



# Agenda

CITY CLERK'S OFFICE

DATE 5-18-11 TIME 8:30am

SERVED BY Constance Viste

RECEIVED BY [Signature]

## HISTORIC DESIGN REVIEW BOARD FIELD TRIP

TUESDAY, May 24, 2011 – 12:00 NOON

HISTORIC PRESERVATION DIVISION, 2<sup>ND</sup> FLOOR CITY HALL

## HISTORIC DESIGN REVIEW BOARD HEARING

TUESDAY, May 24, 2011 – 5:30 PM

CITY COUNCIL CHAMBERS

### A M E N D E D

- A. CALL TO ORDER
- B. ROLL CALL
- C. APPROVAL OF AGENDA
- D. APPROVAL OF MINUTES May 10, 2011
- E. FINDING OF FACTS & CONCLUSIONS OF LAW

Case #H-11-020      409 W. Water Street  
Case #H-11-032      675 Garcia Street

Case #H-11-034      515 Cerrillos Road  
Case #H-11-035      519 Cerrillos Road  
Case #H-11-036      707 E. Palace Ave., #1

- F. COMMUNICATIONS
- G. BUSINESS FROM THE FLOOR
- H. ADMINISTRATIVE MATTERS
- I. OLD BUSINESS

- 1. Case #H-11-033. 306 Delgado Street. Historic Review District. Michelle L. Gaugy, owner/agent, proposes to remodel a contributing property by removing a coyote fence to construct a parking space with a brick finish on the parking area and planters. (David Rasch).
- 2. Case #H-10-108. 738 Gregory Lane. Don Gaspar Area Historic District. Erik Burlingame, agent for Carla Freeman, owner proposes to amend a previous approval to remodel a non-contributing property by altering designs for windows, doors, and yardwalls. (David Rasch).

### J. NEW BUSINESS

- 3. Case #H-11-037. 311 E. Berger Street. Don Gaspar Area. Richard Martinez, agent for John and Emily Edwards, owners proposes to construct a 1,772 sq. ft. residence to 14' where the maximum allowable height is 14' 10". (David Rasch).
- 4. Case #H-11-039. 8 Camino Pequeno. Downtown & Eastside Historic District. James Satzinger, agent for Larry & Michelle Martin, owners, proposes to remodel a single family residence and guest house with an increase in height to 14' 4", demolish a carport, construct a garage to a height of 10' 8" where the maximum allowable height is 15' 6" on a non-contributing property. (David Rasch).

5. Case #H-11-040. 1344 Canyon Road. Downtown & Eastside Historic District. Lorn Tryk, agent for Robert & Jeana Efroymsen, owners, proposes to construct three additions totaling 315 sq. ft. on a non-contributing property. (David Rasch).
6. Case #H-11-038. 311 E. Palace Avenue. Downtown & Eastside Historic District. Chris Gunning, agent for Cord Martin & Junior Warden owners, proposes to replace metal facing on a pitched roof with an exception request to remove historic material (Section 14-5.2 (D)(5)(b)). (David Rasch).
- 5 Case #H-11-041. 1379 Upper Canyon Road. Downtown & Eastside Historic District. Architectural Alliance, agent for Dean & Allison Rogers, owners, proposes to construct a 1,935 sq. ft. addition on a contributing residence to a height of 23'6" where the maximum allowable height is 17' and a height exception is requested (Section 14-5.2 (D)(9)). (David Rasch).

**K. MATTERS FROM THE BOARD**

**L. ADJOURNMENT**

For more information regarding cases on this agenda, please call the Historic Preservation Division at 955-6605. Persons with disabilities in need of accommodations or an interpreter for the hearing impaired, contact the City Clerk's office at 955-6520, five (5) working days prior to hearing date. If you wish to attend the May 24, 2011 Historic Design Review Board Field Trip, please notify the Historic Preservation Division by 9:00 on Tuesday, May 24, 2011.



# Agenda

CITY CLERK'S OFFICE

DATE 5-12-11 TIME 2:40 pm

SERVED BY Canille Trujillo

RECEIVED BY Tina Dominguez

## HISTORIC DESIGN REVIEW BOARD FIELD TRIP

TUESDAY, May 24, 2011 – 12:00 NOON

HISTORIC PRESERVATION DIVISION, 2<sup>ND</sup> FLOOR CITY HALL

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TUESDAY, May 24, 2011 – 5:30 PM

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**SUMMARY INDEX**  
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May 24, 2011

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**MINUTES OF THE**  
**CITY OF SANTA FÉ**  
**HISTORIC DESIGN REVIEW BOARD**

**May 24, 2011**

**A. CALL TO ORDER**

A regular meeting of the City of Santa Fé Historic Design Review Board was called to order by Chair Sharon Woods on the above date at approximately 5:30 p.m. in the City Council Chambers 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. Sharon Woods, Chair  
Ms. Cecilia Rios, Vice Chair  
Mr. Rad Acton  
Dr. John Kantner  
Mr. Frank Katz  
Ms. Christine Mather  
Ms. Karen Walker

**MEMBERS ABSENT:**

**OTHERS PRESENT:**

Mr. David Rasch, Historic Planner Supervisor  
Ms. Kelly Brennan, Asst. 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.**

**C. APPROVAL OF AGENDA**

**Ms. Rios moved to approve the agenda as presented. Ms. Mather seconded the motion and it passed by unanimous voice vote.**

#### **D. APPROVAL OF MINUTES**

**May 10, 2011**

Ms. Walker said on page 2, it should say the neighbor's trim color - not the neighbor's color.

**Ms. Walker moved to approve the May 10, 2011 minutes as amended. Ms. Rios seconded the motion and it passed by unanimous voice vote.**

#### **E. FINDING OF FACTS & CONCLUSIONS OF LAW**

Case #H-11-020	409 W. Water Street	Case #H-11-034	515 Cerrillos Road
Case #H-11-032	675 Garcia Street	Case #H-11-035	519 Cerrillos Road
Case #H-11-036	707 E. Palace Ave., #1		

**Ms. Walker moved to approve the Finding of Fact and Conclusions of Law as presented. Ms. Rios seconded the motion and it passed by unanimous voice vote.**

#### **F. COMMUNICATIONS**

Mr. Rasch had four items to communicate.

1. The 2011 Historic Preservation awards will be presented on June 7 at the NPS building from 6-8:30 p.m.
2. He received a request to change a hearing date. The Council Chambers was preempted by another body on June 28. He asked if the Board could meet instead on June 30.

Mr. Acton asked if that would affect their site visit date. Mr. Rasch agreed. The Board agreed to the alternate date.

