



**HISTORIC DISTRICTS REVIEW BOARD FIELD TRIP**

**TUESDAY, May 8, 2018 at 12:00 NOON**

**HISTORIC PRESERVATION DIVISION, 1<sup>st</sup> FLOOR CITY HALL**

**HISTORIC DISTRICTS REVIEW BOARD HEARING**

**TUESDAY, May 8, 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: April 24, 2018
- E. FINDINGS OF FACT & CONCLUSIONS OF LAW

Case #H-18-039A. 367 and 367 ½ Hillside Avenue.

Case #H-18-040. 1120 Camino San Acacio.

Case #H-18-042. 945 Canyon Road.

Case #H-18-017. 118 Martinez Street.

Case #H-11-035. 505 Cerrillos Road.

Case #H-18-036. 1662½ Cerro Gordo Road.

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

Case #H-18-041. 504 Jose Street.

Case #H-18-035. 1233 Cerro Gordo Road.

Case #H-18-031. 644 Camino del Monte Sol.

Case #H-17-099. 235 Delgado Street.

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

1. Case #H-17-089. 1212 Canyon Rd. Downtown & Eastside Historic District. Doug Webb, agent for Sigmund and Mollie Jenssen, owners, proposes to remove Territorial window surrounds, replace a door, and install roof-mounted equipment and a 3' high stuccoed screen at less than the adjacent height on a non-contributing residential structure. (David Rasch)
2. Case #H-17-102. 501, 503, 507 Webber Street. Don Gaspar Area Historic District. Ju M. Tan, agent for Ross Hall, owner, proposes to replace windows and doors and re-build stoops. An exception is requested to widen a door opening on a primary elevation (Section 14-5.2(D)(5)(a)(i)). (Nicole Ramirez Thomas)
3. Case #H-18-033. 106 North Guadalupe Street. Downtown & Eastside Historic District. JNS Services, agent for Andy and Crystal Barnes, owners, proposes to install a door on the east elevation of a non-contributing, residential structure. (Nicole Ramirez Thomas)
4. Case #H-18-044A. 408 Camino del Monte Sol. Downtown & Eastside Historic District. Tiho Dimitrov, agent for Tammy and Kent Switzer, owners, requests designation of primary elevations on a contributing, residential structure. (Nicole Ramirez Thomas)
5. Case #H-18-045. 1379 Cerro Gordo Road. Downtown & Eastside Historic District. Mark Mortier, agent for Richard Dickason, owner, proposes to construct a 900 sq. ft. guesthouse and portals on a non-contributing, residential structure. (Nicole Ramirez Thomas)
6. Case #H-18-046. 1292 Lejano Lane. Downtown & Eastside Historic District. Salomon Velasquez, agent for Bill and Patty Kontgis, owners, proposes to construct a 5,994 square foot residential structure on a vacant, sloping lot to a height of 18' 5" where the maximum allowable height is 14'5." (Carlos Gemora)
7. Case #H-18-047. 740 Alto Street. Westside-Guadalupe Historic District. Chico Talavera, agent for Jennifer Steketee, owner, proposes to replace a 5' high coyote fence on a non-contributing, residential property. (Nicole Ramirez Thomas)

8. Case #H-048A. 227 Galisteo Street. Downtown & Eastside Historic District. Lorn Tryk, agent for Leslie Dugan, owner, requests a historic status review with primary elevation(s) designation, if applicable, on a non-statused, non-residential structure. (Nicole Ramirez Thomas)
9. Case #H-048B. 227 Galisteo Street. Downtown & Eastside Historic District. Lorn Tryk, agent for Leslie Dugan, owner, proposes to replace windows on a non-statused, non-residential structure. (Nicole Ramirez Thomas)
10. Case #H-18-049. 510 Galisteo Street. Don Gaspar Area Historic District. Brian Lock, agent for Carlos Muller, owner, proposes to install railing and exterior lighting on a significant, non-residential property. (David Rasch)
11. Case #H-18-050. 117 Vigil Lane. Downtown & Eastside Historic District. Plan A Architecture, agent for Hilary and Ed Smida, proposes to change window openings on a non-contributing, residential structure. (Nicole Ramirez Thomas)
12. Case #H-18-051. Santa Fe Plaza. Downtown & Eastside Historic District. Randy Randall of Tourism Santa Fe, agent for City of Santa Fe, proposes to install seasonal signage on the Santa Fe Plaza Bandstand. (David Rasch)

**1. MATTERS FROM THE BOARD**

**2. 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](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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# Agenda

## HISTORIC DISTRICTS REVIEW BOARD FIELD TRIP

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CITY COUNCIL CHAMBERS

- A. CALL TO ORDER
- B. ROLL CALL
- C. APPROVAL OF AGENDA
- D. APPROVAL OF MINUTES: April 24, 2018
- E. FINDINGS OF FACT & CONCLUSIONS OF LAW

Case #H-17-098B. 122, 124, 125, and 126 Camino Santiago.

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

Case #H-18-041. 504 Jose Street.

Case #H-18-042. 945 Canyon Road.

Case #H-18-043. 1126½ Camino Delora.

Case #H-11-035. 505 Cerrillos Road.

Case #H-18-030. 401 Old Taos Highway.

Case #H-18-031. 644 Camino del Monte Sol

Case #H-17-098A. 101 - 126 Camino Santiago and 102 - 120 Camino Matias.

Case #H-18-039A. 367 and 367 ½ Hillside Avenue.

Case #H-18-040. 1120 Camino San Acacio.

Case #H-18-029AB. 723, 725, 725 ½ Canyon Road.

Case #H-18-035. 1233 Cerro Gordo Road.

Case #H-18-017. 118 Martinez Street.

Case #H-17-099. 235 Delgado Street.

Case #H-18-036. 1662½ Cerro Gordo Road.

- F. BUSINESS FROM THE FLOOR
- G. COMMUNICATIONS
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3. Case #H-18-033. 106 North Guadalupe Street. Downtown & Eastside Historic District. JNS Services, agent for Andy and Crystal Barnes, owners, proposes to install a door on the east elevation of a non-contributing, residential structure. (Nicole Ramirez Thomas)
4. Case #H-18-038A. 576 ½ Camino del Monte Sol. Downtown & Eastside Historic District. Dale Zinn, agent for Amelia Crain, owner, requests a historic status review with primary elevation(s) designation, if applicable on a non-contributing, residential structure. (David Rasch)
5. Case #H-18-044A. 408 Camino del Monte Sol. Downtown & Eastside Historic District. Tiho Dimitrov, agent for Tammy and Kent Switzer, owners, requests designation of primary elevations on a contributing, residential structure. (Nicole Ramirez Thomas)
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**SUMMARY INDEX**  
**HISTORIC DISTRICTS REVIEW BOARD**

May 8, 2018

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**MINUTES OF THE**  
**CITY OF SANTA FE**  
**HISTORIC DISTRICTS REVIEW BOARD**

**May 8, 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. Meghan Bayer  
Mr. Edmund Boniface  
Mr. William Powell

**MEMBERS EXCUSED:**

Ms. Jennifer Biedscheid  
Mr. Buddy Roybal

**OTHERS PRESENT:**

Mr. David Rasch, Planner Supervisor  
Ms. Nicole Ramirez Thomas, Senior Planner  
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 Boniface/Member Katz unanimous.

**MOTION:** Member Boniface moved, seconded by Member Katz, to approve the agenda as presented.

**VOTE:** The motion and it passed by unanimous voice vote with Members Bayer, Boniface, Katz, and Powell voting in favor and none voting against.

**D. APPROVAL OF MINUTES - April 24, 2018**

Member Bayer requested a change on page 3 for the approval of the Findings Fact and Conclusions of Law, she abstained from that vote.

Chair Rios requested a change on page 29, 3<sup>rd</sup> paragraph, "Chair Rios said we all know that metal roofs, especially in northern New Mexico with snow, had corrugated roof so it doesn't negatively affect the building me."

**MOTION:** Member Boniface moved, seconded by Member Katz, to approve the minutes of April 24, 2018 as amended.

**VOTE:** The motion and it passed by voice vote with Members Bayer, Boniface, Katz, and Powell voting in favor and none voting against.

**E. FINDING OF FACT AND CONCLUSIONS OF LAW**

Case #H-18-039A. 367 and 367 ½ Hillside Avenue.

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

Case #H-18-040. 1120 Camino San Acacio.

Case #H-18-041. 504 Jose Street.

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Case #H-18-017. 118 Martínez Street.

Case \$H-18-031. 644 Camino del Monte Sol.

Case #H-11-035. 505 Cerrillos Road.

Case #H-17-099. 235 Delgado Street.

Case #H-18-036. 1662½ Cerro Gordo Road.

**MOTION:** Member Boniface moved, seconded by Member Bayer, to approve the minutes of Findings of Fact and Conclusions of Law as presented.

**VOTE:** The motion and it passed by voice vote with Members Bayer, Boniface, Katz, and Powell voting in favor and none voting against.

## **F. BUSINESS FROM THE FLOOR**

Ms. Stefanie Beninato made four points.

