

City of Santa Fe, New Mexico

memo

DATE: May 28, 2009
TO: Historic Design Review Board Members
FROM: David Rasch, Supervising Planner Historic Preservation Division DR

CASE # H-08-095B

ADDRESS: SW Corner Palace and Paseo
Historic Status: Significant/Contributing/Non-cont.
Historic District: Downtown & Eastside

REFERENCE ATTACHMENTS (Sequentially):

CITY SUBMITTALS

- Case Synopsis
 District Standards & Yard wall
& fence standards.
 Historic Survey Forms
 Zoning Review Sheet
 Other: height and pitch calculations

APPLICANT SUBMITTALS

- Proposal Letter
 Vicinity Map
 Site Plan/Floor Plan
 Elevations
 Photographs
 Other: exceptions responses

This report replaces the previous report of April 14, 2009.

STAFF RECOMMENDATION:

Staff recommends the following primary elevations on the old Hospital (1, 3, 4, 5, and 6) and on the Boiler Plant (1, 2, and 3) and staff recommends approval of the exception requests to exceed the maximum allowable height for non-street-frontage buildings only, construct a pitched roof where pitches are not allowed, construct the non-conforming style of a round-arched arcade, construct windows that exceed the 30" rule, and to alter opening dimensions on a primary elevation as described in the background and summary. Staff further recommends that exterior light fixtures be submitted to staff for approval at a later date. Otherwise, this application complies with Section 14-5.2 (C) Regulation of Significant and Contributing Structures, (D) General Design Standards, and (E) Downtown & Eastside Historic District.

BACKGROUND & SUMMARY:

The structures on the property at the southwest corner of Palace Avenue and Paseo de Peralta in the Downtown & Eastside Historic District are: Marian Hall at 224 East Palace Avenue; old St. Vincent's Hospital at 228 East Palace Avenue; and Central Boiler Plant behind 228. Other structures include the Maintenance Buildings behind 228 and connecting hallways between Marian Hall and the Hospital and between the Hospital and the Boiler Plant.

The applicant proposes to remodel the property as follows.

Marian Hall

224 East Palace Avenue, known as St. Vincent's Sanatorium and also Marian Hall, was constructed with brick around 1908 by Isaac Hamilton Rapp for the Sisters of Charity in the Craftsman style. The building originally functioned as a convent and a sanatorium with sleeping porches on the second and third floors. The porches have been removed at approximately 1954. Two hallway connections and a stairwell were constructed on the east elevation when the new hospital was constructed in 1952-1953. All historic windows were removed and replicated windows were installed when the State of New Mexico moved offices into the building in 1984. The building retains much of its original integrity and it is architecturally and historically important. The building is listed as significant to the district and all elevations are considered to be primary.

The building will be rehabilitated to restore important elements of original integrity. In case of building code conflicts, the applicant proposes to restore original character if not the literal historic construction. Non-historic material will be removed, including the stucco finish where applicable, cladding on bay windows, and the south elevation ADA ramp and handrails. The non-original stair addition to the southeast corner also will be removed. Using historic documentation, the multistory verandas with replacement of non-historic windows with doors leading onto the verandas and the solarium will be reconstructed along the south and west elevations along with restoration of the exterior brick finish. This proposal follows the Regulation of Significant Structures (Section 14-5.2 (C)) which preserves distinctive historic features such as brick finishes and the General Design Standards which requires documentation to replace or duplicate missing architectural features (Section 14-5.2 (D)).

The historic canopy over the east elevation entry will be recreated from historic documentation. A larger canopy will be constructed in front of the east elevation entry door and over the recreated canopy without attaching to the structures but with an overlap to achieve weather protection. The larger canopy will have wooden beams on brick piers with cement caps and a standing seam pitched metal accent roof that harmonizes with the existing roof pitch on the building.

Marian-Hospital Connecting Hallways

The connecting hallways from the Hospital to Marian Hall were part of the Hospital construction campaign. They are constructed with the same materials and style of the Hospital but, they do not have unique merit in themselves. The connections obscure the important east elevation of Marian Hall, the adjacent significant building. The connections were listed as non-contributing to the district in 2008. These additions will be removed.