3. He invited Ms. Shawn Jasper to the meeting to talk about the training in Las Vegas. He explained that she was the CLG Coordinator for the State.

Ms. Jasper said there were eight CLGs in the state. It was an extension of her office to promote Historic Preservation in local areas. They were certified by NPS. They had public outreach activities and have a certification in archaeology. Part of their work was to receive funds mandated by the federal government. Ten percent of the federal money was for an RFP process. Not all 8 CLGs participated but this year 4 of them are participating. The training workshops being offered were sponsored by the National

Alliance of Historic Preservation Commissions and included law, ethics, standards, and efforts in the community.

Las Vegas applied and received the funding for the CLG this year. The event would take place on June 2-3 in Las Vegas. The grant covered the cost of trainers and registration for staff and commissioners. Highlands University was providing the space.

This was an opportunity for Board members to meet the national trainers and commissions from out of state. She urged the Board members to participate. The original proposal was for 5 commissioners but they probably would not get that many. Come and stay in Las Vegas and take part in it.

Chair Woods asked if she needed to pay the \$50 fee and then be reimbursed or not.

Ms. Jasper said it was covered, not reimbursed.

Chair Woods said she would attend.

Ms. Jasper clarified that the City of Albuquerque might not participate so they had additional money.

Chair Woods thanked her for coming.

Mr. Rasch said his fourth communication was about the state's Heritage Preservation Alliance set up for this month. He went to Farmington to the B Square Ranch to see pictographs. The next day he went to Aztec National Monument to the east ruins. Then he went on to Mesa Verde. The District had six buildings designed by Nusbaum called modified pueblo revival with sandstone and mud plaster. It was beautiful to see them.

## **G. BUSINESS FROM THE FLOOR**

Present and sworn was Ms. Jill Grady who had noticed last week a newly constructed trellis at 629 E Palace Avenue. The trellis appeared to be there as a baffle for privacy on unit #2. She regularly reviewed the agenda and was unable to find anything about it on previous agendas. The trellis appeared to be incompatible with the streetscape there.

Chair Woods thanked her for her testimony.

There were no other speakers from the floor.

## **H. ADMINISTRATIVE MATTERS**

There were no administrative matters.



Chair Woods announced to the public that anyone wishing to appeal a decision of the Board had fifteen days from the date the finding of fact and conclusions of law for the case were approved by the Board.

## **I. OLD BUSINESS**

1. **Case #H-11-033. 306 Delgado Street. Historic Review District. Michelle L. Gaugy, owner/agent, proposes to remodel a contributing property by removing a coyote fence to construct a parking space with a brick finish on the parking area and planters. (David Rasch).**

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

### **BACKGROUND & SUMMARY:**

306 Delgado Street is a residential structure that was originally constructed in the Spanish-Pueblo Revival style by 1928. The building is listed as contributing to the Downtown & Eastside Historic District and the east and south elevations may be considered as primary.

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

1. An existing 4.5 – 6' high coyote fence will be removed from the front edge of the property.
2. An existing brick patio will be extended over a parking area and the same brick will be used to surface a planter around the gas meter and a planter that will hold an informational sign.
3. A concrete ramp will be installed at the front entrance per ADA requirements.

### **STAFF RECOMMENDATION:**

Staff recommends approval of this application with the condition that the ramp shall be finished with brick or the concrete shall be colored an earth tone or brick color. Otherwise, this application complies with Section 14-5.2(C) Regulation of Contributing Structures, (D) General Design Standards, and (E) Downtown & Eastside Historic District.

He provided statement from Land Use that the applicant could not have a business sign as proposed and a letter from the applicant changing the business sign.

Chair Woods asked if the Board was approving the sign. Mr. Rasch said no.

Ms. Mather asked if this property had been approved for commercial use. Mr. Rasch agreed.

Present and sworn was Ms. Michelle Gaugy, 418 Canyon Road, who had nothing to add to the staff report.

## PUBLIC COMMENT

Chair Woods asked the public to not repeat comments already made.

Present and sworn was Mr. Pen La Farge, 637 Old Santa Fé Trail, President of Historic Neighborhood Association in which this property lies. The association met last night and considered this subject. There were a number of concerns - primarily the historic fabric of the neighborhood and its integrity.

He had been on this association board for 30 years and over the decades has seen numerous businesses proposed in residential district. When he was born on College Street it was mostly residential. Increasing commercial was a problem for residential areas. Everyone could see what happened on Delgado Street which used to be all residential with 1-2 businesses and was now almost completely commercial. It didn't help for those who continued to live there.

It was until not long ago designated as residential only. When previous owners left they asked for it to be rezoned as A/C and did it to increase the value of it.

But they didn't take into account the fabric and life of the neighborhood. The physical changes in use and visible changes to it like a concrete driveway were not in harmony with the streetscape. So the association opposes this project for the good of the street and residents.

Present and sworn was Ms. Gwen Jolty who said in the 20 years she had lived in Santa Fé she had seen commercial enterprises more in residential areas. She thought the important thing was to preserve the residential structures in Santa Fé that had been residential to this point. Now it brings traffic and neighborhoods were affected. Thank you.

Present and sworn was Ms. Reggie Cox, 347 Delgado - next to this property. She said she was concerned about the signage in the application when she saw how high the sign would be. Parking was also an issue with two spaces - one ADA and one not. There was a lot of space in the back at 306 Delgado that could be used. She was also concerned about the width and length of the parking spaces for ADA on the street. She looked at the property many times and didn't know how you could get a car in there even with tearing down the fence. She asked how close it was to the ROW.

She asked what kind of information center this would be. She happened to work for the City and give out information all day long about Canyon Road. The DOT was getting ready to open an information center; the Chamber of Commerce had one; and there was a visitor center at First National Bank on the Plaza. She was also concerned about tour buses that would be seeking information.

She pointed out that Delgado was a historic street and taking away the coyote fence would change the entire streetscape. Please consider your decision very carefully tonight - it would have a long term effect forever.

Present and sworn was Ms. Dena Aquilina on Sanchez Street who was here on behalf of coyote

fences. Her coyote fence was about 40 years old and this one looked older. They provided some definition of Santa Fé charm. Removing it was an incremental harm to the neighborhood. She had watched as one after another become adobe walls.

She had asked ten years ago about a moratorium on walls. She didn't think people came to Santa Fé to see concrete parking lots and didn't see how cars would fit in there. It would harm the streetscape and the neighborhood.

