proposes to amend a previous approval to remodel a non-contributing residence by changing the roof from a hipped to flat design. (John Murphey).

- I. MATTERS FROM THE BOARD
- J. ADJOURNMENT

Cases on this agenda may be postponed to a later date by the Historic Districts Review Board at the noticed meeting. Please contact the Historic Preservation Division at 955-6605 for more information regarding cases on this agenda.

Persons with disabilities in need of accommodation or an interpreter for the hearing impaired should contact the City Clerk's office at 955-6520 at least five (5) working days prior to the hearing date. Persons who wish to attend the Historic Districts Review Board Field Trip must notify the Historic Preservation Division by 9:00 am on the date of the Field Trip.

SUMMARY INDEX
HISTORIC DISTRICTS REVIEW BOARD

August 28, 2012

ITEM	ACTION TAKEN	PAGE(S)
Approval of Agenda	Approved as presented	1-2
Approval of Minutes August 14, 2012	Approved as amended	2-3
Communications	None	3
Findings of Fact & Conclusions of Law	Approved as amended	3-4
Business from the Floor	None	4
Action Items		
1. <u>Case #H 12-069</u> 341 Magdalena Road	Approved with conditions	11-14
2. <u>Case #H-12-051</u> 250 E. Alameda	Partially approved with conditions	4-10 14-17
3. <u>Case #H-12-033</u> 243 Closson #15 & #16	Approved as recommended	10-11
Matters from the Board	Discussion	18
Adjournment	Adjourned at 6:30 p.m.	18

MINUTES OF THE
CITY OF SANTA FÉ
HISTORIC DISTRICTS REVIEW BOARD

August 28, 2012

A. CALL TO ORDER

A regular meeting of the City of Santa Fé Historic Districts Review Board was called to order by Chair Sharon Woods on the above date at approximately 5:30 p.m. in the Lamy Room, Santa Fé Community Convention Center, Santa Fé, New Mexico.

B. ROLL CALL

Roll Call indicated the presence of a quorum as follows:

MEMBERS PRESENT:

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

MEMBERS ABSENT:

OTHERS PRESENT:

Mr. David Rasch, Historic Planner Supervisor
Mr. John Murphey, Senior Historic Planner
Mr. Carl Boaz, Stenographer

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

C. APPROVAL OF AGENDA

Ms. Rios moved to approve the agenda as presented. Mr. Katz seconded the motion and it

passed by unanimous voice vote.

D. APPROVAL OF MINUTES: AUGUST 14, 2012

Mr. Katz requested the following changes to the minutes:

On page 30 at the top of the page it should say "twenty times" not "twenty years."

On page 36, under Matters from the Board, it should say, "Ms. Walker said Greg Smith was to have notes on the revision of Chapter 14 for the committee to review and then the H Board."

Ms. Rios requested the following changes to the minutes:

On page 8, ninth paragraph, should read, "Chair Rios asked if the proposed metal roof color matched existing."

On page 8, eleventh paragraph, it should say, "Chair Rios asked Ms. Brennan if the garage door could be considered part of this application since it was not advertised but the garage detail was to be approved by staff but the applicant was not satisfied with staff's answer. Therefore it would be presented with this application."

On page 23, 10th paragraph, should read, "Chair Rios asked how many light fixtures ..."

On page 30, sixth paragraph, add at the end, "The applicant was trying to preserve and upgrade and meet life safety standards."

On page 30, 10th paragraph, "Chair Rios asked Mr. Moquin for his comments."

On page 33, 12th paragraph, "Chair Rios called Mr. Moquin out of order, at which time Mr. Moquin left the chambers."

On page 35, 4th paragraph, "Chair Rios was glad to hear that no control joints would be put on the north side."

Ms. Mather requested the following correction to the minutes:

On page 9, although two people referred to her comment, her comment was not there. Her comment was that the setback was not visible and would not disrupt the home.

Mr. Acton requested the following corrections to the minutes:

On page 23, last paragraph should say, "Mr. Acton pointed out that this was a contributing building and

that they were replacing all non-conforming windows except for updated window.”

On page 29, 8th paragraph, Mr. Acton asked about her philosophy regarding restoration of the corbels shown.”

On page 28, second to last paragraph, “Mr. Acton ... asked that certain wood members be restored and left in place.”

