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HISTORIC DISTRICTS REVIEW BOARD FIELD TRIP

TUESDAY, March 27, 2018 at 12:00 NOON

HISTORIC PRESERVATION DIVISION, 1st FLOOR CITY HALL

HISTORIC DISTRICTS REVIEW BOARD HEARING

TUESDAY, March 27, 2018 at 5:30 P.M.

CITY COUNCIL CHAMBERS

*****AMENDED*****

- A. CALL TO ORDER
- B. ROLL CALL
- C. APPROVAL OF AGENDA
- D. APPROVAL OF MINUTES: March 13, 2018
- E. FINDINGS OF FACT & CONCLUSIONS OF LAW

Case #H-18-010B. 125 East Santa Fe Avenue.

Case #H-18-026. 534 Hillside Avenue.

Case #H-18-027. 519 Camino Don Miguel.

Case #H-17-065. 1411 Paseo de Peralta.

Case #H-18-011B. 624 Gomez Road.

Case #H-18-021. 1472 Canyon Road.

Case #H-17-093B. 646 Alto St.

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

1. Case #H-17-108. 100 North Guadalupe Street. Downtown & Eastside Historic District. Descartes Labs, agent for Firestone 100, LLC, owner, proposes to remodel a non-contributing, non-residential structure by installing signage. Two exceptions are requested to place signage above 15' from grade (Section 14-8.10(H)(26)(D)) and to exceed the three color maximum (Section 14-8.10(B)(4)). (David Rasch)
2. Case #H-18-016B. 518 Agua Fria St. Westside-Guadalupe Area Historic District. Christopher Purvis, agent for Peter and Mary Thomas, owners, proposes to construct a 124 sq. ft. addition to 11' high and screen existing rooftop equipment to 14' high where the maximum allowable height is 17'8", remove rear sheds, replace or repair windows, and replace a chain-link fence with wrought iron to the maximum allowable height of 4' on a contributing residential property. (Carlos Gemora)
3. Case #H-18-028. 707 Old Santa Fe Trail. Downtown & Eastside Historic District. Christopher Purvis, agent for Matt and Margie Harshbarger, owners, proposes to construct a 1000 sq. ft. casita to a height of 15' where the maximum allowable height is 16'8" on Camino de las Animas and 15'5" on Old Santa Fe Trail, and install a vehicle gate. An exception to construct a pitched roof where a pitch is not allowed (Section 14-5.2(D)(9)(d)). (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. Persons with disabilities in need of accommodations, contact the Historic Preservation Division office at (505) 955-6605 five (5) working days prior to the meeting date.



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

1. Case #H-18-010B, 125 East Santa Fe Avenue. Don Gaspar Area Historic District. Satto Rugg, agent for Rachel Dixon and Ned Conwell, owners, proposes to construct a 228 sq. ft. two-story addition and gabled dormers on the west and east, replace a door and windows, refinish and repair windows and siding, and construct a 6' high fence with security gate on a contributing residential structure. An exception is requested to alter a primary elevation (Section 14-5.2(D)(2)(d)). (Nicole Ramirez Thomas)
2. Case #H-17-108, 100 North Guadalupe Street. Downtown & Eastside Historic District. Descartes Labs, agent for Firestone 100, LLC, owner, proposes to remodel a non-contributing, non-residential structure by installing signage. Two exceptions are requested to place signage above 15' from grade (Section 14-8.10(H)(26)(D)) and to exceed the three color maximum (Section 14-8.10(B)(4)). (David Rasch)
3. Case #H-18-016B, 518 Agua Fria St. Westside-Guadalupe Area Historic District. Christopher Purvis, agent for Peter and Mary Thomas, owners, proposes to construct a 124 sq. ft. addition to 11' high and screen existing rooftop equipment to 14' high where the maximum allowable height is 17'8", remove rear sheds, replace or repair windows, and replace a chain-link fence with wrought iron to the maximum allowable height of 4' on a contributing residential property. (Carlos Gemora)
4. Case #H-18-028, 707 Old Santa Fe Trail. Downtown & Eastside Historic District. Christopher Purvis, agent for Matt and Margie Harshbarger, owners, proposes to construct a 970 sq. ft. casita to a height of 14'6" where the maximum allowable height is 16'8" and install a vehicle gate. An exception to construct a pitched roof where a pitch is not allowed (Section 14-5.2(D)(9)(d)). (David Rasch)

- I. MATTERS FROM THE BOARD
- J. ADJOURNMENT

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SUMMARY INDEX
HISTORIC DISTRICTS REVIEW BOARD
March 27, 2018

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D. Approval of Minutes March 13, 2018	Approved as amended	2
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H. Action Items		
1. Case #H-17-108. 100 N. Guadalupe Street	Approved with conditions	6-20
2. Case #H-18-016B 518 Agua Fria St	Approved as submitted	20-25
3. Case #H-18-028 707 Old Santa Fe Trail	Approved as submitted	26-30
I. Matters from the Board	None.	31
J. Adjournment	Adjourned at 7:45 p.m.	31-32

MINUTES OF THE
CITY OF SANTA FE
HISTORIC DISTRICTS REVIEW BOARD

March 27, 2018

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, 200 Lincoln Avenue, 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. Jennifer Biedscheid
Mr. Edmund Boniface
Mr. William Powell

MEMBERS EXCUSED:

Ms. Meghan Bayer
Mr. Buddy Roybal

OTHERS PRESENT:

Mr. David Rasch, Planner Supervisor
Mr. Carlos Gemora, Senior Planner
Ms. Theresa Gheen, Assistant City Attorney
Mr. Carl Boaz, Stenographer

NOTE: All items in the Committee packet for all agenda items are incorporated herewith by reference. The original Committee packet is on file in the Historic Planning Department and available on the City of Santa Fe web site.

C. APPROVAL OF AGENDA

Member Biedscheid moved to approve the agenda as presented. Member Boniface seconded the motion and it passed by unanimous voice vote.

D. APPROVAL OF MINUTES - March 13, 2018

Member Boniface requested a change on page 16 last paragraph where Las Cruces should be Las Brisas.

Member Biedscheid requested the following changes:

On page 10 where it was inaudible, she had asked Staff if the enclosed canales existed On historic buildings.

In the fourth paragraph on page 10, Member Biedscheid asked if the structural elements of the coyote fence are on the inside.

On page 12, under Questions to Staff, third paragraph, should say, "Member Biedscheid asked to be shown on the drawings the revised window location."

On page 16, 8th paragraph should say, "Member Biedscheid asked if the six-foot wall was the height requested by Las Brisas."

On page 17, last line, it should say, "Member Biedscheid asked if the exit sign was located on the wall or on a post in the ground."

Chair Rios requested on page 2 under Approval of the Minutes in the third paragraph down from the previous minutes, page 22, "In other words, it is not an entire building" was attributed to her - but maybe not. She affirmed that she did say that.

On the fifth paragraph on page 2, Chair Rios said she was 1000% sure that she said "community."

On 5gh - same page - I am 100% sure I said community.

Member Boniface moved to approve the minutes of March 13, 2018 as amended. Member Biedscheid seconded the motion and it passed by majority voice vote with Member Boniface, Member Biedscheid and Member Katz voting in favor and Member Powell abstained.

E. FINDINGS OF FACT AND CONCLUSIONS OF LAW

Case #H-18-010B. 125 East Santa Fe Avenue.