Present and sworn was Ms. Marilyn Bane 611½ B Canyon Road, who was seeing this in a different way. In 2007 research (and all of it says the same thing - some was more qualitative) she interviewed members from City Council, business community and organizations in Santa Fé. She was impressed with the questions about what people come here to see. It was the architecture, the mountains and the skies.

She said that Dorothy Pillsbury lived 4 blocks away and published books on adobe. She was so charmed by the various aspects of Santa Fé and maybe it was patronizing but great truth in there. She quoted a statement regarding historic review from Ms. Pillsbury.

Next door was the most painted and sketched house in Santa Fé because it showed all of the qualities including whimsicality. The coyote fence was a natural transition. It was critical. She believed the historic house there would be compromised by this change in the transition from residential to commercial and then back again.

She was disturbed because people should have their own personal experience of the historic district. If there was a way to work with her, she would cheer lead that. She was very concerned about these changes.

Present and sworn was Mr. Randy Bell, 314 Garcia Street, who concurred with the other comments about the fence. It really seems to be a defining part of the property and the streetscape. The comment by the applicant that it was disintegrating didn't seem to him to be true in looking at it.

He also raised a zoning issue. The preliminary zoning worksheet described it as a gallery/gift shop. He questioned the treatment of parking. In Section 14-8.2 on parking for retail including galleries the requirement was one parking space per 200 sq ft so this would require at least 5 spaces yet the worksheet says only 2 were required and one of those for handicapped. He didn't see how the demolition of the fence would accommodate what he saw as the requirement.

Nor did he see any dimensions given in any of the diagrams. In the Board's packet where it was shown after demolition there was a great extent of brick in the driveway up to other properties. The implication in the drawing was that it would include that brick. The parking was best achieved right in front of the entry. He didn't think there was 20' of length for handicapped parking.

Present and sworn was Mr. Richard Sellers who thought the Board was doing a very good job. His career was historic preservation and still worked on it. He published an article two weeks ago.

He agreed with everything said so far in objection to the proposal. This would be the first ever

commercial property on that block of Delgado. He knew it was zoned that way but a shame to use it that way. It would affect the character of that neighborhood. Please oppose it.

Present and sworn was Mr. Karl Sommer, PO Box 2476 on behalf of Elizabeth Thornton - the neighbor to the north. You've heard about zoning and use which was the impetus of this application. This question addresses the "character was in the eye of the beholder" idea. While it seems fairly inconsequential to remove a coyote fence in disrepair. If this was a wall of 50 years old, this board would have a problem with removing it. The testimony here was that it was character defining.

With demolition you must consider how the streetscape would be re-established. In other cases you spent time and concern with what the material of the driveway would be. Here you were asked to consider a brick driveway clear out to the edge of the road. Was that in character of the streetscape?

When you were asked to allow demolition of something 50 years old, this would not be re-established but something new - a brick driveway and all along the east side of the house. That was not in keeping with the character of this district.

He thought this case raised a serious question and asked the Board to exercise its discretion the way the Board would with a 50 year old wall. We watched the wall at Inn at Loretto deteriorate over many years. This was the same issue, the same district and a character-defining feature.

This applicant had not demonstrated it meets the standards and it was not in character. On behalf of Ms. Thornton he asked that the Board exercise its discretion by denying the application for these reasons.

Chair Woods asked that he keep these powers in mind the next time.

Mr. Sommer agreed. "Whether I argue one way or another, they are your powers."

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

Chair Woods asked Ms. Brennan to instruct the Board on what it had jurisdiction over.

Ms. Brennan said it was not over use or parking or underlying zoning - just over the exterior appearance of the building.

Chair Woods noted that parking in front affects the streetscape.

Ms. Brennan said the Board does have authority to keep the streetscape in harmony.

Ms. Gaugy was happy to hear the comments. She said she had another gallery in one of the most beautiful buildings in this town and she was sensitive to the concerns.

The reason she requested the fence to come down was that it was falling apart and was really dangerous at this point. Pieces were falling on the ground. It was in total disrepair. She talked to the city

staff about how the parking should be handled and ADA requirements. It was at the city's suggestion that the ADA space be put in front and take down the fence.

The brick extension was suggested so that the ADA space had room for a wheel chair. It had to be wide in the driveway and they said she would have to harden the driveway. So she was hardening it by putting brick there. There could be hardening on the gravel but she felt this would be more beautiful. It needed to be hard for a wheel chair.

The information Center was a service for the Canyon Road Merchants Association.

There was no other coyote fence on that street so it would be more appropriate to not have it. It was ugly and didn't fit with the rest of the street. It didn't look anything like the rest of Delgado Street. It would be much more appropriate to have a low wall and take care of the damaged fence by removing it.

Mr. Katz was puzzled about where the parking was going and what would happen in that drive way.

Ms. Gaugy said that driveway leads to a parking lot behind the property. Most of the spaces belonged to other galleries back there. There were only two little rooms for the gallery behind the building. Marigold had 2 spaces and she had two spaces for her other gallery.

Mr. Katz asked if the handicapped space could go there.

Ms. Gaugy didn't know. The city staff told her to put it where it showed. It would probably have to take up two spaces in back so she wasn't sure that was a good solution.

Ms. Rios asked Mr. Rasch if he knew how old the fence was.

Mr. Rasch said he didn't have any date for the fence but never asked for dates on coyote fences. It did appear that the latillas were not well fastened and lower parts had some rot from watering.

Ms. Gaugy said there was a woman up by Museum Hill that swears she had the oldest one.

Ms. Cox said the fence was there in 1970.

Ms. Rios understood that the City recommended she have the ADA parking right in front. She asked what could be done if she didn't take down the fence.

Ms. Gaugy said it could not be done if the fence remained. The City staff saw it was falling down.

Ms. Mather asked if she could maintain a portion of the fence.

Ms. Gaugy thought she probably could by Elizabeth with a garden area next to her house. It would have to be restored. It could be a little short area or she could build a new one there. It was just gone.

Ms. Walker asked if she would consider giving dimensions if she came back with a new drawing.

Ms. Gaugy said there were dimensions on the big drawings she submitted.  
Mr. Rasch shook his head.

Ms. Walker asked if the Board could not deal with harmony on the sign. Mr. Rasch agreed.

Chair Woods had a concern with the poured concrete for the ramp.

Ms. Gaugy said it was only the ramp that would be concrete and it was way back.

Chair Woods said a parking lot in front of a historic building was a streetscape issue and the Board had jurisdiction over that.

Ms. Gaugy said right now and every day there was a car parked in front of the property. This way there would only be one occasionally parked there.