Ms. Walker moved to approve the minutes of August 14 as amended. Ms. Mather seconded the motion and it passed by unanimous voice vote.

E. COMMUNICATIONS

There were no communications.

F. FINDINGS OF FACT & CONCLUSIONS OF LAW

Case #H-12-015 428 San Antonio

Case #H-12-063 314 Delgado Street

Case #H-12-055 507½ Camino Sin Nombre

Ms. Mather said “the house the house” was repeated.

Case #H-12-060 233 Canyon Road

Case #H-12-062 526 Hillside Avenue

Case #H-12-064 1242 Upper Canyon Road

Case #H-12-065 954 Camino Santander

Case #H-12-067 150 Washington Ave. & 125 Lincoln Ave.

Case #H-12-068 825 El Caminito

Case #H-12-031 544 Canyon Road

Case #H-12-066 100 E. San Francisco Street

Ms. Rios moved to approve the Findings of Fact and Conclusions of Law as presented with Case #H-12-005 as amended. Ms. Mather seconded the motion and it passed by unanimous voice vote.

G. BUSINESS FROM THE FLOOR

There was no business from the floor.

Chair Woods announced that anyone who disagreed with a decision of this Board had fifteen days from the date the findings of fact and conclusions of law for it were approved.

H. ACTION ITEMS

- 1. Case #H-12-069. 341 Magdalena Road.** Downtown & Eastside Historic District. Jennifer and Brent Cline, agents/owners, propose to remodel a non-contributing residence by converting bedrooms into garages. (David Rasch)

The applicant was not present for this case.

Mr. Katz moved to table this case to the end of the agenda. Ms. Rios seconded the motion and it passed by unanimous voice vote.

- 2. Case #H-11-051. 250 E. Alameda.** Downtown & Eastside Historic District. Duty & Germanas Architects, agents for El Castillo Retirement Residences, owners, propose to amend a previous approval to construct a 5,370 sq. ft. addition on a non-contributing property. (David Rasch)

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

BACKGROUND & SUMMARY:

250 East Alameda Street, known as El Castillo, was constructed in the Spanish-Pueblo Revival style in 1963 with additional structures in the late 1990s. The buildings are listed as non-contributing to the Downtown & Eastside Historic District.

On July 12, 2011, the HDRB approved the construction of a 5,370 square foot three-story addition to match existing adjacent height with all finishes matching the existing conditions. The applicant made changes that addressed the Board's concerns that included a balcony that breaks up the vertical elevation and reduces the height. On the southwest elevation, third floor portal roofs or a canopy were proposed and they were denied with the condition that another design be submitted to the Board.

Now, the applicant proposes to amend the previous approval with the following three items.

1. The southwest elevation balcony area has been redesigned on all three floors. The first floor recessed portal will be infilled. The second and third floor will have a smaller porch that consists of one bay rather than three bays and a parapet with flat roof instead of a pitched roof.
2. A porch on the south elevation third floor, west end will be infilled to match existing adjacent parapet height. The proposed design does not stepback from the first floor and it presents a window closer than 3' to a corner, as required by 14-5.2(E)(2)(b) [stated below] one exception has not been requested and that would be the three foot corner rule but easily remedied.

14-5.2(E)(2) Downtown & Eastside Historic District, Recent Santa Fé Style

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

- (a) No *building* shall be over two stories in height in any façade unless the façade shall include projecting or recessed *portales*, *setbacks* or other design elements.
 - (b) No door or window in a *publicly visible* façade shall be located nearer than three (3) feet from the corner of the façade.
3. The porch on the south elevation third floor, east end will be covered with a portal. The portal is covered with a cornice rather than a parapet.

STAFF RECOMMENDATION:

Staff recommends approval of this application with the condition that the design for item 2 be reconfigured to meet code or an exception shall be requested. Otherwise, this application complies with Section 14-5.2(D)(9) General Design Standards, Height Pitch Scale and Massing and (E) Downtown & Eastside Historic District.

Chair Woods was confused about the west façade. She asked if the Board had asked the applicant to come back and he did and the Board approved it and now he was asking to change it again. The report said the Board turned it down but it didn't say something came back and the Board approved it.