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Member Katz moved to approve the Findings of Fact and Conclusions of Law as presented by Ms. Gheen. Member Boniface seconded the motion and it passed by voice vote with Members Katz, Boniface and Biedscheid voting in favor and Member Powell abstained.

F. BUSINESS FROM THE FLOOR

Mr. Raymond Herrera said he has been a part of the H Board for over 30 years. After reading the article on Sunday about Mr. And Ms. Latham donating money for the renovation of the Halprin Building on Montezuma, he was concerned because it showed Mr. Latham with an architect and it appears they already have the plans done.

At a gathering on Friday with people involved with the community, he asked them, and they said "the mural doesn't mean that much. It is falling apart and doesn't mean anything. It was painted by Mr. Guzman who was noted as a living treasure recently."

"I checked the mural last week and agree it is in bad shape but is a great piece of art. To say it is not worthy of preservation is an insult to our community. Let's not make the same mistake as the one painted by Mr. Vigil and painted over a few years ago. Someone must have jurisdiction over it. And the fiasco at St. John's College and Mr. Leyba's at Fort Marcy that were accidentally painted over. These people have come in with that kind of money and demand their name be put on the building. When I was on the H Board, a restoration on Guadalupe, had donors from Chicago who came in for restoring Santuario. They were trying to control the H Board and they were going to sue us for not going with their recommendations. And we finally had our attorney give them the message we are giving the money back. People are not going to buy Santa Fe and I wish newcomers understood. I don't have anything against them and their donation but without reward for it. Santa Fe doesn't need that kind of people. We've had wealthy people here all of my life and they have donated great amounts without asking anything for it."

"It doesn't look right. I appreciate their donation, but I hope and pray that if anything happened to that mural, it is on record here that I spoke up in favor of preserving it. Something was to come up at the Legislature for restoring it and that needs to be checked out first. That's all."

Ms. Stefanie Beninato said, "I wanted to bring to your attention the increase of street signs on sidewalks. It is a daily occurrence even though they have signs on the wall like they are supposed to This is the purview of the Historic Preservation Division Enforcement Officer. I'm not sure why that's not being done because, really, it is pretty obvious. You go up and down like Galisteo Street, Gaspar, Old Santa Fe Trail - you can see these signs on a daily basis. I think it really detracts from our downtown and makes it more difficult to navigate some sidewalks. Some of it is off-street for businesses around the corner with a sign someplace else. So, I would ask that you address the problem yourself and do something about it, especially to those businesses that are doing it on a daily basis."

"I also wanted to point out again, 615½ Galisteo Street. It still has nothing being done. I heard from one Board member something about when it is need and we know they can fix the south side again. It has been over six years, seven years now. The owner of it is a long-term city employee, so most probably, makes at

least median income. Her husband also makes a good living. So they are not poor, and they don't have a mortgage on it. They own it. So they should have money available to take care of it or they are going to lose it. That really is what is happening."

"And then the other thing I think is again the accuracy of [??] what kind of style is this particular building. And then it was said that probably not really ... I particularly was saying to Mr. Komis was upset about the record not reflecting that he had made efforts to put the elevator to the back of the building away from the primary façade on the Plaza. Although that it doesn't justify anything, and I'll let you know for your well-being - you are nine people. The next day, Mr. Komis and I had a conversation and that was fine. So things were worked out. But again, he was just upset about not having an accurate record. Even though he said something about it, it is still in the record. It is important that records are accurate. Thank you."

There were no other speakers from the floor and the public portion was closed.

G. COMMUNICATIONS

Mr. Rasch said, "Regarding the State Archives Building, that is a contributing building in the Transition Historic District. I have a letter from the Secretary of Cultural Affairs, stating that all exterior work will be privately funded. Therefore, per Section 14-5.2 (M), does not apply and this Board has no jurisdiction. I was shown the design and I mentioned to SHPO that I felt the design of this addition would cause the contributing status to be degraded. I think the architects are still working on the design, but I did give some input. And I thought I gave them input that was very easy to abide by. I came up with four tenets of Territorial Revival style for the 21 Century.

1. Brocky masses with massing at the corners and a flat roof,
2. Crisper corners than Pueblo Revival.
3. All edges and openings are defined by another material. Traditionally, that would be brick coping on parapets and wood door and window surrounds. But I just said, "defined by a material."
4. Façades typically are symmetrical.

I thought those four tenets really capture Territorial Revival. And I gave that to the Museum Director, the Cultural Affairs Secretary, and the two architects for their input. I don't know if there will be any more discussion with the City about that project. I kind of wish that there were.

You may not know but I have a MS degree in Conservation of Art. So, I am an expert on murals. I don't believe the Conservator at the Museum of New Mexico has been consulted about whether it is reparable or not. And, in my opinion, you have jurisdiction over that mural, but I can't give you an answer on that. That's what I know about the Halprin Building."

Member Powell [inaudible] - asked how old it is.

Mr. Rasch said, "I believe ... , I don't know. I can't tell you off the top of my head. I don't remember if it is Territorial or Territorial Revival. I should say anything about it. For some reason, I want to say 1930's. It is a state facility, and this is a state project.

Member Powell [inaudible].

Mr. Rasch said, "No. 14-5.2(M) because I've had a letter from the Secretary of Cultural Affairs, saying no public money is spent on the exterior.

Member Powell made an inaudible comment.

Chair Rios asked him to speak into the microphone.

Member Powell said, "Section 106 is triggered, then because if it a publicly-owned building, adverse effect should take jurisdiction though the SHPO Office."

Mr. Rasch said the problem is that it is not on their register of in their district. They don't recognize it.

Member Katz said, "Madam Chair, on your description of the Territorial style, was there anything about amount of glass?

Mr. Rasch said, "I didn't go there. On one of the designs I saw, remember, this is a contemporary fine art museum. One of their designs sows the north end of their addition, which is a second-story addition, the addition goes up one side of this contributing building, over the top, and down the other side. So it is totally enveloping a contributing building with a second-story. At the north end of that second story addition, there is a window that has glass to the corners and I said it doesn't follow our ordinance. It is in violation of the massive corners. But they had a good argument because it is an art building, contemporary paints would be in there and north light, painting studios. And I did say at one point, 'Well, if you really need that corner window, make it the only corner window so it is special. And give us mass at all other corners.' I kind of gave them that kind of advice. I really went as far as I could with it.

Member Katz asked if he got any sense of how much State money and what the source of the state money is that is going into this building.

Mr. Rasch said he did not know. Although, public money will be spent on the interior only.

Member Katz said, "I'm not sure that is something that would stand up against the argument, if I was the Assistant City Attorney sitting there. But it would be interesting to know how much there is and where it's from. Do you think they are not using Capital Outlay money, we would have no jurisdiction, then?

Member Powell said, "It doesn't matter if it is a publicly owned building in adverse effect if you read the definition of that."

Member Katz said that is not something we can enforce, though.

Member Biedscheid asked, "Does the City Commission have any jurisdiction.

Mr. Rasch said, "No. I mean, we have more jurisdiction with them if we had public money being spent.

It would come to you for advice. And if they didn't take your advice because you haven't tested this yet, 14-5.2 M is written such that this Board gives advice. And if the advice isn't taken and there is no agreement, there is an ad hoc board that is created. But the numbers of members on the ad hoc board is favored toward the State. We haven't tested this part of the ordinance yet."