Chair Woods pointed out that there was a large extension of the brick area. So we had the brick area as it was and then the proposal - that was a real concern.

Dr. Kantner thought it looked like the brick area extended across the driveway.

Ms. Gaugy said if she didn't use brick, she had to use some other hardener.

Ms. Walker asked if she was required to have it van accessible.

Ms. Mather was concerned about the gate. She was taking down the fence all around so what was the purpose of keeping the gate?

Ms. Gaugy said it was still an entrance from the other side.

Ms. Mather said it would just be a gate standing there.

Chair Woods asked if there would be anything on either side of the gate.

Ms. Gaugy said the house was on one side and it was closed on the other side.

Mr. Acton asked if the handicapped vehicle on the street side would use the paved surface between street and the house for disembarking. That had five feet and asked if they would pull in behind the gate.

Mr. Rasch briefly explained it.

Mr. Acton said she could keep the fence along Delgado except for the place for the turn in. He asked if parking on Delgado would continue. Ms. Gaugy agreed.

Mr. Acton asked if that space would be used only for handicapped. Ms. Gaugy agreed.

Ms. Gaugy said people could park in front of Elizabeth's property. There was Autonomous Gallery already on that street.

**Ms. Walker moved to postpone Case #H 11-033 for redesign and explain how the demolition of the fence would re-establish the streetscape to the next HDRB meeting. Ms. Rios seconded the motion and it passed by unanimous voice vote.**

- 2. Case #H-10-108, 738 Gregory Lane. Don Gaspar Area Historic District. Erik Burlingame, agent for Carla Freeman, owner proposes to amend a previous approval to remodel a non-contributing property by altering designs for windows, doors, and yardwalls. (David Rasch).**

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

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

738 Gregory Lane is a single-family residence and free-standing garage that was constructed at an unknown non-historic date in the Territorial Revival style. The property is listed as non-contributing to the Don Gaspar Area Historic District.

On December 14, 2010, the H-Board conditionally approved a remodeling project that included constructing a portal on the north elevation, altering windows under the portal, and altering a yardwall.

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

1. The north elevation will be changed from two 4-lite windows and a 2-lite door to two larger windows and a single-lite door.

2. A sconce will be installed on the pilaster in the free-standing yardwall. The fixture will be patinated copper.

3. The east lotline yardwall step will be increased in height to match the existing height to the north at 4' 10" high and step down once to 4' 1" high at the south end. Also, a coyote fence gate with flanking pilasters will be installed on the inside lot between the wall height increase and the residence. The walls and pilasters will be stuccoed to match existing conditions.

4. A coyote fence extension will be constructed on top of the existing west lotline yardwall. The wall/fence height will be no more than 5' 11" high.

#### **STAFF RECOMMENDATION:**

Staff recommends approval of this application which complies with Section 14-5.2(D) General Design Standards and (H) Don Gaspar Area Historic District.

Ms. Rios asked if this work was already completed.

Mr. Rasch explained that most of this work was begun and not completed.

Chair Woods had concern about the exposed steel structure. She didn't believe that met the design standards in the code.

Mr. Rasch said he would have to look at the code. He noted they had seen steel posts and steel streamers on the inside rather than neighbor's side in other cases.

Chair Woods thought it could be seen from the street.

Present and sworn was Mr. Erik Burlingame who proposed that steel members be switched to cedar.

Chair Woods asked which side of the fence he would put them on.

Mr. Burlingame said they planned for those structural members to be on the neighbor's side and the neighbors were okay with that.

Ms. Walker noted that the owner had come here twice before with proposals on this property so why would she start this one without approval.

Mr. Burlingame said they came the initial time and found he had made a mistake. What got built was not in accord with the drawing so he met with Mr. Rasch for staff approval.

#### Public Comment

Present and sworn was the next door neighbor, Ms. Olsen, who said she had no problem with the coyote fence structure but would prefer to have the structural parts on the other side. She had no problem with the fence itself.

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

Mr. Acton how he proposed to put that Juniper there. He wondered if those were hollow metal pipe going into the CMU wall if he could use that pipe to put the posts around them. He thought it could be an issue on strength of the structure.

Mr. Burlingame said he needed to figure that out. He asked if they could compromise on it with steel posts and use cedar on the cross sections.

Chair Woods said the Board usually asked that it be on the owner's side.



Mr. Katz understood that the structure was not visible to the street. He asked if it might be possible to put the coyote on both sides.

Chair Woods didn't think so.

**Ms. Rios moved to approve Case #H 10-108 per staff recommendations with the condition that steel verticals be kept and horizontal parts be with cedar with the ugly side toward the applicant. Ms. Walker seconded the motion and it passed by unanimous voice vote.**

Mr. Acton commended the neighbors for getting along.

## **J. NEW BUSINESS**

- 1. Case #H-11-037. 311 E. Berger Street. Don Gaspar Area. Richard Martínez, agent for John and Emily Edwards, owners proposes to construct a 1,772 sq. ft. residence to 14' where the maximum allowable height was 14' 10". (David Rasch).**

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

### **BACKGROUND & SUMMARY:**

311 East Berger Street is a vacant area (Tract 2) of 313 East Berger Street which is the Ford Ruthling House, a significant resource in the Don Gaspar Area Historic District.

The applicant proposes to construct a 1,772 square foot residence to a height of 14' where the maximum allowable height is 14' 10".

The building is designed in the Territorial Revival style and it will feature brick coping on some of the parapets and square portal posts. Windows will be both divided-lite 4-over-4 double-hung and single-lite casement. The primary French doors appear to have decorative panels and there are single-lite sliding glass doors on the east portal.

The building will be finished with "Buckskin" stucco and white-painted or stained woodwork.

In addition, a 5' high coyote fence will be constructed to create a courtyard in front of the east portal and along the west lotline.

### **STAFF RECOMMENDATION:**

Staff recommends approval of this application which complies with Section 14-5.2(D) General Design Standards and (H) Don Gaspar Area Historic District.

Ms. Rios asked if this did not require divided lights. Mr. Rasch agreed.

Chair Woods asked how far back it was from the street.

Mr. Rasch said it was 7' from the lot line.

Present and sworn was Mr. Richard Martínez who noted that it was not often we get to do a free standing house in an empty lot. He chose to do a Territorial style because there were many of them in the neighborhood with many of the same details.

If there were conditions to impose he would like to have the Board cite the regulations. He said they had an existing curb cut that served another house and this house. The house would face the street with a porch along the side.

Ms. Walker didn't see any dimensions on the drawings.

Mr. Martínez said there were dimensions on the drawings.