Old St. Vincent's Hospital

228 East Palace Avenue, known previously as La Villa Rivera, and now known as the old St. Vincent's Hospital was constructed with brick in 1950 by John Gaw Meem in the Territorial Revival style. The building originally functioned as a hospital, then as a home for the elderly, and finally as State of New Mexico offices. The HCPI is silent regarding alterations, but there are a variety of non-historic changes present including two stair towers on elevations 2 and 11, sealing-up of the north elevation entrance on elevation 3, and opening dimension changes on the south elevation 7. The building is listed as contributing to the district and this status was confirmed in 2008. The following inventory by elevations helps to establish which elevations may be considered as primary. Elevations are assigned in a clockwise manner from the northwest corner on Palace Avenue. **See attached elevations map and photographic images.**

1. NW-N historic brick coping, historic steel casement windows, historic concrete sills, historic decorative brick panels between windows on upper floors.
2. NW-W historic brick coping, historic steel casement windows, historic concrete sills, stepped massing, non-historic stairs tower, historic wooden balustrade wall with equal-sized spindles.
3. N historic brick coping, historic steel casement windows, historic concrete sills, historic decorative brick panels between windows on upper floor, stepped massing, historic wooden window surrounds with pilasters and dentil cornice, unique historic wooden door surrounds with Corinthian-capital pilasters and dentil cornice with dental triangular pediment, historic wooden balustrade wall with equal-sized spindles.
4. NE-E historic brick coping, historic steel casement windows, historic concrete sills, stepped massing, historic wooden door surrounds with pilasters and dentil triangular pediment, historic wooden balustrade rails on upper balconies with uneven-sized spindles, historic wooden window surrounds with pilasters and dentil cornice, unique historic portal with cast concrete octagonal columns and capitals, non-historic entry doors.
5. NE-N historic brick coping, historic steel casement windows, historic concrete sills, historic decorative brick panels between windows on upper floors, along with (1) establishes scale of building
6. E historic brick coping, historic steel casement windows, historic concrete sills, historic wooden door surrounds with pilasters with star-carved capitals and dentil and scroll-carved triangular pediment or dentil cornice, historic wooden balustrade rails on upper floor balconies with uneven-sized spindles, non-historic entry door.
7. SE-S historic brick coping, historic steel casement windows, historic concrete sills, non-historic portal painted blue, non-historic opening dimension changes.

8. SE-E historic brick coping, historic steel casement windows, historic concrete sills, stepped massing, historic one-story addition painted blue.
9. S historic brick coping, historic steel casement windows, historic concrete sills, historic wooden door surrounds with pilasters with star-carved capitals and dentil and scroll-carved triangular pediment or dentil cornice, historic wooden balustrade rails on upper floor balconies with uneven-sized spindles, non-historic entry door, non-historic mechanicals.
10. SW-W historic brick coping, historic steel casement windows, historic concrete sills, stepped massing.
11. SW-S historic brick coping, historic steel casement windows, historic concrete sills, non-historic stairs tower, non-historic entry door alterations.
12. W historic brick coping, historic steel casement windows, historic concrete sills, historic wooden door surrounds with pilasters with star-carved capitals and dentil and scroll-carved triangular pediment or dentil cornice, historic wooden balustrade rails on upper floor balconies with uneven-sized spindles.

Character-defining historic integrity which substantiates the contributing historic status exists on elevations 1, 3, 4, 5, and 6. These elevations embody all of the unique architectural details and establish the building massing and stepbacks with upper floors.

The building will be remodeled with approximately 39,000 square feet of additions on the south side. The entrance to the hotel will be located on the south side, changed from the original hospital entry on the north side.

The following changes are described by elevation number.

1. A Territorial surround will be installed at a second and first story window group and the first story window will be removed with the subsequent opening lengthened for a door entrance. This historic steel casement window will be reused on a subgrade wall on elevation 5, see below.

A 10' high pergola will be constructed on the roof attached to the west elevation of the solarium.

2. The non-historic stair tower will be removed.

The first and second story windows will be remodeled. The second story window openings will be lengthened and doors installed with balcony rails. Awnings will be installed above these doors. The first story window openings will be lengthened and doors installed.

A non-historic solid door on the fourth floor will be replaced with a door with divided-lights in the same opening dimension.

A portion of the historic wooden balustrade will be retained to protect a tree but the level of installation will be altered after the stairwell is removed.

Some of the balustrade is in very poor condition and parts that are not repairable will be replaced in-kind.

3. The original portal opening that served as the main hospital entrance will be restored by removing the wall infill. Restoration of architectural wood detail will be completed.

4. The 8' high rooftop finial will be reconstructed from historic photographs. It appears to be iron.

An existing historic window on the fourth floor will be removed and a divided-light door will be installed in the existing opening at the same width and header height. The window will be reused in the subgrade wall on elevation 5, see below.

5. Six new window openings will be added subgrade in a new window well. All new window openings can be installed with historic steel casement windows which were removed from other elevations on the building.