1. I brought up a house last week on Don Cubero and said it was in the Don Cubero alley, where the shed was being built or is actually built. It is actually on Houghton Street. So Houghton and Don Cubero - and about a year ago, that building came in and was designated contributing and the shed is about ten feet away from one of those the Board designated as primary. It has never had a building permit at all. It was red tagged. The red tag was removed but the building is still there, and they are trying to hide it with coyote fence but is still visible. Please have someone go look at it and be appropriate about it.
2. I'm sorry Ms. Biedscheid isn't here. When a historian tells you that an aerial is from about 1971 and looking at a particular building can consider this to be directory and then get an exact date. So you don't have to be "about" 1971. If it was there in 1971, then you go back and look at earlier ones to see if it was there in 1968, 1965, and get a much more definitive date when it first was there.
3. I am highly disturbed by the "approximate" and "about" for 50 years old and relying on the City Attorney proclamation as to what that actually means. So again, we have Staff creating rules or policies that are never written down about when a certain percentage is. There are all kinds of little rules that we always being told have been used but they are never written down, they are never vetted, and they should come to the public and you should be using your political capital telling the Council that you need to have the historic design review ordinance redone. Because, I can tell you that every mayoral candidate was absolutely clueless about the Historic Board and about the need for revamping.
4. I would like to point out, because it is stated repeatedly here, or I should say frequently that it is a problem to have vigas. Just out of curiosity, I found that vigas are used in Libya, Maui, and other places in northern Africa with them sticking out. So it is not just a Spanish pueblo design.

There were no others speaking from the floor.

## **G. COMMUNICATIONS**

Mr. Rasch announced that May 17 is the Santa Fe Preservation awards at 5:30 pm at San Miguel church.

Ms. Gheen announced that the Board Chair as called a special meeting on May 15 which has been properly noticed, and the agenda is prepared for a potential motion to reconsider the Court decision on April 24 for designation of the historical status of three structures at Plaza del Monte. It will be held here at City Council Chambers and start time is 6 p.m. to not interfere with the prayer meeting in this room.

Member Powell asked if it is for rescinding the motion that was made last time.

Ms. Gheen said possibly. That would be a motion that a board member may or may not make. She



explained what is necessary to do that.

Member Powell said he knew that a Board member reached out to the other Board members to talk about this matter. He wondered about that.

Ms. Gheen replied that such communications are prohibited by Code. The City Code does not allow board members to communicate with each other about the marriage or substance of a particular case. According to that provision, Chapter 14 – 2.8(H) that Board members should disclose that and possibly make a decision about it.

Member Powell asked if rescinding has happened before.

Ms. Gheen said it is allowed in the procedures.

Member Powell was astounded that it is being reconsidered after the hours the Board spent on it. He expressed his disappointment that it was done. It would undermine a decision made by the Board. And it sets a dangerous precedent. Where would that end? He commented further about it.

Ms. Gheen said there are two potential motions that could be made. A motion to reconsider can be made by a person who voted in favor. It is not a motion to rescind. The reconsideration can happen either at the same hearing or the immediate next meeting before the Findings of Fact for that particular case have been approved. A motion to rescind could be made at any time, even weeks or months later. There are certain conditions for that to be made.

Member Powell asked about the Board member who reached out.

Ms. Gheen said the communications should be disclosed. It would depend upon a couple of factors that are in the code. She suggested they take a look at that. A Board member in question should decide whether they would be able to decide impartially on the matter. And, if unable to come should recuse themselves.

Member Powell asked if that, in fact, happened.

Ms. Gheen said she did not know.

Member Powell said, "I think all of our time is valuable. We spent a lot of time and made a decision. It seems like a waste of time to spend more time on it, just because someone changed their mind.

Ms. Gheen said that is something for the Board to determine.

## **H. ACTION ITEMS**

Chair Rios announced to the public that anyone disagreeing with a decision of the Board as up to 15 days after the approval of the Findings of Fact and Conclusions of Law to appeal to the Governing Body

1. **Case #H-17-089. 1212 Canyon Rd. Downtown & Eastside Historic District.** Doug Webb, agent for Sigmund and Mollie Jenssen, owners, proposes to remove Territorial window surrounds, replace a door, and install roof-mounted equipment and a 3' high stuccoed screen at less than the adjacent height on a non-contributing residential structure. (David Rasch)

Mr. Rasch presented the staff report as follows:

#### **BACKGROUND & SUMMARY:**

1212 Canyon Road is a single-family residence with attached guest house was constructed in 1938 in a vernacular manner. Significant non-historic alterations have overwhelmed the historic character of the structure and it is listed as non-contributing to the Downtown & Eastside Historic District.

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

1. The wooden window surrounds will not be reinstalled where windows have been replaced. The historic wood windows that were retained at the southeast corner on both façades will retain the pedimented wooden surrounds as accents.
2. A roof-mounted HVAC system will be placed near existing rooftop appurtenances on the casita. A 3' high stuccoed wall will be constructed to screen the rooftop appurtenances from view.
3. A 5-horizontal panel wood door on the east elevation of the casita will be replaced with a 6-vertical panel wood door in the existing opening.

#### **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.

#### **Questions to Staff**

Chair Rios asked where the HVAC is to be mounted.

Mr. Rasch said it is on the back of the house and above the door on the casita and not on the main portion of the house.

Member Boniface asked if the 3-foot high stucco wall is still below the acceptable height.

Mr. Rasch agreed.

Chair Rios asked if all window changes have been done.

Mr. Rasch said yes.

Member Bayer asked if the pedimented portion will remain.

Mr. Rasch said the applicant can confirm that.

#### Applicant's Presentation

Mr. Doug Webb, 1626 Fifth Street, was sworn and said Mr. Rasch stated it quite well.

#### Questions to the Applicant

Chair Rios asked if the owners will keep the pedimented windows.

Mr. Webb said the upper floor was just 2x4s and she would like to avoid the maintenance required on them. If the Board insists, she is willing to put them back on, but he felt they did not help the house.

Chair Rios asked about the door style.

Mr. Webb said there was a 4 or 5 panel door that had been slamming back and forth. It is a little passageway between the guest house and main house and it just fell apart. They wanted a nice door of the same color and it is behind the stairs so can't be seen publicly. The latch has not worked for many years. The color is the Santa Fe Blue and he was just checking with the Board first. It will have a nice raised panel door and he included a photo.

Mr. Rasch said the existing door is on page 14 and proposed door is on pages 15 and 16.

#### Public Comment

Ms. Stefanie Beninato, P. O. Box 1601, was sworn. She said, "I'm disturbed that the architect and contractor are already working on the house. Probably no permit was gotten and now more is being done without permission of the Board, but it is non-contributing. People pretend they don't know they have to come before the Board.

Member Katz clarified that the applicant did get permission to change the windows and just asked permission to put the boards back.

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

## Action of the Board

**MOTION:** Member Katz moved, seconded by Member Boniface, in Case #H-17-089, 1212 Canyon Rd. to approve the application as recommended by Staff with the condition that the pediments remain.

**VOTE:** The motion passed by unanimous voice vote with Members Bayer, Boniface, Katz, and Powell voting in favor and none voting against.

2. **Case #H-17-102. 501, 503, 507 Webber Street. Don Gaspar Area Historic District.** Ju M. Tan, agent for Ross Hall, owner, proposes to replace windows and doors and re-build stoops. An exception is requested to widen a door opening on a primary elevation (Section 14-5.2(D)(5)(a)(I)). (Nicole Ramirez Thomas)

Ms. Ramirez Thomas presented the staff report as follows:

### **BACKGROUND & SUMMARY:**

501, 503, and 507 Webber Street represent two mixed-use buildings that are both contributing to the Don Gaspar Area Historic District. The applicant is requesting the designation of primary elevations for both buildings.

#### **501 & 503 Webber Street**

501 and 503 Webber are two addresses assigned to a single building. The building is a small, rectangular, vernacular building. The date of construction is estimated to be before 1912. Few changes are evident on this building. The west, south, and east elevations retain their original massing, concrete window sills, deep insets for the fenestration, and historic wood windows and doors. In December 2017 the Board designated the south and west elevations as primary.

The applicant requests the following seven items for remodel.

- 1) Replacement of the door on the south elevation with a 32" door for ADA access. The door will require widening of the current door opening and an exception is requested to increase the widening the opening of the door (14-5.2(D)(5)(a)(I)). The door evaluation indicates that the door is a hollow core door and is not historic material. A nine lite, painted steel door in the color "Lite Mesa Red" to match the existing trim color is proposed as a replacement. The relevant code citations and exception responses are presented at the end of this memo.
- 2) Replace windows in the north elevation. Addition of one 2x2 foot window and another that is 2x4 feet. The windows are intended to provide greater privacy along the Paseo de Peralta street frontage.

3) Remodel the steps, stoops, and planters on the west elevation. The applicant proposes flagstone steps and stoop and wrought iron hand railings. Planters will be replaced with CMU (currently pentile) and stuccoed to match the building. The steps, stoops, and planters were not included in the primary elevation.

4) Changes to the roof for better drainage.

5) Addition of a skylight to the roof. The skylight will not be visible above the parapet.

6) Replacement of wall sconces at each door. The design of the sconce is provided in the packet.

7) Restucco where needed in cementitious El Rey "Adobe."

#### RELEVANT CODE CITATIONS

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

(5) Windows, Doors, and Other Architectural Features

(a) For all façades of significant and landmark structures and for the primary façades of contributing structures:

(I) Historic windows shall be repaired or restored wherever possible. Historic windows that cannot be repaired or restored shall be duplicated in the size, style, and material of the original. Thermal double pane glass may be used. No opening shall be widened or narrowed.

#### EXCEPTION RESPONSES

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

By widening the existing door opening by a maximum of 4", that constitutes about a 10% enlargement. As shown on the proposed façade, the change in character of the façade and hence its impact on the streetscape is negligible.

