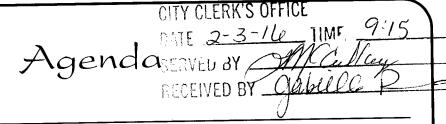
City of Santa Fe





HISTORIC DISTRICTS REVIEW BOARD FIELD TRIP
TUESDAY, February 9, 2016 at 12:00 NOON
HISTORIC PRESERVATION DIVISION, 2nd FLOOR CITY HALL
HISTORIC DISTRICTS REVIEW BOARD HEARING
TUESDAY, February 9, 2016 at 5:30 P.M.
CITY COUNCIL CHAMBERS
AMENDED

A. CALL TO ORDER

B. ROLL CALL

C. APPROVAL OF AGENDA

D. APPROVAL OF MINUTES: January 26, 2015

E. FINDINGS OF FACT & CONCLUSIONS OF LAW

<u>Case #H-15-011</u>. 820 Camino Atalaya. <u>Case #H-15-105B</u>. 604 A Canyon Road. <u>Case #H-13-095</u>. 321 and 325 West San Francisco Street. <u>Case #H-15-031</u>. 109 Victoria Street. <u>Case #H-15-077B</u>. 829 West Manhattan Avenue. <u>Case #H-08-096</u>. 1150 Canyon Road.

F. BUSINESS FROM THE FLOOR

G. COMMUNICATIONS

H. ACTION ITEMS

- 1. <u>Case #H-15-040</u>. 209 Delgado Street. Downtown & Eastside Historic District. David Smith, agent for Ivo and Sally Nelson, owners, proposes to construct a 432 sq. ft. pergola, an outdoor fireplace, and a 6' high fence at a non-contributing residential structure. (David Rasch).
- Case #H-16-001A. 743 Alto Street. Westside-Guadalupe Historic District. Karen Tribull, agent for Carlos, George, and Ernest Cervantes and Del Lovato, owners, requests historic status reviews with primary elevation designations if applicable for one non-contributing and two non-statused residential structures. (David Rasch).
- 3. <u>Case #H-16-009</u>. 202 Gonzales Road. Downtown & Eastside Historic District. Cory Lyle, owner/agent, requests a historic status review of a contributing residential structure. (David Rasch).
- 4. <u>Case #H-16-010</u>. 659 Gonzales Road. Downtown & Eastside Historic District. Jeff Seres, agent for Jerry Kendall and Jan-Claire Phillips, owners, proposes to remodel a non-contributing accessory structure constructing a 373 sq. ft. carport, and a 5' high coyote fence. (David Rasch).
- 5. <u>Case #H-16-011</u>. 207 West San Francisco Street. Downtown & Eastside Historic District. John Padilla, agent for Burro Alley LLC, owner, proposes to remodel a contributing non-residential structure including constructing 113 sq. ft. of additions, and a 720 sq. ft. portal, and installing awnings, a screen wall, and a 72" high gate. (David Rasch).
- 6. Case #H-16-006. 282 Calle Juanita. Downtown & Eastside Historic District. Praxis Design Build, agent for Frank Schneider, owner, proposes to construct a 3,585 sq. ft. residential building to the maximum allowable height of 16'6" and yardwalls and fences to the maximum allowable height of 6'. Three exceptions are requested to Santa Fe style (Section 14-5.2(E)), windows to exceed the 30" lite standard (Section 14-5.2(E)(l)(c)), and openings closer than 3' to a corner (Section 14-5.2(E)(2)(b)). (David Rasch).

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 or check http://www.santafenm.gov/historic districts review board hearing packets for more information regarding cases on this agenda.

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February 9, 2016

MINUTES OF THE

CITY OF SANTA FÉ

HISTORIC DISTRICTS REVIEW BOARD

February 9, 2016

A. CALL TO ORDER

A regular meeting of the City of Santa Fé Historic Districts Review Board was called to order by Ms. Cecilia Rios, Chair, on the above date at approximately 5:30 p.m. in the City Council Chambers at City Hall, Santa Fé, New Mexico.

B. ROLL CALL

Roll Call indicated the presence of a quorum as follows:

MEMBERS PRESENT:

Ms. Cecilia Rios, Chair

Mr. Frank Katz, Vice Chair

Ms. Meghan Bayer

Ms. Jennifer Biedscheid

Mr. Buddy Roybal

MEMBERS EXCUSED:

Mr. Edmund Boniface

Mr. William Powell

OTHERS PRESENT:

Mr. David Rasch, Historic Planner Supervisor

Ms. Sóbia Sayeda, Planner Technician Senior

Ms. Theresa Gheen, Assistant City Attorney

Ms. Lisa Martínez, Land Use Department Director

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

No one moved to approve the agenda. Member Katz seconded the motion and it passed by unanimous voice vote.

D. APPROVAL OF MINUTES: January 26, 2016

Member Katz requested the following changes to the minutes:

On page 13 in the motion he made in the penultimate sentence, it should say, "on the condition that the parapet on the back addition is approximately the same as the primary façade of the house."

On page 31, at the top of the page in the motion, it should say, "find that the fence is not harmon ious." (Deleting "size" in that sentence).

Member Biedscheid requested the following changes to the minutes:

On page 3, 5^{th} paragraph, where it should say, "Mr. Rasch said they usually do fire damage repair after the damage.

[Stenographer's note: I could not find the word "repair" in that sentence in the minutes submitted to the Clerk.]

On page 28, under Questions to the Staff, 7th paragraph should spell out SFS as San Francisco Street.

Chair Rios requested the following changes to the minutes:

On page 19, 3rd sentence down should read, "Chair Rios noted there is a residence in front and asked if the proposed addition will touch it".

On page 20, 8th paragraph, it should read, "Chair Rios pointed out that Mr. Jayet, in a spirit of cooperation, gave his project a lot of thought. He didn't want to disturb the west elevation and took his neighbors' properties into consideration."

On page 21, 9th paragraph, it should read, "Chair Rios said the Board has the drawing and the wall is only 4' high."

She added that rather than pronoun, she was being specific on what the Board was talking about.