6. There are no changes proposed to this elevation. Restoration of architectural wood detail will be completed.

7. The non-historic portal will be removed.

An approximately 22,000 square foot 4-story addition will be constructed at this southeast side. The addition features Territorial details that are similar to but do not repeat the existing details. The addition will be set off from elevation 6. Along the south elevation of the addition there will be a brick capped parapet at the second story, a pitched standing seam roof over the portal on the third story, and a trellis on the fourth story. A brick-surfaced tower block on the addition features a pitched roof accent that mimics existing non-conforming features on the building.

8. The one-story room addition will be removed.

An existing historic window on the fourth floor will be removed and a divided-light door will be installed in the existing opening at the same width and header height. The window will be reused in the subgrade wall on elevation 5, see above.

The rooftop mechanicals barrier screening will be enlarged and capped with brick.

9. The mechanical ducts will be removed.

Restoration of architectural wood detail will be completed for upper balustrades and window casing.

The lower façade will be remodeled as the main entrance to the building. Three two-story openings will have large windows and an entry portal with a balustraded balcony above. The large windows flanking the entry violate the 30" rule (Section 14-5.2 (E)(1)(c)) and an exception is requested.

The following exception criteria responses are presented:

i. Do not damage the character of the streetscape;

*The 30" Glazing Rule exception is requested to allow the glazing in new openings at the buildings entry areas to exceed the limit of 30" diagonal for any single pane of glass not under a portal. Allowing this exception will not alter the character of the streetscape because this building elevation is not part of the streetscape and because adherence to this rule would create a disharmonious condition between the buildings existing windows which are non-conforming and the new windows designed for the entry areas. The contrast in scale can be compared to the diagonal measure of the **smallest** existing windows of 48" and the 30" allowed by current code. The largest diagonal measure of a proposed window at these two facades measures 6ft. A visual comparison makes clear that the 30" windows are out of scale with the existing architecture whereas the proposed windows are more appropriate for the new entry elements.*

The entry area may be visible from a distance on Paseo de Peralta, but compliant glazing on these larger panes would damage the building's harmony. From the street distance the size of the glazing is not relevant to the streetscape.

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

The 30" Glazing rule creates a hardship to the applicant in that it requires a design solution that is not harmonious with the existing architecture and presents a disjointed elevation that poorly melds old and new.

Compliant glazing would be visually disturbing in this proposed design.

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 30" Glazing Rule exception will allow for the successful integration of new and old architectural features that will provide harmony and architectural integrity to the finished design. These characteristics are important features to any business as well as to any Santa Fe resident that cares about the quality of spaces found in our unique city. Attractive buildings will draw local residents and visitors alike and that will perpetuate the viable use of these buildings which in turn continues to serve those that live and work within the Historic District.

The larger panes will effectively help to draw the attention that the entry needs for this appropriate adaptive re-use of the building.

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

This request is unique in that the proposed design is specific to an existing building. The existing hospital which has been determined to be a historically contributing building was originally developed with windows that are consistently larger than the maximum size of glass panes that are currently allowed under the 30" glazing rule. Other building and projects in the H-District do not have these existing conditions to relate to architecturally.

The existing historic windows are non-conforming because they predate the 30" glazing rule.

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

The applicant purchased this property with the existing Hospital, Boiler Plant/Laundry and Marian Hall already constructed. Recognizing the importance of these existing buildings the applicant committed to preserving these buildings through adaptive re-use of the structures. Similar to the answer to point above the

conditions that exist were established as part of a former and quite different use. The applicant did not create these conditions but in this application requests the understanding and assistance in completing the renovation with integrity of design that such prominent buildings require.

The applicant purchased the non-conforming condition as part of the historic character of this building.

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

*There is no negative impact resulting from the granting of this exception. The negative impact will come from the exception **not** being approved since it will create conflicts with the existing architecture and degrade the overall appearance of the project and specifically the integrity of the existing building. This proposal presents no conflict with the intent of the Code for development in Historic Districts and supports the purpose and intent of 14-5.2 in preserving harmony in outward appearance and preserving property to attract visitors and residents alike. A general harmony as to style, form, color, height, proportion, texture and material is accomplished between buildings of historic design and the proposed changes.*

This proposed design is the least negative in impact to the building.

10. The lower façade will be remodeled where three two-story openings will have large windows and doors. These large windows violate the 30" rule (Section 14-5.2 (E)(1)(c)) and an exception is requested, see above on elevation 9.

11. The non-historic stair tower will be increased in height to gain access to the roof with an elevator. The stair tower will be incorporated into an approximately 17,000 square foot 4-story addition on at the southwest side. A two-story entrance will be constructed that mimics the new two-story entrance on elevation 1.

The addition features Territorial details that are similar to but do not repeat the existing details. Along the south elevation of the addition there will be a brick capped parapet at the second story, a pitched standing seam roof over the portal on the third story, and an inset portal with a brick capped parapet on the fourth story. A brick-surfaced tower block on the addition features a pitched roof accent that mimics the roof on the existing solarium. These features are similar to but do not repeat existing non-conformities.

