City of Santa Fe

AGENDA

MEETING OF THE BOARD OF ADJUSTMENT OCTOBER 20, 2020 AT 6:00 PM ATTEND VIRTUALLY

SPECIAL PROCEDURES FOR VIRTUAL ATTENDANCE AND PUBLIC COMMENT:

In response to the State's declaration of a Public Health Emergency, the Mayor's Proclamation of Emergency, and the ban on public gatherings of more than five (5) people, this meeting will be conducted virtually using Zoom.

Viewing on YouTube: Members of the public may stream the meeting live on the City of Santa Fe's YouTube channel at https://www.youtube.com/channel/UCuW5Fb7iWuKpTdsWYNDurgA. The YouTube live stream can be accessed at this address from most computers, mobile devices, and smartphones. A video recording of the meeting will be posted on YouTube and available for viewing after the meeting.

Attending on Zoom: Members of the public may attend the Zoom meeting on a computer, mobile device, or phone. The video conference link and teleconference number will be posted on the City of Santa Fe's Calendar of Events website at least seventy-two (72) hours before the meeting: https://www.santafenm.gov/events. The direct Zoom link is:

https://us02web.zoom.us/j/82794723630?pwd=NnRsUVFJZU5aY2J3SkU5bmhIL0JlZz09

use Passcode: 139394

Attending Zoom by Phone: Members of the public can attend the Zoom meeting by phone by dialing:

Dial(for higher quality, dial a number based on your current location):

US: +1 253 215 8782 or +1 346 248 7799 or +1 669 900 6833 or +1 301 715 8592 or +1 312 626 6799 or +1 929 205 6099

Webinar ID: 827 9472 3630

Public Comment:

- By video: A person attending the Zoom meeting by using a computer, mobile device, or smart phone may provide public comment during the meeting. Attendees should use the "Raise Hand" function to be recognized by the chair to speak at the appropriate time.

• By phone: A person attending the Zoom meeting by phone may provide public comment during the meeting but **must** provide advance notice to City staff. Please contact Noah Berke (505-490-5930, nlberke@santafenm.gov) no later than Friday, October 16, 2020, and provide your **full name, address, and the phone number** you will be using to call in to the teleconference. Without your phone number, the chair will not be able to recognize you to speak at the meeting.

• In writing: A person may submit written public comments in advance of the meeting by email (LandUsePublicComment@santafenm.gov), by U.S. Postal Service (City of Santa Fe, ATTN: Noah Berke, PO Box 909, Santa Fe, NM 87504-0909), or by dropping off a comment at the physical drop box which will be located outside City Hall at the entrance to Land Use Lobby facing Marcy Street. Please include your full name and address, and identify the specific agenda item you are commenting on. To be included in the official record and considered at the hearing, written public comment **must** be received no later than Friday, October 16, 2020.

A. ROLL CALL

B. PLEDGE OF ALLEGIANCE

C. APPROVAL OF AGENDA

D. APPROVAL OF MINUTES:

E. APPROVAL OF FINDINGS/CONCLUSIONS

F. OLD BUSINESS

G. NEW BUSINESS

1. **Case 2020-2494. 113 Washington Avenue Variance to Height.** Liaison Planning Services Inc., Agent, for Rosewood Inn Of The Anasazi, Owner, request a variance to Table 14-7.4(A)-1 "Table of Dimensional Requirements for Townscape Districts" for the Marcy Townscape Sub-district, to allow a height of 56' where 42 ' is the maximum. The property is approximately .45 acres, zoned BCDMAR (Community Commercial [Business Capital District] – Marcy Townscape Sub-district) and located within the Downtown and East Side Historic District. (Dan Esquibel, Case Manager, daesquibel@santafenm.gov, 955-6587) **(POSTPONED FROM OCTOBER 6, 2020)**

2. **Case 2020-2638. 113 Washington Avenue Variance to Stepback.** Liaison Planning Services Inc., Agent, for Rosewood Inn Of The Anasazi, Owner, request a variance to Table 14-7.4(A)-1 "Table of Dimensional Requirements for Townscape Districts" for the Marcy Townscape Sub-district, requirement from the 1" Vertical above 24'; wall stepbacks of 10 horizontal feet. The property is approximately .45 acres, zoned BCDMAR (Community Commercial [Business Capital District] – Marcy Townscape Sub-district) and located within the Downtown and East Side Historic District. (Dan Esquibel, Case Manager, daesquibel@santafenm.gov, 955-6587)

H. STAFF COMMUNICATIONS

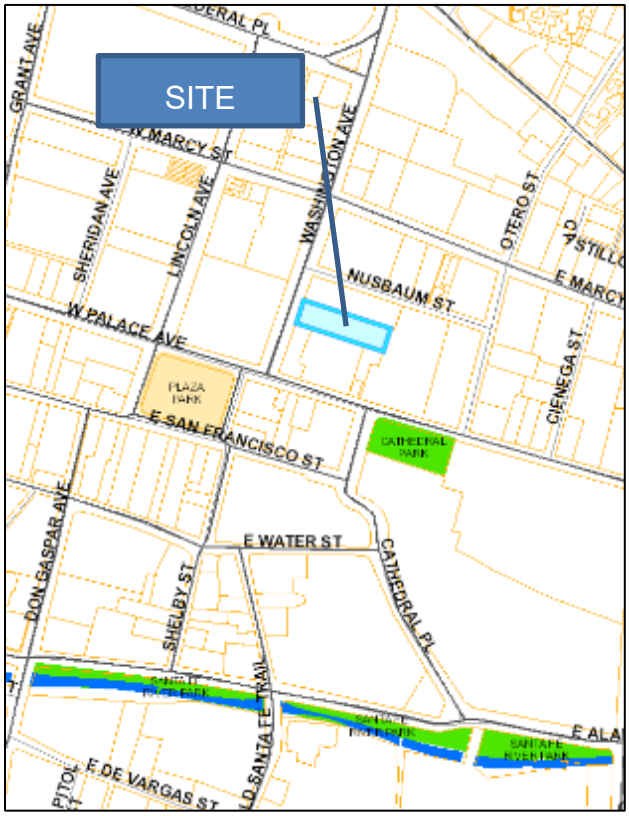
I. MATTERS FROM THE BOARD

J. ADJOURN

Persons with disabilities in need of accommodations, contact the City Clerk's office at 955-6521, five (5) working days prior to meeting date.

Land Use Department
Board Of Adjustment Staff Report

Case No's:	2020-2494 & 2020-2638
Hearing Date:	October 20, 2020
Applicant:	Liaison Planning Services Inc.
Request:	Variances.
Location:	113 Washington Avenue
Case Mgr.:	Daniel A. Esquibel
Zoning:	BCDMAR (Community Commercial [Business Capital District] – Marcy Townscape Sub-district)
Overlay:	Downtown and East Side Historic District, and Historic Archaeological Districts
Pre-app.	Mtg.: December 10, 2019
ENN Mtg.:	January 30, 2020
Proposal:	Request a variance to Table 14-7.4(A)-1 "Table of Dimensional Requirements for Townscape Districts" for the Marcy Townscape Sub-district, to allow a height of 56' where 42 'is the maximum and required stepbacks above 24'.



Case 2020-2494. 113 Washington Avenue Variance to Height. Liaison Planning Services Inc., Agent, for Rosewood Inn Of The Anasazi, Owner, request a variance to Table 14-7.4(A)-1 "Table of Dimensional Requirements for Townscape Districts" for the Marcy Townscape Sub-district, to allow a height of 56' where 42' is the maximum. The property is approximately .45 acres, zoned BCDMAR (Community Commercial [Business Capital District] – Marcy Townscape Sub-district) and located within the Downtown and East Side Historic District.

