



Agenda

CITY CLERK'S OFFICE

DATE 6-19-07 TIME 3:05

SERVED BY Maria L. Higuera

RECEIVED BY [Signature]

Amended

HISTORIC DESIGN REVIEW BOARD FIELD TRIP

TUESDAY, JUNE 26, 2007 – 12:00 NOON

PLANNING DIVISION, 2ND FLOOR CITY HALL

HISTORIC DESIGN REVIEW BOARD MEETING

TUESDAY, JUNE 26, 2007 – 6:00PM

CITY COUNCIL CHAMBERS

A. CALL TO ORDER

B. ROLL CALL

C. APPROVAL OF AGENDA

D. APPROVAL OF MINUTES

May 22, 2007

E. COMMUNICATIONS

F. BUSINESS FROM THE FLOOR

G. ADMINISTRATIVE MATTERS

1. Finding of fact training

H. OLD BUSINESS TO REMAIN POSTPONED

I. OLD BUSINESS

1. Case #H-04-98. 1067 Camino San Acacio. Downtown & Eastside Historic District. Eddie A. Trujillo, agent/owner, proposes to remove a low stone wall, replace it with a 4' 6" to 6' high stuccoed yard wall, and to surface the enclosed yard with brick.

2. Case #H-06-20-B. 986 Acequia Madre (620 Martinez Lane). Downtown & Eastside Historic District. Scott Robey & James DeVille, agents/owners, propose to amend a previously approved case for a Non-Contributing building and rebuilding in-kind.

3. Case #H-06-28. 832-G Dunlap. Westside-Guadalupe Historic District. Ed Reid, agent for ACCS, LLC, requests to construct a 1,228 sq. ft. single-family residence to the maximum height of 12' 5" and to construct a yard wall at 8' high. A height exception has been granted for the wall (Section 14-5.2,D,9).

4. Case #H-06-88. 1325 Cerro Gordo. Downtown & Eastside Historic District. Richard Polese, agent/owner, requests alterations to a previously approved proposal which includes increasing the height of the garage from 11' 6" to 11' 10" and adding additional square footage to the residence after a 50% footprint rule exception had already been granted (Section 14-5.2,D,2,d).
5. Case #H-07-38. 209 E. Santa Fe Avenue. Don Gaspar Area Historic District. Wyndham Carlisle, agent for Thomas Parks, proposes to amend a previously approved case by adding dormer details to a Non-Contributing building.
6. Case #H-04-114. 511 Paseo de Peralta. Downtown & Eastside Historic District. Roger Hunter, agent for Blessey, Fuentes, & Zeug, proposes to remodel an historic stone wall along the streetscape. An exception to remove historic material is requested to Sections 14-5.1 General Purpose and Relationship to General Use Zoning Districts, 14-5.2 (C,1,a,c, and d) Regulation of Contributing Structures, 14-5.2 (D,1,a and b) General Design Standards for All H Districts, and 14-5.2 (D,5,a,ii and b) Design Standards for Windows, Doors, and Other Architectural Features.
7. Case #H-07-12. 1433 Canyon. Downtown & Eastside Historic District. Philip Kozely, agent for Peter Kozely, proposes to remodel a Contributing building by constructing approximately 141 sq. ft. of additions, increase the basement by approximately 1,551 sq. ft., an approximately 165 sq. ft. deck, raising a non-historic addition to a height of 14' 3" where the maximum allowable height is 17' 5", replace windows, re-stucco, construct a 451 sq. ft. garage to a height of 11' 1" where the maximum allowable height is 17' 5", and construct walls and fences. Four exceptions are requested to create a new opening on a primary elevation (Section 14-5.2,D,5,ii), to alter opening dimensions on a primary elevation (Section 14-5.2,D,4), to replace historic material (Section 14-5.2,D,5,a), and to construct an addition less than 10' back from a primary elevation (Section 14-5.2,D,2,d).

J. STATUS REVIEW

K. NEW BUSINESS

1. Case #H-07-65. 830 Acequia Madre. Downtown & Eastside Historic District. John Gary Boyle, agent/owner, proposes to re-stucco a Non-Contributing two-story residential building with elastomeric material and surfacing a 1,500 sq. ft. parking courtyard with brick.
2. Case #H-07-77. 103 ½ Victoria. Downtown & Eastside Historic District. Judy Youens, agent/owner, proposes to construct approximately 120 sq. ft. second story addition to match existing height of 22' on a Non-Contributing building.
3. Case #H-07-78. 705 Dunlap. Westside-Guadalupe Historic District. Brenda Ortiz, agent/owner, proposes to demolish an approximately 224 sq. ft. Non-Contributing building and replace it with a 1,004 sq. ft. guest house to a height of 13' 6".

L. MATTERS FROM THE BOARD

M. ADJOURNMENT

For more information regarding cases on this agenda, please call the Planning Division at 955-6605. Interpreter for the hearing impaired is available through the City Clerk's Office upon five (5) days notice.

If you wish to attend the June 26, 2007 Historic Design Review Board Field Trip, please notify the Planning Division by 9:00 am on Tuesday, June 26, 2007 so that transportation can be arranged.



Agenda

CITY CLERK'S OFFICE

DATE June 14, 2007 TIME 4:18

SERVED BY Maria L. Vigil

RECEIVED BY Maurine K. Vigen

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CITY OF SANTA FE
HISTORIC DESIGN REVIEW BOARD

Santa Fe, New Mexico
June 26, 2007

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ITEM	ACTION TAKEN	PAGE(S)
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MINUTES OF THE
CITY OF SANTA FE
HISTORIC DESIGN REVIEW BOARD

JUNE 26, 2007 – 6:00PM

CALL TO ORDER

A regular meeting of the City of Santa Fe Historic Design Review Board was called to order on the above date at approximately 6:00 p.m. in City Council Chambers, City Hall, 200 Lincoln Avenue, Santa Fe, New Mexico.

ROLL CALL

Roll Call indicated the presence of a quorum as follows:

MEMBERS PRESENT:

Sharon Woods, Chair
Robert Frost
Charles Newman
Cecilia Rios
Deborah Shapiro

MEMBERS ABSENT:

Jake Barrow
Jane Farrar

OTHERS PRESENT:

Marissa Barrett, Historic Planner
David Rasch, Historic Planner Supervisor
Carl Boaz, Stenographer

APPROVAL OF AGENDA

Mr. Rasch said that Case #H 07-38 was postponed by the applicant and Case #H 07-77 was postponed by staff.

Mr. Newman moved to approve the agenda as amended. Mr. Frost seconded the motion and it passed by unanimous voice vote.

COMMUNICATIONS

Mr. Rasch showed pictures of the public library and armory from long ago.

Ms. Rios asked if it was the armory behind the Palace of the Governors.

Mr. Rasch said he thought it was.

BUSINESS FROM THE FLOOR

None.

APPROVAL OF MINUTES

May 22, 2007

Ms. Shapiro requested the following corrections to the minutes:

On page 21, middle of the page: "Ms. Shapiro asked if he was going to replace all windows ~~of the non-primary~~ on the primary elevations."

On page 36, 3rd line, "Ms. Shapiro moved to approve . . ."

Mr. Newman requested the following correction to the minutes:

On page 22, 3rd paragraph, second sentence should read, "He asked why not step down into the room for the garage."

Mr. Frost moved to approve the minutes of May 22, 2007, as corrected. Ms. Shapiro seconded the motion and it passed by majority voice vote. Ms. Rios abstained because she was not present at that meeting.

ADMINISTRATIVE MATTERS

1. Finding of Fact Training

Ms. Anne Lovely, Assistant City Attorney presented this training to the HDRB.

Ms. Lovely noted that a resolution was passed in March to establish findings of fact for all quasi-judicial meetings of the City. She said it was because they needed to worry about due process. She said there were two kinds: substantive and procedural. She briefly explained the difference.