12. There are no changes proposed to this elevation other than removal of the connecting hallways. Restoration of architectural wood detail will be completed.

Hospital-Boiler Connecting Bridge

The connecting mechanical gangway from the Hospital to the Boiler Plant was part of the Hospital construction campaign. It is constructed with the same materials and style of the Hospital but, it does not have unique merit in itself. The connection is an awkward attachment to both the north elevation of the 1950 addition to the Boiler Plant and to the south elevation of the Hospital. The connection angles between the structures and it is not integral to either structure. The connection was listed as non-contributing to the district in 2008. These additions will be removed.

Central Boiler Plant

The building that is located south of and behind the Hospital is known as the Central Boiler Plant. It was constructed with concrete and brick in 1904 to serve

Marian Hall. At an unknown date, the historic stair and landing on the north elevation were removed. Also, the original arched double entry doors on the north elevation were altered to a rectangular opening. In the 1950s, a large addition was constructed by John Gaw Meem on the east and south elevations, and the character of the entire structure was altered by replacing a pitched roof with a flat roof and adding Territorial detailing to match the architectural style of the new Hospital that it now also served.

The building retains its historic materials, including wood double-hung windows in the 1904 portion, and the non-original additions are now considered to be part of the historic character. A small CMU block addition was constructed on the west elevation at an unknown, presumably non-historic date. The building was listed as contributing to the district in 2008. The following inventory by elevations helps to establish which elevations may be considered as primary. **See attached elevations map and photographic images.**

1. 1910 N historic brick coping, historic 2-over-2 WDH windows, historic corner quoins, historic balcony opening, non-historic opening dimension alteration, non-historic CMU block addition not set back.
2. 1910 W historic brick coping, historic 2-over-2 WDH windows, historic corner quoins, historic chimney massing, non-historic CMU block addition, non-historic mechanicals.
3. 1950 E historic brick coping, historic steel casement windows, historic concrete sills, stepped massing.
4. 1950 N historic brick coping, historic steel casement windows, historic concrete sill.
5. 1950 S historic brick coping, non-historic vehicle and pedestrian doors.

Character-defining historic integrity which substantiates the contributing historic status exists on elevations 1, 2, and 3. These elevations embody all of the unique architectural details and establish a record of the historic changes to the building.

The following changes are described by elevation number.

1. The historic balcony opening on the north elevation will be restored with installation of transom windows and doors. The historic landing and stair will be reestablished with a change of orientation on the stair from north to west due to fire-lane restrictions and mimicking the historic stair that exists on the west elevation. Detailed drawings of the rail design, materials, and colors are attached.

Non-historic alterations to wall openings on the north elevation will be remodeled. The historic window opening at the east side will be retained in the same location. The non-historic door infill at the center will be retained. The non-historic alteration to the window opening at the west side with a mechanical grille will be infilled with brick wall rather than restored to the original opening dimension.

2. The non-historic CMU block addition at the northwest corner will be removed.

A new railing at the landing on the west elevation is proposed to match the new railing on the stair of the north elevation. This railing does not reestablish an historic rail in this location, but it is required to meet current building codes.

3. New door and window openings are proposed for the north end of the east elevation. An exception is requested to create new openings where opening do not exist on a primary elevation (Section 14-5.2 (D)(5)(a)(ii)). The windows mimic the non-conforming style of the existing historic windows.

The following exception criteria responses are presented:

i. Do not damage the character of the streetscape;

The opening exception requested to allow two new openings in an existing building will not alter the character of the streetscape because this building elevation is not part of a streetscape. The east façade of this building is setback from the sidewalk by over 240 ft. and is largely obscured by the proposed parking structure that is located between the Boiler Building and Paseo de Peralta. There is limited Public Visibility of this feature in relation to the Paseo de Peralta Streetscape and the proposed openings are not out of character with the existing window openings and will be only subtly different from other windows on the building.

The east elevation of this building will not be fully visible from the street and therefore judgments about damage are not relevant. The building has changed over time and those changes may confuse its character.

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

The Existing Boiler Building is an example of adaptive re-use of an existing building to maintain a viable current use of the structure. The new openings proposed will bring light and air into the corner of the building adjacent to main entry to the hotel. Without the proposed openings the building does not present an attractive structure for restaurant use, would prove itself difficult to lease and or market, and would not enhance the experience of any potential restaurant clientele, and thus creates a hardship for the re-use of this building.

The northeast corner of the building is most visible from the street and needs to draw attention to the entry of this appropriate adaptive re-use project.