Chair Rios said, "Well, I think that is what is strong - a strong basis in something like this where, while we may not have jurisdiction, if the public comes out and speaks..."

Mr. Rasch said, Yes. But I'm still hoping I can convince them to come to this Board for advice. But, we'll see."

"Secondly, the Mayor is requesting to look at all appointments. And our former Mayor didn't re appoint four of you and now, the remainder of you has expired. So everyone's term of office has expired. So I now need, even if you did it for Mayor Gonzales, I now need for Mayor Webber, a letter from each of you if you want to remain on the Board, citing your interest and expertise along with a resume or CV ASAP."

"Lastly, I handed out a flyer for a lecture I'm giving at the History Museum next Wednesday at noon on Santa Fe Style. And you all are invited."

Chair Rios reminded the Board that Preservation Award nominations are due on April 6. She hoped nominations would cover a variety of districts. Most of them coming to us are on the east side.

Member Powell asked if Board members are not obligated to make a nomination.

Mr. Rasch agreed.

H. ACTION ITEMS

Chair Rios announced to the public that anyone disagreeing with a decision of this Board has the option to appeal to the City Council within 15 days after the Findings and Conclusions have been approved by the Board.

1. **Case #H-17-108. 100 North Guadalupe Street.** Downtown & Eastside Historic District. Descartes Labs, agent for Firestone 100, LLC, owner, proposes to remodel a non-contributing, non-residential structure by installing signage. Two exceptions are requested to place signage above 15' from grade (Section 14-8.10(H)(26)(D)) and to exceed the three-color maximum (Section 14-8.10(B)(4)). (David Rasch)

Mr. Rasch presented the staff report as follows:

BACKGROUND & SUMMARY:

100 North Guadalupe Street is a two-story non-residential structure that was built in the Spanish-

Pueblo Revival style around 1994. The building is listed as non-contributing to the Downtown & Eastside Historic District.

On December 12, 2017, the HDRB postponed action on the signage portion of this application pending reconsideration of location and exception requests.

Now, the applicant proposes to install signage on the property with the following two items.

1. One wall-mounted sign (sign #1) will be placed on the southeast corner of the building at 26' 4" from grade. The sign will have more than three colors and it will be backlit. Two exceptions are requested to exceed the three-color limit (Section 14-8.10(B)(4)) and to install a sign above 15' from grade (Section 14-8.10(H) (26)).
2. Options A, B, and C are proposed for one other sign on the property.
 - A. (sign #2) will be wall-mounted on the south façade at 16' from grade. This requires an exception for excessive colors and excessive height.
 - B. (sign #3) will be wall-mounted on the east façade at the ground floor portal parapet at 14' 6" from grade. This requires an exception for excessive colors.
 - C. (sign #4) will be wall-mounted on the south façade at 17' 2" from grade. This requires an exception for excessive colors and excessive height.

RELEVANT CODE CITATIONS

14-8.10 SIGNS

(A)(1) Purpose

Section 14-8.10 is intended to establish a comprehensive and balanced system of sign control that accommodates the need for a well-maintained, safe and attractive environment within the city, and the need for effective communications including business identification. It is the intent of this section to promote the health, safety, general welfare, and aesthetics of the city by regulating signs that are intended to provide reasonable communication to the public to achieve the following specific purposes:

- (a) To eliminate potential hazards to motorists and pedestrians using the public streets, sidewalks, and rights-of-way;
- (b) To safeguard and enhance private investment and property values;
- (c) To control public nuisances;
- (d) To protect government investments in public buildings, streets, sidewalks, traffic control and utility

devices, parks, and open spaces;

- (e) To preserve and improve the appearance of the city through adherence to reasonable aesthetic principles, in order to create an environment that is attractive to residents and to nonresidents who come to live, visit, work, or trade;
- (f) To eliminate excessive and confusing sign displays; and
- (g) To encourage signs which by their design are integrated with and harmonious to the surrounding environment and the buildings and sites they occupy.

(B) General Provisions

(4) Maximum Number of Colors and Lettering Styles

For any one sign, including frame and poles, there shall be no more than three colors and no more than two lettering styles. At least one of the colors shall match one of the predominant colors in the building.

(H) Special Sign Regulations in the H Districts

(1) Purpose

- (a) The purpose of the sign regulations in this section is to establish and carry into effect regulatory procedures governing signs in historic districts of the city. These regulations pertain to permits, colors, texture and finish, materials and design, location and size. They are set forth to preserve the special qualities inherent in the city that attract tourists and residents alike and that are the basis of the city's economic stability and growth. Signs excessive in size, illumination and of commonplace design will defeat the purpose of the preservation of characteristic areas in this, the oldest capitol in the United States.

(26) Wall Signs

(a) Area Limitations

- (l) A wall sign is subject to the following limitations:

- A. The maximum allowable size is fifteen percent of the façade on which the sign is to be placed. In no case shall the sign area exceed twenty (20) square feet except in the AC and RAC districts where the maximum allowable size is six (6) square feet;

- B. Maximum size of letters shall be twenty (20) inches in height, except in the AC and RAC districts where the maximum size shall be eight (8) inches in height;

- C. There shall be no restriction on the number of letters, words or lines of any sign as long as its overall area is within the maximum allowable square feet; and
- D. No sign shall be permitted fifteen (15) feet or more above street grade measured in front of the façade where the sign is to appear.

(24) Freestanding Signs

(a) When Permitted

Freestanding signs shall be permitted at the discretion of the division where a business establishment is set back from a street alignment of building façades more than two (2) feet. A business establishment thus set back, in addition to the signs permitted on the building itself, may maintain a freestanding sign of not more than sixteen (16) square feet in area, and the sign shall relate to the conduct of the business within. If a building is on at least one acre of property and has an unencumbered front setback of at least fifty (50) feet, a two-faced freestanding sign with a maximum of fifty (50) square feet area on each face, with sign dimensions no greater than ten (10) feet in length and five (5) feet in height, and with the top of the sign not more than fourteen (14) feet from the ground will be permitted; provided, that it relates to the business conducted on the premises. Lighting on freestanding signs shall conform with this section.

(b) Location

- (i) It is unlawful to erect any freestanding sign whose total height is greater than fourteen (14) feet above the level of the street on which the sign faces or above the adjoining ground level if the ground level is above the street level.
- (ii) Freestanding signs shall have an open space not less than ten (10) feet between the base line of the sign and the ground level, unless the freestanding sign is placed on the ground and does not exceed sixteen (16) square feet in area nor six (6) feet in any dimension.
- (iii) The setback of freestanding signs from the city right-of-way is regulated by the underlying zoning.

EXCEPTION TO HAVE MORE THAN THREE COLORS ON SIGNAGE

- (i) Do not damage the character of the district

Response: 100 N. Guadalupe St. is a non-contributing structure in Downtown and Eastside Historic District, designed in Spanish Pueblo Revival style. The stucco and wood stain are earth tone colors. We request to place two signs including our logo that has more than three colors, these colors are saturated tones and take up a fraction of each façade, therefore do not damage the character of the structures within this district. Moreover, there are a few examples of existing signage in Downtown and Eastside Historic District a few blocks down on E. Alameda St. with more than three colors, one of which is not a color on the

building. Cowgirl sign and Café Sonder sign, though not in Downtown and Eastside Historic Districts, just a couple of blocks on Guadalupe St. also have nonconforming signs.