On page 28, first sentence should read, "Chair Rios asked if the building that houses II Vicino is significant.

On page 30, 8th paragraph, should read, "Chair Rios said she couldn't think of an option on the spot Historic Districts Review Board February 9, 2016 Page

but was sure there were options that would not be affixed to the ground."

On page 36, last sentence should read, "Chair Rios, asking for the height of his home."

On page 42, the third sentence should say, "... neighbor's properties."

Member Biedscheid moved to approve the minutes of January 26, 2016 as amended. Member Katz seconded the motion and it passed by unanimous voice vote.

E. FINDINGS OF FACT AND CONCLUSIONS OF LAW

Case #H-15-011. 820 Camino Atalaya.

Case #H-15-105B. 604 A Canyon Road.

Case #H-13-095. 321 and 325 West San Francisco Street.

Case #H-15-031. 109 Victoria Street.

Case #H-15-077B. 829 West Manhattan Avenue.

Case #H-08-096. 1150 Canyon Road.

Ms. Gheen wanted to consider if any of the amendments to the minutes would affect the Findings of Fact and Conclusions of Law.

Chair Rios said as the Board knows, the Findings of Fact and Conclusions of Law set out the facts and legal reasons for those facts. The Board has to be very specific in each motion to state exactly what is wanted in the motion. If in discussion you want things and then don't put that in the motion, it is not binding. The City Attorney has to compare that with findings and conclusions. "If there are exceptions in a case and you disagree with what staff has indicated, you need to be specific and indicate why and what those things are that you disagree with staff."

Ms. Gheen said the amendments did make a change regarding the motion for Case #H -13-095 at 321 and 325 West San Francisco Street. That change might affect the Findings of Fact and Conclusions of Law. That was in the minutes on page 31 at the top where the word "size" was deleted.

Member Katz said size was only one of the issues and the findings reflected that and other features of the wall. It was size, zig zag and materials.

Member Katz said it was that the fence is not harmonious so the Findings of Fact and Conclusions of Law are not affected.

Mr. Rasch said it was also orientation.

Mr. Rasch said for 604 Canyon Road, the action on page 13 was changed a little. The parapets shall match height of primary elevation (not the rest of the house).

Member Katz said Ms. Gheen already sent out the revision.

Member Katz moved to approve the Findings of Fact and Conclusions of Law as submitted. Member Roybal seconded the motion and it passed by unanimous voice vote.

F. BUSINESS FROM THE FLOOR

There was no business from the floor.

G. COMMUNICATIONS

Mr. Rasch said Staff members were going to do legal training at this meeting but decided not to since for the next meeting there are only two cases so the training will be done then.

Ms. Gheen informed the Board that on January 13, 2016, the Governing Body heard the Klein's appeal for Case #H-15-070 on prohibiting elastomeric stucco on 329 Bishop's Lodge Road. On January 27 th, the Findings of Fact and Conclusions of Law were approved by the Governing Body and those can be found on the City Clerk's web site.

She also announced there are two appeals. One is to Case #H-15-100 on 1379 Canyon Road regarding the additional fenestration of the driveway gate. No hearing date has been determined.

In addition, the City has an appeal in Case #H-15-106 at 1244 Camino Cruz Blanca on the denial of using green stucco. That appeal will be heard by the Governing Body on February 24.

Chair Rios announced to the public their right of appeal within 15 days of the approval of the Findings by the Board. At this meeting, speakers (but not applicants) will be limited to two minutes each.

H. ACTION ITEMS

- 1. <u>Case #15-040</u>. 209 Delgado Street. Downtown & Eastside Historic District. David Smith, agent for Ivo and Sally Nelson, owners, proposes to construct a 432 sq. ft. pergola, an outdoor fireplace, and a 6' high fence at a non-contributing residential structure. (David Rasch).
- Mr. Rasch gave the staff report as follows:

BACKGROUND & SUMMARY:

209 Delgado Street is a single-family residential structure that was constructed in a vernacular manner before 1928. It features a cross-gabled roof and a lower shed roof addition on the east side. The building is listed as non-contributing to the Downtown & Eastside Historic District.

In 2015, the HDRB approved minor remodeling at the property. Now, applicant proposes to amend the previous approval with the following three items.

- 1. A 432 square foot pergola will be constructed with wood to a height of 9' 8". Finish stain or paint color was not submitted.
- 2. A free-standing fireplace will be constructed to a height of 11' 4" near the north side of the pergola. Finish material and color was not submitted.
- 3. A 6' high coyote fence with stuccoed pilasters will be constructed between the residence and the pergola. A simple design wooden bi-leaf pedestrian gate will be installed between pilasters in the fence. Stucco type and color was not submitted.

STAFF RECOMMENDATION:

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

Questions to Staff

There were no questions to Staff.

Applicant's Presentation

Mr. David Smith, 231A West Manhattan was sworn. He said regarding the colors that the pergola would use Douglas Fir stained with natural oil. It would appear a little on the red side but with no color in the oil stain. The fireplace will have river stone on the bottom and Adobe El Rey stucco to match the house. The stuccoed pilasters of the fence will be "Adobe" color.

Questions to the Applicant

Chair Rios asked what the purpose of the pergola is.

Mr. Smith said it is for outdoor dining and sitting. There will be a flagstone floor and hibachi there for outdoor living. That is on the north side.

Member Katz noted on page 10 of the packet, the north elevation doesn't show a fireplace.

Mr. Smith looked and said he is correct. The fireplace is directly in front of the French door. He did show it on another view.

Member Katz agreed. On page 11 it shows.

Chair Rios referred to the existing walls which are very close to the house. She asked if he was the architect for the prior application.

Mr. Smith said he was and that wall location was intentional and was prescribed by the City because of an entry easement that comes into the property. It had to have a six-foot fence at the easement line. Without that City requirement they would have built the wall 4' high.

Public Comment

There were no speakers from the public regarding this case.

Action of the Board

Member Katz moved in Case #H-15-040 at 209 Delgado Street, to approve as recommended by Staff and it complies with the appropriate design standards. Member Biedscheid seconded the motion.