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 opening exception will allow for the practical re- use of the existing building and provide a viable space and configuration for a secondary use, which in this case is a restaurant. The planned restaurant will serve the local community as well as hotel guests. The availability of a wide variety of dining establishments has always been a magnet for the Downtown and will clearly continue to strengthen the unique character of the site and this portion of the City to ensure that residents can continue to reside in and enjoy the Historic District.

The restaurant will provide for a use that does not exist on this side of the Paseo, thus strengthening the heterogeneity of this streetscape.

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

This request is unique in that the proposed openings are on an existing building that relates to another existing building (the old hospital). These circumstances cannot be duplicated on any other land or in another structure. The building in question is an architectural anomaly of sorts based on its two distinct architectural styles being blended and manifested on each separate elevation. The structure in question barely equates to the adjacent hospital in terms of harmony and character, and has no relationship to structures and styles found in the streetscape.

The building is a remnant of former conditions on this site which have long since changed.

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

Similar to the answer to point 'c' above the conditions that exist were established as part of a former and quite different use of both buildings. The applicant did not create these conditions but in this application for exception attempts to find new and viable uses for these buildings. The proposed openings endeavor to make this re-use viable.

The applicant purchased the non-street facing condition of this commercial building.

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

There is no negative impact to the structure or the overall historic integrity of the building due to the series of changes to the building over time. There is not a coherent historic design that needs to be preserved but an evolution of changes to the building. This proposal presents no conflict with the Code for development in Historic Districts. The proposed design supports the purpose and intent of 14-5.2 in preserving harmony in outward appearance and preserving property to attract visitors and residents alike. A general harmony as to style, form, color, height, proportion, texture and material is accomplished between buildings of historic design and the proposed changes.

Due to the building's location on the property and in the proposed development, the southeast corner is the best location for an entrance to the building. It will also retain the integrity of the original north elevation but not altering that location for an entrance.

4. New door and window openings are proposed on the north elevation of the Meem addition. These meet the 30" glazing rule and the 3' corner rule.

5. The south elevation will be reconfigured and it will retain the "back-of-house" loading facility. Several window and door openings will be infilled with wall and the vehicle door will be enlarged.

The existing walls and new wall infills will be repainted. The proposed paint color is attached.

Maintenance Buildings

The additions on the west elevation of the Boiler Plant are known as the Maintenance Buildings. They are described in the HCPI as Blocks A, B, and C. The two-story Block A portion was constructed with poured concrete between 1935 and 1951 and it retains the historic character of a projecting flat roof and wooden windows. One-story Blocks B and C were constructed with CMU block and brick coping on the parapets in 1958-1960 and 1960-1965 respectively. These non-historic additions detract from the original massing integrity in form and architectural character. The additions were confirmed as non-contributing to the district in 2008. These additions will be removed.

New Gallery/Retail/Parking Garage Building

Two buildings are proposed at the southeast corner with a common wall between them so that there appears to be one large footprint. However, the two buildings are being treated as separate for this review.

A 5,518 square foot retail building is proposed along the Paseo de Peralta streetscape to a height of 16' 9" where the maximum allowable height is 16' 9" as determined by a linear calculation. There is a request for the Board to increase the maximum allowable height due to two feet of slope change over the footprint of the retail building to 20' 9". The maximum height of the west end of the north elevation, the location of the tallest part of the retail building, is 20' 9".

A 13,310 square foot 2-story garage building footprint is proposed to 29' 6" where the maximum allowable height is 18' 8" as determined by a radial calculation. There is a request for the Board to increase the maximum allowable height due to two feet of slope change over the footprint of the garage building to 22' 8". A height exception is requested (Section 14-5.2(D)(9)) and the required criteria responses are attached. The maximum height of the building is 33' where rooftop appurtenances, which include vertical transportation, are not required to conform to the maximum allowable height.

The following exception criteria responses are presented:

i. Do not damage the character of the streetscape;

The height exception requested for the structures mentioned will not alter the character of the streetscape for two reasons: (1) The proposed gallery located on that section of the street (Paseo de Peralta) is at the historic height allowed and screens the other structures where additional height is requested and (2) the grades of the site drop toward the interior of the site so the buildings with additional height are sited at lower elevation so that increase in height is offset by the lower grades. No change to the character of the streetscape will occur except by the addition of the gallery which is within the allowable height.

The height exception is for non-street-facing structures only and the public street is at a higher elevation than the height exception requests. Buildings that do not exceed the maximum allowable height would be dwarfed by the surrounding existing tall buildings which are non-conforming in height because they predate the height ordinance.

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

The applicant, Drury Southwest, has committed a large percentage of the developable area of site to public pedestrian uses that serve the community. Drury has also committed to the restoration and renovation of two substantial and historically important buildings. While serving their business interest their investment also presents an opportunity to rehabilitate a neglected property and an important landmark in Santa Fe. The exception will allow the efficient use of the property while maintaining the public benefits mentioned.