She said that cross-examination should always go through the chair.

Chair Woods asked if it was necessary to have cross-examination

Ms. Lovely suggested the Chair say at the beginning that cross-examination was allowed.

Ms. Lovely advised the Board to make themselves familiar with three basic documents: Chapter 14 of the City Code, Rules For Committees of the City, and Roberts Rules of Order, all of which governed the actions and procedures of the Board. She added that the Open Meetings Act and the Ethics Ordinance were also something each Board member should be familiar with.

She explained that as a quasi-judicial body, the Board was acting like a judge and should only consider what was before the Board. So ex parte communication (those that the full board could not be part of) were not allowed and the Board should only look at those documents and testimony before them in making decisions.

She said that all questions and answers should be directed to the chair and never between parties.

Ms. Lovely went next to Findings of Fact. She said a state law passed in 1999 required that agencies needed to have findings of fact and adopt them in determinations. She said each decision of the Board must be a written decision and filed with official public records. It must include the written decision and must go to the applicant or any party to the proceeding and if they asked for a copy.

She acknowledged that many times, staff would not know beforehand which sections of the Code would be applied but they were trying to come up with some boilerplate for the Findings of Fact so that when the Board made a motion, it would give reasons for what the Board was finding. She explained that state law said there were components. Order, Findings of Fact, then Conclusion of Law. Conclusions were how they comport with the law, parts of the Code.

Chair Woods asked if this was necessary when approving the project or just when the Board denied a case.

Ms. Lovely said it should be done for all cases on which the Board acts. She added that there was always the option to have staff come back with the findings at the next meeting. The problem was that it delays the applicant. She urged the Board not to do that unless it was not possible to identify the Finding of Fact at the meeting.

Ms. Rios noted that staff recommendations already cited the code and asked if the Board couldn't just say per staff recommendations.

Ms. Lovely said they could do that if they didn't just cite a code section and not give reasons. She thought it would be good for the Board to think through what their reasoning was. She thought staff did a good job of putting in those sections so it wouldn't be a huge stretch for them to include a little more.

Mr. Newman requested that the Board members be given the whole of Chapter 14.

Ms. Lovely agreed.

Mr. Newman said Ms. Lovely needed to make sure it got done.

Ms. Lovely said okay.

Ms. Lovely provided copies of the state law [attached as Exhibit A] and examples of findings of fact and conclusions of law including one from Albuquerque [attached as Exhibit B].

Ms. Shapiro asked what to do when someone called her about a case and if that was ex parte.

Chair Woods said it was ex parte and she must tell them she could not participate in ex parte. She said no Board member could have a conversation with them and that person could say it in the public hearing so everyone could hear.

OLD BUSINESS TO REMAIN POSTPONED

None.

OLD BUSINESS

1. **Case #H 04-98.** 1067 Camino San Acacio. Downtown & Eastside Historic District. Eddie A. Trujillo, agent/owner, proposes to remove a low stone wall, replace it with a 4' 6" to 6' high stuccoed yard wall, and to surface the enclosed yard with brick.

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

BACKGROUND & SUMMARY:

"1067 Camino San Acacio is a 1,179 square foot adobe single-family residence that was built between 1935 and 1945 in the New Mexico vernacular manner. The applicant has submitted information stating that alterations to the building, including replacement of the pitched roof with a flat roof and replacement of all windows and doors occurred in the early 1960s. The building is listed as contributing to the Downtown & Eastside Historic District. The south and east elevations are primary elevations.

"On August 13, 2004, the HDRB conditionally approved remodeling on this property with the construction of a yard wall and pedestrian gate on the east and south sides.

"An existing low rock wall along the east and north sides was removed during the previous construction project after it had suffered from lack of integrity and maintenance. The rock wall is shown on the plat from 1958. In addition, footings for a replacement wall have already been constructed.

"Now, the applicant proposes to remodel the property with the following items.

A 4' 6" high stuccoed CMU wall will be constructed along the east side for 36' north from the previously approved pedestrian gate to match the previously approved height.

"The 4' 6" high wall will continue along the north side for approximately 28' or 33' and then step up to 6' high for the remaining 15'.

"The enclosed yard will be finished like the previously approved yard finish with brick paving and sandstone rock-lined planting beds.

"Finishes will match the existing conditions.

STAFF RECOMMENDATION:

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

Ms. Rios asked if this met the wall guidelines.

Mr. Rasch said those guidelines were only for street-facing walls but this one actually did meet the guidelines.

Present and sworn was Mr. Eddie Trujillo, 1067 Camino San Acacio, who said they just wanted to extend the wall and finish it off with great landscaping and sandstone flower beds as they did in the back so it was consistent and would look the same.

Ms. Shapiro asked if he was replacing the gate.

Mr. Trujillo said no, that it was a new gate.

Ms. Shapiro asked if it had any design.

Mr. Trujillo said he would bring in the design to staff.

Ms. Shapiro asked if the gate would be the same height as the wall.

Mr. Trujillo said it would be four by four.

Ms. Shapiro asked if there was any lighting.

Mr. Trujillo maybe in the future but was proposing none now.

There were no speakers from the public regarding this case.

Ms. Rios moved to approve Case #H 04-98 per staff recommendation with the condition that the applicant bring the gate design and lighting plans to staff. Ms. Shapiro seconded the motion and it passed by unanimous voice vote.

2. **Case #H 06-20-B.** 986 Acequia Madre (620 Martínez Lane). Downtown & Eastside Historic District. Scott Robey & James DeVille, agents/owners, propose to amend a previously approved case for a Non-Contributing building and rebuilding in-kind.

Ms. Barrett presented the staff report for this case as follows:

BACKGROUND AND SUMMARY:

"On April 4, 2006 the HDRB downgraded the status of the approximately 1,532 square foot Spanish Pueblo Revival style, two-story, single-family residence and the approximately 925 square foot guest house within approximately 640 square-foot attached carport located at 986 Acequia Madre. The Board also approved major remodeling of both buildings.

"The original approval for the one-story guest house, which will be used as the main residence, included removal of the noncompliant roof deck and non-historic 640 square-foot carport, construction of an approximately 900 square-foot addition to the north and east elevations to the maximum allowable height of 13' 6", construction of an approximately 462 square foot portal to the east elevation and a 100 square-foot portal to the west elevation, and opening alterations.

"This application proposes amending the Board's approval of the rear one-story guest house with the following alterations:

- "1. The building setbacks will shift slightly from west to east and the footprint will increase by approximately 125 square feet.
- "2. The rear, east elevation portal will increase by approximately 86 square feet.
- "3. A shed roof will be added over the small mechanical room on the west elevation. The roof will be standing seemed galvanized to match that which was approved for the portals.
- "4. Portal the post design has been slightly altered.
- "5. East elevation French doors were reduced in height and the transom windows were added. One window on the east elevation was slightly altered as well.
- "6. One window on the west elevation was reduced in size and to new windows are proposed.
- "7. One window on the South elevation has been reduced in size and one new window is proposed. A transom window is also proposed over the door
- "8. Two new windows are proposed for the north elevation and the door design has been slightly altered.
- "9. Doors on the south and west elevations have been redesigned it to include

arched windows and the south elevation tour also includes sidelights. Locations of some of the windows have slightly shifted as well.

"The front yard wall has been reconfigured and the coyote fence shifts East 3 feet and extends for another approximately 15 feet.

"10. The front building coyote fence and the gate will be replaced with a stuccoed yard wall and dark stained antiques wood gate.

STAFF RECOMMENDATIONS:

"Staff recommends approval of this application as it complies with Section 14-5.2 (E) Downtown and Eastside Historic District design standards."

Present and sworn was Mr. Scott Robey, who said he had nothing to add.

Chair Woods asked about exterior lighting

Scott said they would have no more than what was already approved.