Ms. Walker said the Board didn't have any of them.

Mr. Rasch explained that there were dimensions but were too small when reduced to letter size pages. The height was 14'; the portal was 9' 9" and the height of coyote fence was 5'.

Ms. Walker asked regarding the setback if he felt this was in harmony with the streetscape.

Mr. Martínez said many homes there were set back but this one would have some life on the street. It would not require a wall to create a courtyard.

Ms. Walker asked if he felt it was compatible.

Mr. Martínez said he did and the design met all regulations.

Mr. Katz said the building was pushed to the front of the lot and asked if there was any reason why it could not be pushed back.

Mr. Martínez said they were planning to put a guest house in the back. Many old houses in Santa Fé were pushed to the front of the street. The only houses on Berger Street were pushed quite a bit.

Mr. Katz said he wasn't thinking of anything other than to push it to the north ten feet. He asked why that would be a problem.

Mr. Martínez said then the courtyard would need to be in the front.

Ms. Mather didn't notice the skylights.

Mr. Martínez said there was a skylight at the bathroom in the back. It was shown on the site plan.

Ms. Mather asked if it was screened by the parapet. Mr. Martínez agreed.

Ms. Mather asked about lighting fixtures.

Mr. Martínez said there would be lighting fixtures.

Ms. Mather asked if they had been submitted to Mr. Rasch. Mr. Martínez said no.

Ms. Mather noticed there was a square on the portal shown in the floor plan.

Mr. Martínez said that was a BBQ under the portal.

Ms. Mather thought it looked like an interesting door there.

Mr. Martínez said it was a Mexican door. He didn't bring the photo. It was a carved double door with rosettes.

Mr. Acton thought there was ambiguity on the site plan. He asked what was going on with the portal and the street. On that road they saw pavement to landscaping to some yard definition and a sidewalk up to a porch. Those elements did many things for the occupants on the street side. He asked Mr. Martínez to describe what was happening there.

Mr. Martínez said there would be native grasses there and the sidewalk was a dirt walking path and all of that would stay.

Mr. Acton said he was conflicted. You have a front door. Do you see the car going to the front door or into the courtyard?

Mr. Martínez said on the street - wherever they would park.

Ms. Rios asked if they could park in front. Mr. Martínez agreed.

Ms. Rios asked if the only appurtenance on the roof was one sky light.

Mr. Martínez agreed and said only the chimney would be visible.

Ms. Rios asked if it would have true divided light windows.

Mr. Martínez agreed. The undivided light windows were existing. There was a fence on the west to the property line. It was just a screen fence that helped to hide those windows.

Ms. Rios noticed in the back a lot of open space and asked if it would eventually have a guest house.

Mr. Martínez said it would or it might also have an addition on the back. There were two lots of the property.

Ms. Walker asked about the size of the house.

Mr. Martínez said it was 1200 square feet plus 500 feet of portal for a total of 1700 sq ft. It was more exactly 1772 square feet with the portal.

#### PUBLIC COMMENT

Present and sworn was Ms. Natalie Love who lived across the street at 302 E Berger. She said she just heard about this project recently. It would have been nice to know what was going on across the street. People were not building close to the street there. The homes were all set back considerably. And if people were going to park in front, the only way she would likely back right into a car parked there because the only way she had was to back out of her driveway. She had to be very careful not to hit a car there.

She wished she had been informed of it sooner. She wanted to look more closely at the plans but felt the design would not go along with the rest of the neighborhood.

The owner, John Evans, was present and sworn to address the concern she raised. Currently they used that area as a parking area. They could put ten cars in the back parking area so there was no reason why people should park on the street. The only reason was if they were unaware of the parking area in back. None of the people living there ever parked on the street. He showed on the plan not parking on the street.

Chair Woods said the board could clarify that.

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

Chair Woods clarified for Ms Love that there would not be parking on the street. Ms Love explained that the reason she would like to see exactly how it would look was because from her library now she could see the mountains and if she couldn't see them it would be distressing. She would like to see what the traffic would be. She hoped it would not be a problem.

Ms. Rios told her the applicant was required to put a public notice on the property.

Dr. Kantner asked whether the 7' set back was in harmony with the streetscape.

Mr. Rasch referred to the packet where on page 8 you could see where it would be located. Adjacent buildings were set back much further. Some were contributing and some non-contributing. To the east and west they were closer to the street.

Ms. Rios asked how far back they were.

Mr. Rasch estimated 15-20 feet back. The question of harmony was interesting. It was not in harmony with those in that block but the streetscape goes from Old Santa Fé Trail to Gildersleeve. Immediate was set back.

Mr. Martínez pointed out that those that were set back further often had walls and we didn't propose walls. The idea was to go back to the earlier siting of houses that didn't require a wall. If we go to a 20' setback we would have to install a wall because the courtyard would have to be in front.

Mr. Acton was troubled by that. If we go back far enough we were talking burros and wagons. This was a public street and a way through this neighborhood. It was opening the house courageously to the road. In this case, he was also not quite as persuaded by claims of hardship. If there were a building back there now it would be a different issue. There was space to work back there and plenty of room for a guest house even if it was set back further.

Mr. Martínez clarified that this was not a hardship case. We were going back to styles the way houses once were done with a private courtyard in the back. He was trying to enliven the street by putting a porch on the street. He said the occupants were here. He added that commercial properties didn't require walls.

Ms. Walker asked if they wanted a guest house or a second house.

Mr. Martínez said they wanted a guest house. If the house had an addition then the guest house could be larger.

Chair Woods appreciated what he was doing historically. She also understood the board's concern. She asked if he had any flexibility of five feet more or something for a compromise on it. Just a little bit further back.

Mr. Martínez said this was his proposal and he would be ruled by this board for this proposal.

**Ms. Mather moved to approve Case #H 11-037 per staff recommendations and conditions that lighting be brought to staff for approval and no rooftop appurtenances. Ms. Rios seconded the motion.**

Mr. Acton wanted to offer a friendly amendment. He advocated that it be set back an additional five feet.

Ms. Mather did not accept it as friendly.

**The motion failed on a vote of 2 in favor and four against.**

**Dr. Kantner moved to approve Case #H 11-037 as recommended by staff with a setback of at least 12'; lighting taken to staff for approval and no rooftop appurtenances. He cited Section 14-5.2 for the requirement. Ms. Walker seconded the motion and it passed by a majority 4-2 voice vote.**

2. **Case #H-11-039.** 8 Camino Pequeño. Downtown & Eastside Historic District. James Satzinger, agent for Larry & Michelle Martin, owners, proposes to remodel a single family residence and guest house with an increase in height to 14' 4", demolish a carport, construct a garage to a height of 10'8" where the maximum allowable height was 15'6" on a non-contributing property. (David Rasch).