**Staff response: Staff agrees with this response. The widening of the door is a small amount and staff feels the depth of the inset of the door is the defining characteristic.**

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

The widening of the doorway is necessary for the intended use of the interior space as a chiropractor's office with a minimum ADA requirement of a 32" clear opening for all doorways. Not achieving this will deem the owner's development goals unachievable.

**Staff response: Staff agrees with this response. It would injure the applicant's livelihood to not be able to serve his clients.**

(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 following design options were considered:

Surveying other existing door openings for consideration - one (1) other door is possibly wide enough to satisfy the minimum 32" opening. However its location requires drastic modification of sidewalks and grading to create an accessible pathway to it. Modifying any windows to a doorway would constitute a significant design impact on existing façades.

Both sides of the door to be widened were considered and we felt that the west side would impact less, the overall proportions of the door to the façade itself.

**Staff response: Staff agrees with this response. The applicant considered other options.**

*(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.*

The existing design and conditions of the structure are unique within the district. The following describes some of its uniqueness that is different from other structures in the neighborhood:

The structure does not appear to be designed with a specific purpose such as a single-family home like many neighboring structures.

The building does not conform to prescribed setbacks from the property line and hence is clearly historical in nature as well as an anomaly within the neighborhood.

The shape of the lot is irregular and unlike any adjacent lots.

**Staff response: Staff agrees with this response. For the above reasons the structure has unique conditions.**

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

All conditions are pre-existing and not a result of any action taken by the applicant/owner of the property.

**Staff response: Staff agrees with this response. The applicant purchased the property with the existing conditions.**

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

We feel that the minor widening of the entry door does not impact the overall design of the existing structure and hence preserves the promotion of values set forth in subsection 14-5.2(A), (1) of the City Code.

**Staff response: Staff agrees with this response. The widening that is requested is minor.**

**STAFF RECOMMENDATION:**

Staff finds that the exception criteria have been met and recommends approval of the application as it complies with 14-5.2(D) General Design Standards for All H Districts and 14-5.2(H) Don Gaspar Area Historic District.

Questions to Staff

Member Bayer asked if Staff had a photo. She asked if the windows on the north have concrete sills and a deep inset.

Ms. Ramirez Thomas said she had no photo. Those windows are aluminum sliders. She referred the Board to page 12 in the packet and noted they do not have a deep inset.

Applicant's Presentation

Mr. Ju Tan, 1219 Cerro Gordo Road, was sworn. He said the two windows on the front are the same aluminum but built into a concrete block wall. It might have been a large opening originally but was reduced by the concrete blocks.

Chair Rios thought it was an improvement.

Questions to the Applicant

Member Boniface was glad Mr. Tan gave an explanation. He pointed out that the windows on the west have a deep inset and asked if the windows will be inset.

Mr. Ju Tan said they will set them in some.

Member Boniface asked if the door will be set back from the face.

Mr. Ju Tan said no. It will be a maximum of 8" which is what Code requires.

Member Boniface said that is too bad.

Mr. Ju Tan said he would have preferred to set it all the way back.

Public Comment

Ms. Beninato (previously sworn) said she agreed with Chair Rios that the changes were appropriate

and would enhance the building. She thought the code required a 36" opening and not a 32" opening.  
Mr. Boniface said the Board did discuss that on the field trip and perhaps Mr. Tan could address it.

Mr. Tan said according to the ADA guidelines, it is a 32" clear and also depends on the occupancy load of the building. This load will be very low.

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

Chair Rios asked what the depth of that door is now.

Mr. Tan said it is about 14" now but will be 8".

#### Action of the Board

Ms. Ramirez Thomas -clarified that 507 should not be included in this motion.

**MOTION: Member Boniface moved, seconded by Member Bayer, in Case #H-17-102. 501 and 503 Webber Street to approve the application as recommended by Staff.**

**VOTE: The motion passed by unanimous voice vote with Members Bayer, Boniface, Katz, and Powell voting in favor and none voting against.**

3. **Case #H-18-033. 106 North Guadalupe Street. Downtown & Eastside Historic District.** JNS Services, agent for Andy and Crystal Barnes, owners, proposes to install a door on the east elevation of a non-contributing, residential structure. (Nicole Ramirez Thomas)

Ms. Ramirez Thomas presented the staff report as follows:

#### **BACKGROUND & SUMMARY:**

106 North Guadalupe Street is a non-residential structure located in the Downtown and Eastside Historic District. The building is non-contributing and has served as a restaurant for many years but was originally constructed as a gas station in the 1930s. The building mostly closely emulates a vernacular style that was modified in the 1960s with additions to the building that are reflected in the current footprint, enclosure of a porch in the 1980s, and the addition of a ramada in the 1990s.

The applicant is requesting the following for remodel.

- 1) Addition of a door on the east elevation. The door will be 30" x 60" in dimension and have divided lite. It will be wood stained in the color "Orangewood."

Included in the packet are the original drawings and a PDF of revised drawings. Due to a family



emergency a reduced 11 x 17 drawing of the elevation could not be provided. One will be provided to the Board prior to the hearing. They now allow proper egress.

### **STAFF RECOMMENDATION:**

Staff recommends approval of the application as it complies with 14-5.2(D)(9) General Design Standards for All H Districts and 14-5.2(E) Downtown and Eastside.

#### **Questions to Staff**

Chair Rios asked is Staff gave administrative approval.

Ms. Ramirez Thomas said they put a new opening into the building and the square footage changes, as well.

Chair Rios said that change requires that it come to the Board.

#### **Applicant's Presentation**

Anthony Valdez, P.O. Box 607, Santa Cruz, NM was sworn and had nothing to add. He did say the doors will be with divided lites and needs the Board's permission to open it up.

#### **Questions to the Applicant**

There were no questions to the Applicant.

#### **Public Comment**

There were no speakers from the public regarding this case and the public hearing portion was closed.

#### **Action of the Board**

**MOTION: Member Katz moved, seconded by Member Bayer, in Case #H-18-033. 106 North Guadalupe Street to approve the application as recommended by Staff.**

**VOTE: The motion passed by unanimous voice vote with Members Bayer, Boniface, Katz, and Powell voting in favor and none voting against.**

4. **Case #H-18-044A. 408 Camino del Monte Sol. Downtown & Eastside Historic District.** Tiho Dimitrov, agent for Tammy and Kent Switzer, owners, requests designation of primary elevations on a contributing, residential structure. (Nicole Ramirez Thomas)

The applicant for Case #H-18-044A was not present.

Member Boniface/Member Katz to table to the end.

**MOTION:** Member Boniface moved, seconded by Member Katz, in **Case #H-18-044A. 408 Camino del Monte Sol** to table the case to the end of the agenda.

**VOTE:** The motion passed by unanimous voice vote with Members Bayer, Boniface, Katz, and Powell voting in favor and none voting against.

5. **Case #H-18-045. 1379 Cerro Gordo Road. Downtown & Eastside Historic District.** Mark Mortier, agent for Richard Dickason, owner, proposes to construct a 900 sq. ft. guesthouse and portals on a non-contributing, residential structure. (Nicole Ramirez Thomas)

Ms. Ramirez Thomas presented the staff report as follows:

**BACKGROUND & SUMMARY:**

1379 Cerro Gordo Road is a non-contributing residential structure located in the Downtown and Eastside Historic District. The house is constructed in the Spanish-Pueblo Revival style in the 1990s. The applicant proposes to construct a guesthouse.

The applicant proposes the following for construction.

- 1) Construct a 900 square foot guesthouse. The house will be constructed in the recent Santa Fe style to a height of 12'-6" where the maximum allowable height is 14'-0". The square footage of the addition includes 787 square feet of heated space and 113 square feet of portal space. The portal will connect to the main house and have wood posts and beams with corbels for accent.
- 2) Construct a CMU and stucco courtyard wall to a height of 6'-0".
- 3) Construct a 6'-0" coyote fence along property line at back
- 4) Removal of two non-historic sheds.
- 5) Stucco will be a custom elastomeric color that blends "Coral", "Buckskin", and "Adobe" to match the main residence.
- 6) Windows will be wood clad divided lite and painted "Plum Power" to match the existing residence.

7) Wood will be stained "natural."

8) Railing will be wrought iron.

**STAFF RECOMMENDATION:**

Staff recommends approval of the application as it complies with 14-5.2(D)(9) General Design Standards for All H Districts and 14-5.2(E) Downtown and Eastside.

Questions to Staff

Chair Rios asked if the existing house has elastomeric stucco.

Ms. Ramirez Thomas said yes.

Applicant's Presentation

Mr. Mark Mortier, 1836 Cerro Colorado, was sworn. He said the existing house does not have elastomeric stucco and they are using cementitious stucco. It is just a funny blend.

Questions to the Applicant

Member Katz noted in the bottom graphic, that it looks like there are vigas on the right side.

Mr. Mortier said it is two levels of the existing building and doesn't show the proposed addition. There is a portal on right side with a French door and two vigas on top.

Member Katz thanked him for the clarification.

Mr. Mortier said there is a little courtyard between existing and proposed. That is 8.5' wide.

Chair Rios asked if there would be nothing on the roof

Mr. Mortier agreed.

Public Comment

There were no speakers from the public regarding this case and the public hearing portion was closed.

Action of the Board

**MOTION:** Member Powell moved, seconded by Member Boniface, in Case #H-18-045. 1379 Cerro Gordo Road to approve the application as submitted with the condition that cementitious stucco will be used.

**VOTE:** The motion passed by unanimous voice vote with Members Bayer, Boniface, Katz, and Powell voting in favor and none voting against.