Ms. Rios asked about rooftop equipment.

Mr. Robey said the skylights would be behind parapets and there would be no air condition unit.

Mr. Frost asked about stucco type.

Mr. Robey said there was no change from prior approval.

There were no speakers from the public regarding this case.

Ms. Rios moved for approval of the Case 05-020-B per staff recommendations with condition of no roof top equipment be visible and no additional lighting be installed. Mr. Frost seconded the motion and it passed by unanimous voice vote.

3. **Case #H 06-028.** 832-G Dunlap. Westside-Guadalupe Historic District. Ed Reid, agent for ACCS, LLC., requests to construct a 1,228 sq. ft. single-family residence to the maximum height of 12' 5" and to construct a yard wall at 8' high. A height exception has been granted for the wall (Section 14.5.2, D, 9).

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

BACKGROUND & SUMMARY:

"832-G Dunlap Street is a vacant area within the recently approved Assisi Compound. The Assisi Compound consists of four vernacular style residences with two of the four buildings listed as contributing to the Westside-Guadalupe Historic District.

"On May 9, 2006, the HDRB approved the construction of a single-family residence with conditions that included the denial of the building height exception and the approval of a yard wall height exception. Now the applicant wishes to amend the design.

"A 1,228 square foot single-family residence will be constructed in the Spanish Pueblo Revival style. The building will be the maximum allowable height of 12' 5" as determined by a linear calculation.

"The building will feature 4, 6, and the eight light casement windows, and 8" by 8" glass block installations on the west elevation, and eight light French doors.

"Stuccoed yard walls are proposed to enclose the compound on the west and north sides of the building to reduce noise from the nearby St. Francis Drive. An 8-foot high yard wall will be constructed between the proposed building and another proposed building (832-F previous application) both at the streetscape where the maximum allowable height is 4 feet due to the lack of walls and fences in the streetscape. Additional 8-foot high walls will be constructed along the north lot line. A height exception has already been approved.

"Trim color and stucco color and type were not submitted.

STAFF RECOMMENDATION:

"Staff recommends approval of this application which complies with Section 14-5.2(I) Westside-Guadalupe Historic District design standards."

Present and sworn were Ms. Ellen and Mr. Ed Reid.

Chair Woods asked for the answers to the stucco questions.

Ms. Reid said they would use El Rey Fawn

Chair Woods asked about window trim.

Ms. Reid said it would be stained dark brown.

Chair Woods asked if she was testifying that they were wood stained windows.

Ms. Reid explained that they bought windows at the re-store so if they bought new ones, they would go back to look at how they went through the windows conditions.

Ms. Rios asked if the patterns would change.

Ms. Reid said no and if they had to buy news ones they would match.

Chair Woods asked if they were true divided lights.

Ms. Reid said yes.

Ms. Shapiro noted that the height of wall would be six feet but four feet was the maximum allowable height.

Mr. Rasch said it was a previously approved the exception.

Mr. Newman wanted to be sure there would be no other additions to the top of the wall.

Ms. Reid said there would be no others.

Ms. Rios asked for the length of that wall.

Mr. Reid said it was 23' by the parking lot. He added that it was straight across and set back three feet from the street.

Ms. Rios asked if anything would be on the roof.

Mr. Reid said none.

Ms. Rios asked if there would be any outdoor lighting.

Ms. Reid said there would be and they submitted that plan last time.

There were no speakers from the public regarding this case.

Ms. Shapiro moved to approve per staff recommendations and the following conditions:

1. That the trim color be brown,

2. That if the windows change in any way, details be brought to staff,
 3. That stucco be El Rey Fawn cementitious,
 4. That outdoor lighting be as described and if changed to be brought to staff.
- Mr. Frost seconded the motion.

Ms. Rios asked that a condition be that the windows be true divided lights. Ms. Shapiro agreed and the motion passed by unanimous voice vote.

4. Case #H 06-88. 1325 Cerro Gordo. Downtown & Eastside Historic District. Richard Polese, agent/owner, requests alterations to a previously approved proposal which includes increasing the height of the garage from 11' 6" to 11' 10" and adding additional square footage to the residence after a 50% footprint rule exception had already been granted (Section 14-5.2, D, 2, d).

Mr. Rasch presented the staff report

BACKGROUND & SUMMARY:

"1325 Cerro Gordo Road is a single-family residence that was constructed by Miguel Lame around the turn of the 20th century. The building appears today in a Spanish Pueblo Revival style. The residence is listed as contributing to the Downtown and Eastside Historic District. The south elevation has been altered in 1968 to 1970 and the 1980s with additions, but the east, west, and north elevations are more intact and any or all of these three elevations may be considered primary. A freestanding garage was constructed in front of the residence in a vernacular style at an unknown date and remodeled as a studio in the 1970s. The studio is listed as non-contributing.

"On September 26, 2006, the HDRB approved a remodeling of the existing residence with the granting of an exception to exceed the 50% footprint rule (Section 14-5.2 D., 2, d) and the construction of a freestanding garage.

"Now the applicant proposes to amend the previous approval with the following two items. No work is proposed for the studio.

- "1. The 90 square foot adobe addition constructed on the south elevation of the non-historic 390 square foot addition was built with the east and west walls out of 90° alignment with the south walls. Staff administratively approved the deletion of windows in those sidewalls. The applicant has not responded to a query as to why the plans were altered from the board approval. But staff found that the angled wall alteration does show up on the permitted plans.

"Besides the angled walls and deletion of windows, the applicant requests to alter the canale.

"2. A 670 square foot free-standing two-car garage was approved to be constructed at the east side of the property to a height of 11' 6" where the maximum allowable height is 15' 1". The applicant requests that the garage height be increased to 11' 10". Staff administratively approved the addition of a pedestrian door on the east elevation. Additional amendments to the approval include:

"The garage will be constructed of wood frame rather than adobe. The garage door will have an exposed header. The door will be single instead of double and increased to 8 feet high. The garage door windows will feature vertically oriented panes.

STAFF RECOMMENDATIONS:

"Staff recommends approval of this application with the condition that the real wood grill on outside simulated divided lights on the garage door be permanently attached rather than snap on. Otherwise, this application complies with Section 14-5.2 (E) Downtown and Eastside Historic District design standards. "

Present and sworn was Mr. Richard Polese, 1325 Cerro Gordo. He asked if the Board received the letter he wrote on June 20th. He presented letters as an exhibit for the record [attached as Exhibit C] and read portions of his letter for the Board [attached as Exhibit D].

Chair Woods asked that the picture of the addition be put up. She said she was not sure what the picture showed actually met this drawing.

Mr. Polese said the angle was not exactly the same because the canale would have been right on top of the parapet so they moved it slightly. There was also the problem of the three-foot from the corner rule.

Mr. Frost said in his letter he said he didn't understand how those drawings got into the packet. He said these Board members were here in September. And they saw what was presented on the screen like it was tonight. He asked why Mr. Polese didn't correct the Board then if they were not what he intended to build.

He said the drawings displayed in September showed that they were 90 degrees and he was confused why the Board had the wrong drawings because they were from his drawings.

Mr. Polese said he asked Mr. Nestor. He said 90-degree angles were not discussed

at that meeting. He said he sketched it up first and then Mr. Nestor drew it and then they realized it would not work. He said he wished there had been more communication about it.

Ms. Shapiro said she was at that meeting and they were ninety degrees that night. She said the angles in the drawing were completely different from those in the photograph. The one on the left was more acute and the one on the right was far different. She asked if the window was in the center.

Mr. Polese said it was three feet from the east and a little over three feet from the west.

Ms. Shapiro asked why was one canale was on the edge of the window and the other over the window.

Mr. Polese said they put them in to match how they had been with the previous addition.

Chair Woods said there was a discrepancy between the drawing and what was there. She noted this was the second time and the drawings were still not accurate. She said the drawings must be accurate or he would have to come back again.