Staff response: Staff finds that this exception criterion has been met because colorful signs exist everywhere.

(ii) Are required to prevent a hardship to the applicant or an injury to the public welfare

Response: Our logo design is our unique identity and branding. The overlapping colors identify and represent the processes reflective of day to day functions in our work. By eliminating the number of colors in our logo will be a disservice to our identity. We have gone through several rounds of public funding and have used our branding for each phase; thus far our logo design has been our unique identity and would be a hardship for the organization to change the branding at this point.

Staff response: Staff finds that this exception criterion has been met because branding is an important issue for organization.

(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

Response: Our unique established logo design placed at this corner of the district offers a unique addition to existing signage within the district and strengthens the unique heterogeneous character of the City by providing a full range of design options to this part of the district. We have explored other design options including reducing the number of colors to three colors, which does not work for our organization's identity since the overlapping colors identify and represent the processes reflective of day to day functions in our work. In that regard using brown and white or black and white colors does not work for our organization's identity either.

Staff response: Staff finds that this exception criterion has been met because other less effective options have been examined.

EXCEPTION TO INSTALL SIGNAGE ABOVE 15' FROM GRADE

(I) Do not damage the character of the district

Response: Placing our two proposed signs at the second level wall does not damage the character of the district since there is a range of sign height, including Café Sonder sign. The sign is sized and placed in a manner as not to obstruct or disfigure the existing architectural elements of the two building façades. Moreover, there are a few examples of existing signage in Downtown and Eastside Historic District around the Plaza area that do not meet sign mounting height requirements, one of which is Lucchese bootmaker. Café Sonder sign, though not in Downtown and Eastside Historic Districts, just a couple of blocks on Guadalupe St. also exceeds the allowable mounting height for a sign in Historic Districts.

Staff response: Staff finds that this exception criterion is not met because the Lucchese sign and the Café Sonder signs were approved by exception and the historic districts should not have signs that dominate the streetscape, especially brightly lit signage as proposed here.

(ii) Are required to prevent a hardship to the applicant or an injury to the public welfare

Response: The lower parapet on the east portal is very narrow and does not allow enough room for a sign that is visible and readable from the corner of Guadalupe and Alameda, the existing established trees along Guadalupe Street block this parapet. Moreover, the building is set back from the property line substantially and is not easily visible; it is detrimental for the location to be higher than the lower parapet.

The south-east building corner along Alameda St. and Guadalupe St. is the most visible corner and lends itself for the most visible location for a sign. The lower parapet at the portal is limited in size to take a sign that is visible to moving traffic on Guadalupe for ease of visibility and location identification. The proposed locations will allow the signs to be visible from both Guadalupe St. and Alameda St.

Staff response: Staff finds that this exception criterion is not met because there are locations for signage that provide visibility other than above 15' from grade, as provided by the applicant.

(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

Response: The placement of our sign in a publicly visible manner strengthens the unique heterogeneous character of the City by provides a full range of design options in the district. We have explored other design options including placing the sign on the lower parapet on the east portal, this location is not visible and readable from the corner of Guadalupe and Alameda, the existing established trees along Guadalupe street block this parapet. Placing the signs at the two proposed locations will allow the sign to be visible from both Guadalupe St. and Alameda St.

Staff response: Staff finds that this exception criterion is not met because there are locations for signage that provide visibility other than above 15' from grade, as provided by the applicant.

STAFF RECOMMENDATION:

Staff finds that the multiple color exception request has been met, but the exceeding allowable height

exception request has not been met. If the Board finds through additional testimony that the height exception has been met, then staff recommends that any sign above 15' from grade shall not be illuminated outside of business hours.

Questions to Staff

Member Powell asked if Mr. Rasch could say why they met the four colors exception.

Mr. Rasch said there are already many signs that have more than three colors and he didn't feel one more building with multiple colors would hurt. He agreed that branding is important for an organization and, looking at other options, that they looked at others and stated why they did not choose them.

Member Powell noted the logo is an overlapping of colors.

Chair Rios asked Mr. Rasch to read the ordinance on illuminating signs

Mr. Rasch read the ordinance on illuminated signs – 14-8.10 H.

Member Powell asked a question that was inaudible.

Mr. Rasch read further from the Code about illuminated signs.

Applicant's Presentation

Mr. Luca Marino-Baker, 422 Gregg Avenue, was sworn. He said that at the last meeting, the Board gave options that he explore more with the client. He said what was most important to them is the sign design and location of sign #1, facing Guadalupe to the east.

"We did extensive studies showing them different options. To them, visibility is very important. They are a local start up. They added ten new employees in the last month. We worked on monument signs which would only serve on Alameda and in summer the trees would cover up #3 and make it not visible on Guadalupe or Alameda. Sign #2 is located with the top at 16'. Essentially it is a single back lit sign with LED so not a single mass. Sign #4 is on Water Street and at a secured entrance. I believe it is at 16' and it is negotiable as is #2. It does exceed maximum height. Previously we had it between the two windows and felt it was competing with the building. It now is on the corner and not competing with the rest of the building. We have a pendant to show you. It is not a high-powered lit sign. I can show it to you.?"

He showed the mock up at the back of chambers.

Mr. Marino-Baker explained that it is a stainless-steel box sign. This is a vinyl sticker for the mockup but the installed one would be laminated. That is the top brightness, but the color would be a little better. The tape marks you wouldn't see. The individual letters would stand off without bulbs and adhere to the sign guidelines. They will be backlit, and the capitals are one foot high.

Questions to the Applicant

Chair Rios asked if the signs will be lit at all times.

Mr. Marino-Baker said the client prefers that. If it can only be part of it, they would prefer the logo. The actual size of the logo is 3' but they would be willing to keep it at this size (22") as opposed to 36".

Member Katz asked how many signs they wanted. He believed each business is allow three signs.

Mr. Marino-Baker said there are two other businesses at this location.

Member Katz said three signs per business are allowed.

Mr. Marino-Baker said the #1 sign is an absolute must. #4 is a recessed wall covered in ivy at the middle elevation. They would all be the same size and type. The Alameda sign is also a recessed wall and less prominent.

Member Powell pointed out that there are 4 separate signs on the drawing with numbers 1-4. So he assumed they have two signs and then two alternates. He asked if they are listed in order of importance. On the east elevation you have two signs shown. Are you proposing two there?

Mr. Marino-Baker said they were giving options but #1 is a top priority.

Mr. Rasch said sign #4 is on north, not on the south as in the Staff Report, and second in importance.

Member Katz noted regarding the degree of rightness, that the Board has no idea what it will look like - on the building at night in real size. He asked if people driving by would ask, "How did that get improved?" It is hard to see what it will look like.

Chair Rios asked if they could reduce the brightness.

Mr. Marino-Baker said he didn't have that ability with the mock up, but it would be hardwired to dim when appropriate.

Member Biedscheid asked how he would characterize this backlit.

Mr. Marino-Baker compared it with Lucchese where the lights embedded are reflecting (shining on the wall). The letters are hollow, so the lights are in it and you would just see the silhouette and they could also be dimmed.

Member Boniface understood the letters would show as solid from the street, but the light would all be hidden in the letters. It is a rather soft kind of light behind the letters and he didn't get the sense it would be dominant. The goosenecks would be loud.