- 6. Case #H-18-046. 1292 Lejano Lane. Downtown & Eastside Historic District.** Salomon Velasquez, agent for Bill and Patty Kontgis, owners, proposes to construct a 5,994 square foot residential structure on a vacant, sloping lot to a height of 18' 5" where the maximum allowable height is 14'5." (Carlos Gemora)

Mr. Gemora presented the staff report as follows:

**BACKGROUND & SUMMARY:**

1292 Lejano Lane is a 1.37-acre vacant lot in the Downtown and Eastside Historic District.

1. The applicant proposes to construct a 5,048 square foot Territorial Revival single-family residence with the following features:
  - a. Brick coping on all elevations using three different antiqued brick colors (Copper Tone, Dark Iron Spot, and Medium Iron Spot).
  - b. Suede-colored Sto Synthetic Stucco.
  - c. Portal beams and posts painted off-white/ivory.
  - d. Large plate glass windows under east-facing, 11 to 14' deep portals.
  - e. Windsor true divided lights with off-white/ivory wood trim.
  - f. Retaining and yard walls to a maximum of 5' high, lowering to less than 3' at the front property line along Lejano Lane.
  - g. Fully-concealed roof-top appurtenances.
2. The applicant requests a 4' height increase from the 14'-5" allowable height to 18'-5" due to a natural existing slope in excess of 2' over the footprint of the house as allowed in subsection 14-5.2(D)(9)(c)(ii)(F).
  - a. The pre-existing slope over the footprint of the house has approximately 15' of grade change.
  - b. Garage height is approximately even with directly-adjacent retaining walls and the front elevation facing Lejano Lane is approximately 13'-10"

### **STAFF RECOMMENDATION:**

Staff recommends approval of the proposed project and a 4' height increase due to the natural slope of the existing site. Staff has determined that this application complies with Section 14-5.2(D)9 General Design Standards for all Historic Districts, Height, Pitch, Scale, and Massing, and 14-5.2(E) Downtown and Eastside Historic District.

### **Questions to Staff**

Chair Rios asked Staff to describe the lot and approaching from Lejano and how far back the house is to be placed.

Mr. Gemora said it is a tall hill and the house will be built on the side and deeply recessed into the hill and with a deep pond on the lot.

Chair Rios asked if they have done grading.

Mr. Gemora said no. It is about 60-70 feet back.

Member Katz said the front doors look unusual -

Mr. Gemora asked in what way.

Member Katz asked him to describe them.

Mr. Gemora deferred to the applicant. He pointed out that the area listed in the caption is incorrect. It is shown as 5,994 square feet but the roofed area is 5,048 square feet.

Chair Rios asked about visibility.

Mr. Gemora said visibility from the front of the site from Lejano Lane is a maximum of 14' height which is under the allowable height and a lot of the site will be around 7' visible, due to the natural slope.

### **Applicant's Presentation**

Mr. Salomon Velasquez, 302 Catron Street, was sworn and stood for questions.

### **Questions to the Applicant**

Chair Rios asked him to describe the doors.

Mr. Velasquez asked what was unusual about them.

Member Katz asked if there is metal in the door.

Mr. Velasquez said there is some wrought iron on the surface of the doors.

Member Boniface pointed out on page 15, in the middle drawing, it shows a yard wall. Are those gates in the yard wall?

Mr. Velasquez agreed.

Member Boniface said behind it are the doors in question.

He asked if there is a design on the gates.

Mr. Velasquez said it is what is shown there. Basically, the design is like the front doors. They mimic the front doors. They have some iron on them.

Member Boniface explained that the Board has nothing in the packet that provides any dimension drawings for the gate or any detail. What he saw was about a quarter-inch square.

Mr. Velasquez said the gates are 4' tall and five feet wide.

Member Boniface asked Mr. Rasch if he would say the gates are within the style of the neighborhood.

Mr. Rasch said the gates are kind of a traditional Territorial design and may be higher end than many of the buildings on this street, but he believed they are harmonious.

Member Boniface asked if the wrought-iron gates are see through in design.

Mr. Velasquez said yes.

Member Boniface asked how many courses of brick are in the coping.

Mr. Velasquez said they would propose three courses.

Member Bayer asked if there was glass in the doors.

Mr. Velasquez said no. They are just an open panel and the wrought iron gate in front.

#### Public Comment

Mr. Robert Lee, 160½ Lorenzo Road, was sworn. He said his issue is with the height. He said, "I haven't been to a Board meeting before so is it okay if I read my notes?"

Chair Rios said "absolutely."

Mr. Lee said, "Lorenzo Road borders one full side of the lot. All the discussion so far has been on Lejano Lane. I've lived there at 160½ Lorenzo Road since March 1999. The proposed home on Lejano Lane, as designed will have an enormously negative impact on my home and the ones nearby. Allowing a proposed 4-foot height increase will allow the home to loom over the homes on Lorenzo Road and break the skyline view. As stated in the project review documents, the lot is sloping. But the documents do not note that it is also a hilltop or crest on Lorenzo Road. It is in full view of the houses below from about 142 on up.

I've seen the staff recommendation that the building height be allowed but, with due respect, I don't believe the staff did adequate consideration to the impact to the homes across the way at Lorenzo Road. I understand the nature of difficulties of building a large home on that lot. But the distinctly negative impacts on the long-standing neighborhood homes of Lorenzo Road should dictate a different approach from the one proposed.

It should be noted that another home within direct view of the proposed project, the owners were told that they would not be given a height allowance for a 250 square-foot addition at 170 Lorenzo Lane. I brought pictures of the lot with the holes showing the height of the building that show how high the building would be. The pictures were taken in front of the windows of my main bedroom, the dining room and the living room, showing how the proposed home would dominate the skyline view from those rooms, as well, I am sure, the neighbors. As well as irrevocably altered, a peaceful and serene nature of the neighborhood on Lorenzo Road. I ask that due examination be given to those impacts of the project on the Lorenzo neighborhood."

Chair Rios asked Mr. Lee for the distance from his house and the proposed house.

Mr. Lee said it is about 150 to 200 feet. It is across the road.

Chair Rios asked, "What is the height of your house?"

Mr. Lee said "it is on here. It is on the plan. I think it is about 12' or something like that. 160½ is the address.

Mr. Gemora and Mr. Rasch looked at it.

Mr. Gemora said it is 11' 6".

Chair Rios asked about the view.

Mr. Lee said no one came by to look at the lot from our house.

Chair Rios asked what impact this house would have on Lorenzo.

Mr. Gemora -aid he did not have a height calculation or a topo for that area. So he couldn't see where it

is in relation to this site. It is hard to see that without going onto the site and taking pictures. The field trip just went along Lejano Lane.

Member Katz said on the field trip, as we passed, someone looked back and saw a story pole.

Mr. Lee had photos which he shared with the Board and commented that it is not easy to see them.

Member Boniface asked where the pictures were taken from.

Mr. Lee said it was in front of his front window.

Member Powell asked what the average height is.

Mr. Gemora said it is 14.5'. He identified several heights on it.

Mr. Lee said the poles are not visible from Lorenzo because of the hill.

Member Boniface asked if none of the poles are above the trees.

Mr. Lee said all of them do. I would invite you to come look at them from my house.

Member Katz asked about the interior heights of the rooms.

Mr. Gemora said he did not have the interior heights, but it appears to be about less than 14' to ceiling tops from the floor.

Mr. Velasquez was asked to give the ceiling heights, but Ms. Gheen reminded the Board that their jurisdiction is with the exterior of the building.

Member Katz reminded her that the Board has some discretion on height because of the slope.

Mr. Rasch agreed. The Board may end up to 4 feet in height without an exception.

Mr. Velasquez said with positioning of the home, there are other things regarding 30% slopes and 20% slopes that we must abide by. There are several houses that exceed 20' and go up Lejano Lane, as well as Lorenzo -Road. There are also smaller structures that brought down the average heights on this design.

There are also places like Monte Sereno that have wonderful topography and there are other lots above us but nothing we can really do because of the landscape here.

From the property line, we did point out that slope is 15'. If we go from Lorenzo Lane and count the contours from there, it is 24.5' from property line to finished floor of the house.

You have to be looking up. If you are the neighbor with a 2-story right next to the lot but the lot continues to slope up 15 more feet and we did what we could with cut into the slope. The height matches



the retaining wall height.

The code says from midpoint we cannot exceed the overall height and we noted that on all sides = facing Lejano.

Member Katz asked what the height of living room and dining room are.

Mr. Velasquez didn't know.

Member Powell said it could be 18'.

Mr. Velasquez said he wouldn't say that, but he was not exceeding the maximum height allowed.

Member Powell said a 15' ceiling height is okay but those are very generous ceiling heights.

Mr. Velasquez asked if that was his opinion.

Mr. Rasch said the maximum height is 14' 6" and the Board has discretion for up to four more feet.

Mr. Gemora thought it was possible that the ceiling heights are less than 10'. But he didn't have the big drawings. He was judging from the transom that the ceiling was about 10' high.

Mr. Rasch said Staff did ask for granting a height exception going down at the far back.

Mr. Velasquez said the parapets on the back side hold the berm back and if they went down two more feet, it would be a dirt roof.

Ms. Beninato (previously sworn) asked the Board to postpone action on this case until they could go to Lorenzo Road from that street to see how high it would be. Lorenzo Lane is a public street. For her, a 5,000 square foot building is huge, and the architect is telling you the ceiling is 10' but the building is 18' and the architect can't tell you what is in that difference. There is plenty of space, so she would urge the Board to not give 18' but postpone it for further viewing along that street.