Ms. Rios asked about raising the height of the garage.

Present and sworn was Mr. Brian Skeelee, 339 Plaza Balentine, Unit 1, who said that as it was built now, it was three inches taller than plan and with plaster, it would be 4 inches taller.

Mr. Newman asked him to describe the new garage door, especially about the layering of the planes.

Mr. Skeelee said there were four panels that were long with the top one having windows. They would break at those horizontal lines and the glazing was vertical.

Chair Woods asked if they were true divided light or snap in.

Mr. Skeelee said it was solid cedar with a grille built on the outside. Inside was one piece of glass.

Mr. Rasch asked if it was single pane or thermal.

Mr. Skeelee said it was thermal.

Ms. Shapiro asked if he would have external lighting.

Mr. Skeele agreed. He said they would have a light beside the garage and one by the door and by another door.

Ms. Shapiro asked if there would be no ground lighting or overhead lighting.

Mr. Skeele said there would be none.

Ms. Shapiro said he could bring the lighting details to staff.

Ms. Shapiro asked about skylights.

Mr. Skeele said they would have skylights behind the parapets. He said the parapets were 12" at highest and went back to 6" with a 3x6 skylight in the center.

Ms. Shapiro asked if it was installed already.

Mr. Skeele said it was.

Ms. Rios asked if stucco would match.

Mr. Polese said it would match the existing El Rey Desert Rose.

PUBLIC COMMENT

Present and sworn was Ms. Ruth Miller 1325 Cerro Gordo, who said she lived in the house up on the picture there. She said she had lived there 15 years there and it was her idea to do the addition. She said there was a funky shed there and that window was in it and it looked very bad. She said her idea was to replace the shed with something more sound.

She pointed out that it was because of the city restrictions, that they could not do right angled walls. They had to slant them because the City required that a fire truck get through there and they had to comply with that, which was the only reason they had angled walls.

She said she was present last September and was surprised that what the Board saw was the right-angled wall. The only one she saw was of the angled walls. She said she don't know how the Board got the wrong ones and sincerely apologized.

Mr. Newman said on the drawings the Board saw Sept 26th he remembered very well and commented on the applicant improving it by removing the shed.

Mr. Polese said the drawing showed a radius of 10'. They were in error. Those drawings were in error and they understood any addition had to be set back ten feet.

Chair Woods said that was not at issue. She said the issue was what was brought to the Board was not what was built.

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

Ms. Rios moved to approve Case #H 06-088 with the following conditions:

- 1. That the applicant submit precise drawings that match what was being built,**
- 2. That the stucco be cementitious and match existing,**
- 3. That there be no rooftop appurtenances on this building or garage,**
- 4. That the garage door windows be cedar having division on the outside and inside with spacers in between (simulated divided lights) with drawings submitted to staff,**
- 5. That all lighting plans and fixtures be brought to staff.**

Ms. Shapiro seconded the motion.

Mr. Rasch explained to the applicant that pop in muntins were not allowed.

The vote on the motion resulted in a tie with Ms. Rios and Ms. Shapiro voting in favor and Mr. Frost and Mr. Newman voting against. Chair Woods voted in favor and the motion passed.

- 6. Case #H 04-114. 511 Paseo de Peralta. Downtown & Eastside Historic District.** Roger Hunter, agent for Blessey, Fuentes, & Zeug, proposes to remodel an historic stone wall along the streetscape. An exception to remove historic material was requested to Section 14-5.1 General Purpose and Relationship to General Use Zoning Districts, 14-5.2 (C, 1, a, c, and d) Regulation of Contributing Structures, 14-5.2 (D, 1, a and b) General Design Standards for Windows, Doors, and Other Architectural Features.

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

BACKGROUND & SUMMARY:

“515 Paseo de Peralta, Tract 2 is a brick apartment building that was constructed

before 1890 in the Neoclassical – Territorial Style. The building is finished with textured stucco and brick coping at the parapets. The building has undergone moderate historic alterations and is listed as contributing to the Downtown and Eastside Historic District. There are associated historic buildings and stone walls on the property that were constructed at approximately the same date. The streetscape wall runs the length of the property right at the curb line, except for a driveway at the east end and a stone stair access at approximately the midpoint.

“Tract 1, also known as 511 Paseo de Peralta, is a 20,350 square foot lot to the west of Tract 2 and with a slope down toward the street. This lot includes part of the streetscape stone wall and other stone retaining walls further back from the street.

“The HDRB approved an application on September 13, 2005 to construct seven single-family residences designed in the Spanish Pueblo Revival style with rounded parapets, second-floor balconies, projecting vigas, exposed wooden headers, and portals with carved corbels.

“The applicant provided the following responses for an exception that was granted in order for a minimal section of the historic streetscape stone wall to be demolished for driveway access into the site.

- “1. The proposed exception does not damage the character of the streetscape. The proposed demolition of 30 feet of wall represents approximately 11% of the total length of the stone wall at the street. The applicant proposes to reuse the stone salvaged from the demolition to retain the wall site of the proposed a driveway in the area of the demolition.
- “2. The proposed exception prevents a hardship to the applicant or and in the jury to the public welfare. The proposed demolition allows the applicant to access the project site in an area where it is topographically it possible to put in a driveway with a slope that meets the city code. The location of the proposed demolition, at the very western end of the property, is the best location from a traffic standpoint, according to the city traffic engineer.
- “3. The proposed the exception will 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 district. This project will add seven housing units to the historic district. Without the exception, it would be difficult or impossible to add these residences.
- “4. The exception is due to special conditions and circumstances which are peculiar to the land or structure involved in which are not applicable to other land or

structures in the related streetscape. The request for demolition of a portion of the stone wall is to allow access to this site for a driveway. This is a condition that is unique to this site.

"5. The exception is due to special conditions and circumstances which are not the result of the actions of the applicant. The site and topographic conditions are part of this parcel. They were not a result of the actions of the applicant.

"6. The exception will provide the least negative impact with respect to the purpose of this section as set forth in section 14-5.2(a, 1). The area for the proposed demolition has the least negative impact of visually, in that it is located at the western end of the wall rather than somewhere in the middle of the wall's length. The western end of the wall is located directly adjacent to a large concrete retaining wall and a surface parking lot. Construction of a new driveway in this location will reduce the height of the existing concrete retaining wall at the property line.

"On April 12, 2007, Public Works Department staff found problems with traffic safety at the requested driveway access to the site, although public works staff had previously approved the design. Staff requires that a federal standard published by the American Association of State Highway (AASHTO) and transportation officials be used. That standard, which requires a site triangle measuring 17' x 280', is being applied even though there are no federal funds being used on the project, the Paseo de Peralta is not a state highway, and the chapter 14 driveway visibility triangle standards have been applied on numerous other projects both within and outside of the historic districts.

"The driveway access, as approved by exception by the HDRB used one of the legal standards in section 14-7.4 (D). The standard used requires 10 feet of clearance along the street beyond the driveway with nothing obscuring vision between 3' and 8' high. The standard used was for a 'public street with a sidewalk or parkway.' Since no parkway exists at this site, perhaps the standard for 'private streets' without a parkway should have been used. That standard requires a 26-foot clearance beyond the driveway.

"On May 22, 2007, the HDRB denied their request to demolish an additional 72 feet of the historic wall to meet the federal highway standards for site visibility safety and requested that other options be reached researched. The applicant filed an appeal to the governing body on May 29, 2007. City staff has worked with the applicant to propose additional alternatives for consideration before the appeal is heard.

"Now, the applicant proposes one more additional option for remodeling of the

historic wall. An additional 16 feet of the wall will be altered to retain only a 36-inch high wall. Then, for an additional approximately 22 feet, the wall will be gradually tapered up to the existing height to mimic the taper on the east end. The applicant has submitted the following responses to the exception criteria.