Case 2020-2638. 113 Washington Avenue Variance to Stepback. Liaison Planning Services Inc., Agent, for Rosewood Inn Of The Anasazi, Owner, request a variance to Table 14-7.4(A)-1 "Table of Dimensional Requirements for Townscape Districts" for the Marcy Townscape Sub-district, requirement from the 1" Vertical above 24'; wall stepbacks of 10 horizontal feet. The property is approximately .45 acres, zoned BCDMAR (Community Commercial [Business Capital District] – Marcy Townscape Sub-district) and located within the Downtown and East Side Historic District.

RECOMMENDATION

The Land Use Department recommends **DENIAL** of **Case #2020-2494** ***"113 Washington Avenue Variance to Height"*** and **DENIAL** of **#2020-2638** ***"113 Washington Avenue Variance to Stepback".***

Two motions will be required in the following order:

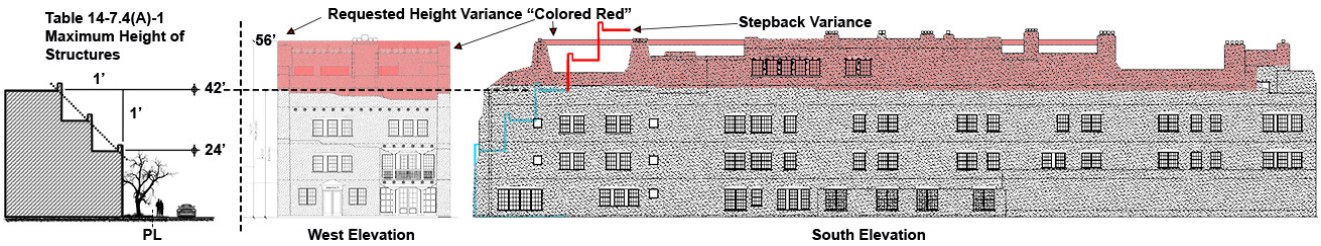
1. Approve or deny Case #2020-2494 113 Washington Avenue Variance to Table 14-7.4(A)-1 subject to technical corrections of approval Listed in Exhibit "A", recommended by staff.
2. Approve or deny Case #2020-2638 113 Washington Avenue Variance to Table 14-7.4(A)-1 subject to technical corrections of approval Listed in Exhibit "A", recommended by staff.

I. EXECUTIVE SUMMARY

The request consists of two variances both to Table 14-7.4(A)-1 "Table of Dimensional Requirements for Townscape Districts" to maximum height of structures and stepbacks:

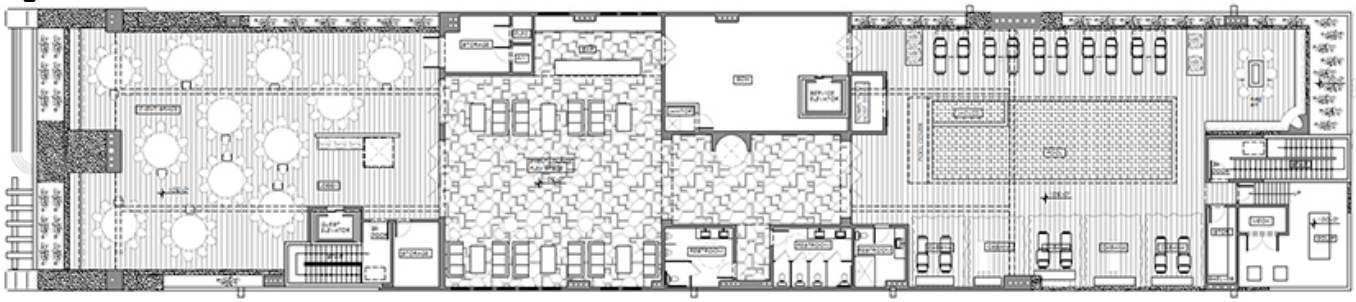
1. The first variance (Case #2020-2494) is a request to allow a 14-foot height increase above the maximum height limit of 42' within the Marcy Subdistrict. The request allows the Rosewood Inn of The Anasazi Hotel a height of 56'. (reference Figure 1).
2. The second variance (Case #2020-2638) is a request to waive the stepback requirement for structures exceeding 24' in height within the Marcy Subdistrict.
    - *"1' Horiz.: 1" Vert. above 24'; wall stepbacks shall be a minimum of 10 horizontal feet"* (see Figure 1).

Figure 1



The requested variances will allow the Applicant to construct rooftop amenities for guests staying at the hotel. The amenities include a bar, lounge, event space, pool and jacuzzi, cabanas and supporting facilities (refence Fig 2).

Figure 2



The Applicant has complied with Subsections 14-3.1(E) *"Pre-Application Conferences",* 14-3.1(F) "Early Neighborhood Notification Procedures" and 14-3.1(H) *"Notice Requirements".*

Staff's analysis finds that the Applicant has **not** satisfied Subsection 14-3.7(C) "Approval Criteria", for the proposed variances requested for **Case #2020-2494** and **Case # 2020-2638**.

II. SITE ANALYSIS

The property is approximately .45 acres, zoned Business Capital District-Marcy Subdistrict (BCDMAR - Community Commercial). The Business Capitol District comprises fourteen townscape subdistricts and two redevelopment subdistricts, each establishing different characteristics in architecture and streetscapes. Like the C-2 general commercial district counterpart, there is no lot size required in the BCD. Additionally, of the fourteen Townscape Subdistricts, ten do not have a lot coverage requirement. However, all but two Townscape Subdistricts have building placement or setback requirements. The Applicant's lot is a Legal lot of record established by the King's Map. There are two versions of the King's Map, one established in 1912 and the other established in 1924. Both King Map versions and current lot configuration are consistent, showing a Legal lot created before the effective date of Chapter 14 (December 5, 1962). Additionally, because there are no parameters for lot size or design in the BCD, the Applicant's lot has no nonconformities to lot size or lot configuration.

A. Adjacent Properties

The property adjoins the Plaza/San Francisco Townscape Subdistrict to the south and surrounded by the BCDMAR to the north, west and east.

Table 1 (Adjacent Properties)

North	Hotel Chimayo	Zoning
South	The Burrito Company	BCDMAR
	The Shed Restaurant	BCDPLA
	Rainbow Man Gallery	
East	Parking Lot	
West	Washington Avenue	Streets are not zoned

B. BCDMAR (Table 14-7.4(A)-1 "Table of Dimensional Requirements for Townscape Districts")

Table 2 Table 14-7.4(A)-1 (BCDMAR)

Category	Standard	Compliance
Maximum Height of Structures (feet); Stepback Note 2	42 1' Horiz.: 1" Vert. above 24'; wall stepbacks shall be a minimum of 10 horizontal feet.	Partially Legal nonconforming (The stair way at the east end of the building measures to approximately 45' high).
Maximum Lot Coverage Ratio	No requirements	Complies to standard (79.6% lot coverage)
Building Placement and Setback Requirements (feet)	Front required yard equal to the average depth of existing front yards on the block shall be required for (a) the east side of Washington Avenue between Place Avenue and Paseo de Peralta (Hillside); and the west side of Grant Avenue between Palace Avenue and Paseo de Peralta. Elsewhere in the subdistrict there are no required yards.	Legal nonconforming (No front yard)
Minimum Open Space Requirements	An open space of no less than 10 percent of the lot area shall be located adjacent to the front	Legal nonconforming (No front yard and no open space)

	property line to serve as a yard or courtyard	
Landscape Treatment in Yards	Landscape treatment required in yards and open space. Street trees and landscape treatment required if planting strip exists. Asphalt or concrete pavement prohibited in planting strip. Note 3.	Legal nonconforming (building makes up approximately 79.6% lot coverage with no front yard)
Height of Walls and Fences (feet)	4 maximum	No fence proposed (Not Applicable)
Placement of Off-Street Parking	Placement of Off-Street Parking	Complies to standard (No parking on site)
Portals	Prohibited within ROW	Complies to standard (No proposed Portal in the ROW)

C. Fire

The City Fire Department provided standard conditions should the Board of Adjustment (BOA) approve Cases 20-2494 and 20-2638. These conditions are listed both in Exhibit "A" *"Technical Correction" and Exhibit* "B" *"DRT Comments"*.