Member Biedscheid asked what color the letters would be.

Mr. Marino-Baker said they are stainless steel.

Member Biedscheid thought back lit signs were not in the code.

Mr. Rasch read that section of the code.

Chair Rios asked the applicant if he had heard of edge lighting.

Mr. Marino-Baker said he had not.

Chair Rios explained that it makes the signage not as bright. It is similar to back lighting but comes in from the edge instead of back lighting.

Mr. Marino-Baker said that sounds like what this is.

Public Comment

Ms. Stefanie Beninato, PO Box 1601 was sworn. She heard there were signs with many colors and that the Board approved another one because of the declaration of many colors. She looked downtown and found that Tia Sofia's has four colors, but most have 2 or 3. She said, "I'm not sure if they already use this logo. They could use overlap of two colors. If they have their name on the building, they could be found." She urged 22" instead of 36" and turn them off at night.

She said, "I think I'm hearing different colored lights behind the lettering and ask for clarity - steel letters and white or yellow illumination behind them.

Chair Rios asked what the color of lights behind the letters would be.

Mr. Marino-Baker said all are white. During the day, they would be just the same as edge lighting. The logo is not a proposed logo. Descartes Labs have used it for years They started in Los Alamos and it is used on many things and a very important, intrinsic part of their identity.

Action of the Board

Member Katz asked if the Board could make it a condition that they have a certain wattage. He would like to approve the application with a condition that the Board could look at it after it is installed and maybe have two different brightness levels.

Chair Rios thought it could be done. She suggested the maker of the motion to be specific in reference to location.

Member Biedscheid about clarifying the location on the left side of the building.

Mr. Marino-Baker said that sign is quite a bit smaller in relation to how large the building is - about one foot.

Member Powell said the Board is dancing around the location. These sizes are important, but location is most important. Economic development is always important and branding in the City. His big concern is if we approve it, that Starbucks or Joe's Muffler Shop would want to do the same thing. To get away from the norm, this building will be the case study. We can't always uphold quality or taste. Every time I drive by it I remember last December and what it would look like. I ask why such a special exception for this one company. I think the ordinance should be upheld with 15' or deviate maybe six inches or so. I can't help but wonder, in the shoes of the applicant, if I wouldn't want to stand out like a sore thumb but I think I would want to fit in. Some of the other proposals fit better on the façade and would be just as visible. That's my two-cents and how I feel.

Member Biedscheid said she tended to agree with Member Powell, especially on sign #1. Above the door does look better and the others look small and maybe different landscaping would make them more visible. The Board does want to work with the Applicant But it really is an exception.

Member Powell said this is a special case where there is a strong case for the colors. They are

complementary, so I am for that.

Member Biedscheid had no problem with the colors.

Member Boniface said he was concerned as well and was struggling with the idea that this becomes the exception everyone points to for their own exception. "I know we have given exceptions for height - like Café Sonder as well as with the colors. On the other hand, I do like the signage. It is subtle and not in your face as other signs are, so I want to agree with Staff that the colors exception has been met.

"For locations, I'm prone to accept the one on the north and the center one on the east but hesitant for the one that is 26' in the air on the corner. The other two are well placed. The one up high feels out of place. That's my two cents."

Member Katz said, "I have no problem with colors. I would recommend locations 2, 3 and 4 – one on each of the street-facing façades of the building. I don't feel quite as strongly against the high sign, but they are probably right. And I would want to have the Board convene at night where we could look at it and decide on the allowable degree of brightness."

Member Boniface said he agreed with those three locations. They would be very appropriate."

Member Biedscheid was not sure she agreed with all three of those locations. There are only two entrances - east and north. There is a lot of competitions for big buildings and I'm not sure three signs are necessary."

Member Powell agreed – the two entrances are what I would echo.

Member Biedscheid recalled the letter says they would drop one of them. She thought they should drop #1.

Mr. Marino-Baker said #1 is the one they want. "It is an absolute must have and we would drop all the others if that is permitted."

Member Powell said, "I just don't think it fits in. When was this building built?"

Mr. Marino-Baker said it was built in the 1990s. This is the most visible location and can be seen from both Guadalupe and Alameda. It is not my preferred option, but it is their preferred option.

Member Katz found interesting that people who live in town don't know where it is and people coming into town would not see this sign.

Member Powell said, "We don't design businesses that way anymore. It is the presence someone wants to have."

Member Biedscheid was thinking about the 3' rule (for windows) and pointed out that the sign is less than three feet from the corner.

Mr. Rasch agreed this sign is disharmonious with the design of the building.

Member Powell moved in Case #H-17-108 at 100 North Guadalupe Street, to approve the signs as submitted and have met exception for colors – the exception to exceed four colors, and approving location #3 and location #4 and granting the 22" sign with stainless boxed raised letters of 12", back lit and a small amendment to revisit the illumination - that once the signs are installed that they are required to be dimmable and the Board will revisit it in the evening for brightness at night and dimmable from a maximum of 5 watts.

Chair Rios asked him to include elevations in his motion.

Mr. Rasch said sign #3 is on the parapet of the east portal and sign #4 is on the north façade.

Member Biedscheid also thought they have to address the exception for height on the north façade.

Member Powell asked if that exceeded the maximum height by a foot.

Mr. Rasch said the north façade sign is at 17' 2" and it can only be 15'.

Member Powell said he would accept the exception for 2' more.

Ms. Gheen said she didn't hear how the height exception was accepted, in disagreement with Staff.

Mr. Rasch said there are three criteria. He re-read the three criteria and his non-acceptance of the responses.

Member Katz said the concern is about the sign dominating the streetscape. But this is a large building and he found that it would not be dominated by a sign that is 2' higher. He also was not sure the Board needed an exception here. He thought that dropping the sign to 15' would make absolutely no difference.

Member Powell asked the Board to help him out with it.

Chair Rios said she would leave it at the applicant's proposed height.

Member Boniface said the size of the building helps mitigate it for 2' higher. The Board might keep in mind that when that ordinance was created, it was probably people thinking about single-story buildings.

Mr. Rasch read the #2 criterion and Staff response that it was not met because there are locations for signage that provide visibility other than above 15' from grade as provided by the Applicant.

Member Powell agreed there is no hardship for this; no part of the building that it would not fit within.

Member Biedscheid added that lowering it would not require an exception and it would be closer to the entrance door.

Chair Rios explained that all the criteria must be met in order to grant the exception. So if the Board is not accepting criterion #2, then it could not be approved.

Member Powell agreed. So the signs would need to be at 15'.

Mr. Rasch read the third criterion and Staff found it was not met because there were locations for signage that would provide visibility other than at 15'.

Member Powell said sign #4 would meet code at 15' if they choose to put a sign in that location.

Mr. Rasch said sign #3 is proposed at 14' 6".

Member Powell concluded that the only exception granted is for colors.

Chair Rios asked if there is a second to the motion and Member Biedscheid asked that the motion be restated. She also had a question.

Mr. Rasch said, "What I got is the Board is approving the design of the sign, the illumination shall be dimmable; and the Board will do a site visit at night to view the illumination intensity. The color exception has been met. And the Board is suggesting that sign #3 on the east portal is approved at the height proposed and sign #4 on the north elevation is lowered to 15' at the top of the sign. You are okay with the 22" logo sign and the letters at 12" backlit.