The height exceptions will allow the applicant to maintain a beneficial amount of public open space while still meeting their square footage goals.

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 exception will allow for the efficient use of the site in providing a viable project economically and architecturally. The rehabilitation of the three historic buildings on this property will

clearly strengthen the unique character of the site and this portion of the City. Inversely, the continued decay and degradation of these structures will have a detrimental affect on the Historic District.

The proposed heights utilize appropriate setbacks and massing details that will give the buildings design interest and reduce uniformity.

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 portion of the subject property where the height exception is requested has a natural existing grade that falls some 15 feet below the existing grade at the adjacent street (Paseo de Peralta). Therefore, the requested height exceptions will not create any new height in this sub-district of the BCD. In addition, the portion of the subject property where the height variance is requested is surrounded by buildings larger than those proposed in this application. The five story hospital building with a maximum height of 76 feet, Marion Hall at 51 feet. The St. Francis Cathedral at approximately 82 feet already exists and the property directly to the south has been approved for heights up to 42 feet. Literal interpretation would deny the applicant full use of this site which is already enjoyed by adjacent properties and ignores the existing heights and pattern of development already establish on this site.

The height ordinance works better with residential streetscapes than with preexisting commercial and institutional streetscapes. This site is surrounded by tall commercial and institutional buildings that are non-conforming because they predate the height ordinance and they are removed form the height averaging that leads to the maximum allowable height calculation.

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

In addition to the circumstances previously mentioned regarding existing grades and heights of surrounding buildings which were clearly not a result of the actions of Drury Southwest, the condition of the existing buildings should be understood to be poor and neglected. Drury will be taking responsibility for addressing the deferred maintenance of the buildings and correcting the damage that has occurred over the many years prior to Drury's acquisition of the property.

The applicant purchased a site that is surrounded by taller non-conforming structures which are the reference for harmonizing of new structures.

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

The new construction proposed has been distributed throughout the site with the objective in mind of creating a historically respectful design that considers density as well as height. The addition of the height requested is consistent with existing and proposed patterns of development on this site and the surrounding area and respect the tenants of historic preservation as described in the purpose and intent of Chapter 14-5.2.

Larger footprints with less height would be detrimental to the public open space and to the need for harmonizing with adjacent buildings.

The subgrade parking will extend beyond the at-grade footprint of this structure extending west, around the existing Boiler Plant building, to near the west property boundary.

The buildings are designed in the Territorial Revival style with wall-dominated stepped massing and a brick parapet cap. Other architectural features include white-finished window and door surrounds with cornices and pediments,

balconies, portals, a second-story trellis, and decorative brick panels on the elevator tower.

The retail building will be finished in a different earth-toned color than the garage building. This treatment effectively mitigates the massing of this large building with color changes, stucco and trim colors are attached.

New Building #1

A 21,209 square foot 3-story building is proposed to 36' high where the maximum allowable height is 18' 8" as determined by a radial calculation. A height exception is requested (Section 14-5.2 (D)(9)) and the required criteria responses are attached, see above under **Garage Building**. The Business Capitol District Design Review Committee granted a variance to the underlying maximum allowable height of 27' for only a portion of the third floor at a hearing on April 9, 2009. The Committee reduced the area of the third floor to mitigate a perception of a "canyon effect" along the south side of the pedestrian promenade. The applicant requests that the HDRB consider the application as submitted to determine whether the Boards feels that there is or is not a canyon effect at this location.

The building is designed in the Territorial Revival style with wall dominated stepped massing with precast concrete wall caps and brick coping. Other architectural features include white-finished window and door surrounds with cornices and pediments, shutters, and balconies. Several accent features include arches over recessed hallways and low-pitched roofs over portals.

Two bay windows on the south elevation third floor are not subject to the 3' corner rule (Section 14-5.2 (E)(2)(b)) because the window projections do not extend 4' or more beyond adjacent facades and so do not constitute new facades.

Lantern-style wall sconce light fixtures are shown on elevations. The applicant will submit a detailed lighting plan for later approval. (see recommendation.)

New Building #2

A 23,232 square foot 3-story building is proposed to 36' high with a tower element at 44' high where the maximum allowable height is 18' 8" as determined by a radial calculation. A height exception is requested (Section 14-5.2 (D)(9)) and the required criteria responses are attached, see above under **Garage Building**. The Business Capitol District Design Review Committee granted a variance to the underlying maximum allowable height of 27' for the third floor at a hearing on April 9, 2009.