VII. VARIANCE APPROVAL CRITERIA (Cases #20-2494 and 20-2638 113 Washington Avenue Variance to Table 14-7.4(A)-1 "Table of Dimensional Requirements for Townscape Districts")

The variance process balances reasonable use of the Applicant's property against compliance with the letter and intent of adopted regulations. The proposal must be consistent with at least one of the circumstances listed in Criteria 1a through 1d, and must be consistent with all of Criteria 2 through 5.

On September 22, 2020, The Historic Design Review Board (HDRB) reviewed and approved the proposed modification to the Inn of The Anasazi Hotel. The Memorandum presented to the HDRB and supporting documentation is included in Exhibit "F" of the BOA packet. It should be noted that the review criteria required by the HDRB to adopt the Findings of Fact and Conclusions of Law are different from the review criteria required by the Board of Adjustment to make findings pursuant to Chapter 14-3.16 *"Variances."*

Table 3 Variance Approval Criteria– Subsection 14-3.16(C) (Case #20-2494 Variance to Height)

Criterion 1: Subsection 14-3.6(C)(1) as follows: One or more of the following special circumstances applies:	**Criterion Met:** (Yes/No/)
(a) unusual physical characteristics exist that distinguish the land or structure from others in the vicinity that are subject to the same relevant provisions of Chapter 14, characteristics that existed at the time of the adoption of the regulation from which the variance is sought, or that were created by natural forces or by government action for which no compensation was paid; or **(b) the parcel is a Legal nonconforming lot created prior to the adoption of the regulation from which the variance is sought, or that was created by government action for which no compensation was paid; or** **(c) there is an inherent conflict in applicable regulations that cannot be resolved by compliance with the more restrictive provision as provided in Section 14-1.7; or** **(d) the land or structure is nonconforming and has been designated as a landmark, contributing or significant property pursuant to Section 14-5.2 (Historic Districts).**	**NO**

The Applicant's response states that:

- *"The variance is requested due to the small size of the lot, and the fact that it is completely covered with an existing structure that exceeds the allowable height. Most other lots within the vicinity do not exceed the allowable zoning height of 42 feet, and thus are able to make improvements without the need for a variance."*
- *"The Inn of the Anasazi sits on a lot that has for decades, been occupied by a tall building covering the entire lot and the applicant did not divide the property to create a lot with a small area of land rather, the small lot was created many, many decades ago. The condition of the lot is not a result of the action of the owner."*

Staff's Analysis:

Two of the circumstances presented by the Applicant, i.e., "small size of the lot" and "completely covered with an existing structure," is a common feature within the BCDMAR and adjoining BCDPLA Townscapes Subdistricts. As stated earlier in this report, ten of the fourteen townscape subdistricts, including the BCDMAR, have no lot coverage or lot size requirement. Neither lot size nor lot coverage makes for a unique or special circumstance in the majority of the BCD Townscape Subdistricts. The Applicant's third presented circumstance states that "Most other lots within the vicinity do not exceed the allowable zoning height of 42 feet". However, except for the stair wells located at the east end of the hotel building, the hotel is in the same circumstance with all height compliant buildings at or below the BCDMAR maximum height limits. Any improvement request to exceed the zoning height limit would require a variance.

Additionally, baring no unpermitted work on a property, maintenance, and repair is permitted on all buildings in the BCD subject to review by the City Historic Division and or HDRB, subject Chapter 14-5.2 "Historic Districts." The requirement to seek a variance to exceed zoning height limits do not make for a unique or special circumstance. Finally, the Applicant states: "the applicant did not divide the property to create a lot" and "[t]he condition of the lot is not a result of the action of the owner." Neither circumstance is a criterion required by 14-3.6(C) "Approval Criteria." Additionally, the Applicant has not provided any information relative to lot size or lot design to establish a nonconformity under Chapter 14 today.

Staff's analysis identifies that the Applicant has not satisfied the variance criterion required by Subsection 14-3.6(C)(1).

Criterion 2:	**Criterion Met:**
The special circumstances make it infeasible, for reasons other than financial cost, to develop the property in compliance with the standards of Chapter 14.	(Yes/ No) **NO**

The Applicant's response states that:

"Due to the lot size and existing lot coverage, the Anasazi cannot expand anywhere but up to provide the same type of amenities allowed to competitors within the downtown area."

Staff's Analysis:

Criterion 14-3.6(C)(3) looks for special circumstances that *"make it infeasible to develop the property in compliance with the standards of Chapter 14."* 14-3.6(C)(3) does not allow for any circumstance to develop a property out of compliance with the standards of Chapter 14. A property developed to the maximum allowance of Chapter 14 allows the property owner reasonable use of land and structure within the rules. In criterion 14-3.6(C)(1), the Applicant identified that the conditions of the lot were not the "*result of the action of the owner."* However, the conditions of the property were known to the Applicant at the time of purchase. These conditions include a fully developed lot that maximized lot coverage and building height. Further, nothing within Chapter 14 provides a business a variance of the rules to compete with adjacent uses or similar uses in the area or other zoned districts.

Staff's analysis identifies that the Applicant has not satisfied the variance criterion required by Subsection14-3.6(C)(2).

Criterion 3: The intensity of the development shall not exceed that which is allowed on other properties in the vicinity that are subject to the same relevant provisions of Chapter 14	**Criterion Met:** (Yes/No) **NO**

The Applicant's response states that:

"The Anasazi already occupies 100% of the lot and there is no additional area to provide amenities that are being proposed for in this addition. All of the of the Anasazi 's main competitors in the vicinity provide rooftop swimming facilities and outdoor and indoor dining, socializing and event staging on their rooftops which are subject to the same relevant provisions of Chapter 14."

Staff's Analysis:

Staff could not identify "*competitors*" with "*rooftop swimming facilities and outdoor and indoor dining, socializing and event staging on their rooftops"* within the same Marcy Townscape Subdistrict. The proposal does increase the intensity in that the proposed height increases the extent of development per unit of area beyond the maximum heights within the BCD Marcy Townscape Subdistrict. The proposal also increases the intensity in that the request also exceeds regulations not allowed *"on other properties in the vicinity that are subject to the same relevant provisions of Chapter 14."* Chapter 14 does not provide a criterion to vary the rules to compete with adjacent uses or similar uses in different zoned districts.

Staff's analysis identifies that the Applicant has not satisfied the variance criterion required by Subsection14-3.6(C)(2).

Criterion 4: **The variance is the minimum variance that will make possible the reasonable use of the land or structure. The following factors shall be considered:** **(a) whether the property has been or could be used without variances for a different category or lesser intensity of use; and** **(b): consistency with the purpose and intent of Chapter 14, with the purpose and intent of the articles and sections from which the variance is granted and with the applicable goals and policies of the general plan.**	**Criterion Met:** (Yes/No) **YES**

The Applicant's response to "4a" states that:

"The property has not been nor would be used for other than a hotel. Regardless, expansion to the structure for any use could not be increased without the variances."

The Applicant's response to "4b" states that:

"This request is consistent with the intent of Chapter 14. The addition would be setback from the edge of the existing parapet so it will reduce its visibility and will not add or cast a shadow on the street below. The use (hotel) will remain which is consistent with the general plan 's goals and policies."

Staff's Analysis (4a):
Reasonable use is not defined in Chapter 14. The criterion requires the Board of Adjustment to find that the proposed "*variance is the minimum variance that will make possible the reasonable use of the land or structure"* using the factors of "4a" and "4b". Criterion (4a) asked the Board to consider if the property could be used without a variance or different intensity of use. The property could be used for a different use that does not require the competitive need for the proposed amenities and variances. However, the proposed variance does not increase the intensity of use as the proposed amenities are common ancillary components of a hotel.