Mr. Rasch said what happened was that here on the proposed south elevation on the bottom of the elevation sheet was the first proposal that had the additional wing on the west building. It had this presentation that was denied but the wing was approved. Then he came forward asking for a different design for that area with this big canopy and no other issue. It was just how to resolve this. That was denied so now, coming forward tonight, we are looking at the third possibility for that area although the entire wing has been approved and just that area of detail wasn't.

Chair Woods said as she understood the code, this was a three-story building and required a set back and the amount of setback was at the discretion of the Board.

Mr. Rasch agreed. So while the Board has approved this 3-story addition, because it is coming back to the Board with this design element, this design element is where the Board needs to look at this code citation and see if it meets it. "No *building* shall be over two stories in height in any façade unless the façade shall include projecting or recessed *portales*, *setbacks* or other design elements."

Chair Woods asked if there were any other questions for Mr. Rasch and there were none. She asked the applicant to be sworn.

Present and sworn was Mr. Michael Duty, 404 Kiva Court. He said the only thing he would add was he certainly had no problem setting that one window back 3 feet. He thought it was already but found it was about 2½.

"This project was approved by the Board back in whenever. The working drawings were completed. The only issue at the time was this on series of balconies. I did remember it slightly different from you. I thought we had come in with the canopy first and the Board didn't like the canopy. So we came back with three openings on the roof and there was some discussion about it and I actually said that we wanted to enclose some of the other two balconies anyway so we would bring it back for those balcony issues at a later date. So that is why we are here. That is the basis. This is a follow up to what we had stated to the Board in our original approval."

Chair Woods said it did not show any windows on that south façade and she asked if there were no windows on either side of those balconies. They are just three stories of blank walls.

Mr. Duty explained that it was an angled wall and that was the original wall when the Board approved it but not the way it was now. There are no windows on that wall. It would be possible to add a small window in a couple of locations - in a janitor's closet and a chase. That wouldn't hurt a thing.

Chair Woods asked if he could add one window in the stairwell. Mr. Duty agreed. There are none there now.

Ms. Mather said prior to this the proposal the south elevation had a canopy top and two openings on two walls. Mr. Duty agreed.

Ms. Mather asked if now he proposed to have nothing on the bottom. Mr. Duty agreed.

Ms. Mather understood there would be 2 balconies on top and the building wrapped around a little.

Mr. Duty agreed. Beneath the balconies was a series of three large transformers and those would be screened with landscaping so you wouldn't see the wall. The wall wasn't very visible now but would be hidden more when they were through.

Mr. Acton thought in the proposed second and third floor plans there was opportunity for windows on both.

Mr. Duty agreed and they would do them on both floors with two small ones on each. He wanted to have them stacked and would be happy to do that.

Ms. Rios asked if he would consider a wall rather than landscaping.

Mr. Duty said he would love to have a wall but PNM wouldn't allow that. Landscaping was about the most they could do. They had to have access to those transformers. Maybe a coyote fence could probably be approvable by PNM. They'd have to have a section that could come out.

Chair Woods said not all the concerns were addressed. Of most concern was the massive three-story structure there. She felt it got worse and not better. She asked how high it was.

Mr. Duty said it was 32'. It was 10' 8" per floor.

Chair Woods felt just having the balconies wouldn't do it. It needed to have some kind of setback or break, whether it was pulling something forward on the bottom or pulling something off at the top. It was so massive without a break and that was not the intent of the code.

Mr. Acton thought all the Board felt that way. He was looking at the portal proposed roof structure which did not seem to be a parapeted portal. That could have a roof over that third story deck.

Mr. Rasch clarified he was saying there wouldn't be a step down because of no parapet there.

Mr. Acton said it would cut the mass down there.

Mr. Duty said he wouldn't have any problem with that. He was sorry he misread the Board intentions. His original intentions were to break that with a sloped roof and it was disapproved. So he thought the Board wanted the openings to be similar to the rest of the building. But he was happy to do that and

thought it would compose nicely to break it at that point and put a flat roof without a parapet there.

Mr. Acton said secondly that going up and down DeVargas Street he was disappointed the kinds of verticality on the street-side mass shown on the south elevation there of that additional room that was over that one story structure. That is the most sensitive side of the building. He was dealing with the continuity of one-story buildings on either side of that. And then this would be the tallest unbroken vertical dimension along that entire building on East DeVargas. He had real issues with that proposed addition.

Ms. Mather asked if he meant on the southwest corner. Mr. Acton agreed.