Member Powell said, "... of stainless and the one thing we left out is the Applicant said that they would have light lighting so that would also be in the ..."

Member Katz – view the lighting but design the degree of dimness.

Member Powell – “Five-watt lighting. Did you say that.”

Mr. Rasch was not sure it would be wattage. It might be LEDs.

The Applicant said 5 watts maximum was okay.

Chair Rios asked, “Also, are you going to indicate in your motion that the sign should be turned off ... should have certain hours for being turned on?”

Member Powell said, “My two cents is it doesn’t matter. I think it is fine. We have lights that stay on all night. And I think it actually has a little security and presence all evening. The Night Sky Ordinance is not being violated. I’m okay with it being lit all night.”

Member Katz said the degree of brightness or dimness might change in different hours. That may be the way that is handled.”

Chair Rios asked if Mr. Rasch restated everything in Member Powell’s motion.

Member Powell agreed.

Member Biedscheid seconded the motion. But thinking about the hotels that are close by there. How are they advertised now? They comply with our Code. They are comparable examples for people from out of town that are looking for those buildings. I’m concerned that we are not giving the Applicant their #1 choice and are not being clear about why we are not doing that. It is just because the exception criteria have not been met by the written answers or the additional testimony. I think the location of Sign #1 is not harmonious with the building. It is not consistent the rule we have that other features like doors and windows that stay away from the corners of the building. It is much higher than signs in the streetscape. It is brighter, which does play into the fact that it is a high sign. I think a high sign that was not lit would be perceived differently and obviously, your client would agree with that as a reason. I think the sign locations that we’ve suggested in this motion – the fact that they are lit, even though they are low and maybe behind some landscaping, will still be visible. That is not a common sign in this area. We have a couple that are neon signs, which look historically when they are on, on Guadalupe. But I think these signs do advertise this building and attempt to balance what we have in Santa Fe that are not flashy or bright. And that is a business that is very desirable to Santa Fe. The City hopes to attract more like it. It is an example of really the kind of business we would like to have more of. So I know we would like to encourage that and I think we’ve done our best to balance the aspirations that let our City look like.

Mr. Rasch said, "Madam Chair, I think the applicant may have another point of interest."

Mr. Marino-Baker was not close to the microphone. He said the location of sign #1 is it or nothing. But they would be willing to drop the lighting for that sign if we could have it at that location

Member Powell countered that every application hereafter would be asking for that height.

Member Katz that should be done by changing the rule; not giving an exception where there shouldn't be.

Chair Rios thought the motion was pretty solid.

Member Katz said he would make a friendly amendment to permit the Applicant to have the sign on the south side, which is quite visible from Guadalupe, coming up Guadalupe at 15' maximum. I think that's slightly less than what they are asking for. If the Applicant wishes to have that south-side sign, I would suggest that we add that to our motion.

Mr. Rasch said #2 is proposed at 16'.

Member Katz said, "My friendly amendment was to allow the Applicant the option of choosing to have the south-facing sign at 15'."

Member Powell accepted Member Katz' motion as friendly and Member Biedscheid accepted it as friendly too.

The motion, as amended, passed by majority (3-1) voice vote with Member Katz, Member Boniface and Member Powell voting in favor and Member Biedscheid voting against.

2. **Case #H-18-016B. 518 Agua Fria St.** Westside-Guadalupe Area Historic District. Christopher Purvis, agent for Peter and Mary Thomas, owners, proposes to construct a 124 sq. ft. addition to 11' high and screen existing rooftop equipment to 14' high where the maximum allowable height is 17'8", remove rear sheds, replace or repair windows, and replace a chain-link fence with wrought iron to the maximum allowable height of 4' on a contributing residential property. (Carlos Gemora)

Mr. Gemora presented the staff report as follows:

BACKGROUND & SUMMARY:

518 Agua Fria is a single-family residence listed as contributing to the Westside-Guadalupe Historic District with elevations 1 & 2 out of 14 designated as primary. No changes are being proposed to primary elevations.

The principal building was constructed between 1900 and 1910 as a 1040 square foot Craftsman Bungalow. Prior to 1967 a large, 1111 square foot addition was added onto and differs in architectural style from the principal building. A storage area and a carport were also added prior to 1967 and have been heavily altered and modified over time.

The applicant proposes to remodel the property with the following 7 items:

1. Remove the existing storage sheds built against the rear property wall.
2. Expand the south side historic addition by 6 feet (elevation 6), totaling approximately 124 square feet (historic footprint = 2151 square feet, 50% maximum addition = 1075.5).
3. Add screening material to the existing swamp cooler (height allowance = 17'4", principal building = 19', top of existing swamp cooler 14', top of proposed screening material 14'3").
4. Make the following changes to doors and windows:
 - a. Replace sheet glass windows on the south façade (elevation 3) with tan-painted French doors and sidelights.
 - b. Replace seven non-insulated double hung windows on the historic addition (elevations 4, 5 and 12) with new wood windows.
 - c. Install three double hung wood windows to the proposed southern addition (elevations 5 and 6).
 - d. Replace two large, single pane windows on the west façade (elevation 14) with thermal pane glass.
 - e. Replace five aluminum sliders on the west façade (elevation 14) with wooden TDL double hung windows.
 - f. Paint all windows to match existing (no color specified by applicant).
5. Add a darker, El Rey "Buckskin" color coat to the existing cementitious stucco and re-stucco the driveway wall to match the house.
6. Reroof the rear flat portion of the roof (not visible from street).
7. Replace the front chain link fence and gate with wrought iron fencing to a maximum allowable height of 4'.

STAFF RECOMMENDATION:

Staff recommends approval of this application which complies with Section 14-5.2(D)(9) General Design Standards and 14-5.2(I) Westside-Guadalupe Historic District, but the board may decide to postpone action following an additional status review or exception request.

Mr. Gemora added that the rear sheds are technically contributing, and Staff decided those sheds were not really contributing, based to the amount of change overtime. But the Board could disagree.

Questions to Staff

Chair Rios asked if with these changes, the building could retain contributing status.

Mr. Gemora said yes.

Chair Rios asked if the river rock on the wall base is historic.

Mr. Gemora was not sure, but they are keeping it.

Member Biedscheid observed that the primary elevations are not being changed, perhaps with the exception of the window.

Mr. Gemora said there are no changes proposed for the primary elevations.

Member Biedscheid asked for the other window and door changes if the openings and lintels are being retained.

Mr. Gemora said that was not specified but appears to be the same in the drawings.

Applicant's Presentation

Mr. Christopher Purvis, 200 W Marcy, was sworn and had nothing to add to the Staff Report.

Questions to the Applicant

Chair Rios asked him about the sheds.

Mr. Purvis said they kept the roofs but modified the walls a little. They are both adobe and a little dry wall with 2-3 modifications that happened. But he could not date them. It is basically a lean-to but not a building.

The walls alongside have been modified.

Member Katz asked Chair Rios if she was talking about the portion of the roof that attaches to the building or the sheds themselves.

Chair Rios said she was asking about the sheds, themselves.

Mr. Gemora said those sheds are nonconforming with existing Code.

Member Boniface asked if he took photos of the sheds.

Mr. Rasch said yes.

Member Boniface said his memory was that those walls are just cobbled together with pieces of aluminum windows just stuck in place, with plywood and slivers of glass.