Staff's Analysis (4b):
The Governing Body adopted the BCD Ordinance on February 10, 1982, a recommendation from the Urban Policy Board in1981. The Ordinance replaced the RM-1(renamed R21 – Residential: 21 dwelling units per acre), C-1(General Office), C-3 (General Commercial), and I-1 (Light Industrial) Districts, which now make up a collection of fourteen unique Townscape Subdistrict (Townscapes). The Townscapes defined areas of the downtown area, characterizing distinct urban design and architecture. While respecting the historic urban fabric of the area, design standards were established in 1983 for each Townscape. The design standards regulated building height, building placement, lot coverage, etc., to maintain the character of each Townscape.

14-7.4(3) The Design Objectives for Townscape Subdistrict:

14-7.4(3)(g) Marcy Street Subdistrict:

(i) maintain street trees and stands of trees as dominant elements in the subdistrict;
(ii) maintain avenue features, such as broad streets, planting strips, street trees and wide sidewalks;
(iii) maintain a sense of openness to provide occasional view of the mountains;
(iv) separate pedestrians from vehicles using planting strips and street trees while providing an enclosed space; and
(v) maintain the relationship between the height and mass of trees and the height and scale of buildings.

On March 10, 2020, the Applicant presented an Exception to the Historic Design Review Board (HDRB) directly affecting height and massing. The decision of the HDRB was to approve the Exception subject to conditions. On June 24, 2020, The Applicant presented an appeal of the HDRB the conditions to the Governing body. The decision of the Governing Body was to uphold the decision of the HDRB. The criterion for the HDRB to approve an exception is listed in Exhibit "E". The follow identify criterion that affect the Design Objectives of 14-7.4(3)(g) *"Marcy Street Subdistrict"*:

- *Height:*
  If the applicant requests approval of a height in the historic district that exceeds the underlying zoning district requirement, the applicant shall first receive an exception to this Section 14-5.2. If approved by the historic board, the applicant shall proceed to the board of adjustment or other applicable city body for consideration of the proposed variance.

- *Height, Pitch, Scale, Massing, and Floor Stepbacks*

    - *Do not damage the character of the streetscape;*
    - *Prevent a hardship to the applicant or an injury to the public welfare;*
    - *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;*
    - *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;*
    - *Are due to special conditions and circumstances which are not a result of the actions of the applicant; and*
    - *Provide the least negative impact with respect to the purpose of this section as set forth in Subsection 14-5.2(A)(1).*

The architectural modifications approved by the HDRB and upheld by the Governing Body are *consistent* with purpose and intent of the *Marcy Street Subdistrict* design objectives.

Staff's analysis identifies that the Applicant has satisfied the variance criterion required by 14-3.6(C)(4) based on HDRB approval and affirmed by Governing Body .

Criterion 5: The variance is not contrary to the public interest;	**Criterion Met:** (Yes/No) **YES**

The Applicant's response states that:

"This request is not contrary to public interest. In fact, it will support public interest by providing amenities that will serve the general public. It is in the interest of the public welfare for this property to remain economically viable and competitive in the hospitality industry and in downtown."

Staff's Analysis:
The public interest is much broader than the benefits obtained by a single company to compete within the same universe of businesses in the area. Publicly developed and promulgated regulations by the municipality provide minimum health, safety, and welfare standards to support the public interest. The HDRB has addressed architectural compatibility to the Townscape. The conditional approval by the HDRB does not conflict to public interest for the modifications proposed.

Staff's analysis identifies that the Applicant has satisfied the variance criterion required by 14-3.6(C)(5).

Table 4 Variance Approval Criteria– Subsection 14-3.16(C) (Case 20-2638)

Criterion 1: Subsection 14-3.6(C)(1) as follows: One or more of the following special circumstances applies:	**Criterion Met:** (Yes/No/)
(a) unusual physical characteristics exist that distinguish the land or structure from others in the vicinity that are subject to the same relevant provisions of Chapter 14, characteristics that existed at the time of the adoption of the regulation from which the variance is sought, or that were created by natural forces or by government action for which no compensation was paid; or **(b) the parcel is a Legal nonconforming lot created prior to the adoption of the regulation from which the variance is sought, or that was created by government action for which no compensation was paid; or** **(c) there is an inherent conflict in applicable regulations that cannot be resolved by compliance with the more restrictive provision as provided in Section 14-1.7; or** **(d) the land or structure is nonconforming and has been designated as a landmark, contributing or significant property pursuant to Section 14-5.2 (Historic Districts).**	**NO**

The Applicant's response states that:

- *"The variance is requested due to the small size of the lot, and the fact that it is completely covered with an existing structure which is currently 42' in height. The applicant is proposing a rooftop addition that would increase the height to 56'. This setback requirement would not allow for any improvements that are allowed by most other properties within the vicinity, and thus are able to make improvements without the need for a variance."*
- *"The Inn of the Anasazi sits on a lot that has for decades, been occupied by a tall building covering the entire lot and the applicant did not divide the property to create a lot with a small area of land. Rather, the small lot was created many, many decades ago. The condition of the lot is not a result of the action of the owner."*

Staff's Analysis:
The Applicant's response to criterion 14-3.6(C)(1)(a) & (b) are similar responses provided to the same Subsection given for Case #20-2494 *"Variance to Height."* Therefore, the Staff response is also the same for this criterion, with the additional review. The current massing of the building is nonconforming relative to stepbacks. This requested variance will increase the nonconformity within the Marcy Townscape Subdistrict that exceed 24' in height. The proposed addition is the design of the Applicant. The Applicant's response fails to provide any circumstance that prevents the plan to include the stepbacks in compliance with Chapter 14, for the proposed addition.

Staff's analysis identifies that the Applicant has not satisfied the variance criterion required by Subsection 14-3.6(C)(1).

Criterion 2: **The special circumstances make it infeasible, for reasons other than financial cost, to develop the property in compliance with the standards of Chapter 14.**	**Criterion Met:** (Yes/ No) **<u>NO</u>**

The Applicant's response states that:

"Due to the lot size and existing lot coverage, the Anasazi cannot expand anywhere but up to provide the same type of amenities allowed to competitors within the downtown area."

Staff's Analysis:

The Applicant's response to criterion 14-3.6(C)(2) is the same provided to the same Subsection given for Case #20-2494 *"Variance to Height"* which does not address the criterion relative to the requested variance. Therefore, the Staff response is also the same for this criterion, with the additional review. The proposed addition is the design of the Applicant. The Applicant's response fails to provide any special circumstances that make it infeasible to design and develop the addition to include the stepbacks in compliance with Chapter 14's standards.

Staff's analysis identifies that the Applicant has not satisfied the variance criterion required by Subsection14-3.6(C)(2).

Criterion 3: The intensity of the development shall not exceed that which is allowed on other properties in the vicinity that are subject to the same relevant provisions of Chapter 14	**Criterion Met:** (Yes/No) **NO**

The Applicant's response states that:

> *"The Anasazi already occupies 100% of the lot and there is no additional area to provide amenities that are being proposed for in this addition. All of the of the Anasazi 's main competitors in the vicinity provide rooftop swimming facilities and outdoor and indoor dining, socializing and event staging on their rooftops which are subject to the same relevant provisions of Chapter 14."*

Staff's Analysis:

The Applicant's response to criterion 14-3.6(C)(3) is the same provided to the same Subsection given for Case #20-2494 *"Variance to Height"* Therefore, the Staff response is also the same for this criterion, with the additional review. The failure to comply with the step back massing requirements adds to the intensity of the development relative to the design standards, design objectives of the Marcy Townscape. However, while the Applicant failed to address the criterion of Subsection14-3.6(C)(3), the architectural modifications approved by the HDRB do address the intent of the Townscape to help mitigate the step back variance request.

Staff's analysis identifies that the Applicant has not satisfied the variance criterion required by Subsection14-3.6(C)(3).