- "1. The proposed exception does not damage the character of the streetscape. The request of public Works is to demolish most of the historic stone wall in order to provide site safety triangle for exiting the property. That request was denied by historic in May 2007. This current request angles the existing wall and requires the wall to be lowered to 36" from the ground elevation at an angle lowering the wall height but allows the remaining wall to be left intact. Thus maintaining the character of the streetscape for which the wall is an important part.
- "2. The proposed exception prevents a hardship to the applicant or an injury to the public welfare. By angling to stone wall, we believed sufficient sight distance would be maintained and there would be no adverse impact on public safety to the citizens of Santa Fe.
- "3. The proposed exception will 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 district. This proposal allows a greater portion of the historic wall to be maintained along property line, thus maintaining the historic feel of Paseo de Peralta.
- "4. The exception is due to special conditions and circumstances which are peculiar to the land or structure involved in which are not applicable to other land or structures in the related streetscape. The topography and the narrowness of the lot make it very difficult to achieve a safer flying of sight, and maintain the integrity of the existing wall. Also there is no other ingress or egress available to this property except for the driveway as proposed.
- "5. The exception is due to special conditions and circumstances which are not the result of the actions of the applicant. The wall as it stands does not allow sufficient sight distance to allow safe egress from the lot. There are no other entry points to the lot.
- "6. The exception will provide them the least negative impact with respect to the purpose of this section as set forth in section 14 - 5.2 (a, 1). If approved the lowering of the wall would require the wall to be removed stone by stone in order to preserve the lower portion of the wall. The wall is approximately 125 feet wide and 18 inches thick, making it impossible to cut through and lowered. A special precaution would need to be taken care of in order to protect the wall

and allow it to withstand such impact.

“Historic districts applicable code citations are as follows:

“14 - 5.1 General purpose; relationship to general use zoning districts

“The requirements of an overlay district shall apply whenever they are in conflict with those in the general use district. The historic districts zoning overlay is intended to preserve the unique character of the historic districts and historic structures which may not be compliant to current zoning regulations.

“14 - 5.2 (C., 1, a, c, +d) Regulation of Contributing Structures

“Changes that create a false sense of historical development shall not be undertaken. The driveway visibility triangle is not a traditional or an historic principle for walls on an historic streetscape.

“Distinctive features, finishes, and construction techniques or examples of craftsmanship that characterize a structure be preserved. This type of historic stonewall right along the right of way is very rare in the historic districts.

“New additions and related or adjacent new construction be undertaken in such a manner that if removed in the future, the original form and integrity of the historic property and its environment would be on impaired. Once this historic stonewall is removed, it cannot be replaced and the property cannot be returned the to its original integrity.

“14 - 5.2 (D, 1, a + b) General Design Standards for All H Districts

“The status of a contributing structure shall be retained and preserved. If a proposed alteration will cause a structure to lose its contributing status, the application shall be denied. The removal of historic materials or alteration of architectural features and spaces that embody the status shall be prohibited. And, if a proposed alteration or new construction will cause an adjacent structure to lose its contributing status, the application may be denied. This wall is a significant feature in this streetscape which, along with several other walls in the nearby streetscape, narrows the Paseo more than anywhere else on Paseo.

“14 - 5.2 (D., 5, a, ii, + b) Design Standards for Other Architectural Features

“No new opening shall be made where one presently does not exist. And, for all façades of contributing structures, architectural features, finishes and the details other

than doors and windows, shall be repaired rather than replaced. The proposed substantial demolition of this historic streetscape wall would set a precedent that could profoundly alter the character of the historic districts. The board previously found that the applicant had a hardship for access to the site and met the criteria required for an exception to remove a small section of the historic wall. This proposal will remove more than a small portion for a standard which is not in Chapter 14.

STAFF RECOMMENDATION:

“Staff recommends denial of the exception required for this application which does not meet Sections 14-5.1 General Purpose and Relationship to General Use Zoning Districts, 14-5.2 (C, 1, a, c, and d) Regulation of Contributing Structures, 14-5.2 (D., 1, and b) General Design Standards for All H Districts, and 14-5.2 (D., 5, a, ii, and b) Design Standards for Windows, Doors, and Other Architectural Features, unless the Board has a positive finding of fact to grant the exception to demolish 16 additional feet down to 3 feet high and approximately 22 additional feet with a height taper of an historic stone wall along the streetscape in the core historic district.”

Ms. Rios asked if the removal of this portion of the wall keep the status of this wall.

Mr. Rasch said the footprint must be kept, rather than demolishing all of it. It would have a natural look and would not be as severe.

Ms. Rios asked if the taper would be similar to across the street.

Mr. Rasch agreed.

Mr. Katz apologized to the Board and commented how right the Board was to say last time, “maybe we should try to work something out” because the issue was not one motivated by the applicant but a conflict between departments. He said the City really did have to work it out. It was a very beautiful wall and there was now a plan to minimize the destruction. The Public Works Department was not happy about the safety involved. Their work was based on science. But this was based on what was in the code.

Mr. Katz said if the City wants to incorporate federal standards, it would require changing the Code. This plan would bring three additional safety features: A speed limit sign could have a mirror on it for people in the driveway. The City could prohibit left turns from the drive, and they also looked at reduced speed, flashing lights, etc. He suggested that a signal when the car exits the drive for those on the street would help ensure safety.

Chair Woods said those lights were out of the Board's jurisdiction.

Mr. Katz said that was true but he wanted the Board to be comfortable with those conditions.

Ms. Shapiro asked if this case was so unique that they applied the federal standards or if the Board would see a lot more of these in the future.

Mr. Katz said Public Works staff were trying to do their job. He thought the Board would see a lot more of this and it was in conflict with how the east side was built. He said if it were applied, the east side would soon look like San José California. He said it was ultimately up to the Governing Body but clearly, the overlay does trump the rest.

Chair Woods asked if AASHTO standards were part of the code.

Mr. Katz said they were not but were a standard to look to. He noted that in Plaza Chamisal on Acequia Madre a number of accommodations were made so as not to have to remove the wall but part of it was closed off. He felt they wanted a balance.

Chair Woods said she appreciated the precedent to look to safety but not to destroy the community.

Present and sworn was Ms. Rosanna Vasquez, P. O. Box 2435, Santa Fe.

Chair Woods said there were things in letters she wrote that needed to be clarified. She felt it was important to set the record straight.

She referred to Ms. Vasquez' submitted June 8 letter to Mr. Rasch, hand delivered as an exhibit [attached as Exhibit E].

Chair Woods suggested that it was inaccurate to say the applicants were at the whim of the two departments. She asked Ms. Vasquez not to use the word "whim."

Ms. Vasquez apologized and said she was not referring to this Board but to the City departments. She said she believed by her apology it was corrected in the record.

Chair Woods noted that in the letter to Council, on page 2, it referred to a faux wall.

Ms. Vasquez said the reference was brought in at the May Board meeting.

Chair Woods asked for clarification.

Ms. Vasquez said there was a strong message given to us (applicants) "that the Board did not want us to create a faux wall and it was not an option to rebuild it." She said that was where the term came from.

Ms. Vasquez said she wanted to thank the Board and Frank Katz who had been very instrumental and Mr. Rasch that they were able to come up with an idea. She said Mr. Katz came to the property and spent considerable time there and he came up with this idea for the proposal being presented.

For purposes of the record, she said they tried to keep to the Chapter 14 requirements but also be sensitive to the Public Works concerns. She said this would retain the entire length of the wall and it was very old. The concern at the May meeting was that it might fall down.

She believed they had a compromise that balanced the Board's interests and Public safety concerns. She said they did not believe the federal standards applied here but this respected the concerns of public safety.

She said if the proposal received approval here, they would go to Public Works for a driveway permit and would discuss those issues with them.

Ms. Rios asked her if any portion of the wall other than the part to be cut would be altered.