Mr. Rasch agreed. Even though not visible, they are not harmonious and don't deserve contributing status. They are just old.

Member Powell said in the east and west drawings, it appears the screening devices are pulled off the roof for drainage.

Mr. Purvis agreed. He is proposing screening because that is what the Board wanted.

Member Powell said in the east and west screening not being visible if there was a pipe on the west or is it a drawing mistake.

Mr. Purvis said there are four walls around the swamp cooler all at same height. It is a drawing mistake. The pipe has to go higher than the swamp cooler.

Mr. Gemora said that pipe is actually part of the craftsman bungalow house and not in that screening area.

Member Powell asked if he was retaining the river rock.

Mr. Purvis agreed.

Member Boniface didn't see the iron fence asked if he could describe the iron fence going on top of the rock wall.

Mr. Purvis briefly described it and said it would be painted black.

Public Comment

Ms. Beninato (previously sworn) said it seems if the Board is going to allow those sheds to come down you need to change the status. That would require a delay because that has not been advertised. You could approve changes in the main house, but the sheds must come back because it needs to be advertised properly. She was happy with the wrought iron fence which is more in keeping with historic.

There were no other speakers from the public and the public hearing was closed.

Member Katz asked when the building was given status.

Mr. Rasch assumed it was when the map was adopted in the 1990's.

In the 1997 inventory, the sheds were shown on the site plan. They are not connected to the house but to the carport and the carport was attached to the house.

Member Powell asked if the sheds were statused or not.

Mr. Rasch said it is not a separate status. The map doesn't give separate status to a footprint. So the footprint is either contributing or not and he didn't think an exception is required.

Member Katz said if it is part of a contributing and they are being torn down, he was curious from the attorney if there is a notice problem here.

Ms. Gheen said, "Because the material is part of the contributing system, I think an exception is required to remodel that material."

Chair Rios asked Mr. Rasch, when he says "footprint," even though those sheds are not part of the main house, because they are on the same property, that he considers it also part of the footprint of the main house.

Mr. Rasch said the problem is semantics here. The way we look at a structure is the roof. And I think

we should actually look at the floor plan. The storage sheds are attached to the carport with a roof. And the roof of the carport is connected to the addition of this building. It is not heated area. The carport is actually connected by its corner. It is abutted to the carport like a zero-lot line - whether you consider it connected or not is semantics.

Chair Rios concluded that his statement is in opposition with the Attorney's opinion and no exception is required.

Mr. Rasch said technically, an exception is needed. But it is not publicly visible, and they don't contribute to the structure in any way.

Member Biedscheid said it looks like they couldn't have a separate status -

Mr. Rasch agreed. Typically, a contiguous roof structure has one status.

Member Biedscheid saw that it was connected by wall #9.

Mr. Rasch agreed. He read from the code section 14-5.2 D. The problem really comes from 5-B, which he also read.

Member Katz saw the question as whether it is part of the same building. And the carport roof abuts the sheds. It would be such a weak argument.

Chair Rios agreed.

Mr. Rasch added that there is no pass-through and without a pass-through, it is not a contiguous space.

Ms. Gheen said that with that clarification, we can move forward.

Action of the Board

Member Katz moved in Case #H-18-016B, 518 Agua Fria St., to approve the application as recommended by Staff. Member Boniface seconded the motion and it passed by unanimous voice vote.

3. **Case #H-18-028, 707 Old Santa Fe Trail.** Downtown & Eastside Historic District. Christopher Purvis, agent for Matt and Margie Harshbarger, owners, proposes to construct a 1000 sq. ft. casita to a height of 15' where the maximum allowable height is 16'8" on Camino de las Animas and 15'5" on Old Santa Fe Trail, and install a vehicle gate. An exception to construct a pitched roof where a pitch is not allowed (Section 14-5.2(D)(9)(d)). (David Rasch)

Mr. Rasch presented the staff report as follows:

BACKGROUND & SUMMARY:

707 Old Santa Fe Trail, aka the Harry H. Dorman House, is a single-family residence that was constructed in 1911 in the Craftsman Bungalow Half Timber Style. The building is listed as significant to the Downtown & Eastside Historic District.

Howard Dorman was Chair of Planning Commission in 1912.

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

1. A 1000 square foot casita will be constructed at the southwest corner of the lot to a height of 15' where the maximum allowable height is 15' 5" on Old Santa Fe Trail and 16' 8" on Camino de las Animas. The casita will have a pitched roof that matches the pitch on the significant principal residence. The building is not roof dominated and the Board may consider the design to reflect the Northern New Mexico vernacular. It does not represent Spanish-Pueblo Revival or Territorial Revival. The porch at the northeast corner appears to not have a solid roof, while the porch at the northwest corner has a solid roof at a lower pitch than the primary roof. The finishes include El Rey cementitious stucco in "Buckskin", roofing shingles in Green/Grey slate, and window and door trim in a Dark Brown/Bronze color. An exception is requested to construct a pitch roof where a pitched roof is not allowed (Section 14-5.2(D)(9)(d)) and the required exception criteria responses are at the end of this report.
2. A 6' H x 14' W bileaf coyote fence vehicle gate will be installed 5' back from the existing coyote fence along Camino de las Animas. Two coyote fences at 6' high will enclose the space between the street and the setback gate.

RELEVANT CODE CITATION

14-5.2(D) General Design Standards for All H Districts

In any review of proposed additions or alterations to structures that have been declared significant or

contributing in any historic district or a landmark in any part of the city, the following standards shall be met:

(9) Height, Pitch, Scale, Massing and Floor Stepbacks

The height, pitch, scale, and massing of any structure in an historic district, as defined in this section, shall be limited as provided for in this section, unless further restricted within this chapter.

(d) Pitch

If the determined streetscape includes over fifty percent buildings with pitched roofs, the proposed building may have a pitched roof. A pitched roof is defined as a gable, shed, or hipped roof. The pitch of the roof shall match the predominant pitch extant in the streetscape.

EXCEPTION TO CONSTRUCT PITCH WHERE NOT ALLOWED (14-5.2(D)(9)(d))

(i) Do not damage the character of the streetscape.

This proposed pitched roof does not damage the streetscape because it is set below Old Santa Fe Trail and back from the Camino de las Animas. The existing significant structure is more prominent, and the rhythm of the buildings are maintained.

Staff response: Staff finds that this exception criterion has been met because there are 2 of 14 structures on the Camino de las Animas applicable streetscape and 5 of 27 structures on the Old Santa Fe Trail applicable streetscape with existing pitches and the principal residence is pitched.

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

The pitched roof on the casita allows the owner to build the small casita in a style that is compatible with the existing significant structure on the property. Which allows the casita to visually support the main house.

Staff response: Staff finds that this exception criterion is not met because the applicant has not described a hardship or a public injury.

(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 pitched roof is part of the full range of the full range of design options that should be available for residents to continue to live in historic districts. It allows the owner to modestly extend the heated area of the property to house family while preserving intact the significant structure. We investigated a flat roof version which seems to allow the adjacent property to the south to dominate the significant structure this allows for a more subtle approach.

Staff response: Staff finds that this exception criterion is not met because adjacent structures to the south a 12' and 9' high while the principal residence is 20' high, so they do not dominate.

(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.