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

Member Powell said, with respect to the neighbors, that the Board needs more information and the applicant with ceiling heights is something we should see.

Mr. Velasquez reiterated that there are more than 20' difference between Lorenzo Road and the floor of this building. If his neighbor's height is 6' 8" there is no way he could see this house.

Also, the lot sloping as it does and berming it in as well as we have, and with plenty of homes that exceed 20', that asking for the four-foot addition, should be considered.

### Action of the Board

**MOTION:** Member Katz moved, seconded by Member Boniface, in Case #H-18-046. 1292 Lejano Lane to postpone it to the meeting on May 22 so that the Board may get the accurate ceiling heights in the great room and the dining room and direction that the applicant submit the drawings for the gates and front door and so that the Board can see the story poles from Lorenzo Road.

**VOTE:** The motion passed by unanimous voice vote with Members Bayer, Boniface, Katz, and Powell voting in favor and none voting against.

7. Case #H-18-047. 740 Alto Street. Westside-Guadalupe Historic District. Chico Talavera, agent for Jennifer Steketee, owner, proposes to replace a 5' high coyote fence on a non-contributing, residential property. (Nicole Ramirez Thomas)

Ms. Ramirez Thomas presented the staff report as follows:

### **BACKGROUND & SUMMARY:**

740 Alto Street is a single-family residence located in the Westside-Guadalupe Historic District. The house is non-contributing to the district. It is built in a simple vernacular style. Surrounding the property is a coyote fence.

The applicant requests the following.

- 1) Replace the existing latillas for the coyote fence with new latillas along Alto Street. The fence will be 5 feet tall and have irregular latilla tops. The streetscape averages for fence height on Alto Street is greater than 6 feet (75 inches) and on Irvine Street the maximum allowable height is 5 feet 7 inches. The maximum height allowed by zoning for residential properties is 6 feet.

### **STAFF RECOMMENDATION:**

Staff recommends approval of the application as it complies with 14-5.2(D)(9) General Design Standards for All H Districts and 14-2.2(I) Westside-Guadalupe Historic District.

### Questions to Staff

Chair Rios asked if the existing coyote fence is higher.

Ms. Ramirez Thomas agreed. It is higher than the zoning code allows. They are asking for five feet.

### Applicant's Presentation

Mr. Chico Talavera was sworn and said they will lower the fence to be within the allowable parameters.

### Questions to the Applicant

There were no questions to the Applicant.

### Public Comment

There were no speakers from the public regarding this case and the public hearing portion was closed.

### Action of the Board

**MOTION: Member Katz moved, seconded by Member Powell, in Case #H-18-047. 740 Alto Street to approve the application as recommended by Staff.**

**VOTE: The motion passed by unanimous voice vote with Members Bayer, Boniface, Katz, and Powell voting in favor and none voting against.**

8. **Case #H-048A. 227 Galisteo Street. Downtown & Eastside Historic District.** Lorn Tryk, agent for Leslie Dugan, owner, requests a historic status review with primary elevation(s) designation, if applicable, on a non-statused, non-residential structure. (Nicole Ramirez Thomas)

Ms. Ramirez Thomas presented the staff report as follows:

### **BACKGROUND & SUMMARY:**

223-227 Galisteo Street are non-residential storefronts for one building and they are in the Downtown and Eastside Historic District. The building is constructed in the Territorial Revival style. The applicant is requesting a status review and has provided a new Historic Cultural Properties Inventory Form.

The original construction date of the building was 1946 and the space served as a pool hall. The building was renovated in the 1980s as the Overland Plaza. At that time the renovation included a major overhaul of the building that changed the openings and the building style.

### **STAFF RECOMMENDATION:**

Staff recommends the historic status of the building be designated as non-contributing per 14-5.2(C) Regulation of Significant and Contributing Structures in the Historic Districts as there is no historic material on the exterior of the building.

### Questions to Staff

Chair Rios understood it is totally redone and nothing that is historic is left.

Ms. Ramirez Thomas agreed. She wasn't sure about the interior but that was true on the exterior.

### Applicant's Presentation

Mr. Lorn Tryk, 446 West. San Francisco, was sworn. He agreed with the Staff recommendation. In the 40's it had very large plate glass windows. Prior to the big renovation in the 80's, it had no windows at all on the front. Now it has shop front windows and a portal. So the front has gone through many changes in the last fifty years that changed its character and taken on a Territorial flavor. It is really quite altered.

### Questions to the Applicant

There were no questions to the Applicant.

### Public Comment

Ms. Beninato (previously sworn) wondered why in the 1980's when it was renovated, it didn't come before the Board. When it came, it had no status attached to it. I don't know if we still have the case on file that allowed this really different building to come into existence. And is the portal owned by the building owner or the city. The sidewalk is really owned by the City. The Board approved it and how does that affect its status. She would not consider it contributing.

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

### Action of the Board

**MOTION:** Member Katz moved, seconded by Member Boniface, in Case #H-048A. 227 Galisteo Street to designate the structure non-contributing.

**VOTE:** The motion passed by unanimous voice vote with Members Bayer, Boniface, Katz, and Powell voting in favor and none voting against.

Member Boniface commented that the HCPI, by John Murphy, was very well written.

**9. Case #H-048B. 227 Galisteo Street. Downtown & Eastside Historic District.** Lorn Tryk, agent

for Leslie Dugan, owner, proposes to replace windows on a non-statused, non-residential structure.  
(Nicole Ramirez Thomas)

Ms. Ramirez Thomas presented the staff report as follows:

**BACKGROUND & SUMMARY:**

227 Galisteo Street is non-residential storefront is located in the Downtown and Eastside Historic District. The building is constructed in the Territorial Revival style.

The original construction date of the building was 1946 and the space served as a pool hall. The building was renovated in the 1980s as the Overland Plaza. At that time the renovation included a major overhaul of the building that changed the openings and the building style.

The applicant is requesting the following remodel.

- 1) Replace a 5' x 6' tall fixed window with operable pairs of casement windows. The opening dimensions will not change. The existing transom fixed transom windows and wood surrounds painted in "White" will be retained.

**STAFF RECOMMENDATION:**

Staff recommends approval of the application as it complies with 14-5.2(D)(9) General Design Standards for All H Districts, Height, Pitch, Scale, and Massing and 14-5.2(E) Downtown and Eastside.

Questions to Staff

There were no questions to Staff.

Applicant's Presentation

Mr. Tryk (previously sworn) had nothing to add. This is just changing the window.

Questions to the Applicant

Member Katz said it looks like three windows and not a pair/ He asked which way they would open.

Mr. Tryk said it is only the right side and it opens out

Member Katz asked if it will interfere with the sidewalk.

Mr. Tryk said it would not open onto the public sidewalk.

Member Katz suggested that if you exit and turn right you would run into a window.

Mr. Tryk agreed that is possible. They may want to put a large pot under the window to prevent that.

Member Katz asked if what is shown the entire width of the sidewalk.

Mr. Tryk said it is.

Chair Rios asked how far out it would come.

Mr. Tryk said it would be 2' 3" at 90".

Mr. Rasch noted that the Board could allow Ms. Ramirez Thomas to approve planters administratively.

Mr. Tryk appreciated Mr. Rasch offering that as a possibility.

Member Powell suggested they could put window locks to prevent fully opening the window.

Mr. Tryk said he would entertain that idea.

#### Public Comment

There were no speakers from the public regarding this case and the public hearing portion was closed.

#### Action of the Board

**MOTION:** Member Powell moved, seconded by Member Boniface, in Case #H-048B at 227 Galisteo Street, to approve the application as recommended by Staff with the use of window limiters for limiting how far it would extend over the sidewalk.

**VOTE:** The motion passed by unanimous voice vote with Members Bayer, Boniface, Katz, Powell voting in favor and none voting against.

- 10. Case #H-18-049. 510 Galisteo Street. Don Gaspar Area Historic District.** Brian Lock, agent for Carlos Muller, owner, proposes to install railing and exterior lighting on a significant, non-residential property. (David Rasch)

Mr. Rasch presented the staff report as follows:

#### **BACKGROUND & SUMMARY:**

510 Galisteo Street is a non-residential property that was constructed by 1912 in the Decorative Brick

style. The building is listed as significant to the Don Gaspar Area Historic District.

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

1. String lights will be installed above an outdoor alcohol consumption area at the rear of the building. The area is already permitted with a 41" high black metal rectangular-tube railing. Five metal extensions above the existing railing will be installed to 96" high along with one additional pole near the southwest corner of the building.
2. Wire strings will be installed along the north side of this seating enclosure to grow a "living wall" of hops.

### **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 (H) Don Gaspar Area Historic District.

### **Questions to Staff**

Chair Rios asked about the public visibility of the poles and if the lights just be on for certain hours.

Mr. Rasch didn't know about the lights. They are not visible except from the Temple parking lot toward this rear area of the property. They might be visible at night down Manhattan Avenue.

Member Bayer wasn't clear what we are approving. It looks like it is already built.

Mr. Rasch explained that the metal fencing was approved earlier, and this is just for extensions on the corners and run the wires for growing hops. That was approved administratively.

Member Bayer asked if it is it attached to the building.

Mr. Rasch didn't think so.