As you look at it, you do see the building step up very nicely along that streetscape per this photograph and that would disappear largely. It seems to be, in looking at the plan where the Board liked to have functional imperatives that it was like a functional tack-on at some level - a land-grab, if you will. And he thought it came at too great a price regarding the massing of that building.

Mr. Duty responded that his proposal meets the standards of the district. It is a two-story element totally including that and it doesn't require a setback as has been reported by staff that it meets the standards. It is a very important room for his client to provide health care in that room which is rather small so they got to improve that situation that was important for the plan. He thought that balcony was already there and was not very useful because it was on the south side and was hot so they would need to cover it. If they didn't do this they would cover it and the same debate would be present. So he would really like the Board to consider that and allow them to do this. It meets the standards; it doesn't violate any standards and staff recorded that it didn't. It is not a historical building. He was sensitive to what the Board was saying but with all the massing all around there, it seemed to him like it was perfectly acceptable and he'd rather not delete that.

Mr. Acton understood and was actually referring to the standard regarding streetscape harmony of massing given the contextual scenarios along there. This does not conform to that aspect of the ordinance.

Mr. Duty believed that was a subjective thing. He appreciated it.

There were no speakers from the public regarding this case.

Chair Woods said whoever makes the motion needs to be cognizant of that elevation.

Ms. Mather moved to approve Case #H-11-051 per staff recommendations including the fact that item #2 shall be redesigned to meet 3' rule and that the parapet over third floor balcony be lowered to break up that roof line and that two windows be added along that southwest elevation that that they be stacked and all of it return to staff for approval. Ms. Rios seconded the motion.

Mr. Katz proposed a friendly amendment to eliminate the room that Mr. Acton was discussing and leave that area as it is at the southwest corner of the current building.

Mr. Rasch said that would be item #2. Mr. Katz agreed. Right now it is an open porch and he is proposing a slight portal.

Ms. Mather asked if the amendment would eliminate the room and the portal.

Mr. Katz said the portal would be fine there like in item #3.

Ms. Mather accepted it as a friendly amendment.

Ms. Walker asked if she was comfortable in not having him come back for the Board to look at it and allowing staff to do that.

Ms. Mather thought staff understood it all of it.

Ms. Rios asked for a friendly amendment to have a coyote fence to screen the transformers.

Ms. Mather agreed it was friendly.

Ms. Rios thought Chair Woods also suggested that a window be put in the stairwell on both floors.

Mr. Rasch said those would be to the east of the portals and she was speaking of windows to the west of the portals. Ms. Rios agreed.

Mr. Duty said they agreed to do all of the above.

Ms. Mather said it was for all four of those windows.

Chair Woods noted that Ms. Mather talked about lowering the parapet on that portal but as she understood the discussion it was to remove the parapet on the portal. Ms. Mather agreed.

Mr. Katz asked if it would still have a roof. Mr. Rasch agreed. It would be like item #3.

The motion passed by unanimous voice vote.

Mr. Duty said he appreciated the Board's efforts. He thought the elimination of that room was from a subjective interpretation on a non-historical building against the recommendation by staff that it meets the standards that was being overturned by this Board. "I will recommend that we appeal this. I think it is unfair. I think it is not correct. And I'm only talking about deleting the room on the second floor. The rest of it, as you know, I'm happy with. I think it's a reach that denies this applicant the opportunity to fully utilize the property and I don't think it violates any standards. And I just want to be on the record about that. So I will recommend for that and we'll look forward to your findings of fact. We will be happy to appeal this because I think it is a great test case to have before the City Council."

Chair Woods asked if anyone on the Board wanted to proposed reconsideration of it.

No one spoke.

3. **Case #H-12-033, 243 Closson #15 and #16.** Westside-Guadalupe Historic District. Jonah Stanford, Mojarab Stanford Architects, agent for Barbara Brown, owner, proposes to amend a previous approval to remodel a non-contributing residence by changing the roof from a hipped to flat design. (John Murphey)

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

BACKGROUND & SUMMARY:

Forming the southwest corner of the Closson Compound, the subject property is a one-story, rectangular plan, front-gabled residence made of adobe and frame construction and sheltered by a red metal roof.