Ms. Vasquez said no.

Ms. Rios thanked them for working together and coming up with a solution. She felt it was a very good solution.

Ms. Shapiro asked what they planned for the rock that was removed.

Ms. Vasquez said the original approval from HDRB asked them to use it for the driveway and was not sure of any other intent for using it.

Present and sworn was Mr. Ron Blessing, 444 Galisteo Street. He said, for the record, at his last appearance before this Board, he was very frustrated. He thought this was clearly an excellent compromise that should satisfy both HDRB and Public Works. As far as what comes out of the wall, he said they were considering using it for the drive in the shadow line but also in the upper slope as well.

Ms. Shapiro thought it was great to use it there or somewhere else on the site and not taken to the dump. She felt some sentimentality about those old rocks.

Mr. Rasch said he would like clarification on the rest of the drive.

Mr. Blessing said it would be asphalt.

Ms. Rios said she could not recall the prior decision of the Board about it.

Mr. Rasch said it was that the wall footprint be retained across the driveway.

Chair Woods asked for further clarification.

Mr. Rasch said the previous approval was to keep the footprint of the original wall by keeping visible the rock base across the driveway.

Mr. Blessing said that was their intent.

PUBLIC COMMENT

Present and sworn was Ms. Marilyn Bane, 622½ B Canyon Road, who said that, as President of the Old Santa Fe Association, the Board asked her to come before the HDRB. She said Mr. Katz called them and several of the members walked the property. She expressed gratitude for what she saw as an honorable intent to keep the footprint and as much of the wall as possible. She said she flinched every time the cut was mentioned and noted that at one time, there was a proposal to use a saw. She said they wanted it to be done stone by stone with the utmost of care. She said they would want to keep every stone there but sympathized with the situation. And in no way did they wish to give the impression that the overlay was not important but do understand a need for safety. She said the OSFA was in favor of the solution and hoped the Board would consider it seriously.

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

Ms. Vasquez said Ms. Bane was correct. They were proposing to take it down stone by stone so it could be used again. She said this testimony would put that on the record.

Chair Woods said she too, wanted to thank Mr. Katz and Mr. Rasch. She knew it was hard for the applicants to be caught between two different City departments. It was difficult and appreciated it not being confrontational.

Mr. Newman said he understood there was no agreement between departments at this time.

Chair Woods said that was right but they would do what they could and it was then out of their hands.

Mr. Frost moved to approve Case 04-114 as submitted and granting the exceptions as noted pertaining to Section 14-5.2 (C, 5, I-vi): Damage the character of the streetscape - I believe this particular modification to the original plan is a much better plan from a streetscape standpoint; Prevent a hardship to the applicant or an injury to the public welfare – that the ending of the stone wall will hopefully provide sufficient sight line aforementioned added safety features for the driveway; strengthen the heterogeneous character of the City – allows to maintain this old straight wall as much as possible; due to special circumstances beyond their control is that the wall was already there and the topography does require that they have some sight coming out; that the conditions and circumstances are not the result of the applicant – the fact that the wall was there; and provide the least negative impact with the purposes of this section – that the lowering of the wall would require that the wall be removed stone by stone in order to preserve the wall and I believe that does meet that as far as providing the least negative impact.

Ms. Rios seconded the motion and it passed by unanimous voice vote.

7. **Case #H 07-12.** 1433 Canyon. Downtown & Eastside Historic District. Philip Kozely, agent for Peter Kozely, proposes to remodel a Contributing building by constructing approximately 141 sq. ft. of additions, increase the basement by approximately 1,551 sq. ft., an approximately 165 sq. ft. deck, raising a non-historic addition to a height of 14' 3" where the maximum allowable height was 17' 5", replace windows, re-stucco, construct a 451 sq. ft. garage to a height of 11' 1" where the maximum allowable height was 17' 5", and construct walls and fences. Four exceptions were requested to create a new opening on a primary elevation (Section 14-t.2, D, 5, ii), to alter opening dimensions on a primary elevation (Section 14-5.2, D, 4), to replace historic material (Section 14-5.2, D, 5, a), and to construct an addition less than 10' back from a primary elevation (Section 14-5.2, D, 2, d).

Ms. Barrett presented the staff report for this case as follows:

BACKGROUND AND SUMMARY:

"The approximately 3,171 square foot Spanish Pueblo revival style single-family residence was first constructed in the 1940s and has undergone additions and alterations around 1985 (addition on the west elevation and window alterations). The Official Map lists the structure as contributing to the Downtown and Eastside Historic District.

"This application was heard at the May 8, 2007 HDRB hearing and postponed for redesign and for the applicant to work with staff and consider working with Mary Ragins in order to design a project that retains the contributing historic status and to preserve the three crosses on the south elevation canals.

The applicant has addressed the board and staff concerns and proposes the revised application:

- "1. The applicant removed the proposed construction of approximately 61 square foot addition on the publicly visible primary north elevation. However, the applicant would still like to create a new opening, and divided light window with exposed lintel on the north river-facing elevation. The applicant is requesting an exception to create a new opening on the primary north elevation (Section 14-5.2 D., 5, ii).
- "2. Construct an approximately 100 square foot addition on the publicly visible, primary south elevation, to the non-historic 1985 addition, at a height of 9'10". The 1985 section of the building will be increased in height to 14 feet 3 inches, where the existing height is approximately 12 feet 6 inches, and the maximum allowable height is 17' 5". The addition will have divided light Windows with exposed lintels, projecting because, and to skylights. They remodeled 1985 addition will include projecting vigas and four skylights. The applicant is requesting an exception to construct an edition less than 10 feet back from a primary elevation (Section 14 - 5.2 D, 2, d). The addition is set back approximately 5 feet 11 inches.
- "3. Construct approximately 42 square foot portal on the non-primary, west elevation of the 1985 addition. The portal will have wood posts, beams, and carved corbels similar to the existing.
- "4. A small portion of the south elevation parapet, adjacent to the 1985 addition will be raised approximately 1 foot and relocated slightly towards the South.
- "5. The applicant has revised the application to rehabilitate the historic windows on the primary north and primary south elevations. One small section of glass block windows on the primary south elevation will be removed and stuccoed over and the other section of glass block will be removed and new divided light windows will be installed to match the existing. An exception is requested to close a historic opening on the primary, south elevation (Section 14-5.2, D, 5, a, iii), and to replace historic material (Section 14-5.2 D, 5 a).

- "6. Expand the basement by approximately 1,358 square feet.
- "7. Construct an approximately 165 square foot deck on the publicly visible river-facing primary north elevation. The deck rails will be wood and will be similar to the existing rails on the balcony.
- "8. Construct an approximately 451 square foot garage to a height of 11' 1" measured midpoint on the south elevation where the maximum allowable height is 17' 5". The height of garage from the north elevation is approximately 20 feet 6 inches which the Board, by code, may allow up to four additional feet to 21' 5" if the slope change across the footprint of the building is over 2 feet. The garage will have divided light windows with exposed lintels on the north, south, and west elevations and a two-car vehicular door divided light windows and vertical slight door, material not submitted on the east elevation. A 3 foot high iron railing is also proposed along the north elevation to match the existing style and to meet safety requirements.
- "9. Construct wood garbage can screening doors approximately 20 feet from Canyon Road to the maximum allowable height of 6 feet. The applicant has removed the proposed vehicular gate along Canyon Road.

As required, the applicant has responded to the following required criteria (Section 14-5.2 C, 5, c, I-vi) for all exceptions requested. Please see attached proposal letter.

The building will be we stuccoed in a light sand color, headers, doors, and windows will be a traditional darker stain color while other wood work and canales will be similar to the existing.

An example of the proposed exterior light fixture is in the packet.

- "10. Lastly proposed is the following hardscaping.