Criterion 4: **The variance is the minimum variance that will make possible the reasonable use of the land or structure. The following factors shall be considered:** **(a) whether the property has been or could be used without variances for a different category or lesser intensity of use; and** **(b): consistency with the purpose and intent of Chapter 14, with the purpose and intent of the articles and sections from which the variance is granted and with the applicable goals and policies of the general plan.**	**Criterion Met:** (Yes/No) **YES**

The Applicant's response to "4a" states that:

"The property has not been nor would be used for other than a hotel. Regardless, expansion to the structure for any use could not be increased without the variance."

The Applicant's response to "4b" states that:

"The Planning Commission is granted the authority by Code to allow for roads that are more representative of the development pattern in the existing neighborhood. This is certainly the case where this private road has existed since the 1970 's. The general plan does state that the character of the surrounding neighborhood should be recognized when considering new development."

Staff's Analysis (4a) and (4b):
The Applicant's responses to criterion 14-3.6(C)(4a) and (4b) are the same provided to the same Subsection given for Case #20-2494 *"Variance to Height"* Therefore, the Staff response is also the same for this criterion.

Staff's analysis identifies that the Applicant has satisfied the variance criterion required by 14-3.6(C)(4).

Criterion 5: The variance is not contrary to the public interest;	**Criterion Met:** (Yes/No) **YES**

The Applicant's response states that

"This request is not contrary to public interest. In fact, it will support public interest by providing amenities that will serve the general public. It is in the interest of the public welfare for this property to remain economically viable and competitive in the hospitality industry and in downtown."

Staff's Analysis:
The Applicant's response to criterion 14-3.6(C)(5) is the same provided to the same Subsection given for Case #20-2494 *"Variance to Height"* Therefore, the Staff response is also the same for this criterion, with the additional review.

Staff's analysis identifies that the Applicant has satisfied the variance criterion required by 14-3.6(C)(5).

VIII. EARLY NEIGHBORHOOD NOTIFICATION

The Applicant conducted a ENN on January 30, 2020, at the Main Library located at 145 Washington Ave. There were eight members of the public in attendance. The following concerns were raised at the meeting:

1. Trash such as cups and napkins etc., flying of the roof and onto adjacent properties.
2. There was no detail where the construction vehicles are park.
3. Who to talk to if damage from construction occurs?

These concerns were not addressed in the Applicant's submittals.

IX. EXPIRATION

The expiration date for a variance is listed in Subsection 14-3.19(B) *"Expiration of Development Approvals"*. Variances shall expire three years after final action approving it unless actual development of the site or offsite improvements has begun and is continued pursuant to Subsection 14-3.19(B)(6)."

Should the Board of Adjustment approve the variances and adopt all the Findings of Fact and Conclusions of Law, the expiration date would be October 20, 2023.

X. EXHIBITS:

EXHIBIT A: Technical Conditions

EXHIBIT B: Development Review Team (DRT)
1) Fire Department, Geronimo Griego

EXHIBIT C: Early Neighborhood Notification
1) Guidelines
2) ENN Notes

EXHIBIT D: Maps and Photos
1) Current Zoning Map 1
2) Current Zoning Map 2
3) BCD Townscape Subdistrict Map
4) Aerial Photo

EXHIBIT E: Code Material
1) Table 14-7.4(A)-1 "Table of Dimensional Requirements for Townscape Districts"
2) *14-7.4(3) The Design Objectives for Townscape Subdistrict"*
3) 14-5.2(C)(5)(C) *"Exceptions"*

EXHIBIT F: HDRB Material
1) March 10, 2020 HDRB Memo
2) June 24, 2020 Governing Body Appeal material
3) September 2020 HDRB material

EXHIBIT G: Applicant Material
1) Application Variance to Height
2) Application Variance to Stepback
3) Plans

APPROVED AS TO FORM:

Title	Name	Initials
Land Use Department Director	Elias Isaacson, AICP	ESI
Land Use Planner Senior	Dan Esquibel	

October 20, 2020
Board Of Adjustment
Case #2020-2494 & 2020-2638
113 Washington Avenue
Variances

EXHIBIT

A

Technical Corrections

EXHIBIT A
Technical Corrections
Case #2020-2494 & 2020-2638
113 Washington Avenue Variances

	Technical Corrections of approval	Department	To be completed by:
1	Fire apparatus access shall have an unobstructed width of not less than 20 feet exclusive of shoulders and an unobstructed vertical clearance of not less than 13 feet 6 inches (IFC 2009 Section 503.2.1)	**Fire Division**	At the time of any new construction or remodel.
2	Shall meet the 150 feet driveway requirements must be met as per IFC, or an emergency turn-around that meets the IFC requirements shall be provided. (Appendix D Table D103.4)		
3	Shall comply with table D103.4 Requirements for Dead-End Fire Apparatus Access Roads.		
4	Fire Department shall have 150 feet distance to any portion of the building on any new construction. (IFC 2009 section 503.1.1)		
5	507.5 Fire hydrant systems. Fire hydrant systems shall comply with Sections 507.5.1 through 507.5.6. 507.5.1 Where required. Where a portion of the facility or building hereafter constructed or moved into or within the jurisdiction is more than 400 feet (122 m) from a hydrant on a fire apparatus access road, as measured by an approved route around the exterior of the facility or building.		
6	Shall have water supply that meets fire flow requirements as per IFC (Appendix B)		
7	Shall comply with Section D102.1 Access and Loading (75,000 lbs).		
8	Shall meet the 150 feet driveway requirements must be met as per IFC, or an emergency turn-around that meets the IFC requirements shall be provided. (Appendix D Table D103.4)		
9	Shall comply with IFC 2009 Section D103.2 Grade. Fire apparatus access roads shall not exceed 10 percent in grade.		
10	Shall comply with IFC 2009 Section D103.5 Fire apparatus access road gates.		
11	Shall comply with IFC 2009, Appendix D, Aerial Fire Apparatus Access Roads.		

12	Shall meet the IFC code requirements 2009 edition or the most current edition the governing body has adopted at the time of permitting.		

October 20, 2020
Board Of Adjustment
Case #2020-2494 & 2020-2638
113 Washington Avenue
Variances

EXHIBIT

B

DRT

Development Review Team

Comment Form

Date: 10/02/2020

Staff person: Geronimo Griego

Dept/Div: Fire Prevention

Case:2020-2638 113 Washington Avenue Variance to Step back

Case Mgr: Dan Esquibel

Review by this division/department has determined that this application will meet applicable standards if the following are met:

Conditions of Approval:	Must be completed by:
Shall provide elevations for full review from fire department.	Prior to planning commission.

Technical Corrections*:	Must be completed by:
1. Fire apparatus access shall have an unobstructed width of not less than 20 feet exclusive of shoulders and an unobstructed vertical clearance of not less than 13 feet 6 inches (IFC 2009 Section 503.2.1) 2. Shall meet the 150 feet driveway requirements must be met as per IFC, or an emergency turn-around that meets the IFC requirements shall be provided. (Appendix D Table D103.4) 3. Shall comply with table D103.4 Requirements for Dead-End Fire Apparatus Access Roads. 4. Fire Department shall have 150 feet distance to any portion of the building on any new construction. (IFC 2009 section 503.1.1) 5. 507.5 Fire hydrant systems. Fire hydrant systems shall comply with Sections 507.5.1 through 507.5.6. 507.5.1 Where required. Where a portion of the facility or building hereafter constructed or moved into or within the jurisdiction is more than 400 feet (122 m) from a hydrant on a fire apparatus access road, as measured by an approved route around the exterior of the facility or building. 6. Shall have water supply that meets fire flow requirements as per IFC (Appendix B)	At the time of any new construction or remodel.