### **Applicant's Presentation**

Mr. Brian Lock, 4 Antigua Place, was sworn. He said the railing was previously approved and is up. We propose light wires. He showed one of the light bulbs to the Board which are very old looking bulbs - 7 watts so very low light. It is a filament style and very old in character to fit in with the district. They would show through the extension. He could make them lower if this height is not approved. They are 8' poles and they feed through a loop at the top to illuminate for safety. Any light from the house would be brighter and more obnoxious. The lights would be turned off at 10 pm.

### **Questions to the Applicant**

Member Powell asked about the finish.

Mr. Lock said it would match the handicapped ramp railing with the same gauge steel with a blackened finish.

Member Powell said the drawing calls the poles out at 12'.

Mr. Lock said they will be less than 8' high.

#### Public Comment

Ms. Beninato (previously sworn) urged the Board not to allow them to be higher than 8'. They should not be higher and should maintain the filament bulbs. There is a B&B across the parking lot and one to the south and residents on the east side of that street. And residences two buildings away. There was a cigar club over there She lived on Galisteo and was glad to hear they are closing at 10:00. The cigar crowd got out at 1 a.m. and it sounds like they are respecting the neighborhood.

Mr. Lock said there are B & Bs nearby and they have Christmas lights up on their patio. This is more of a happy hour place and not open past midnight.

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

#### Action of the Board

**MOTION:** Member Powell moved, seconded by Member Katz, in Case #H-18-049. 510 Galisteo Street to approve the application as submitted with the following conditions:

1. That the posts not exceed 8';
2. That the finish be blackened;
3. That the exterior lights be turned off at 10:00 p.m.

**AMENDMENT:** Member Boniface asked to have clarified that the poles would be no higher than 9' from the ground. Member Powell accepted the amendment as friendly to the maker.

**VOTE:** The motion passed by unanimous voice vote with Members Bayer, Boniface, Katz, and Powell voting in favor and none voting against.

11. Case #H-18-050. 117 Vigil Lane. Downtown & Eastside Historic District. Plan A Architecture, agent for Hilary and Ed Smida, proposes to change window openings on a non-contributing, residential structure. (Nicole Ramirez Thomas)

Ms. Ramirez Thomas presented the staff report as follows:



## **BACKGROUND & SUMMARY:**

117 Vigil Lane is a 2,977 square foot single family residence. The house is non-contributing to the Downtown and Eastside Historic District. The home was built in the 1990s and is built in the Territorial Revival style.

The applicant proposes the following for remodel.

1) Removal of one window on the east elevation and the addition of three windows in the existing location.

Packet page 16 - there is also window above the garage and they will replace it with compliant windows.

2) Addition of a window on the north elevation.

3) The windows will be aluminum clad wood windows in "White" to match the existing.

4) Trim will be painted "White."

## **STAFF RECOMMENDATION:**

Staff recommends approval of the application as it complies with 14-5.2(D)(9) General Design Standards for All H Districts, Height, Pitch, Scale, and Massing, and 14-5.2(E) Downtown and Eastside.

### Questions to Staff

There was to be one on the north but that has been eliminated.

Replace two on west.

### Applicant's Presentation

Mr. Greg Reid, 338 Camino del Monte Sol, was sworn. He said he had nothing to add to staff report. The reason for the changes are that the existing windows are double hung style and with furniture under them, they are hard to function. So they want to replace them with casement windows.

### Questions to the Applicant

Member Boniface asked if the window on the west are to be casement.

Mr. Reid agreed. They will use the same opening. In the bottom drawing, a pair of windows will be

replaced with three windows.

### Public Comment

Ms. Suby Bowden, 323 Montezuma Avenue, was sworn. She said she is the agent for the next-door neighbor, Mr. Patricio Giovanni and Lawrence Brody, who live at 115 Vigil Lane.

She provided a handout for the Board. [A copy of Ms. Bowden's handout is attached to these minutes as Exhibit 1.] The first photo showed the relationship between 117 and 115 looking at the garage and the large Cottonwood tree. 115, Patricio's home, is a one-story home and 117 is a 2-story home. The photo on page 3 is the only view not blocked by surrounding walls.

Yesterday, she met with Ms. Ramirez Thomas and reviewed two drawings – one showing the window on the north wall and looking down at Patricio's only yard and the north drawing with no window. She understood that the north window would not be built. She requested that when a member makes the motion, to clarify there would be no north windows.

She attached letters from neighbors and read her letter.

She said Patricio and Brody thanked the applicant for not putting in the north window. If approved, it would have dramatically altered the privacy they have had for the last 22 years.

She attached the agreement done at HDRB in 1998 to not have a window there.

Mr. Patricio Giovanni was sworn and said Ms. Bowden had explained the whole story about the north side window. Thanks for listening to us. That is about it.

Ms. Beninato (previously sworn) was also happy they are going to regard the neighbor's privacy. Again, there is some legal precedent for doing that since it was in the approval from 1998. Her other concern was about the lack of drawings. She saw only what was proposed and not the existing. the Board needs to require people to come in with what exists and what is proposed. concerns and abiding by the previous agreement.

She also was unhappy at not seeing the proper drawings. What exists is not shown. So we could at least see what is shown here. You are required to have existing and proposed.

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

### Action of the Board

**MOTION: Member Boniface moved, seconded by Member Powell, in Case #H-18-050. 117 Vigil**

Lane to approve the application as presented, excluding any windows on the north elevation.

**VOTE:** The motion passed by unanimous voice vote with Members Bayer, Boniface, Katz, and Powell voting in favor and none voting against.

- 12. Case #H-18-051. Santa Fe Plaza. Downtown & Eastside Historic District.** Randy Randall of Tourism Santa Fe, agent for City of Santa Fe, proposes to install seasonal signage on the Santa Fe Plaza Bandstand. (David Rasch)

Mr. Rasch presented the staff report as follows:

**BACKGROUND & SUMMARY:**

The Santa Fe Plaza was established in 1609 following the 1573 Laws of the Indies that governed how Spanish Colonial towns shall be laid out. On December 19, 1960, the Plaza was designated as a National Historic Landmark. The present Plaza Bandstand was constructed in 2004. In 2006, the Santa Fe Plaza Cultural Landscape Report was completed with recommendations for future use and alteration. The Report calls for no additional permanent structures or furnishings to be added to the Plaza, so that its historic character and integrity is preserved.

The Bandstand is the venue for summer concerts through Outside In Productions. In the past, unsightly large plastic banners have been tied to the bandstand with rope to inform the public about the performance schedule and the program sponsors. The Chapter 14 sign ordinance prohibits banners in the historic districts.

The applicant proposes to install four rigid plastic panels measuring 35" x 50", two on each side of the bandstand and attached to the railings, to inform the public between June and mid-August 2018. If this method works for the desired outcome, then the request is for each year that the summer concerts are offered, or another method is developed.

**RELEVANT CODE CITATIONS**

**14-12.1 DEFINITIONS** As used in Chapter 14:

**SIGN**

Includes every sign, billboard, ground sign, wall sign, roof sign, illuminated sign, projecting sign, temporary sign, marquee, banner, awning, canopy and street clock and includes any announcement, declaration, demonstration, display, illustration or insignia used to advertise or promote the interests of any person when it is placed out-of-doors or in view of the general public, including outdoor electric lights placed in trees, shrubs or other types of vegetation.

**14-8.10 SIGNS**

**14-8.10(A) Purpose; Applicability**

**(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.

(2) Applicability

- (a) No signs intended to be read from off the premises shall be erected or constructed without a building permit, except as otherwise provided in this section. Except as set forth in paragraph (b) below, all signs in all zoning districts shall conform to the requirements set forth in this section.
- (b) Section 14-8.10 shall not apply to city banners erected by the city or its designee for the purpose of commemorating the four-hundred-year anniversary of the founding of La Villa Real de la Santa Fe de San Francisco de Asis. The governing body shall adopt a resolution regarding the banners providing for such specifics as dates, location, number, design approval process, installation and maintenance.

**14-8.10(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.
- (b) In addition to the prohibition contained in this section, approval of the display of a sign in the historic district shall be granted by the division only when the signs and the plans conform to the unique and distinctive character of the city, do not injuriously affect the same and do not impair the value to the community of those buildings having architectural worth.

(2) Applicability

Signs in the following areas and districts shall comply with the additional sign regulations of this

Subsection 14-8.10(H), in addition to the general sign regulations of Section 14-8.10 above:  
(a) All signs in the historic districts;

#### **14-8.10(H) (12) Signs; Awnings, Flags, Banners**

...Flags, banners, awnings, and such trappings shall not be permitted as advertising within the H-district.

#### **STAFF RECOMMENDATION:**

Staff recommends approval of this advertising option for the Santa Fe Plaza Bandstand concerts, in compliance with 14-8.10(H) signage in the historic districts.

#### **Questions to Staff**

Chair Rios observed this is for four rigid panels of plexiglass.

Mr. Rasch said two on each side. They would be the performance schedule for the summer and another panel will have all the sponsors listed

The summer concerts are from June to mid-August.

Member Katz asked if they could be moved further back.

Mr. Rasch thought they could. Look on page 8 and 10. We cannot put it on the front. We talked about having them on the back, facing Palace but Tourism wanted them on west and east sides.

Member Katz prosed to move the east back one section and west back two sections.

Member Bayer assumed that after two months they will take down the entire signs.

Mr. Rasch thought so and thought they will want to do this each year.

Chair Rios pointed out that the Board would need to approve it each time.

Member Bayer didn't a complete application with the design of these panels. This applicant should be subject to the same requirements as other applicants.

Mr. Rasch agreed. At the request of his supervisor, he sent an email to the applicant staying this risks not getting approval without showing its design. Mr. Randall replied that he would have one but isn't even present.