Constructed of adobe before 1927, the earliest part of the house makes up the north portion of the footprint. To this was added at some point after 1951 frame additions, increasing the size and changing the footprint of the dwelling. The older flat-roof house and most of its additions are now under a non-historic pitch roof. Because of these alterations, the house is noncontributing to the Westside-Guadalupe Historic District.

Previous Approval

The applicant came before the Board on May 8, 2012, requesting a remodeling project that included constructing a 112 square-foot addition at the southwest corner and changing the front-gabled roof to a hipped design and making other changes. The Board conditionally approved the project, specifying only that the color of the roof be approved by staff. Now, the applicant has requested a review of several proposed changes to the Board-approved design.

Revisions

Addition

Increase proposed addition by 12 square feet and change from a hipped to flat roof design. The flat-roof design will carry over the house's entire footprint and will include constructing new parapets where none existed previously.

North Elevation

Change Window C from a single-light sliding unit to a two-over-one sliding unit. Change Window D from a one-over-one to a three-over-one single-hung unit.

South Elevation

Reconfigure fenestration, to include removing a sliding glass door and installing a two-over-one sliding

window.

East Elevation

Create an arched opening.

Portals

To harmonize with the change of roof design, the portals proposed for the north, south and west elevations will be simple shed-roof structures with the same metal roofing material that was approved for the house at the May 8 hearing.

Patios

Construct concrete patios on west and south elevations.

Solar Install non-publicly visible solar panels at the rear of house. Based on site line analysis so not from street.

STAFF RECOMMENDATION:

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

Dr. Kantner asked what the metal roofing material from May 8 was.

Mr. Murphey said it was Mueller AP panel and three colors were suggested by the Board.

Present and sworn was Mr. Jonah Stanford, 928 Chipa who said the solar panels would not be above the parapet.

There were no speakers from the public regarding this case.

Ms. Rios moved to approve Case #H-12-033 per staff recommendations and indicating that no rooftop appurtenances including the solar panels would be visible. Ms. Mather seconded the motion and it passed by unanimous voice vote.

Ms. Walker moved to take Case #H-12-069 from the table. Mr. Katz seconded the motion and it passed by unanimous voice vote.

1. **Case #H-12-069. 341 Magdalena Road.** Downtown & Eastside Historic District. Jennifer and Brent Cline, agents/owners, propose to remodel a non-contributing residence by converting bedrooms into garages. (David Rasch)

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

BACKGROUND & SUMMARY:

341 Magdalena Street is a multi-family residence that was constructed in the Spanish-Pueblo Revival style in 2000. The building is listed as non-contributing to the Downtown & Eastside Historic District.

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

1. The existing pedestrian entry door, two windows, and two chimneys on the east elevation will be removed and two vehicle doors will be installed. The roll-up doors will feature paired divided-lite windows in the top third of each door.
2. A wooden pergola structure with carved corbels will be constructed above the garage doors. It is difficult to determine if the roof is solid or not and if the roof is pitched or flat due to irregularity in the elevation and floor plan drawings. The Board should clarify these issues.
3. A door on the south elevation will be changed to a 4-lite window to match other windows.
4. A pergola will be constructed on the south elevation. Existing canals will be rerouted through gutters.

STAFF RECOMMENDATION:

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

Ms. Mather asked if staff had the materials for the garage doors. Mr. Rasch said no.

Present and sworn was Ms. Jennifer Cline, 325 Bishop's Lodge Road, who said the roof portal extended above the garage doors is intended to be a slight pitch with a latilla that would match the coyote fences around that area. Garage doors are metal but with panels that look of more interest and with windows on the top row. There is a three-car garage down the street with same style.

Ms. Rios asked if the garage doors would be easily identifiable as metal or wood.

Ms. Cline said they would have wood grain with three or four panels across.

Ms. Mather asked about the color.

Ms. Cline said it was Burgundy (sort of brown).

Mr. Acton had an issue with the material of the garage door. Given the amount of exposed wood right next to them, it will be glaringly evident they are of non-organic material. He asked if the applicant would be willing to use wood material on the exterior of the garage doors.

Ms. Cline said they chose metal for long term maintenance. They were willing to look at wood and the price differential.

Mr. Acton was keenly aware of how hard it is to find a metal door that looks like wood. He strongly encouraged her to look at wood. Everyone has doors within ten feet of the street and with the effort to soften that with the latillas, beams, corbels and posts and if the door was complementary of that wood, the effect would be something he could support.