The building is designed in the Territorial Revival style with wall dominated stepped massing with precast concrete wall caps. Other architectural features include white-finished window and door surrounds with cornices and pediments and balconies. Several accent features include a pitched roof and circular windows in the tower.

An arcade of arches on the north elevation violate the Santa Fe style vocabulary (Section 14-5.2 (E)(1)(a)) and an exception is requested to construct multiple functional arches.

The following exception criteria responses are presented:

i. Do not damage the character of the streetscape;

The style exception requested to allow the limited use of arches as part of an entry arcade will not alter the character of the streetscape for these reasons. The first is that the only streetscape adjacent to these structures is Paseo De Peralta. There is no Public Visibility of this feature in relation to the Paseo de Peralta Streetscape or any other. These arches are viewed only from within the property and provide an important visual accent architecturally defining the entry for Building Two and present a more formal façade treatment to define the South edge of the Public Square

The defined streetscape for this building is a 300 foot radius and the proposed use of the site as a hotel is publicly visible. The arcade will be part of a newly created streetscape consisting of an interior courtyard.

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

The portion of the subject property where the style is requested is surrounded by a mix of architecturally diverse buildings. Literal interpretation would deny the applicant the full range of design options needed to integrate the new construction with the existing buildings, styles and pattern of development that already establish on this site and within the immediately surrounding area.

The arcade will function to give focus to this entrance within the new courtyard. Without this accent, the courtyard may lack interest.

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 style exception will allow for a variety of architectural experience similar to the variety found in the downtown area where a pedestrian experiences a variety of buildings done in different styles by different architects. Given the size of the property, it is apparent that all the buildings cannot be developed all in a similar style without creating a monotonous experience. The variety proposed will strengthen the unique character of the site and this portion of the City and is consistent with what one may find in other parts of the historic downtown.

There are historic buildings in the downtown with arcades, such as the significantly historic St. Francis Hotel. This Spanish Colonial style was an important part of early twentieth century style in Santa Fe.

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 portion of the subject property where the style exception is requested has a natural existing grade that is some 15 feet below the existing grade at the adjacent street (Paseo de Peralta) and is completely screened from public view. Therefore, the requested exception will not create any conflicts with existing streetscapes in this Historic District.

The courtyard where this arcade faces is entirely within the property and entirely new construction.

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

The portion of the subject property where the style exception is requested is surrounded by the existing five story hospital building with a maximum height of 76 feet, Marion Hall at 51 feet. The St. Francis Cathedral at approximately 82 feet and the property directly to the south has been approved for heights up to 42 feet.

These existing conditions were not created by the applicant but require the applicant to respond with appropriate Architectural Designs.

The arcade proposal is non-conforming because of the Santa Fe Style ordinance requirement. The applicant wishes to bring back a former historic style to add interest.

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

Since there is no negative impact there is no conflict with the Code for development in Historic Districts. The proposed design supports the purpose and intent of 14-5.2 in preserving harmony in outward appearance and preserving property values and to attract visitors and residents alike. A general harmony as to style, form, color, height, proportion, texture and material is accomplished between buildings of historic design and the proposed structure.

The minimal public visibility will not harm the Downtown & Eastside Historic District and the arcade is only a small portion of this proposed building.

Lantern-style wall sconce light fixtures are shown on elevations. The applicant will submit a detailed lighting plan for later approval. (see recommendation.)

New Building #3

A 7,486 square foot 2-story building is proposed to 27' high where the maximum allowable height is 18' 8" as determined by a radial calculation. A height exception is requested (Section 14-5.2 (D)(9)) and the required criteria responses are attached, see above under **Garage Building**.

The building is designed in the Territorial Revival style with wall dominated massing in a "U"-shaped floor plan. A low-angled standing-steam metal hipped roof is proposed to reflect the similar roof forms of Marian Hall. An exception is requested to construct a pitch where a pitch is not allowed (Section 14-5.2 (D)(9)(d)) and the required criteria responses are attached.

The following exception criteria responses are presented:

i. Do not damage the character of the streetscape;

The pitch exception requested will not alter the character of the streetscape for two reasons. The first is that the only streetscape adjacent to these structures is Paseo De Peralta and the proposed gallery on Paseo screens the interior of the site where the pitch exception is requested. Also, no Streetscape will be affected by this exception since Building Three is not part of any existing block. In addition, the grades of the site drop toward the interior of the site where Building Three is located, with additional screening provided by the extra drop in grade. Therefore the exception will not change the character of the streetscape at all.

Although the official map of roof pitches shows no pitched roofs in the 300 foot radius, the roofs on Marian Hall and the Cathedral Basilica are pitched. Although there are not the required 50% or more pitches, two adjacent existing roofs are pitched, so the streetscape will not be damaged.