7. Shall comply with Section D102.1 Access and Loading (75,000 lbs). 8. Shall meet the 150 feet driveway requirements must be met as per IFC, or an emergency turn-around that meets the IFC requirements shall be provided. (Appendix D Table D103.4) 9. Shall comply with IFC 2009 Section D103.2 Grade. Fire apparatus access roads shall not exceed 10 percent in grade. 10. Shall comply with IFC 2009 Section D103.5 Fire apparatus access road gates. 11. Shall comply with IFC 2009, Appendix D, Aerial Fire Apparatus Access Roads. 12. Shall meet the IFC code requirements 2009 edition or the most current edition the governing body has adopted at the time of permitting.	

*Must made prior to recording and/or permit issuance

October 20, 2020
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Case #2020-2494 & 2020-2638
113 Washington Avenue
Variances

EXHIBIT

C

ENN

ENN GUIDELINES

Applicant Information

Project Name: **Inn of the Anaszi Variance**

Name: **Rosewood Inn of the Anasazi** (*Last*) **c/o Lutz Arnhold** (*First*) (*M.I.*)

Address: **113 Washington** (*Street Address*) (*Suite/Unit #*)

Santa Fe (*City*) **NM** (*State*) **87501** (*ZIP Code*)

Phone: **(505) 946-4009** E-mail Address: **c/o liaisonplanning@gmail.com**

Please address each of the criteria below. Each criterion is based on the Early Neighborhood Notification (ENN) guidelines for meetings, and can be found in Section 14-3.1(F)(5) SFCC 2001, as amended, of the Santa Fe City Code. A short narrative should address each criterion (if applicable) in order to facilitate discussion of the project at the ENN meeting. These guidelines should be submitted with the application for an ENN meeting to enable staff enough time to distribute to the interested parties. For additional detail about the criteria, consult the Land Development Code.

(a) EFFECT ON CHARACTER AND APPEARANCE OF THE SURROUNDING NEIGHBORHOODS ***For example: number of stories, average setbacks, mass and scale, landscaping, lighting, access to public places, open spaces and trails.***

The property is located on the east side of Washington Avenue, north of Palace Avenue at 113 Washington Avenue and is zoned BCD-MAR. The property is approximately 19,861 square feet. The applicant would a variance to increase the height from 42' to 56' for a roof top pool, bar and event space.

(b) EFFECT ON PROTECTION OF THE PHYSICAL ENVIRONMENT ***For example: trees, open space, rivers, arroyos, floodplains, rock outcroppings, escarpments, trash generation, fire risk, hazardous materials, easements, etc.***

Approval of this request will not adversely affect the public interest. The site is currently being used as a hotel and an increase in use will not effect open space, rivers, arroyos, floodplains, trees, rock outcroppings, escarpment, trash generation, fire risk nor easements. The primary use of this building will remain the same.

(c) IMPACTS ON ANY PREHISTORIC, HISTORIC, ARCHAEOLOGICAL OR CULTURAL SITES OR STRUCTURES, INCLUDING ACEQUIAS AND THE HISTORIC DOWNTOWN ***For example: the project's compatibility with historic or cultural sites located on the property where the project is proposed.***

The property is located within the Downtown Eastside Historic District and will have to adhere to the standards. An application to the Historic Board has been submitted for review.

(d) RELATIONSHIP TO EXISTING DENSITY AND LAND USE WITHIN THE SURROUNDING AREA AND WITH LAND USES AND DENSITIES PROPOSED BY THE CITY GENERAL PLAN ***For example: how are existing City Code requirements for annexation and rezoning, the Historic Districts, and the General Plan and other policies being met.***

The subject property has been approved for its current use and satisfies all the requirements within the General Plan. Aside from the requested variances, the property meets all development standards.

(e) EFFECTS ON PARKING, TRAFFIC PATTERNS, CONGESTION, PEDESTRIAN SAFETY, IMPACTS OF THE PROJECT ON THE FLOW OF PEDESTRIAN OR VEHICULAR TRAFFIC AND PROVISION OF ACCESS FOR THE DISABLED, CHILDREN, LOW-INCOME AND ELDERLY TO SERVICES ***For example: increased access to public transportation, alternate transportation modes, traffic mitigation, cumulative traffic impacts, pedestrian access to destinations and new or improved pedestrian trails.***

Presently, parking is solely valet and vehicles are parked underground. The amount of spaces provided meet and exceed what is required. The proposed improvements do not require additional parking spaces. Because the improvements are to the rooftop and are not adding to the footprint an increase in traffic and circulation will not be affected.

The proposed application will maintain adequate road standards, will provide access to public transportation and pedestrian walkways.

(f) IMPACT ON THE ECONOMIC BASE OF SANTA FE ***For example: availability of jobs to Santa Fe residents; market impacts on local businesses; and how the project supports economic development efforts to improve living standards of neighborhoods and their businesses.***

While new development may be perceived a negative impact on neighborhood property owners in the immediate vicinity, that impact must be weighed against the benefit to the public, or the expense to the public, of not allowing improvements to commercial businesses within the downtown area. The proposed improvements will provide employment and a place for the public and guests to enjoy these amenaties.

(g) EFFECT ON THE AVAILABILITY OF AFFORDABLE HOUSING AND AVAILABILITY OF HOUSING CHOICES FOR ALL SANTA FE RESIDENTS ***For example: creation, retention, or improvement of affordable housing; how the project contributes to serving different ages, incomes, and family sizes; the creation or retention of affordable business space.***

This project is not applicable.

(h) EFFECT UPON PUBLIC SERVICES SUCH AS FIRE, POLICE PROTECTION, SCHOOL SERVICES AND OTHER PUBLIC SERVICES OR INFRASTRUCTURE ELEMENTS SUCH AS WATER, POWER, SEWER, COMMUNICATIONS, BUS SYSTEMS, COMMUTER OR OTHER SERVICES OR FACILITIES ***For example: whether or how the project maximizes the efficient use or improvement of existing infrastructure; and whether the project will contribute to the improvement of existing public infrastructure and services.***

Public water and sewer are readily available at this site and have sufficient capacity to handle the additional load from this development. All other outside utility providers agree that this site is well served by existing infrastructure, with all dry utilities either already on, adjacent to, or in close

proximity to the property. Dry utilities are of sufficient capacity to serve the project at full development.

(i) IMPACTS UPON WATER SUPPLY, AVAILABILITY AND CONSERVATION METHODS ***For example: conservation and mitigation measures; efficient use of distribution lines and resources; effect of construction or use of the project on water quality and supplies.***

The development will be served by City Water and sewer. Conservation methods will be incorporated into the project as required by Code.

(j) EFFECT ON THE OPPORTUNITIES FOR COMMUNITY INTEGRATION AND SOCIAL BALANCE THROUGH MIXED LAND USE, PEDESTRIAN ORIENTED DESIGN, AND LINKAGES AMONG NEIGHBORHOODS AND RECREATIONAL ACTIVITY AND EMPLOYMENT CENTERS ***For example: how the project improves opportunities for community integration and balance through mixed land uses, neighborhood centers and/or pedestrian-oriented design.***

Planning for mixed uses and linkages to employment centers seem to have been central in this area. The proposed project will enrich community integration and employment opportunities. The design provides the property with enhancements that are allowed among other hotels within the downtown historic district. The proposed project fits well into this conceptual model.

(k) EFFECT ON SANTA FE'S URBAN FORM ***For example: how are policies of the existing City General Plan being met? Does the project promote a compact urban form through appropriate infill development? Discuss the project's effect on intra-city travel and between employment and residential centers.***

The proposed improvements will be sited on an existing building site that is high density and will not exceed the scale of surrounding buildings. Its proximity to both a busy mixed-use neighborhood with public transportation serves the policies of the City 's General Plan well. Travel between employment and residential centers will not be affected.