Member Boniface had the same concern. Will it have holes and wire or a frame or what?

Member Bayer said the Board expects a complete application when the City is the applicant, just like everyone else.

#### Applicant's Presentation

Mr. Randall was not present. No presentation was made.

#### Questions to the Applicant

Because no applicant was present, there were no questions to the Applicant.

#### Public Comment

Mr. Beninato (previously sworn) said it is incredibly disappointing that Mr. Randall is not here. He is the one who wanted this application. She agreed with Member Bayer/ The City needs to comply with ordinance, just like everyone else. I think these signs will be disruptive and ugly. There will be two of them right next to each other 3' high and 50" wide. That is a 3x4 sign on each side of a very small structure. They will take up about half of that bandstand. Her suggestion was to have one of the signs on the north side. Even though set back to not interfere with the people listening to the music, they will take up a lot of room. Two of them are not needed on such a small structure.

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

#### Action of the Board

**MOTION:** Member Katz moved, seconded by Member Boniface, in Case #H-18-051, Santa Fe Plaza to postpone the application to a date certain of May 22, 2018 and direct the Applicant to submit a fully complete application.

**VOTE:** The motion passed by unanimous voice vote with Members Bayer, Boniface, Katz, and Powell voting in favor and none voting against.

#### **I. MATTERS FROM THE BOARD**

The Board made decisions on who would present the awards.

- 4. Case #H-18-044A. 408 Camino del Monte Sol. Downtown & Eastside Historic District.** Tiho Dimitrov, agent for Tammy and Kent Switzer, owners, requests designation of primary elevations

on a contributing, residential structure. (Nicole Ramirez Thomas)

The applicant was not present for this case.

**MOTION:** Member Boniface moved, seconded by Member Bayer, in Case #H-18-044A. 408 Camino del Monte Sol to postpone to a date certain - May 22, 2018.

**VOTE:** The motion passed by unanimous voice vote with Members Bayer, Boniface, Katz, and Powell voting in favor and none voting against.


#### J. ADJOURNMENT

The meeting was adjourned at 7:35 pm.

Approved by:

  
\_\_\_\_\_  
Cecilia Rios, Chair

Submitted by:

  
\_\_\_\_\_  
Carl G. Boaz for Carl G. Boaz, Ince.

Historic Districts Review Board  
May 8, 2018

**EXHIBIT 1**



May 8, 2018

**"Renovations to 117 Vigil Lane"**

To Whom It May Concern with the City of Santa Fe Historic Design Review Board and Staff,

Yesterday afternoon, Fabrizio Giovannini and Suby Bowden met with Nicole -Ramirez-Thomas to review the drawings submitted for architectural renovations to 117 Vigil Lane.

During the meeting we were informed the owners of 117 Vigil Lane (Hilary and Ed Smida) have recently withdrawn the request for a new window on the north wall of their upstairs bedroom.

The Smida's neighbors at 115 Vigil Lane (Fabrizio Giovannini and Lori Brody), thank the Smida's for withdrawing the north window request.

We have attached site plans and photographs of 115 and 117 Vigil, to show the close proximity of the two houses. The photographs also clearly show the Smida's home is higher in elevation than the Giovannini-Brody's home. And the sole view from the Giovannini-Brody's living room is to look at the blank north wall of the Smida's. If a window were to be placed on this north wall, it would look directly into the Giovannini-Brody's home, and dramatically alter the privacy they have had for the last 23 years.

We have also attached a letter from David Woodard documenting agreements made in 1998 to not have a window on this north wall (as part of H-Board approvals in 1998 to add the second story).

We have also submitted three letters from adjoining neighbors requesting denial of the north window due to the 1998 agreements. All remaining adjacent homes are either vacated or being used as vacation homes.

Thank you for your consideration.



Suby Bowden,  
Suby Bowden + Associates  
333 Montezuma Avenue, Suite 200,  
Santa Fe, NM 87501  
Phone: 1-505-983-3755 ex 109  
Email: [Suby@SB-Associates.net](mailto:Suby@SB-Associates.net)