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

The portion of the subject property where the pitch exception is requested is surrounded by the existing Territorial Style Hospital building, the pitch roof of Marion Hall and the St. Francis Cathedral. Literal interpretation would deny the applicant the full range of design options to integrate the new construction with

the vernacular of the existing buildings and pattern of development that are already establish on this site and within the immediately surrounding area.

The requested roof pitch will give the building distinction of design and it will harmonize with surrounding buildings. The project may be uninteresting without the roof pitch.

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 pitch exception will clearly strengthen the unique character of the site and this portion of the City by recognizing building features that are unique to the history of this site. While the Pitch exception requested will have little affect on residents wishing to continue to reside within the Historic District it will make the experience more enjoyable as the history of this sites architecture is demonstrated in elements of the new buildings proposed. The pitch roof requested not only responds well architecturally to the existing Marian Hall both in it's siting and in and form but also emulates features of the old Rectory that used to stand in the same vicinity of the one proposed. The proposed building three make no attempt to replace the original Rectory but will hearken back to the form and details of the original building thus strengthening the unique heterogeneous character of the site and the City.

The pitched roof will add interest and heterogeneity to the courtyard.

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 portion of the subject property where the style variance is requested has a natural existing grade that is some 15 feet below the existing grade at the adjacent street to the East (Paseo de Peralta) and is completely screened from public view. Therefore this exception applies to the special circumstances unique to this property and not applicable to other properties within the surrounding streetscapes.

The adjacent existing roof pitches are non-conforming because they predate the 50% rule and the new building could harmonize better with the adjacent buildings if there were a pitched roof.

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

The portion of the subject property where the style exception is requested is surrounded by unique structures with diverse architectural styles. These existing conditions were not created by the applicant but require the applicant to respond with appropriate Architectural Designs. The pitch roof structure of Building Three responds to the existing architectural context created by the proximity of the Cathedral, Marion hall and the historical context established on the site as early as the Old Seminary (original rectory building) constructed in 1853. Other historical buildings with pitched roofs constructed after the Old Seminary include Seton Hall and the Old Orphanage (both demolished along with the seminary in the early 1950's).

The pitched roof proposal is non-conforming because of the 50% rule requirement. The applicant wishes to harmonize with adjacent buildings which have older styles.

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

Since there is no negative impact of a pitch roof at this location there is no conflict with this exception request and the Code for development in Historic Districts. The proposed design supports the purpose and intent of 14-5.2 in preserving harmony in outward appearance and preserving the integrity of historic properties, values and will attract visitors and residents alike. A general harmony as to style, form, color,

height, proportion, texture and material is accomplished between buildings of historic design and the proposed structure.

A flat roof would be disharmonious.

Other architectural features include window and door surrounds with cornices and pediments, wooden balustrade portals on the north and east elevations, similar balustrades on balconies on the south and west elevations, and a stuccoed yardwall to a maximum height of 3' at the northwest corner with a 3' high iron fence installed on the top.

Other Site Improvements

Multiple yardwalls, curbs, and ramps will be removed, including the retaining wall along Palace Avenue on the northeast corner of the lot.

A curb cut on Palace Avenue that reestablishes an historic curb cut will allow access to the entrance to Marian Hall off from the street.

Stuccoed retaining walls and yard walls will be constructed along the streetscape corner of Paseo de Peralta and Palace Avenue to a maximum height of 3'. An iron fence at 3' high will surmount the interior yardwalls. Arched iron gates will be installed at the corner with flanking 6' high pilasters surmounted with spherical ornaments. A similar stuccoed yardwall and iron fence will be constructed closer to the Hospital building at elevation 1. A stuccoed yardwall at 2' high will be constructed in front of the new southwest addition on the Hospital building. It will be surmounted with a 3' high iron fence. Iron pedestrian gates will access multiple courtyards.

The Landscape Plan on page 30 and the Landscape Lighting Plan on page 31 of the submittal itemizes multiple changes to the site. The applicant will submit a detailed lighting plan for later approval. (see recommendation.)

Conclusion

In many ways this application has served as a model project in dealing with such a large and complex proposal involving historically-sensitive buildings. The project has been through three previous reviews with the HDRB to allow the Board and the applicant to discuss the various elements of the plan and design.

This submittal addresses entitlement issues with regard to placement and intensity of use. In addition, the Board is presented with all the architectural information and detail for a typical historic design review. In order to advance the approval process, staff encourages the Board to first review and comment on the project as a whole to establish the framework for the review of the specific issues relevant to each building and the proposed exceptions.

In the past, the Board has given a conceptual approval to a project overall and then refined the details of an application. This serves the Board and applicant in realizing the full-scope of the project so that the further study of detail occurs in an established context similar to a typical building review.