City of Santa Fe
Land Use Department
Early Neighborhood Notification Meeting Notes

Project Name	ENN: 113 Washington Avenue
Project Location	113 Washington Avenue
Project Description	Proposed variance request from 14-7.4(A)-1 Table of Dimensional Requirements for Townscapes to increase the maximum height of 42 feet within the Marcy Townscape to allow the Rosewood Inn of the Anasazi a height of 56 foot rooftop accessory use. The project is located at 113 Washington Avenue.
Applicant / Owner	Rosewood Inn Of The Anasazi
Agent	Liaison Planning Services Inc.
Pre-App Meeting Date	December 10, 2019
ENN Meeting Date	January 30, 2020
ENN Meeting Location	Main Library, 145 Washington Ave
Application Type	ENN
Land Use Staff	Dan Esquibel
Other Staff	None
Attendance	8

Notes/Comments:
The Applicant conducted a ENN on January 30, 2020, at the Main Library located at 145 Washington Ave. There were eight members of the public in attendance. The following concerns were raised at the meeting:

1. Trash such as cups and napkins etc., flying of the roof and onto adjacent properties.
2. There was no detail where the construction vehicles are park.
3. Who to talk to if damage from construction occurs?

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113 Washington Avenue
Variances

EXHIBIT

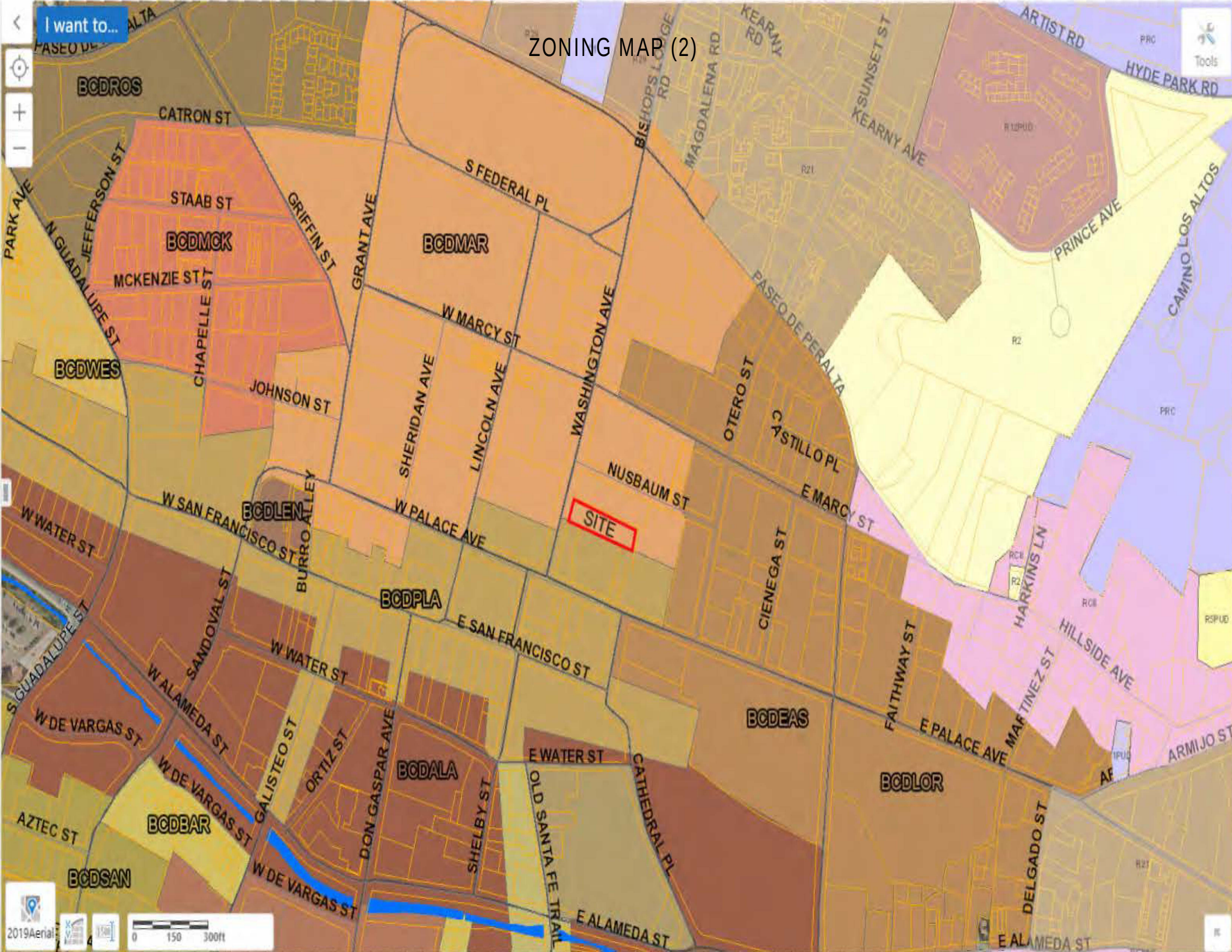
D

Maps and Photos

ZONING MAP (1)

NUSBAUM ST
WASHINGTON AVE
BCDMAR
SITE
BCDPLA
BCDEAS
20
40ft

ZONING MAP (2)


I want to...
Tools
BCDROS
CATRON ST
S FEDERAL PL
STAAB ST
BCDMCK
MCKENZIE ST
BCDMAR
W MARCY ST
BCDWES
JOHNSON ST
BCDLEN
W SAN FRANCISCO ST
W PALACE AVE
NUSBAUM ST
SITE
E MARCY ST
BCDPLA
E SAN FRANCISCO ST
W WATER ST
W DE VARGAS ST
W ALAMEDA ST
BCDALA
E WATER ST
BCDEAS
E PALACE AVE
BCDLOR
AZTEC ST
BCDBAR
BCDSAN
W DE VARGAS ST
E ALAMEDA ST
E ALAMEDA ST
PARK AVE
N GUADALUPE ST
JEFFERSON ST
CHAPELLE ST
GRIFFIN ST
GRANT AVE
SHERIDAN AVE
LINCOLN AVE
WASHINGTON AVE
BISHOPS LODGE RD
MAGDALENA RD
KEARNY RD
KEARNY AVE
SUNSET ST
ARTIST RD
HYDE PARK RD
PRINCE AVE
CAMINO LOS ALTOS
PASEO DE PERALTA
OTERO ST
CASTILLO PL
CIENEGA ST
HARKINS LN
HILLSIDE AVE
FAITHWAY ST
MARTINEZ ST
ARMIJO ST
DELGADO ST
S GUADALUPE ST
SANDOVAL ST
BURRO ALLEY
GALISTEO ST
ORTIZ ST
DON GASPAR AVE
SHELBY ST
OLD SANTA FE TRAIL
CATHEDRAL PL
PRC
R21
R2
RC/R
RSPUD
2019Aerial
0 150 300ft

BCD MAP

GOOGLE EARTH
AERIAL MAP
Site

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EXHIBIT

E

Code Material

14-7.4 - BUSINESS-CAPITOL DISTRICT

(A) Table of Dimensional Requirements for Townscape Subdistricts

14-7.4(A)-1 Table of Dimensional Requirements for Townscape Districts[Note 1]

Maximum Height of Structures (feet); Stepback Note 2	Maximum Lot Coverage Ratio	Building Placement and Setback Requirements (feet)	Minimum Open Space Requirements	Landscape Treatment in Yards	Height of Walls and Fences (feet)	Placement of Off-Street Parking	Portals
Marcy							
42 1' Horiz.: 1" Vert. above 24'; wall stepbacks shall be a minimum of 10 horizontal feet.	No requirements	Note 7	An open space of no less than 10 percent of the lot area shall be located adjacent to the front property line to serve as a yard or courtyard	Same as East Marcy/East Palace Subdistrict	4 maximum	Parking prohibited in front yard	Prohibited within ROW

Notes:

1. Provisions of overlay districts including historic, escarpment or neighborhood districts may override standards in this table. Refer to Article 14-5 Overlay Districts and zoning map.