He also questioned the utilization of the corbels and posts. They are used to accept the bearing load of the beams above but these looked like Victorian filigree the way they were drawn. He wasn't sure that was the applicant's intent.

Ms. Cline said they intended for them to be structural members supporting the beams. They should be under the beams.

There were no speakers from the public regarding this case.

Ms. Cline showed the pictures of other garage doors in the application and said she was not sure any of them were wood garage doors.

Dr. Kantner said one option would be to remove the wood elements there at the garage doors. None of the pictures had a portal in front of them.

Mr. Acton agreed. It was important, given the quality of the structure and the proximity to the street and understanding the maintenance issue. Wood doors were very sturdy and might require restaining every year but they would hold up and would keep the value of them.

Chair Woods thought the picture on page 14 was a wood door.

Ms. Cline said those were metal doors and were the type they wanted to install.

Ms. Cline said those were doors that she had put in and they were approved by the H Board when she built it. They owned that adjacent property. She showed the original photo of the door.

Chair Woods said they didn't look like metal doors.

Mr. Acton said this was a major change of the façade on a street with boxy uninteresting buildings and this is the most interesting.

Mr. Acton moved to approve Case #H-12-069 with conditions that the corbels are load bearing on both porch and pergola structures and that the garage doors be of a wood variety stained to match the posts and beams of the porch, citing harmony of streetscape in Section 14-5.2. Ms. Rios

seconded the motion.

The motion passed by a majority voice vote of 3-2 with Dr. Kantner and Mr. Katz opposed.

I. MATTERS FROM THE BOARD

Chair Woods suggested to the Board on Mr. Duty's case that it be reconsidered for discussion because there was nothing in the motion as a finding of fact for what was proposed.

Mr. Boaz asked if the Board would reconsider without the applicant present.

Chair Woods said yes.

Mr. Boaz said Ms. Kelley was not present to respond to that.

Chair Woods said the Board could reconsider it if it wanted.

Mr. Boaz said he understood but thought the applicant could also appeal that as well.

Ms. Walker moved to reconsider Case #H-11-051. Mr. Katz seconded the motion and it passed by majority voice vote with all voting in favor except Mr. Acton who opposed.

Mr. Katz said on the basis for the motion without him here, he believed the Board was entitled to go into executive session to deliberate it if the Board wanted to.

Mr. Rasch thought it was appropriate to do this process at the hearing.

Chair Woods had a concern that the Board was making motions without putting on any findings of fact so if that was to stay the Board would need much more in the motion. She disagreed with the condition personally.

Ms. Mather said she would like to have this discussion since she was the maker of the motion and then conditions were tacked on to her motion. "I think, to be fair to the applicant, we didn't have a discussion about the ... Well I asked specifically if he was talking about the southwest corner and you said yes and that's not what you were talking about."

Mr. Acton said, "Yes it was."

Mr. Katz said, "of the current building."

Ms. Mather said, "Oh, not the southwest corner of the proposed building."

Chair Woods said, "So there was confusion in you accepting the condition."

Ms. Mather said, "Right."

Mr. Boaz said, "I misunderstood the motion too because I thought that was what you said."

Mr. Acton said, "I thought I was pretty clear."

Mr. Katz said, "It was pointed out on the ...

Ms. Mather said, "When you made the addendum but it was not clear during the discussion."

Mr. Rasch said, "I have southwest room eliminated where only a portal is approved at that location."

Mr. Acton said, "Yeah, I think that came across, crystal clear."

Chair Woods said, "Well, whether it did or not we are under reconsideration so we can reconsider and you can both be all wrong once we ...

Dr. Kantner said, "Rad made the point that earlier in the discussion before the motion was made that that streetscape and the setback on the existing building was something he felt was important to preserve because of the overall impact on the streetscape.

Mr. Acton agreed.

Chair Woods said it was part of the discussion but it was very important if they were going to make a condition especially that was contrary to what the applicant was asking for that it should be specific in the motion for findings of fact.

Mr. Rasch said it would be in the minutes.

Mr. Acton said, "I very clearly pointed out that this was along east DeVargas Street, a very sensitive elevation. I said this is the most sensitive elevation of the entire building and it is the only place along that elevation where there is a continuous two story massing being proposed. And that's very clear in the plan. This did fly in the face of what we originally approved as an acceptable streetscape. And I think we have to defend that aspect of this plan as we originally approved it."