Chair Rios asked for an amendment that the colors be added as stated by the applicant - Douglas Fir with natural oil stain on the pergola; river stone and El Rey Adobe stucco on the fireplace and pilasters. Member Katz accepted it as friendly and the motion passed by unanimous voice vote.

 Case #H-16-001A. 743 Alto Street. Westside-Guadalupe Historic District. Karen Tribull, agent for Carlos, George, and Ernest Cervantes and Del Lovato, owners, requests historic status reviews with primary elevation designations if applicable for one non-contributing and two non-statused residential structures. (David Rasch).

Mr. Rasch gave the staff report as follows:

BACKGROUND & SUMMARY:

743 Alto Street is a property in the Westside-Guadalupe Historic District that has three residential structures surrounded by yardwalls between paved and dirt Alto Streets

The applicant proposes historic status review of the three structures and the yardwalls.

Building A is a two-story structure built in 1982 in a vernacular manner fronting on dirt Alto. It features
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a very deep roof overhang, a small roof monitor with shed roof and south-facing clerestory windows, a second-story projecting bay window on the east elevation, a portal with second-story porch on the north elevation, and iron grilles on ground floor windows. This structure has no assigned historic status - built in 1982.

Building B is an unfinished concrete block, potentially a two-story structure, that was begun in 1992 and fronting on paved Alto. This structure has no assigned historic status.

Building C is the oldest structure on the property, originally constructed in a vernacular manner at approximately 1948 as a 400 square foot building still visible on the south elevation. Additions were constructed between 1972 and 1990 which greatly expanded the footprint. The building features one -story massing with some rounded parapets and some pitched or shed roofs. It is located on the west side of the lot and is designated as non-contributing to the Westside-Guadalupe Historic District.

The primary yardwall on paved Alto is exceedingly tall and highly decorated with mosaics and a large surmounting angel statue. The other yardwalls have no exterior character. The yardwalls were constructed over a period of years from 1972 to 1990.

STAFF RECOMMENDATION:

Staff recommends maintaining the non-contributing historic status of the primary residence and designating the two other residences and the yardwalls as non-contributing due to lack of historic dates of construction and/or lack of historic integrity.

Questions to Staff

Member Roybal asked for the size of Building C now.

Mr. Rasch said it is probably 1,200 square feet or more now.

Member Roybal assumed that is a nonhistoric addition.

Mr. Rasch agreed.

Chair Rios stated that the Board could find that original portion is historic and the rest of it non-historic.

Mr. Rasch agreed. If the Board feels those additions have not destroyed its historic integrity, you could designate it as a historic building.

Chair Rios asked if Mr. Rasch felt too many changes have taken place, even in the historic part.

Mr. Rasch agreed. Even on the original south façade are nonhistoric window replacements.

Applicant's Presentation

Ms. Karen Tribull, 7431/2 Alto Street was sworn.

Chair Rios clarified that in this case the Board is only addressing the historic status and not talking about what might develop later on.

Questions to the Applicant

In response to Chair Rios, Ms. Tribull agreed with the Staff recommendation. They just wanted to finish what has been started. She said Mr. Cervantes, who lives in the original building was present to speak about it.

Mr. Carlos Cervantes, 743, Alto Street, was sworn and said what Ms. Tribull said is accurate.

Member Roybal noted that Ms. Tribull said they wanted to finish what they started and asked exactly what he meant.

Chair Rios said the Board cannot go there.

Chair Rios said in building C there were 400 square feet built in 1948. She asked, other than the windows, if there have been many changes to the building.

Mr. Cervantes said there were additions to the north side.

Chair Rios asked if the window openings have changed.

Mr. Cervantes agreed.

Public Comment

Mr. Jerry Richardson, 703 Don Felix Street, was sworn. He identified himself as the President of the Historic Guadalupe Neighborhood Association. He said he lives around the corner from this property and has no objection to this property being designated as non-contributing. It has been altered in numerous ways and all without permits or going to the HDRB.

Mr. Richardson expressed his concern with the wall that is about 10' tall and has an angel on top. It was constructed in 2005, not in 1992 as reflected in the record. He said he called the City about it because it clearly doesn't meet any design guidelines, exceeds the height requirements by at least four feet, and one of the buildings has rebar coming out where they were planning to construct a second story illegal ly.

He just wanted to put the Board on notice that when the plans come to the Board in the future, the

Association wants those things addressed that are non-conforming.

Mr. Richardson said he has been through this with the City before. If you call the City while people are constructing things, the City will red tag it and usually those people come before the Board and do things right. "In this case, I called. The City refused to cite them or red-tag them because they were afraid. So nothing happened. What good are design ordinances if they are not enforced?"

Chair Rios asked if the walls are being addressed concerning historic status.

Mr. Rasch said yes. He believed all of the remodeling is non-historic

Ms. Stefanie Beninato, P. O. Box 1601, was sworn. She echoed Mr. Richardson's concerns, particularly about the wall.

The buildings were set down but you don't see them from Alto Street. The wall went from 6 to 10 feet in the past ten years without any building permits. It is non-conforming and unwelcoming. She hoped the Board would address that at some point.

Chair Rios asked Ms. Tribull - how high the property is

Ms. Tribull asked if she meant on Alto Street.

Chair Rios said inside the property, facing Alto Street.

Ms. Tribull said it is deep from inside the property but she didn't know the actual height. She didn't know that was relevant to her case.

Chair Rios said she was just curious.

Ms. Tribull said she could present that later.

Action of the Board

Member Roybal moved in Case #H-16-001A at 743 Alto Street, to follow staff recommendations to maintain Building A as on-contributing and to designate a non-contributing status for buildings B, and C and the wall due to lack of historical date of construction and lack of historic integrity. Member Katz seconded the motion and it passed by unanimous voice vote.

3. <u>Case #11-16-009</u>. 202 Gonzales Road. Downtown & Eastside Historic District. Cory Lyle, owner/agent, requests a historic status review of a contributing residential structure. (David Rasch).