This pitched roof is proposed in order to relate to the existing significant structure. There is no other significant building with pitched roofs in the streetscape, so this condition is not repeated elsewhere.

Staff response: Staff finds that this exception criterion is not met because 425 Camino de las Animas is a significant structure with a pitched roof at 21' high and its secondary residence is low with a flat roof; the same condition as this property should be by code.

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

This pitched roof is proposed to solve a creative issue caused by the existing pitched roof and is not a result of actions of the applicant, but rather comes from a desire to make a compatible roof form to the existing home on the site.

Staff response: Staff finds that this exception criterion is not met because a desire to be compatible is the result of the applicant's actions.

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

This proposed pitched roof is set back as far as possible from the street and recessed from the side of the building and is harmonious with the existing building in height style and proportion. The wall height inside the building is 8 feet to allow for an overall height of 14 feet to the peak of the roof providing the least negative impact for this roof.

Staff response: Staff finds that this exception criterion has been met because the proposed building is low and not imposing on the adjacent streets.

STAFF RECOMMENDATION:

Staff finds that the pitched roof exception criteria have not been met. Otherwise, this application complies with Section (E) Downtown & Eastside Historic District.

Questions to Staff

Chair Rios said Staff disagreed with 4 of the 6 exception criteria.

Chair Rios saw that on the streetscape, down the street there is a pitched roof house. But that meant he needed an exception.

Mr. Rasch said there are a few that have pitches. For criterion #1, there are 2 out of 14 structures on Camino de las Animas and 5 of 27 on Old Santa Fe Trail that have pitches. So he agreed with #1.

Mr. Rasch agreed. For #2, he didn't describe a hardship or a public injury. On #3, the adjacent structures to the south had a 12' and 9' while the principal residence is 20' high. So they don't dominate the property as the Applicant suggests. For #4, it was not met because 425 Camino de las Animas is a

significant structure with a pitched roof at 21' high and the secondary residence is low with a flat roof – the same condition as this property should be, by Code. For #5, it was not met because the desire to be compatible is the result of applicant's actions. Criterion #6 was met.

Chair Rios asked if the proposed casita does not block the significant house.

Mr. Rasch agreed.

Chair Rios asked if the applicant is proposing the same type of pitch.

Mr. Rasch thought the pitch is harmonious with the house.

Member Biedscheid asked regarding the criterion #3, to clarify, Mr. Rasch found it wasn't met and asked if it was because the pitch was not as much as other examples on the streetscape.

Mr. Rasch said the Applicant's argument is that it modestly extends the heated area of the property to house family while preserving intact the significant structure. They investigated a flat roof version which seems to allow the adjacent property to the south to dominate the significant structure and this allows for a subtler approach. But then he looked at the height maps and saw that the structures to the south were quite low. So he didn't think the domination would be an issue.

Member Biedscheid said regarding #6, the criterion was met because the proposed building is low and didn't impose on the adjacent streets. But wouldn't a flat roof structure be lower?

Mr. Rasch said probably but living rooms can go pretty high also. The maximum allowable height is 15' 5" and this pitched building is proposed at 15'.

Applicant's Presentation

Mr. Purvis (previously sworn and not speaking close to the microphone) said on Exception #3 - while they are 9 and 12' - they are floor levels - so it is about 20' for the Dorman Building. It ended up blending with the building above it. That was the original impetus for a pitched roof. The bearing point of pitch is 8' high. A flat roofed building by the stone wall allows the flat roof to come further into the lot. It is pretty unique. The other craftsman building I'm working on [??].

The height is so much higher than the street that they are dominating - it is like 18' instead of 12'.

For #2, hardship, the City has an ordinance that says it must be harmonious with the main house. So they want guest houses to relate to main houses. Here, a small pitched roof seems to be what the City wants. The hardship is in not meeting that rule.

Mr. Rasch said the Board should determine which is more restrictive.

Mr. Purvis added that the ordinance doesn't say you shouldn't do it but that in making something that

looks like it is more compatible, it is best for the Historic District. That is why he went with a pitch.

On #4, due to special conditions, there is a significant structure that has a flat building behind it.

Because that flat roof you can't see and this one can be seen, it is unique - with a 1912 significant house.

On #5, it is not the result of the Applicant's action. The applicant is not in control of this significant building and is not something we can repeat. I'm trying to give the most respectful response. It is 14' to top of pitch but the feel is more like 9'.

Questions to the Applicant

Member Powell said the heart of this is that flat roofs are not the exception in this neighborhood. Is that what it is?

Mr. Rasch clarified that it is not about harmony with the main structure. It is in conflict with the less than majority of pitched roofs on that street.

Member Powell pointed out that it is certainly something the architect has considered. Not to answer it right now.

Mr. Gemora said, from a zoning perspective, our regulations are fairly strict and height is limited to 14' and requiring the same style as the principal dwelling

Mr. Rasch said it looked like 14' to finished floor.

Mr. Purvis said they are going to be the same. But the Dorman House is Tudor and has applied wood detail. It has asphalt shingles now and we proposed slate shingles - the windows are 3 over 1. We tried to reference them, but none match at all. The Dorman House is a big single pitch bungalow and these rooms are small. Only 14' wide. So it won't look like the bungalow.

Chair Rios about the colors of the windows.

Mr. Purvis said with gray slate shingles Buckskin adobe, the windows are dark brown. The house has dark windows but is not trimmed out the same.

Chair Rios said a flat roof would be definitely distinguishable but a pitched roof is similar. It is compatible but distinctly different and only 900 square feet. So in my mind, the exception is met.

Member Biedscheid asked if the main house has a ramada.

Mr. Purvis said it does, on the front, right off Old Santa Fe Trail.

Member Biedscheid asked if the main house footprint is bigger.

Mr. Purvis agreed. It is 1800 or twice the size of the guest house.

Member Boniface felt he has answered all the criteria, especially the underlying zoning requiring them to be compatible. In that respect, it goes right to that question. I also feel that what Chair Rios said - section 14-5.2 D 2a talks about additions. This isn't an addition, but the spirit is applicable. Similar treatments, details, and styles but not exactly. It is applicable to what we are seeing here with a second building added to the site.

Public Comment

Ms. Beninato (previously sworn) said, "I was telling Mr. Rasch this was the first house I lived in on the second floor as a caretaker for the Unitarian Church. It is set back from the street. That will be seen first down Old Santa Fe Trail and interfere with the main house. They present on the south as low structures. But it would look like continuous roof and is more important to be compatible with the primary house but not exactly the same so as to make a mistake when it was built.

At Don Gaspar and Old Santa Fe Trail, the Greer House was a separate structure than has reminiscent style with the main house. They are keeping it low. It is really just the pitch that is the sticking point and you should allow it."

There were no other speakers from the public regarding his case and the public portion was closed.

Member Katz found that Mr. Purvis's answers were very persuasive.

Action of the Board

Member Powell moved in Case #H-18-028 at 707 Old Santa Fe Trail, to approve the application as submitted, finding that the exception criteria were met. Member Boniface seconded the motion and it passed by unanimous voice vote.

I. MATTERS FROM THE BOARD

There were no matters from the Board.

J. ADJOURNMENT

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

The meeting was adjourned at approximately 7:45 p.m.

Approved by:



Cecilia Rios, Chair

Submitted by:



Carl Boaz for Carl G. Boaz, Inc