Mr. Katz said, "I'd like to add to that if I might to make a finding that this streetscape – It is the only two-story building on that side; at least on the north side of it. And that with the setback it at least mitigates the fact that it is the only two-story building because you have a continuous, at least on the street, a one-story façade and I think that getting rid of that does damage the streetscape."

Ms. Rios said, "I was going to ask the applicant and maybe David, do you know the answer to this? What is the square footage of that additional part of that building on the southwest that was eliminated?"

Mr. Rasch said, "I'm going to guess. It is approximately 300- 400 sq. ft. When you look at the photo..."

He showed it on the photo.

Chair Woods said, "You don't need the photo; you just need the floor plan. It's on the floor plan."

Mr. Rasch replied, "Yes it is. But if you look here, it is this entire [??] here. There is a door and this window in this wall."

Mr. Katz said, "I would say about 200."

Mr. Acton said, "And that's an outside corner so that's going to be read from many angles."

Mr. Rasch said, "Correct. You'll see it all along East DeVargas."

Chair Woods asked if there was any other discussion. "We have reconsideration so we need to entertain a new motion. Help me Carl. Can you read our last motion so everybody understands the condition?"

Mr. Boaz said, "It's going to be hard to read because it was in sixteen pieces. But I'll try."

Chair Woods said, "Carl, maybe I can sum it up but I thought the conditions were that windows appear on both sides of the south façade; southwest façade;

Mr. Katz inserted, "stacked."

Chair Woods continued, "That they be stacked; that the parapet come off the second portal; that this go back to staff, and that the condition that they not add that room on the southwest corner."

Mr. Rasch said, "The southwest corner and that southwest façade is that addition that you previously approved - southwest corner and then southeast corner. Also that in item 3, the window has to meet the three foot corner rule and that a coyote fence can be built around the transformers. And that's everything."

Chair Woods said, "Can we entertain a new motion?"

Mr. Katz said, "Okay, I would move on case number 11-051 to approve the application with the following conditions - that there will be on the southwest façade of the new addition on the eastern side of the portales, two windows stacked on the second and third floor and on the western side of the southwest façade two windows stacked in the, I believe, stairwell; that the portal on the third floor not have a parapet and that there be a coyote fence in front of the transformers and that the item #2, the room on the southwest corner of the current building that is being built onto be eliminated from the application but that there can be a portal like the one in item three where that deck is."

Mr. Acton said, "Second."

Chair Woods asked if he wanted to state his findings.

Mr. Katz said, "And then based on findings of fact that I stated about two minutes ago. You want me to say them again?"

Chair Woods said yes.

Mr. Katz said, "The- reason for the elimination of the room on item two is because the streetscape on the north side of DeVargas is uniformly one-story except for this very large building and having the setback on the second story all along that north side of East DeVargas Street at least gives some recognition to the streetscape being entirely one story. And by having a solid two-story rise there it eliminates the feeling that all of it could be one story ... relief of the massing ... "

Chair Woods said, "And would you add that the window is being moved over to meet the three-foot corner rule?"

Mr. Katz, Well no more would we have that room so it doesn't need to be moved over.

Mr. Rasch said, "There is no more room so the three-foot corner rule does not apply. It's an open portal."

Mr. Katz said, "Right. And the setback is to relieve the massing that would otherwise be abrupt from the East DeVargas Street."

Mr. Acton said, "So Frank, you are adding an option for that second story area to be a roofed portal in your motion?"

Mr. Katz said, "Yes."

Mr. Rasch said, "What... as item three which you are approving as proposed?"

Mr. Katz said "Yes."

Ms. Mather asked, "And is this to go back to staff for approval of the new design of the windows and the portal or ...?"

Mr. Katz said, "Yes."

Chair Woods asked, "Anyone else?"

Mr. Rasch asked who seconded it. Mr. Acton said he did.

The motion passed by unanimous voice vote.

Chair Woods announced she wouldn't be at next meeting.

Mr. Katz said he wouldn't be here next time either.

Ms. Mather said she wouldn't be present at the September 25 meeting.

J. ADJOURNMENT

The meeting was adjourned at 6:30 p.m.

Approved by:

Sharon Woods, Chair

Submitted by:



Carl Boaz, Stenographer