Mr. Rasch gave the staff report as follows:

BACKGROUND & SUMMARY:

202 Gonzales Road is a single-family residential structure that was constructed in the Spanish-Pueblo Revival style in 1967. It is listed as contributing to the Downtown & Eastside Historic District.

The applicant requests a historic status review of this property. A Historic Cultural Property Inventory is not found in HPD files. Aerial photographs from this area of town are lacking at the Highway Department. The Santa Fe County tax assessor's office provides the only known date of construction, which is non-historic. Non-original windows do not meet the Historic District standards and the structure is in a poor state of repair.

STAFF RECOMMENDATION:

Staff recommends downgrading the historic status from contributing to non-contributing due to the non-historic date of construction, replacement of original windows, and lack of structural integrity.

Questions to Staff

Member Bayer asked what the characteristics of the building were that had made it contributing.

Mr. Rasch said the corner portal is the only character-defining feature of the building. The windows are non-conforming. The floor plan shows that it is rectilinear except for that corner portal.

Applicant's Presentation

Present and sworn was Mr. Cory Lyle, 2103 Paisano Road, Austin TX, who had nothing more to add and agreed with the Staff recommendation.

Questions to the Applicant

There were no questions to the Applicant.

Public Comment

Ms. Beninato (previously sworn) agreed it should be downgraded. There are a few on Gonzales Road that got renovated in the 1990s but they took out windows and replaced them. It is not a particularly unique building and has few character features.

Action of the Board

recommendations to downgrade the historic status from contributing to non-contributing due to the nonhistoric date of construction, the replacement of small windows, and the lack of historic integrity. Member Bayer seconded the motion and it passed by unanimous voice vote.

4. <u>Case #H-16-010</u>. 659 Gonzales Road. Downtown & Eastside Historic District. Jeff Seres, agent for Jerry Kendall and Jan-Claire Phillips, owners, proposes to remodel a non-contributing accessory structure constructing a 373 sq. ft. carport, and a 5' high coyote fence. (David Rasch).

Mr. Rasch gave the staff report as follows:

BACKGROUND & SUMMARY:

659 Gonzales Road is a single-family residence that was constructed in 2002 in the Spanish-Pueblo Revival style. The building may be considered as non-contributing to the Downtown & Eastside Historic District.

The applicant proposes to remodel the property with the following four items, all on the back of the building.

1. The north half of an existing two garage will be converted into a guest room. The southern garage door will be remodeled to include windows at the top quarter. The northern garage door will be removed and replaced with wall infill that includes a 10-lite pedestrian door and paired 6-over-6 double-hung windows, aluminum clad in a blue color to match existing color.

The north elevation will have three small 4-lite awning windows and the south elevation with have two paired bi-leaf storage doors.

- 2. A 373 square foot carport will be constructed to a height of 10' feet. The carport is designed in the Spanish-Pueblo Revival style with viga posts and carved corbels. The roof will be finished with a gray metal standing seam.
- 3. Low retaining walls will be constructed on the north side of the garage/guest room, not itemized in the proposal letter.
- 4. A 5' high coyote fence with irregular topped latillas will be constructed outside of the guest room. Stuccoed pilasters and a wooden pedestrian gate are included.

STAFF RECOMMENDATION:

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

Member Roybal asked if these changes will not be seen from Gonzales Road.

Mr. Rasch agreed but added that the changes could be seen from Lorenzo, which is a public way.

Applicant's Presentation

Present and sworn was Mr. Jeff Seres, P. O. Box 9308, who said he was present to answer questions .

Questions to the Applicant

Chair Rios thanked him for the stakes he put up.

Member Katz said it is a nice job to soften the house.

Public Comment

There were no speakers from the public regarding this case.

Action of the Board

Member Katz moved in Case #H-16-010 at 659 Gonzales Road, to approve the application per recommendations of Staff as it complies with the design standards. Member Bayer seconded the motion and it passed by unanimous voice vote.

5. <u>Case #H-16-011</u>. 207 West San Francisco Street. Downtown & Eastside Historic District. John Padilla, agent for Burro Alley LLC, owner, proposes to remodel a contributing non -residential structure including constructing 113 sq. ft. of additions, and a 720 sq. ft. portal, and inst alling awnings, a screen wall, and a 72" high gate. (David Rasch).

Mr. Rasch gave the staff report as follows:

BACKGROUND & SUMMARY:

207 West San Francisco is a commercial structure that built in a vernacular manner in approximately the 1920s with an addition at the rear after 1945. The building is listed as contributing to the Downtown & Eastside Historic District and the south and west elevations are designated as primary (the two street elevations).

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

- 1. Brown-colored cloth awnings will be installed on the primary south elevation. The previously existing awnings have been removed.
- 2. A 60 square foot restroom addition will be constructed on the rear, north elevation in a non-publicly visible location to a height of 11'. The addition will feature a pedestrian door on the west elevation and the walls will be stuccoed with elastomeric material in "Paloma".
- 3. A 53 square foot office addition will be constructed on the rear, north elevation in a non-publicly visible location to a height of 8'. The addition will feature a pedestrian door on the east elevation and the walls will be stuccoed with elastomeric material in "Paloma".
- 4. The existing portal and bar in the rear courtyard has been removed. A 720 square foot portal will be constructed in the same location to a height of approximately 11'. The portal will feature a simplified design using metal elements in a "Gun Metal" finish and with an earth-tone colored standing seam shed roof.
- 5. A 6' 2" high wood fence with 6" metal slats will be installed at the east side of the rear courtyard to screen the walk-in cooler and freezer. The fence will have a green living component to it.
- 6. The existing decorative metal vehicle gates that enter the rear courtyard from Burro Alley will be removed and replaced with a solid metal gate with a "Gun Metal" finish and without an arched top like the existing condition.
- 7. Simple metal sconce light fixtures with a "Gun Metal" finish are proposed.

STAFF RECOMMENDATION:

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

Questions to Staff

Chair Rios noted the building is contributing and the application proposes to use elastomeric stucco on the addition. She asked if Mr. Rasch felt that is permissible in the Downtown district.

Mr. Rasch said the two additions will not be visible from San Francisco Street or Burro Alley so he saw no problem with using elastomeric stucco. If in the future, someone wanted to request restucco of the entire building, it would be required to go to cementitious stucco.