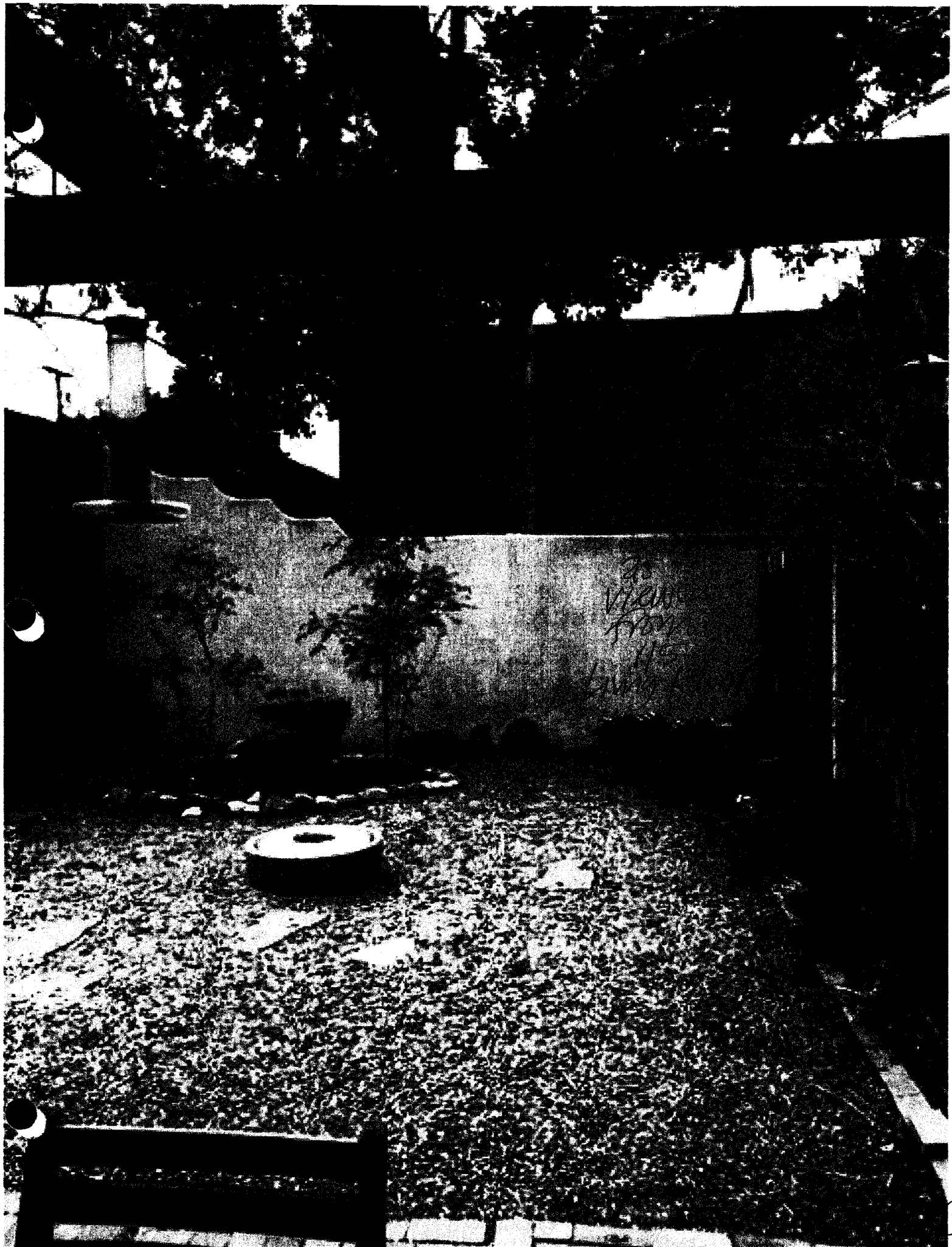
SUBY BOWDEN + ASSOCIATES

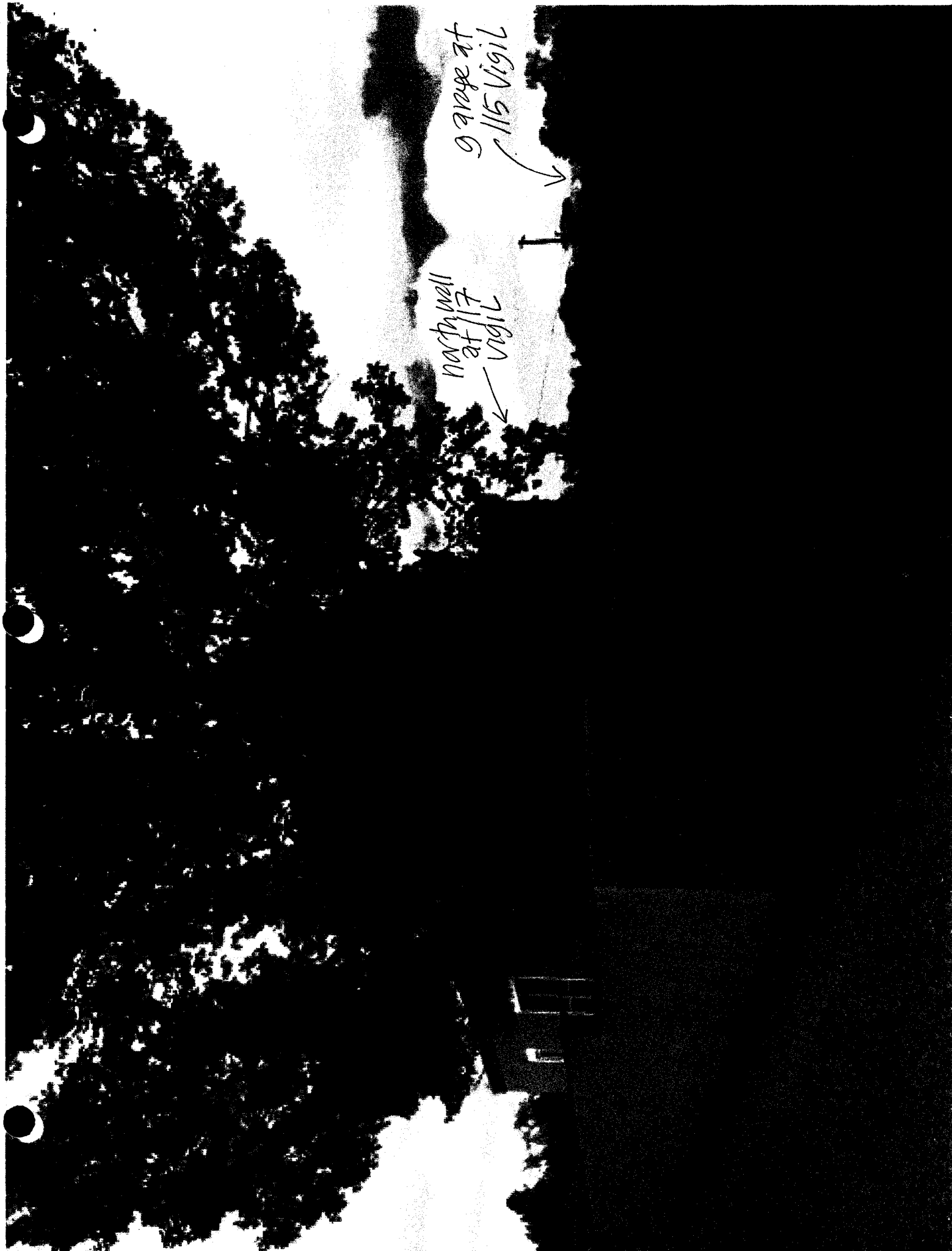
117 11611 201  
one 7 11611 411

top of second story

115 11611 201  
one 7 11611 511

top of garage





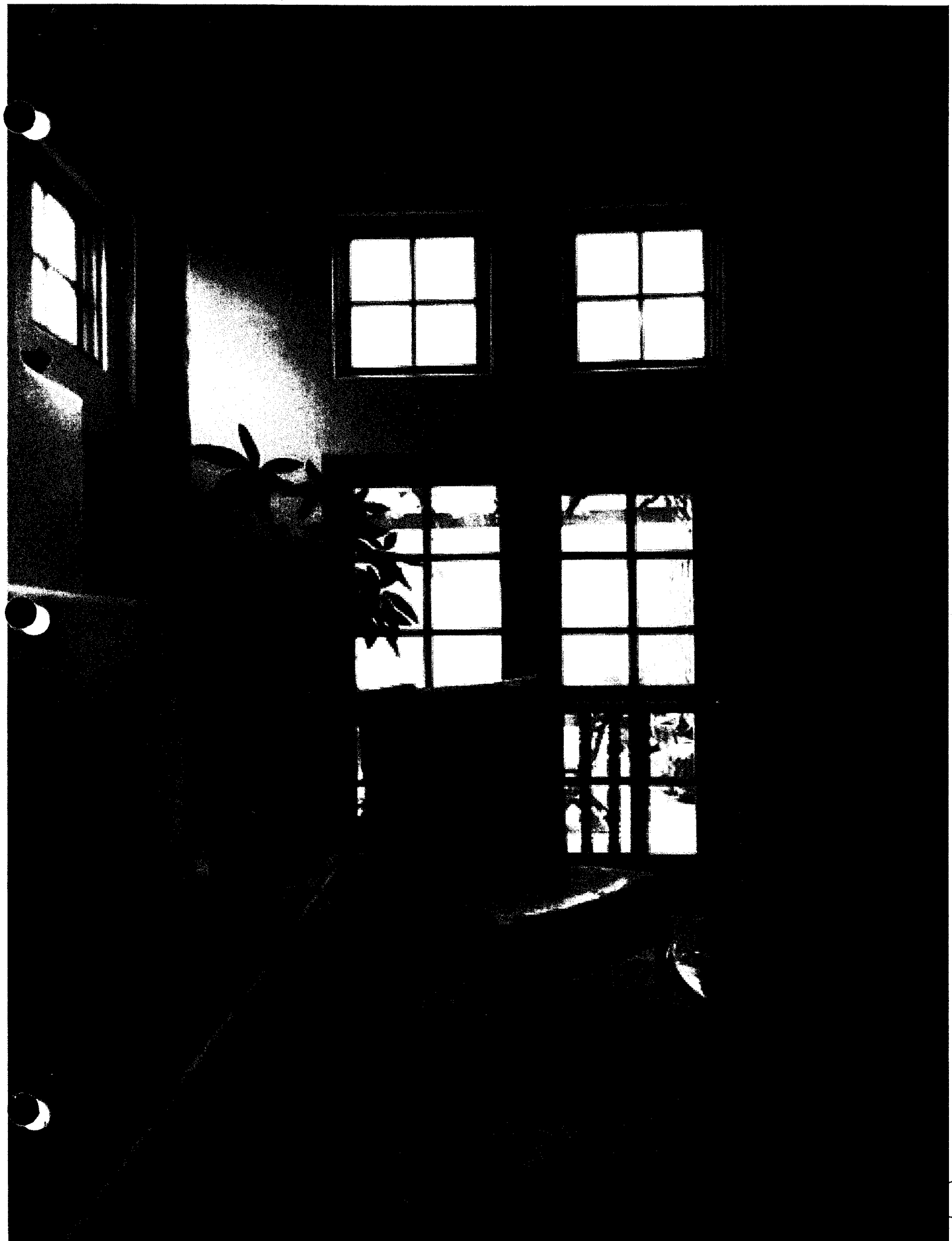
garage at  
1115 Vigil

716A  
at  
1117th

clearest day  
windy at 11/5

511712  
2/1/6





From: **David Woodard** davidwoodard@mac.com  
Subject: **117 Vigil Lane Window Request**  
Date: April 26, 2018 at 4:15 PM  
To: naramirez-thomas@santafenm.gov

Dear Nicole,

I would like to support the denial of the request for a North facing window on the North wall of 117 Vigil Lane.

As the original designer and builder of the home in the 1990s, I consulted with all the neighbors regarding the impact of the home as it was a two story design. The major concern was preserving the privacy of the adjacent homes. By using walls and modestly sized and carefully placed windows, the design was satisfactory to all affected. In particular, the existing home at 115 Vigil's back yard would have been most affected. We assured the then owners that no windows would be looking down into the yard and constructed a bookcase and tv wall on the northern bedroom wall of our home for that reason. The elevation was also a concern to the two homeowners directly east and north of my home on the bordering Santander Lane alley. During the approval hearing, my neighbors came to the meeting in support of our proposed plan. I gather that is usual. No neighbors opposed it, I believe, because we involved them at the start, listening to and considering their concerns.

I trust your office will consider this with regard to the request wither deny it or have them re-submit an alternate plan that respects the neighbors' privacy. Thank you.

Sincerely,

David Woodard  
formally of 117 Vigil Lane  
Santa Fe, NM

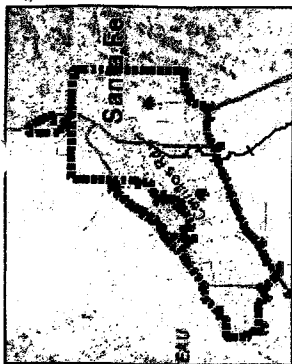






**Santa Fe**  
Mapping the City Different

Map Title



**Legend**

- City Limits
- Address Points
- Roads
- Major Roads
- Santa Fe County Parcels
- Santa Fe River
- Rail Road

115 Vigil  
117 Vigil  
and  
petitions  
signed  
by neighbors  
to  
deny  
114 Vigil  
953 Camino San.  
955 Camino San.

**Notes**

© Latitude Geographics Group Ltd.



FABRIZIO GIOVANNINI  
115 VIGIL LANE, SANTA FE, NM 87505

I WOULD LIKE TO SUPPORT THE DENIAL OF THE REQUEST FOR A NORTH FACING  
WINDOW ON THE NORTH WALL OF 117 VIGIL LANE.

NAME

ADDRESS

DATE

Carlos F. + Patsy Gabaldón 114 Vigil Ln.

05-01-2018

114  
Vigil Lane  
Gabaldon

FABRIZIO GIOVANNINI  
115 VIGIL LANE, SANTA FE, NM 87505

I WOULD LIKE TO SUPPORT THE DENIAL OF THE REQUEST FOR A NORTH FACING  
WINDOW ON THE NORTH WALL OF 117 VIGIL LANE.

NAME  
Anika Pacheco

ADDRESS  
953 Camino Santander

DATE  
5/3/18

953  
Camino  
Santander

FABRIZIO GIOVANNINI  
115 VIGIL LANE, SANTA FE, NM 87505

I WOULD LIKE TO SUPPORT THE DENIAL OF THE REQUEST FOR A NORTH FACING  
WINDOW ON THE NORTH WALL OF 117 VIGIL LANE.

NAME	ADDRESS	DATE
Eve Tolpa	955 Camino Santander	May 1/2018

955  
Camino  
Santander.