"Construct the coyote fence ranging in height from 4'6" to the maximum allowable height of 6 feet along the east and west property lines. Elevations were not provided.

"Construct courtyard stone pilaster and iron fence along the north east elevations of the property.

STAFF RECOMMENDATIONS:

"Staff recommends denial of all exceptions unless the Board has a positive finding of

fact to grant the request. Otherwise this application complies with Section 14-5.2 (C) Regulations for Contributing Structures, Section 14-5.2 (D) General Design Standards for all H Districts, and Section 14-5.2 (E) Downtown and Eastside Historic District design standards.”

Chair Woods asked if the building would retain its status if the Board granted the exceptions.

Ms. Barrett said they have made great pains to deal with that. She thought it would retain its historic status but the most concern was the opening.

Present and sworn was Mr. Philip Kozely 2065 Paseo Primera, Santa Fe

Chair Woods said he did a great deal of work and taken the Board’s concerns to heart and they appreciated it.

Mr. Philip Kozely said thank you. The owner was here tonight and he was interested in contributing to the overall welfare of the community. He proceeded to walk the Board through the four exceptions and showed the three-D renderings. He provided a legend of the drawings for the Board as he went through them [attached as Exhibit F].

Mr. Philip Kozely went to the south elevation and explained that this was the break line between 1985 and the contributing part of the building. He proposed to improve the set back here. The wall was permitted in 1985 but no longer appropriate so they were removing the wall and setting back by 5' 11". And also to set back the parapet an additional two feet.

He continued on the south elevation where they proposed removal of the opening. He then went to the north elevation where there were no changes proposed.

On the courtyard elevation, no changes were proposed. On the west elevation of courtyard was a French door proposed and on the east elevation to replace a window with a French door.

He then went to the north side where a window was proposed as an exception. He pointed out that every other section had fenestrations so it would make it consistent with the rest.

He pointed out the non-historic large single pane windows. It was nailed on with galvanized nails and they proposed a more historic fenestration.

On the right side, they proposed French doors to replace blank fenestration.

On the east elevation, they proposed changing the window style to get rid of a large pane.

On the west, they proposed replacing a window with French doors and removing a portion of wall.

Ms. Shapiro asked about the pilaster on the west elevation if he were increasing the parapet and two chimneys.

Mr. Philip Kozely agreed.

Ms. Shapiro asked what the bump on the roof was.

Mr. Philip Kozely said he didn't know because they were not adding roof top equipment.

Mr. Newman said he thought it was the top of the existing chimney.

Chair Woods asked how thick the wall to the left of the portal was.

Mr. Philip Kozely said it was three feet wide and tapers down. He pointed it out on the floor plan.

Chair Woods asked if it held up an eyebrow.

Mr. Philip Kozely said yes.

Mr. Frost asked how thick the eyebrow was.

Mr. Philip Kozely said it would be 8 inches.

Ms. Rios said it was like a buttress.

Mr. Philip Kozely agreed. He showed on the west elevation where the garbage could wall was located. He then showed the garage elevations. The garage has a window and a pilaster. On the north side, they added four buttresses and a grill. He showed the garage door with pilasters. He referred to a detail on the garage door, (D-2) which showed wood herringbone treatment. On the west elevation, they had a retaining wall, took out the cantilever from last time. The garage was located according to zoning codes.

He pointed out where they added a low wall for safety purposes, made of stone to match existing stone wall.

Ms. Rios asked for the height of it.

Mr. Philip Kozely said it was 3' and tapers down. He also pointed out the relocated parapet on the westbound Canyon Road side.

Chair Woods asked if he was continuing the exposed vigas.

Mr. Philip Kozely said yes and added that they would be structural.

Mr. Newman asked if he was demolishing the existing retaining wall at the garage and then pushing it out and reusing the stone.

Mr. Philip Kozely said they were not demolishing but getting same kind of stone to thicken it on both sides.

Ms. Rios asked if they were proposing to restucco the whole house.

Mr. Philip Kozely said yes, after six inches of foam and would match the lighter color of the stucco.

Ms. Rios asked if that would affect the historic status.

Ms. Barrett said it would not as long as they keep the same lintels.

Mr. Kozely said they would keep them and pull them out to keep same depth.

Ms. Rios asked for the size of the heated space.

Mr. Philip Kozely said about 4,000 square feet.

Ms. Shapiro asked about the exterior lighting.

Mr. Philip Kozely showed the lighting detail with exterior lighting at all exit doors. He said he didn't have detail of landscaping lighting.

Ms. Shapiro said he could bring it to staff.

Ms. Rios asked if there was any other rooftop equipment.

Mr. Philip Kozely said only low profile skylights not visible.

Present and sworn was Mr. Peter, Kozely, New Hampshire, who said he would be designing the lighting. It would meet code at exit doors and conform to the history of the house. He said he planned to add (landscape lighting) fixtures and could bring details.

There were no speakers from the public regarding this case.

Mr. Peter Kozely spent several minutes providing his background for the Board and how he came to buy the property at 1433 Canyon Road. He praised the skills of his architect, Philip Kozely and said they were trying to make it better, an improvement on what it was when built.

Mr. Frost moved to approve Case #H 07-012 without naming all of the exceptions but stating that they have been met with the following conditions:

- 1. That the landscaping plan be brought to staff for approval,**
- 2. That detail for doors on garbage enclosure be brought to staff,**
- 3. That exceptions meet the criteria of 14-5.2 C 5. He went through each of the criteria: Streetscape was improved, No injury to the public; heterogeneous character would be improved with restoration; special circumstances, correcting nonconforming additions; no negative impact.**

Ms. Rios seconded the motion with the addition of two conditions:

- 4. That there be no visible rooftop equipment, and**
- 5. That the applicant use cementitious stucco. Mr. Frost accepted.**

Ms. Shapiro asked for an additional condition:

- 6. That when doing the spray foam that reveals and headers be exposed similarly to the way they were now. Mr. Frost agreed and the motion passed by unanimous voice vote.**

STATUS REVIEW

None.

NEW BUSINESS

- 1. Case #H 07-65. 830 Acequia Madre. Downtown & Eastside Historic District. John Gary Boyle, agent/owner, proposed to restucco a Non-Contributing two-story**

residential building with elastomeric material and surfacing a 1,500 sq. ft. parking courtyard with brick.

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

BACKGROUND & SUMMARY:

"830 Acequia Madre is a two-story single-family residence that was constructed in 1990 in the Spanish-Pueblo revival style. The wall construction material is unknown. The building is listed as non-contributing to the Downtown & Eastside Historic District.

"The applicant proposes to remodel the property with the following two items:

"1. The building will be restuccoed in an unspecified earth-tone elastomeric color with a sand finish.

"2. The 1,500 square foot gravel surface on the front courtyard/parking area will be resurfaced with earth-tone bricks in regular courses.

STAFF RECOMMENDATION:

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

Present and sworn was Mr. John Boyle 830 Acequia Madre, who said he intended to keep present Buckskin color. The brick color was shown by a sample brick and he clarified it would be with a herringbone pattern; not the linear on the drawing.

He commented that he had asked Mr. Rasch for a review of stucco. He explained that until last year he owned Agora Center in Eldorado and did it in STO and liked the way it looked and also the cost. So when he started doing my own house he wanted to use the same product.

He said the estimates for cementitious were double what the STO was. And in the additions and alterations, the contractor painted it so there was no color coat. So they had to start all over again if they used cementitious. He said he did some research in his neighborhood and found that at least 40 houses within a half-mile were with STO. He said he didn't know why the Board didn't like that but those were his reasons.

Mr. Frost and Ms. Shapiro briefly stated reasons why the Board preferred cementitious stucco.

Mr. Boyle said he asked Bryan Lobaugh to come. He was a rep for STO to back him up and provide answers.