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

### **BACKGROUND & SUMMARY:**

8 Camino Pequeño is a single-family residence and guest house that was constructed in the Moderne style in the 1950s. The property is listed as non-contributing to the Downtown & Eastside Historic District.

The applicant proposes to remodel the property with the following items in order to bring the property further into compliance with the Santa Fe style.

1. The main residence will be increased in height from 9' 8" to 14' 4" where the maximum allowable height is 15' 6". The height increase will include a clerestory over the center section and a parapet over the west and east sections.
2. A 500 square foot portal will be constructed on the south elevation of the main residence in a simplified design.
3. The guest house will be increased in height from 8' to 11' 7" with a parapet.
4. A small mechanical room and a 46 square foot portal will be constructed on the north elevation of the guest house.
5. The 620 square foot carport will be removed and a 580 square foot garage will be constructed to a height of 10' 8" in the same location.
6. A 126 square foot portal will be constructed at the main entrance to the common courtyard to a height of 8'.
7. Other site alterations include the replacement of windows and the installation of gates in the east courtyard wall.

### **STAFF RECOMMENDATION:**

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

Mr. Rasch said regarding the 30" dimension rule that there might be some doors not meeting that.

Present and sworn was Mr. Douglas McDowell, who said it was an interesting home built in 1950 by a couple who were potters, photographers and architects. Life Magazine in 1957 had an article on them. The house was full of penitentiary brick inside and outside, heavily fired. It was contemporary in style. The owners want to keep that style. They propose to raise the guest house slightly because the ceilings were sagging. They would really use it as a guest house. We were using board and batten aged wood to mimic the gate and also an attempt to pay attention to some of the history of Santa Fé and using it in an interesting way - neo-modernistic. He showed samples of the colors. Windows will only be seen in the raised portion of the guest cottage from the road. It was in a compound.

Ms. Walker said it was first an old stable - #9 and then a house.

Ms. Rios agreed this was an interesting house and what the applicant was doing would improve it. She asked if anything would be put on the roof. Mr. McDowell said no.

Ms. Mather asked if on east elevation there was stone work there.

Mr. McDowell agreed and explained it was existing. It was on the fireplace and continues through the courtyard.

Mr. McDowell clarified that where the windows were not divided were under portals.

Ms. Rios asked Mr. Rasch about the 30" rule.

Mr. Rasch said it was for any window, visible or not. He discussed it with the applicant and it appeared that the only place they were more than 30' were under a portal so they would meet the rule.

There were no speakers from the public regarding this case.

**Ms. Rios moved to approve Case #H 11-039 per staff recommendations and the condition that all windows not under a portal meet the 30" rule. Ms. Mather seconded the motion and it passed by unanimous voice vote.**

Chair Woods recused herself from the following case and left the room. Ms. Rios chaired this portion of the meeting.

- 3. Case #H-11-040 1344 Canyon Road. Downtown & Eastside Historic District. Lorn Tryk, agent for Robert & Jeana Efroymsen, owners, proposes to construct three additions totaling 315 sq. ft. on a non-contributing property. (David Rasch).**

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

**BACKGROUND & SUMMARY:**

1344 Canyon Road is a single-family residence that was constructed in the Spanish-Pueblo Revival style in the 1950s with alterations and additions from 1966 to recent. The building is listed as non-contributing to the Downtown & Eastside Historic District.

The applicant proposes to construct three additions to the north, street-facing elevations to total 315 square feet. The additions will be lower massing than adjacent parapet heights and all surface treatments will match existing conditions.

**STAFF RECOMMENDATION:**

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

Present and sworn was Mr. Lorn Tryk, who said Ms. Wendy Blackwell informed us today that the middle was on 20% slopes and that they must do certified topography and slope analysis and if over the 50/50 rule it would be a problem. He explained the rule required that 50% had to be on less than 20% slopes. He decided to amend the application by not doing the middle addition.

He handed out a new site map without the middle addition. He said nothing was changed to the other additions but he would like to amend one other thing. These little openings that have spindles in them (which he pointed out) - We would like to fill those in.

They also wanted to add two feet of stucco on this short stone wall to make the garden more enclosed. It would help conceal the back door. These changes would be beneficial to the front of the house.

Dr. Kantner asked about the gate.

Mr. Tryk pointed it out and showed where they would add to the wall. The gate was paired leafs for a total of 3' wide and four feet high with simple panels and matching the stain to existing for everything.

Ms. Mather asked what was happening with the portal.

Mr. Tryk said it was interrupted by the two additions. This very rounded corner would be squared off and a post added. It was the only one rounded that much.

There were no speakers from the public regarding this case.

**Ms. Mather moved for approval of Case #H 11-040 as amended by the applicant with two additions, filling in openings and with two foot addition to the garden wall with stucco. Mr. Katz seconded the motion and it passed by unanimous voice vote.**

Chair Woods returned to the bench at the conclusion of this case.



4. **Case #H-11-038. 311 E. Palace Avenue. Downtown & Eastside Historic District. Chris Gunning, agent for Cord Martin & Junior Warden owners, proposes to replace metal facing on a pitched roof with an exception request to remove historic material (Section 14-5.2 (D)(5)(b)). (David Rasch).**

The applicant was not present for the review of this case.

Ms. Walker moved to table Case #H 11-038 to the end of the agenda. Ms. Rios seconded the motion and it passed by unanimous voice vote.

5. **Case #H-11-041. 1379 Upper Canyon Road. Downtown & Eastside Historic District. Architectural Alliance, agent for Dean & Allison Rogers, owners, proposes to construct a 1,935 sq. ft. addition on a contributing residence to a height of 23'6" where the maximum allowable height was 17' and a height exception was requested (Section 14-5.2 (D)(9)). (David Rasch).**

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

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

1379 Upper Canyon Road, known as the Belloli House, was constructed in the Spanish Colonial Revival style in 1936. Major remodeling, including the construction of a garage in 1988, is present. The building is listed as contributing to the Downtown & Eastside Historic District and the south elevation may be considered as primary.

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

1. The existing non-historic garage and garage courtyard will be remodeled with the construction of a 1,935 square foot garage on the north elevation to a height of 23' 6" where the maximum allowable height is 17'. The garage will match the existing adjacent parapet but exceed the allowable height downward toward the river. A height exception is requested and the required criteria responses are attached below.
2. Several access doors will be installed into basement rooms. They appear to be constructed of vertical wooden planks with the north door also including metal clavos.
3. The outdoor seating area and fire pit will be relocated further down slope. A retaining wall, steps, a path, and "decorative wood columns" are proposed although no elevations were submitted to show how these structures will look.