Chair Rios asked about the size of proposed gate and a description of the existing gate.

Mr. Rasch said he doesn't have the sizes. It is currently a metal gate with decorative elements at Burro

Alley. It is probably taller than eight. But the top of the arch is still lower than the existing yard wall.

Chair Rios concluded that the see-through gate will be replaced with a solid metal gate.

Mr. Rasch agreed. It will be a solid metal gate with a gun metal finish.

Mr. Boaz asked Mr. Rasch for clarification on the arch, whether he was referring to the proposed gate or the existing gate.

Mr. Rasch said he was referring to the existing gate and the Applicant would address the height of the proposed gate.

Applicant's Presentation

Present and sworn was Mr. John Padilla, 2301 Camino Artista, who made two clarifications. The screen wall is a metal frame with wood slats, not metal slats as stated in the Staff report. Secondly, the new gate was identified as a metal slat gate but it is a metal frame with wood slats and he had materials and stain color samples.

In the elevation on the proposed west elevation, the gate height shows at approximately 6' 2". The existing gate is taller than 6' 2" but still below the wall height. They wanted to make sure the new gate stays below the walls on the west elevation and the new gate will have vertical wood slats. He said that is all he had to present and would stand for questions.

Questions to the Applicant

Member Roybal asked if the office unit is going to have anything on the roof.

Mr. Padilla said it now has existing mechanical equipment which is screened (solid screening) facing Burro Alley and on the inside facing the courtyard the screening is a latticework. On the in side courtyard, they propose to continue that vertical screening wall further to screen it a little better with a metal frame and wood slats so none of the rooftop equipment would be visible. For the screening facing Burro Alley, if the Board saw it on the field trip, that screen is an ugly yellow and they would change it to Paloma to be ore in harmony with the existing color.

Member Katz thanked Mr. Padilla for using the wood which pulled his entire complaint about the screening wall.

He was concerned with the gate not allowing public visibility. All of these walls are hiding stuff. He was not sure why the Applicant would want to screen out the view. He assumed there would people out there having a rollicking good time and being able to see that would be to the Applicant's advantage - to have that more open, would bring in more people to join in the good times.

Mr. Padilla said the original gate was a solid wood gate painted white. And then the prior tenant went to the open screening look for the gate but the new tenant wants security for the alcohol out there on the patio. It is also an emergency egress not only for their courtyard but also for. The solid gate allows us to put the panic hardware on there for emergency exit. With a liquor license, the y don't want someone able to release the panic bar and cannot use a chain that violates fire safety.

Member Biedscheid asked if the screen wall is also a metal frame with wood slats.

Mr. Padilla agreed and he showed the Board from his samples, first the light fixture to be on the Burro Alley side - a sconce with structural steel in gun metal with a blue patina. It will be down lighted with a lid inside to prevent up lighting. It will also be used inside the courtyard.

Next he showed the gate structural steel frame material and the Epay wood they would use with the stain color shown. He said the screen wall will be structural steel with the same wood material. It will be 11' wide and 6-7' tall. It provides a very natural screen. There will be spacing in the slats to grow vegetables as a living wall which they plan to use some for the food service in the courtyard. All portal members will be structural steel with a gun metal look. All roof framing materials will use the same C-channel steel and rafters to beam with the metal roof on top.

He added that all of the bar components will use this type of Epay wood and structural steel with a little industrial look for the face of the bar and a little patina.

The last item he showed is for the outside awnings, which he called a Sombrella material in walnut brown tweed and it would have their logo painted on the awnings. The awnings would have a rigid frame so it would have more of a solid look rather than blowing in the breeze. It provides shade on San Francisco Street and protection for doors and windows.

Chair Rios asked if the metal for the portals is visible.

Mr. Padilla said it is almost impossible to see the metal for the portals.

Member Roybal asked if there is any prohibition of signs on awnings.

Mr. Rasch didn't know about their sign allowance but it is probably limited to three signs and the sign on the awning is one of them. The application is reviewed by the City or come to the Board as an exception.

Public Comment

Present and sworn was Mr. John Eddy, 227 East Palace Avenue, Suite E. Regarding the materials, he reminded the Board that Burro Alley could not be any deeper in the heart of Santa Fe. It is a very important part of historic Santa Fé. He urged a lot of caution here because all he saw is structural steel. The trend is

becoming popular among developers. It is an issue gaining momentum and it loses the characteristics of hand work in the city. People went to wrought iron instead but it is rapidly disap pearing. He has a problem with that. He understood the restrictions of the liquor laws but asked that the Board reconsider the permeability of the gate. That is very intimidating. Burro Alley should be welcoming to people.

Mr. Eddy saw the need for the awnings and it appears they are covered with something rigid.

Chair Rios asked for response.

Mr. Padilla said the awnings use Sombrella and it needs a frame which is made out of 1" steel frame under the fabric. As far as the comment about historic Santa Fe and introduction of steel into our design. If you go back in history, two gates ago was a wooden framed gate that enclosed a courtyard for businesses on West San Francisco Street. Prior to that it was just a back yard, with parking and trash cans. There was nothing historic back there. It was where cars were parked and there was no gate there at all. Some of the Board might remember driving on Burro Alley with a shoe shine parlor and a barber shop. A heavy gate secured the back access onto Burro Alley. There was really nothing back there until properties started developing the back.

He knew there is a new Santa Fé style movement being discussed and was on the Board when they started dealing with that. Some day Santa Fé will have to deal with that new style but this isn't part of it.

Chair Rios asked if the owner would be open to having a portion of the gate be see -through.

Mr. Padilla said the biggest issue is security and with liquor being served, there is a liability. And for the business, itself, if the gate is solid, it would appear to be secure.

Chair Rios asked about having small windows right at the top.

Mr. Padilla said he would not like to have it as a condition of approval but offered to work with Staff on what the Board would like to see, especially if Staff could review after the Board's direction on what would be acceptable.

Chair Rios asked how wide the gate is.