Present and sworn was Mr. Bryan Lobaugh, 55 Verano Loop Santa Fe who said if you have painted your house and you have used cementitious, you do have to use scratch and wire. With STO, the polymers could bond directly with the paint. If you want to maintain a cementitious finish you could do a cementitious refinish. He said he had 20 year old STO finishes that have been re stuccoed.

Mr. Lobaugh said he thought there was some misinformation. He pointed out that some very historic landmarks were STO. He said the Santuario Church was done in 1993 with STO. He shared a list of historic properties that have elastomeric stucco on them.

Chair Woods said the general perception was that STO over adobe traps moisture.

Mr. Lobaugh explained the cement finish of STO had an acrylic resin as a binder to hold the aggregate and colorant and other ingredients to make it look the way it does.

He agreed that some of the competitors finishes do look shiny. STO finishes do not. They spent a lot of time and money to make it look flat and still had better performance.

With respect to adobe moisture, there was a specific method for testing lots of materials about permeability. STO has a permeability rating. The top of the line product power flex, was double permeability. He compared with Gore Tex. The moisture inside the wall, when the sun heats it up, goes outside. It was a proven fact that it breathes.

Mr. Rasch said the new building codes about to be adopted state that elastomeric required a drip edge above the ground.

Mr. Lobaugh said the IBC had that as a rule for all stucco, not just STO. When water sits there it gets trapped behind the wall. It could cause a blister. All manufacturers have that requirement. It was called a weep screen. There have been lots of meetings on that issue. The CID wants it on all finishes. The HPD lobbied for an exemption. El Rey argued against it. Albuquerque was not enforcing it. Santa Fe was enforcing it.

Mr. Newman said this permeability issue becomes highly technical. He asked how permeability ratings compare.

Mr. Lobaugh said it goes from 0 to 100. A cement finish has about a 90. STO has about 15 for standard and 30 for enhanced.

Ms. Rios asked if he agreed with the applicant that STO was a lot cheaper.

Chair Woods said it was not generally cheaper and could be more expensive. She said she used STO because she believed it was a better product but they put it on with a trowel. It was better than this sample. She said she would challenge the Board to know the difference.

Mr. Lobaugh said the contractor doing Gary's does use a trowel with a float. He hoped he could help the Board reconsider excluding STO with how they were going to put it on. Many owners require the plasterers go back to fix them.

Ms. Rios asked if this was approved and it has STO, when it rains, what happens.

Mr. Lobaugh said nothing happens. It just looks like it didn't get wet. There was a heavier texture that really looks like stucco cement finish. Santa Fe has been high on fine finishes. The medium finish looks very close to regular stucco.

Chair Woods said she put straw in STO and they chose not to warrant it but it was very successful.

Mr. Lobaugh said she was contaminating the product. You cannot control the texture with straw. Some know how to make straw work and others don't. And after some years, the straw goes away.

Mr. Frost said yes it goes away but in natural adobe it goes away. It was part of the whole process.

Chair Woods said it was first mud with straw and then the brown coat came along.

Mr. Lobaugh said he was available for guided tours if the Board was interested.

There were no speakers from the public regarding this case.

Mr. Newman moved to approve Case #H 07-065 with staff recommendation and condition that the stucco color match existing as the owner has testified, and that the elastomeric stucco be applied with a trowel finish.

Mr. Frost seconded the motion and it passed by unanimous voice vote.

2. **Case #H 07-77.** 103½ Victoria. Downtown & Eastside Historic District. Judy Youens, agent/ owner, proposes to construct approximately 120 sq. ft. second story addition

to match existing height of 22' on a Non-Contributing building.

This case was postponed under Approval of Agenda.

3. **Case #H 07-78.** 705 Dunlap. Westside-Guadalupe Historic District. Brenda Ortiz, agent/ owner, proposes to demolish an approximately 224 sq. ft. Non-Contributing building and replace it with a 1,004 sq. ft. guest house to a height of 13' 6".

Ms. Barrett presented the staff report for this case as follows:

BACKGROUND AND SUMMARY:

"The single-family, vernacular style building located at 705 Dunlap was first constructed before 1912 as it appears on the Kings Map. The building has received major remodeling through the years which includes additions, opening alterations, loss of historic material and architectural style. The building has an associated Spanish Pueblo Revival shed in the rear of the property that was built in 1960 (according to a letter from the owner). Both buildings are listed as non-contributing to the Westside-Guadalupe Historic District.

"This application proposes no changes to the single-family residence.

"Proposed is the demolition of the approximately 224 square foot shed. The shed includes divided light double-hung windows and reaches a height of 8'. A demolition report, by retired building inspector Pete Ortega, was issued on October 27, 2006. The report states that there are code violations and that the building is in need of repair or should be permitted for demolition.

"Proposed to replace the shed is an approximately 1,004 square foot guest house to a height of 13' 6" where the maximum allowable height is 14' 6". A detailed letter regarding window and door material, stucco type and color, wood finishes, exterior lighting, and other design details was not submitted.

"Three skylights are indicated on the proposed plans.

STAFF RECOMMENDATIONS:

"Staff recommends approval on the condition that skylights are not publicly visible, details regarding windows and doors, stucco, wood finish, and exterior lighting are brought to the Board the night of the hearing or come to staff for approval before a building permit application is submitted."

Present and sworn was Ms. Brenda Ortíz 705 Dunlap.

Chair Woods asked if she had the information requested.

Ms. Ortíz said Al Quintana could answer questions. She said she wanted to build a guest house next to their house. The property has been in their family for years and she wanted to be closer to her family so she could help them. She said she worked for the City and didn't want to lose her job with the City and also wanted to keep the property in years to come.

Present and sworn was Mr. Al Quintana.

Chair Woods asked him to answer staff's questions.

Mr. Quintana said he would use frame and stucco construction. Exterior colors would be Buckskin, windows would be Eagle brand double-hung windows with a bronze or ivy finish. He added that the portals would be post and beam with corbels.

Ms. Shapiro asked if the aluminum clad windows would be with divided lights.

Mr. Quintana said they would be simulated.

Ms. Shapiro asked if he had the detail of the doors.

Mr. Quintana said he did not.

Ms. Shapiro asked if there would be exterior lighting.

Mr. Quintana said he would bring lighting plans to staff.

Ms. Shapiro asked about wood finish.

Mr. Quintana said wood would have a medium walnut finish to match interior window treatment.

Ms. Shapiro asked if there would be skylights or roof top units

Mr. Quintana there would be no mechanicals on the roof.

Chair Woods noted they had a corner window at the sink.

Ms. Barrett clarified that the 3' rule was not a requirement here.

There were no speakers from the public regarding this case.

Ms. Rios said it delighted her when a long time family wanted to stay on the property. It was important.

Ms. Rios moved to approve Case #H 07-078 per staff recommendations, including demolition of the shed and the following conditions:

- 1. That the stucco be Buckskin cementitious,**
- 2. That the windows be aluminum clad with simulated divided lights**
- 3. That window and door design be submitted to staff,**
- 4. That there be no rooftop appurtenances.**

Ms. Shapiro seconded the motion with the condition

- 5. That the exposed wood have a medium walnut stain.**

The motion passed by unanimous voice vote.

MATTERS FROM THE BOARD

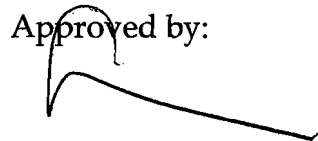
None.

ADJOURNMENT

Mr. Frost moved to adjourn the meeting. Mr. Newman seconded the motion and it passed by unanimous voice vote.

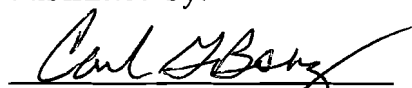
Having completed the agenda and with no further business to come before the Board, the meeting was adjourned at 9:50 p.m.

Approved by:



Sharon Woods, Chair

Submitted by:


Carl Boaz, Stenographer