Height Exception

**(i) "Do not damage the character of the streetscape":**

The height of the proposed addition does not damage the streetscape as it is not visible from the street.

Staff response: Staff is in agreement with this response. However, the Santa Fe River is also considered to be a public way and the project is visible from the river.

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

The requested height prevents a hardship to the applicant because if the height of the parapet is lowered, then the ceiling height in the addition would have to be very low.

Staff response: Staff is in agreement with this response.

**(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 height would strengthen the heterogeneous character of the neighborhood without intruding on the neighborhood since it is not visible from the street.

Staff response: Staff is in agreement with this response.

**(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 special condition of this site is the existing slope down to the north where the addition is located.

Staff response: Staff is not in agreement with this response. There are other properties within the streetscape that have the same or similar slope conditions.

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

The special condition of the sloping land is not a result of the actions of the applicant.

Staff response: Staff is in agreement with this response.

**(vi) "Provide the least negative impact with respect to the purpose of this section as set forth."**

The 23'-0" height would not have a negative impact because it is not visible from the street and it is in keeping with the massing of all the structures on the north side of the existing residence.

Staff response: Staff is in agreement with this response.

**STAFF RECOMMENDATION:**

Staff recommends denial of the exception request as having not met the exception criteria. Otherwise, this application is in compliance with Section 14-5.2(C) Regulation of Contributing Structures, (D) General Design Standards, and (E) Downtown & Eastside Historic District, with the condition that scaled elevations are submitted for the other structures.

Mr. Rasch explained that he didn't recommend approval of the exception because staff believes it would be visible.

Ms. Rios asked if the maximum height was 17' or 17' 10".

Mr. Rasch said it was 17' 10".

Ms. Rios noted that in the staff report Mr. Rasch said in response to each criterion that staff accepted it yet he denied it.

Mr. Rasch said it was because of visibility.

Ms. Mather asked if the south was primary so it would require an exception.

Mr. Rasch agreed.

Ms. Mather asked if it would change that elevation if they put on the addition.

Mr. Rasch said to the right outside was the entire elevation of the residence. It was not this part with the garage and courtyard addition. He didn't know if that was part of the historic structure or not or when they were built.

Ms. Walker said the additions were based on later.

Mr. Rasch showed the inner courtyard of the garage.

Ms. Walker thought the changes were further east.

Mr. Acton said this was the west end.

Present and sworn was Mr. Eric Enfield, who said the additions were documented in his packet under history. It called out all the additions. Hopefully the Board had that in their packet.

Every owner had documented every change and addition so he created the history from it. He had the meeting notes from 1988 and could share them with the Board when many alterations were made. He said there were only two things that were not altered from the original.

In 1988 SHPO had concerns with the Marians' changes.

He said they now proposed a 23' height. That matched the existing height of garage which was 16" below main house. He was confused why he had to do an exception. He didn't have to go through an exception process with Inn at Loretto because he was attaching to it and matching the scale of the existing structure.

Mr. Rasch forgot to say that he didn't say it was not visible. He said it wasn't visible from the street but it was visible from the river and the park across the way. It was visible from the west.

Mr. Enfield said the 23' height was on the north, not on the west.

Mr. Rasch said a person would see it above the wall.

Mr. Enfield said a portion was visible but not the 23' from Canyon Road. All that was visible on the west was 8' 9" of existing garage and you would see 14' of the 23' if you were inside the wall.

Mr. Acton asked if he was saying only 14' was exposed from Canyon Road.

Mr. Rasch said the applicant measured from floor grade. The reason Loretto didn't need an exception was because it was less than the existing height. On this one, this addition would be much taller than other parts of the building even though it was lower than the rest of the structure.

Mr. Acton asked if this grade was on the outside of the wall. Mr. Enfield agreed.

Mr. Acton asked if the wall was 9' 6" tall there.

Mr. Enfield couldn't answer it. He had the staff measure it and they measured from inside and outside grade. The inside grade was 9'. The grade was open there. The Board previously approved an addition at the same location at the same height. He had a sketch of what was previously approved by the Board and shared it with the Board members. It was approved as a caretaker building (without any elevations).

He said he stepped the addition five feet away from the wall and ten feet away from the wall. He went to the Canyon Road Association, adjacent neighbors and Phil Bové. The Canyon Road on May 9 voted to not oppose this proposal.

He sent registered letters to 5 adjacent neighbors and got responses from the Cleavers and Dupree's. He had an open house and Dupree's were the only ones to show. About 8" of parapet were visible from their home. He agreed with them to mention it here. A verbal agreement that prior to start of construction, the full height would be laid out and if the panels were visible, we would lower it to the point where they were accepting of it. They live at 1280 Upper Canyon Road. It looks like he would need to lower it a little bit. The Duprees were here.

The Cleavers live at 1347 Upper Canyon Road. He met with them and agreed to screen with trees on the west side along the wall. He also emailed 21 other people on Upper Canyon Road and one person asked that he email drawings.

He met with Phil Bové twice and it was approved if he shifted the fire pit which he agreed to do. He had copies of Phil Bove's letter but no copy as an exhibit.

He read the rest of his statement. The only impacts were on the north and east elevations.

On sheet A-2, there would not be iron bars on the windows. Also the column in the garage courtyard wouldn't be moved.

A-3 indicated that the chimney shows on the west elevation.

On A-4, he added the wall on the west side to show what would be visible.

He had the 1988 notes and the emails that were sent out.

#### PUBLIC COMMENT -

Present and sworn was Mr. Bill Dupree, 1280 Upper Canyon Road who said they were about ten feet above this Canyon Road property so standing at their living room was right at the roof line of the existing and proposed structures. They were not here to oppose or endorse this project. He worked with Mr. Enfield to satisfy their personal concerns and they did endorse the design as Santa Fé design. We believe in them. The aesthetics of the neighborhood appeal to us. This house was one of the signature houses in this city. It was stunning and defined by its low level architecture. It was quite large and skillfully built. While technically it was lower than the existing house, the Board would want to consider the changes that would affect the low appearance. There would be a mass on the west side that wasn't there now or an extension of mass. And solar panels that we wouldn't see but they would be there nonetheless. He believed in solar but also the aesthetics. He hoped this Board would consider all the features that make it an outstanding property.

Chair Woods asked what he was looking for.