Mr. Padilla said it is 11feet wide. They are just using the existing opening. That corridor has had solid gates on it. It had two large blue painted gates for the back of Palace Restaurant.

Chair Rios asked him to respond to Mr. Eddy's comments on the use of steel and what is visible.

Mr. Padilla said you wouldn't see any of it with the gate at that height.

Mr. Rasch said the steel frame and light fixtures will be seen.

Member Biedscheid excused herself from the meeting at 6:39 p.m.

Mr. Padilla said they are trying to right a wrong that was done by the previous tenant.

Chair Rios wanted to see how much steel is used on the porch.

Mr. Padilla said the metal is a very small steel frame.

Ms. Beninato (previously sworn) agreed with Mr. Eddy's comments. It isn't about use on this location. Burro Alley is a pedestrian walk way now and we want to have an open feeling like at the other restaurant on Burro Alley. There should be some sight into that courtyard. And the parking was back there at one time and it was not a friendly area at that time.

Ms. Beninato was concerned about the amount of steel being used. It is a theme going to the outside and can be seen when the gate is open. It is not Santa Fé style. We want natural materials. There is warmth with wood beams that cannot be found with metal. She particularly urged the Board to change some visual access there.

Mr. Padilla pointed out that there are not open restaurants on Burro Alley. They have seating that happens on the outside in the warm season but they are not open cafés.

Member Katz agreed that in the summer, customers do sit outside and manage to drink beer there. That is also true for the outside at the Palace Restaurant so he didn't agree that there needs to be a "Chinese Wall" at Burro Alley.

Member Katz said he hadn't heard Mr. Padilla really respond to Mr. Eddy's comment about handmade materials - wrought iron versus tubular steel. Steel is pleasing to him but it isn't Santa Fé Style. It is modern. He wanted the Applicant to consider a gate that has some visibility and doesn't use a modern look material but something that looks more historical.

Mr. Padilla thought they could consider a more traditional material on the gate. They could use wrought iron for the frame but would like to use the Epay wood.

Present and sworn earlier was Mr. Robert Crowsing, owner/new tenant. He said their objective is for the decor to be more wood than steel. The gate is being represented. The framework isn't going to be seen. It will be beautiful wood and that is all you would see. The reason he felt it needs to be soli d is because that property needs to have egress for the buildings next door. A bar is slated for next door to them when they are closed, there still needs to be a push bar. But so that people outside could not reach in and move the panic bar when they are not open. Everything they planning there will be beautiful wood, all handmade. They will have a rain screen built up so you would not see the existing ugly ductwork and equipment but more handcrafted wood material.

Chair Rios responded that even though it has steel, we would just see wood there.

Mr. Crowsing agreed. A steel member is required to hook onto the building. But we could extend the

wood further. And the rest of the gate is all wood. We could even tuck the metal behind the wood, if you want.

Chair Rios reasoned that even with a see-through at the top, they couldn't you put the panic bar lower.

Mr. Crowsing agreed. That is not allowed. He would prefer having the gate open but security is an issue for them. If a person could see in, they would have room to reach in a release the panic bar. They will have a security system set up and he didn't really know how much security is needed there.

Mr. Rasch said the push bar will always be there for any emergency.

Action of the Board

Member Katz moved in Case #H-16-011 at 207 West San Francisco Street, to follow staff recommendations and approve the cloth awnings, approve the rest room addition on the rear, with Paloma elastomeric stucco; likewise the office with elastomeric stucco; that the portal and bar can be done as described in the recommendation; that the east side of the rear courtyard be approved; that the screen wall with metal frame and wood slats be approved with the green component to it, that the sconces on the outside on Burro Alley be approved and approve the solid wooden gate provided there is some visibility at the top of it, maybe a quarter of the distance; and that the exterior of that gate just see the wood and not the tubular steel.

Member Roybal seconded the motion and it passed by unanimous voice vote. Member Biedscheid was not present for the vote.

Mr. Padilla asked if the design of the open visible portion of the gate would be brought back to the Board or approved by Staff.

Member Katz said the open section of the gate would be taken to the Staff for approval.

- 6. Case #11-16-006. 282 Calle Juanita. Downtown & Eastside Historic District. Praxis Design Build, agent for Frank Schneider, owner, proposes to construct a 3,585 sq. ft. residential building to the maximum allowable height of 16'6" and yardwalls and fences to the maximum allowable height of 6'. Three exceptions are requested to Santa Fe style (Section 14-5.2(E)), windows to exceed the 30" lite standard (Section 145.2(E)(1)(c)), and openings closer than 3' to a corner (Section 14-5.2(E)(2)(b)). (David Rasch).
- Mr. Rasch gave the staff report as follows:

BACKGROUND & SUMMARY:

282 Calle Juanita is a vacant lot at the end of the drive in the Downtown & Eastside Historic District.

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

- 1. A 2,193 square foot primary residence, a 659 square foot two-car garage, a 378 square foot casita, and a 355 square foot portal will be constructed to the maximum allowable height of 16' 6". The building is not designed in the typical Santa Fe Style and three exceptions are requested (Section 14-5.2(E) and the required exception responses are at the end of this report. Windows are designed in a contemporary fashion rather than "in one of the old Santa Fe styles" (14 5.2(E)(2)(e)), do not meet the 3' corner standard (14-5.2(E)(2)(b)), and do not meet the 30" pane standard (14-5.2(E)(1)(c)) which is required to simulate adobe construction (14-5.2(E)(2)).
- 2. An existing stone wall with wire fencing on top at the Cerro Gordo frontage will be altered to provide less visual access to the property. Irregular latillas top coyote fencing will be attached to the structure that will not exceed the maximum allowable height of 6' from the street side of the structure.
- 3. A 6' high stuccoed yardwall appears to be proposed on the south and west lotlines which is shown on the site plan but it is not itemized in the proposal letter and no scaled elevations are submitted.