Mr. Dupree said he was not looking for anything. They chose to live here because it appealed to their tastes. Inches and feet didn't matter so much.

Present and sworn was Ms. Barbara Cleaver -1347 Upper Canyon, the neighbor to the west. She agreed with Mr. Dupree's comments. She knew the house when Julian Garcia had it. It was extraordinary. She had a nice meeting with Mr. Enfield. She had to say when she saw the drawing of the west elevation that it was quite massive. She was the neighbor most affected. Screening with trees would help. It was right at her kitchen window. She had been in Mexico for several months and missed the meeting. Her heart sank when she saw the elevation. If you walk that stretch of city owned land she felt this would block some view.

She didn't know if it was her right to interfere but she had to voice her concerns. The square footage was 2800 but it was two-story so it disturbed her. It was one of the extraordinary homes in New Mexico built by a designer that built in Mexico. It would be a significant visual change.

Ms. Rios asked what the existing garage would be. Mr. Enfield said it would remain a garage and adding a 2 car garage. It would be less than half of the addition - 21x35 so about 700 sq ft.

Ms. Rios asked about the internal ceiling height of the garage.

Mr. Enfield said the height was 8' and 4' more above that which included a concrete deck to handle cars above it. It would use 8x10" beams and have at least six inches and a foot parapet. The panels had a 10 degree slope as he did on Camino Santander. He would prove it not visible before construction. The parapets at 963 Camino Santander were 10 inches high. He would lay it all out to make it zero visibility from neighbors. It was a 4kw system - about 30x 40 feet.

Mr. Rasch asked why he did not put it in the application. Mr. Enfield said it was because it was not publicly visible.

Ms. Rios asked if no other rooftop appurtenance would be visible. Mr. Enfield said all mechanicals were inside.

He said he would put 40' evergreens along the wall. There was a ten foot step back unlike the previous approval.

Chair Woods thought the ten foot ceiling was asking a lot. You could take almost two feet off of this escarpment structure. She was not buying the wall. It was very much two story and she was concerned with the mass of it.

Mr. Acton said it did seem like he could cover the functional spaces divided by walls at the same time sliding the addition away from the west property line by 2 feet by narrowing the stairs. Deferring to the west property line would allow more space for these large evergreens and reduce visibility to Upper Canyon on the west side and decrease elevation on the north and west up to two feet.

Dr. Kantner thought it would be possible to step down the office space while keeping the garage as it is.

Chair Woods suggested that taking out those beams would make dramatic change.

Mr. Enfield tended to agree with what was said. This house was special because it was also in Mexico. His parents lived there. If we brought the garage down to the existing elevation and stepped it down to 21' then there would be a significant step to break up that façade. Then he wouldn't need an exception.

He explained that he didn't intend to request an exception. He could step it down between garage and office and could probably give the two feet there. He could make it a 12' offset instead of 10'. The reason there was no window there was because the neighbors said they didn't want them looking to their homes. If they did that they would eliminate the need for an exception.

Mr. Rasch didn't agree.

Chair Woods was having a hard time visualizing what he was saying. She wanted to make sure the Board understood what he was proposing. She hesitated for the Board to do it verbally here. These were huge spaces and it was a big addition.

Mr. Acton was of a mind to see what he made of these comments. It was one thing to give direction and then have issues when you come back. He knew that the Board required a revision and hesitated to go forward without the drawings as well as a commitment for the trees.

Ms. Mather was concerned about the very large footprint making this large western façade. It was quite imposing. She would like the large footprint to be shrunk a little bit.

Chair Woods appreciated Mr. Enfield's willingness to work with neighbors and board.

Mr. Enfield asked for some clarification. He sensed this 23' was not acceptable and he had to go back to his client with it. He wanted to know if the 21' 10" would be no exception required.

Mr. Rasch said if he could prove that it didn't exceed that and the Board allowed the extra four feet it would not require an exception.

Mr. Enfield said the existing building was 22' high right now and the highest point was on the east side. He came thinking he didn't need an exception knowing it was attached to an existing structure. The 21' 10" was doable. He would try to do that when he came back. It is a sloping site.

Mr. Katz said the west façade was the problem. He did understand about allowing it.

Mr. Acton wanted to see the mass moved away from the west property line at least two feet and would like to see on the plan how far it was from corner to corner.

**Dr. Kantner moved to postpone Case #H 11-041 to the next meeting for revised plans that incorporate the Board's comments. Ms. Rios seconded the motion and it passed by unanimous voice vote.**

4. **Case #H-11-038. 311 E. Palace Avenue. Downtown & Eastside Historic District. Chris Gunning, agent for Cord Martin & Junior Warden owners, proposes to replace metal facing on a pitched roof with an exception request to remove historic material (Section 14-5.2 (D)(5)(b)). (David Rasch).**

**Mr. Acton moved to take Case #H 11-038 off table and postpone to the next meeting. Ms. Rios seconded the motion and it passed by unanimous voice vote.**

## **K. MATTERS FROM THE BOARD**

Chair Woods said the Board had concerns regarding the staff administrative approval of 225 Palace. Mr. Acton thought it would be good for the Board to at least be apprised of the negotiation so that the board could make the call on any new construction, especially on Palace.

Ms. Mather agreed and the neighbor came to the Board concerned about it and had no chance to speak in public about it.

Chair Woods assumed this decision could be appealed and asked what the appeal process was. She thought they could work this out but the Board had to be apprised about it.

Ms. Brennan didn't know that it could be appealed.

Mr. Rasch said it got a stop work notice by the inspector and he contacted the owner and the contractor. He brought it to Director's knowledge. The building inspector said it didn't need a permit so he allowed it to be approved administratively. Mr. Rasch told him it would cost \$275 to bring it to the Board and the applicant said it only cost \$300 to build the trellis.

Chair Woods thought the question of building permit was not valid. There were certain things that still would have to come to the Board. You didn't need a permit to recoat stucco but that would still have to come here.

Mr. Acton asked what the measured height of the trellis was.

Mr. Rasch assumed it was about 8' high, 5' wide and 2' deep. It had two 8x8 posts.

Ms. Rios asked what the power of staff was.

Mr. Rasch said it included maintenance and repair, tweaking a building permit to meet code if it meets the intent of the Board, yard wall and fence up to 4' high and in Guadalupe and Don Gaspar anything not visible to the public and also signage.

#### **L. ADJOURNMENT**


The meeting was adjourned at 8:30 p.m.

Approved by:

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Sharon Woods, Chair

Submitted by:

  
Carl Boaz, Stenographer