EXCEPTION TO SANTA FE STYLE with 30" WINDOW and 3' CORNER STANDARDS

(I) Do not damage the character of the *streetscape*;

The proposed design does not damage the character of the streetscape. This house is visible from East Alameda and all of the portions of the home visible from East Alameda meet the historic design criteria. The back of the property runs along Cerro Gordo Rd, but this portion of Cerro Gordo Rd is 23' above the floor elevation of the proposed 16' tall home. This portion of Cerro Gordo is fairly narrow and has no sidewalk. There does not appear to be sufficient right of way for a sidewalk to be added in the future. This property currently has a wall and fence along Cerro Gordo and as part of our design submission, we are proposing to make the top part of this fence opaque by replacing the open hog fencing with coyote pickets. With the fence in place, the design elements which require an exception will not be visible from a public way.

Staff responses: Staff disagrees with this statement. The south elevation, visible from the public way, is not complying with the 3' corner and 30" window standards or traditional window styles.

(ii) Prevent a hardship to the applicant or an injury to the public welfare;

Making an exception to these three elements of the Recent Santa Fe style prevents a hardship to the applicant and an injury to the public welfare. The exceptions would allow the applicant to move forward with his plans to build a beautiful building.

Staff responses: Staff disagrees with this statement. No hardship has been presented.

(iii) Strengthen the unique heterogeneous character of the *city* by providing a full range of design options to ensure that residents can continue to reside within the historic districts;

The proposed design strengthens the unique heterogeneous character of the city by allowing for a design solution which is unique, historically appropriate and heterogeneous. This is the design approach that has grown around this client and this project avoiding repetition and imitation.

Staff responses: Staff agrees with this statement. The Board needs to find that the design is harmonious to traditional design.

(iv) Are due to special conditions and circumstances which are peculiar to the land or *structure* involved and which are not applicable to other lands or *structures* in the related *streetscape*;

As discussed above, this property is located 23' below Cerro Gordo Rd. and will be fenced with an uninterrupted coyote and stone fence. These unique characteristics make is such that, for all practical purposes, the property is not visible from Cerro Gordo.

Staff responses: Staff disagrees with this statement. Other structures on the south side of Cerro Gordo are not visible from the street in a similar manner.

(v) Are due to special conditions and circumstances which are not a result of the actions of the applicant; and

The relative elevation of the road and the buildable area of the site are circumstances that were created many, many years ago and have nothing to do with the actions of this applicant.

Staff responses: Staff disagrees with this statement. The elevation of Cerro Gordo and the buildable area of the lot are not the reason for this exception to Santa Fe Style.

(vi) Provide the least negative impact with respect to the purpose of this section as set forth in Subsection 14-5.2(A)(1).

It has been the staff's position that this building will be visible from Cerro Gordo. The staff is not allowed to recognize the fence of the vegetation which screen the house from the road, but the HDRB can and should recognize that in this case the house will not be visible from Cerro Gordo and so the rules which apply to publically visible portions of the building should not be applied here. In the final result, the building will not be visible and so making these exceptions and approving this design creates the least negative impact on the view from the public way as outlined in Subsection 14-5.2(A)(1).

Staff responses: Staff disagrees with this statement. The building is visible from Calle Juanita, a public way.

STAFF RECOMMENDATION:

Staff finds that none of the exception criteria have been met to construct a contemporary -styled structure not in Santa Fe Style in the heart of the Downtown & Eastside Historic District. That is harmony of window styles, 3' from the corner and 30" light windows.

Questions to Staff

Chair Rios asked what the style of this structure is.

Mr. Rasch described it as regional modernism.

Chair Rios asked Mr. Rasch to tell the Board which architectural styles are allowed in the core district.

Mr. Rasch said they two permitted styles are Spanish Pueblo Revival or Territorial Revival or

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combinations of them.

Chair Rios asked Mr. Rasch if he would say this is not either style allowed.

Mr. Rasch said the massing is there with rounded corners but it is really the fenestration, the locations and types. He read the style section of the Code for the Downtown and Eastside District, first for the Old Santa Fe Style and then Recent Santa Fé Style.

Chair Rios noted he disagreed with the responses for 5 of the 6 exception criteria and agreed with the response to #3.

Mr. Rasch agreed. He agreed with the statement but the Board needs to find the design harmonious.

Chair Rios asked if it is located on a public way and is publicly visible.

Mr. Rasch said it is. Standing on Cerro Gordo, it is visible now but might not with a six-foot coyote fence. But it is also visible from Calle Juanita - at least the south end.

Applicant's Presentation

Present and sworn was Mr. Gabriel Brown, 1012 Marquez Place, Suite 310B, who said he had a power point presentation but guessed the technology was not available so he had one copy to let the Board review. In the presentation, public visibility was his point - the crux of the issue. He said he designed the house so that where it was visible from Alameda, across from Patrick Smith Park and it is visible down Calle Juanita, a narrow little pedestrian street and the portions of the building that are visible from Alameda meet all the requirements of the ordinance and would be deemed appropriate by Staff. The portion that doesn't meet window requirements and general style requirements are on the north elevation with long horizontal windows. It looks into a very steep 24' slope up to Cerro Gordo Road and then a short wall about 20" tall and a tall (8') fence above it that they want to enclose with a coyote fence like the neighbors have and once that is done, won't be visible form Cerro Gordo.

He said they moved ahead with the design with truthfully, a misunderstanding. We couldn't imagine it would be visible from Cerro Gordo. They pointed out they could not count the fence in visibility. It isn't Santa Fé style and, if visible, he would go back and make changes. But he believed the parts that don't meet the ordinance are not really visible.

Questions to the Applicant

Chair Rios thought it has been established that it is visible from Calle Juanita, which is a public way. In her opinion, this design is very modernistic and in direct opposition to what is allowed in the district.

Mr. Brown said they have true divided lights there, three feet on every corner, traditional massing and

met the ordinance. They didn't want to put an odd face on that part of the historic di strict.

Chair Rios asked if he would agree the proposal is very modern; that it has very modern elements.

Mr. Brown said the view from the courtyard and the very back of the house, is very contemporary. It is owner's desire and his desire for that style. But it was their desire that it not be publicly visible so he turned it away from the street and where a pedestrian would see it.

Chair Rios asked if he was telling the Board that he was introducing two types of architectural style; a contemporary style that cannot be seen and a more traditional style.

Mr. Brown agreed. The portions that are publicly visible comply with traditional standards and not unusual in massing or detailing. But he didn't feel it is two different houses or a radical shift from one style to another but they have avoided contemporary elements on those parts visible from Alameda.

Chair Rios asked if the corners would be sharp.

Mr. Brown said that is due to the CAD program but they would comply with rounded corners.

Member Roybal asked about what style was used in the other houses in the neighborhood.

Mr. Rasch said the other houses are older, with common architectural Santa Fé style.

Chair Rios asked Mr. Rasch to comment on the fences on that streetscape on Cerro Gordo.

Mr. Rasch said that the south side is very well fenced right on the street. There is not even a sidewalk.

Chair Rios asked about the height of them.

Mr. Rasch said over to Gonzales, they are all pretty tall there.

Member Katz said the public visibility is not from Alameda but from Calle Juanita at the edge of the property and the whole south side is visible. He didn't see divided lights and the windows are right up against the corner. Not to say it isn't beautiful but it is not Santa Fé style.

And on Cerro Gordo, regarding the fences, coyote fences have some permeability. Even on the north side, you would have some visibility. He understood the client's desire to have the house Mr. Brown is designing but it doesn't fit here.

Mr. Brown didn't believe Calle Juanita is a public way.

Member Katz pointed out that it is accessible by the public.

Mr. Brown was not aware of that distinction. On the west elevation it is stepped back. The neighbor's

house is very close on that side.

Member Bayer understood what was being said about visibility on the north side with the coyote fence from Cerro Gordo. But the fence could be removed at any point.

Mr. Rasch agreed. The City Attorney advised him years ago that fences, walls and vegetation cannot be used to prevent visibility. Stuccoed walls are pretty permanent but she advised not to consider the others as preventing visibility.

Chair Rios understood that on Cerro Gordo is a 2' wall and an 8' high coyote fence above the wall.

Mr. Brown clarified that the 20" wall stays and they would add 4' 4" of coyote fence above that.

Public Comment

Present and sworn was Mr. Joe Anaya, whose wife, Mary, was with him along with his two sisters. He said they own the property south of this development at 250, 252 and 256. They also own the property east of the proposed development. He asked if 16' 6" was the maximum allowable height. He understood the ordinance was 14'.

Mr. Rasch shared the average height map from the packet and explained the way it works, that in 1996, trumped the zoning heights in this district. The HDRB proposed an average of all the buildings in the streetscape and he averaged everything on Cerro Gordo and Calle Juanita. There were 16 buildings that averaged 14.5' and because the City map is flawed, two feet are added to the average. So the maximum allowable is 16' 6" although building at that height is not assured. The Board can make the allowable lower than the maximum.

Mr. Anaya said their units are at 14.5'.

He said it appears that they intend to build up to the property line. He thought there was a 15% set back requirement.

Mr. Rasch said the front setback requirement is 7', the back is 15' and the side is 5' as required by the ordinance. And Zoning Staff signed off that the setbacks are in compliance.

Mr. Anaya was a little confused on the architecture. He was sure he could get clarification. We are required egress and ingress if it is built too close to the boundaries.

Chair Rios asked Mr. Brown to show the drawings to Mr. Anaya and Mr. Brown showed them.

Ms. Beninato (previously sworn) was concerned. She hadn't looked at the drawings on line and don't know what would be seen. On Calle Juanita, the home should conform to historic styles. On the north side, if it is set down with fencing, the Board just approved one at Burro Alley in which a gate blocked the view.

That gate could be removed as easily as any fencing. So she urged the Board to be consistent and give due process. So if walls, fences and gates can come down, then you need to ask what it looks like without the gate or fence. So to say it is okay for one case and not for another, it is problematic.

Chair Rios said the Board takes each case on its own specific merits. In her opinion, a big house in contemporary style is a problem.

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

Member Bayer asked Mr. Brown about the tall metal poles on the drawings he brought and shared with the Board. They are tall metal poles above the fencing.

Mr. Brown said they are existing so they will be about 8' above grade and two feet above the coyote fence. Those poles hold the existing hog wire fence that is eight feet tall.

Mr. Rasch said that fence would remain.

Mr. Brown said the owner intends to grow something on the existing poles and fencing.

Action of the Board

Member Katz said in Case #H-16-006 at 282 Calle Juanita, he would make a motion to deny the application and make a finding that none of the exception criteria are met. The applicant has acknowledged that this really is not Santa Fe style and the misapprehension was that because he believed it wasn't visible, it would be okay but it is clearly visible from Calle Juanita and he thought it was similarly visible from Cerro Gordo and therefore does not meet the exceptions; does not meet the design standards and needs to be redesigned. Member Bayer seconded the motion.

Chair Rios asked if he was addressing the proposed coyote fence.

Member Katz said he did not think that would achieve making it not visible - both for the fact that the coyote fence is not permanent and the house would always be there and, in fact, a lot of coyote fences are visually permeable and people, as they drive by or walk by, would be able to see the house through it.

Chair Rios said she was not understanding whether he was approving or disapproving the fence.

Member Katz asked if that was part of what was proposed.

Mr. Rasch agreed.

Chair Rios asked him to look at number two in the staff report.

Member Katz said he would approve if they want to build a coyote fence there. He added that he would move to approve the stuccoed yard wall also. So it is denying part one but approving part 2

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and part 3. Member Bayer seconded the motion and it passed by unanimous voice vote. Member Biedscheid was not present for the vote.

MATTERS FROM THE BOARD

Chair Rios said she has been pushing that it should be a submittal requirement that all e levations show each existing and proposed elevation be on the same page.

Mr. Rasch said that is in the standards. Staff also heard from the Board about floor plans. He said that Ms. Sayeda is great at catching those.

J. ADJOURNMENT

Member Roybal moved to adjourn the meeting. Member Katz seconded the motion and it passed by unanimous voice vote.

The meeting was adjourned at 7:47 p.m.

Approved by:

Cocilia Rios Cecilia Rios, Chair

Submitted by:

Carl Boaz for Carl G. Boaz, Inc