2. Wall stepbacks are expressed as ratio of increased horizontal *setback* required to vertical height increase, above a specified *building* height. Example: 1' Horiz: 2' Vert. above 36' means that a wall stepback equivalent to one horizontal foot for each two vertical feet over thirty-six feet is required. The stepback required shall be measured horizontally from the face of the *building façade* or *portal*. Wall stepbacks shall be measured vertically from grade for all walls except those that directly abut another *zero lot line building*, in which case the vertical measurement may be taken from the roof plane of the abutting *building*; and those to which a *portal* is attached, in which case the vertical measurement may be taken from the roof plane of the *portal*.

14-7.4(b)(3) Design Objectives for Individual Townscape Subdistricts The best existing qualities of the individual townscape subdistricts should be preserved, while encouraging diversity of design in the individual townscape subdistricts. New development should be harmonious with the specific physical characteristics and development and design objectives listed below:

(g) Marcy Street Subdistrict:

(i) maintain street trees and stands of trees as dominant elements in the subdistrict;

(ii) maintain avenue features, such as broad streets , planting strips , street trees and wide sidewalks;

(iii) maintain a sense of openness to provide occasional view of the mountains;

(iv) separate pedestrians from vehicles using planting strips and street trees while providing an enclosed space; and

(v) maintain the relationship between the height and mass of trees and the height and scale of buildings.

(5) Exceptions

Staff shall determine whether an exception to this section is required. The historic board may grant an exception to the regulations set forth in this section provided that such exception does not exceed the underlying zoning.

(a) Height

If the *applicant* requests approval of a height in the historic district that exceeds the underlying zoning district requirement, the *applicant* shall first receive an exception to this Section 14-5.2. If approved by the historic board, the *applicant* shall proceed to the board of adjustment or other applicable *city* body for consideration of the proposed variance.

(b) Design Standards and Signage

The board may recommend exceptions to Subsections 14-5.2(D)(1-8, 10-11) and 14-5.2(E) through (I) for construction or alterations within the historic district. The recommendation for exceptions shall be made to the *governing body*. Procedures for public notice and hearing before the *governing body* shall be as set forth in Section 14-3.6(B)(3). Exceptions are *project* specific and do not apply to the subject *property* in perpetuity. If approved by the *governing body*, the inspections and enforcement *office* shall accept and review an *application* for, and issue, as appropriate, a *building permit*. The *applicant* for such exceptions shall conclusively demonstrate and the board shall make a positive finding of fact that such exceptions comply with all the criteria listed as follows:

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

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

(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.

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

The board is the *city* administrative board reviewing and granting or denying requests for exceptions from regulations set forth in Subsection 14-5.2(D)(9). When requesting exceptions the *applicant* shall use the procedures for public notice and hearing set forth in Section 14-3.6(B)(3), unless the *applicant* also requests a variance to the underlying zoning. In such a case the *applicant* for the H ordinance exception shall not be required to publish a legal ad in the local newspaper. Exceptions are *project* specific and do not apply to the subject *property* in perpetuity. The board may grant exceptions and impose conditions thereon to Subsection 14-5.2(D)(9) for height of *structures* within the historic districts as specified in Subsection 14-5.2(D)(9)(a). The *applicant* for such exceptions shall conclusively demonstrate and the board shall make a positive finding of fact that such exceptions comply with all the criteria listed as follows:

(i) Do not damage the character of the *streetscape*;

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

(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;

(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*;

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

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

October 20, 2020
Board Of Adjustment
Case #2020-2494 & 2020-2638
113 Washington Avenue
Variances

EXHIBIT

F

HDRB Material

City of Santa Fe, New Mexico

200 Lincoln Avenue, P.O. Box 909, Santa Fe, N.M. 87504-0909
www.santafenm.gov

Alan Webber, Mayor

Councilors:
Signe I. Lindell, Mayor Pro Tem, District 1
Renee Villarreal, District 1
Michael J. Garcia, District 2
Carol Romero-Wirth, District 2
Roman "Tiger" Abeyta, District 3
Chris Rivera, District 3
Jamie Cassutt-Sanchez, District 4
JoAnne Vigil Coppler, District 4

PROJECT DESCRIPTION: Martinez Architecture Studio, agent for Rosewood Inn of the Anasazi, owner, proposes to construct a 3,078 sq. ft. fourth floor addition to a height of 56'0" with a pool and dining area. An exception is requested to exceed the maximum allowable height of 20'1" (Section 14-5.2(D)(9)).

Case number: **2019-001600-HDRB**
Project Type: HDRB

PROJECT LOCATION (S): 113 Washington Avenue

OW – Rosewood Inn of the Anasazi	113 Washington Avenue	Santa Fe, NM 87501
AP – Martinez Architecture Studio PC	P.O. Box 925	Santa Fe, NM 87504

BOARD ACTION

This is to certify that the Historic Districts Review Board (HDRB) acted on your request at their hearing on March 10, 2020. The decision of the Board was to approve the project, having found that the criteria for a height exception have been met, with the following conditions: 1) that the front (westernmost) three chimney massings shall be eliminated from the design and that the existing westernmost chimney stacks shall remain in their existing locations and at their current heights; 2) that the size of the event space shall be limited by the distance that the building code requires the space to be from the existing westernmost chimneys; and 3) that the applicant shall provide revised drawings to staff for review that conditions have been met. For further information please call 955-6605.

Sincerely,

Lisa Roach

Lisa Gavioli Roach
Planner Manager, Historic Preservation Division

NOTE: Applicant can use this action letter to apply for construction permit, but the permit shall not be released until the end of the appeal period which starts on the date of filing of the Findings and Conclusions in the City Clerk's office (SFCC 14-3.17(D)). Your permit will be denied if any changes on plans that were not approved by the HDRB or if conditions of approval are not met. **Please attach copies of this letter to all sets when submitting for construction permits.**

CITY OF SANTA FE, NEW MEXICO

PROJECT DESCRIPTION: Martinez Architecture Studio, agent for Rosewood Inn of the Anasazi, owner, proposes to construct a 3,078 sq. ft. fourth floor addition to a height of 56'0" with a pool and dining area. An exception is requested to exceed the maximum allowable height of 20'1" (Section 14-5.2(D)(9)).

Case number: **2019-001600-HDRB**
Project Type: HDRB

PROJECT LOCATION (S): 113 Washington Avenue

OW – Rosewood Inn of the Anasazi	113 Washington Avenue	Santa Fe, NM 87501
AP – Martinez Architecture Studio PC	P.O. Box 925	Santa Fe, NM 87504

PROJECT DATA:

HISTORIC DISTRICT

Don Gaspar Area ☐ Downtown and Eastside ☑ Historic Review ☐ Transition ☐ Westside-Guadalupe ☐

HISTORIC BUILDING STATUS

Non-Statused ☐ Non-Contributing ☑ Contributing ☐ Significant ☐ Landmark ☐ N/A ☐

PRIMARY ELEVATIONS: North ☐ South ☐ West ☐ East ☐ N/A ☑

PUBLICLY VISIBLE FACADE-EAST Yes ☐ No ☑

PUBLICLY VISIBLE FACADE-NORTH Yes ☑ No ☐

PUBLICLY VISIBLE FACADE-SOUTH Yes ☑ No ☐

PUBLICLY VISIBLE FACADE-WEST Yes ☑ No ☐

HISTORIC DISTRICT INVENTORY NUMBER H3537

YEAR OF CONSTRUCTION post 1945

PROJECT TYPE

Status ☐ Primary Elevations ☐ Remodel ☑ Demolition ☐ New ☐ Other _____

USE, EXISTING Residential ☐ Non-Residential ☑ Vacant ☐

USE, PROPOSED Residential ☐ Non-Residential ☑

HISTORIC BUILDING NAME State Securities Building

City of Santa Fe, New Mexico

memo

DATE: March 10, 2020

TO: Historic Districts Review Board Members

FROM: Lisa Gavioli Roach, Historic Preservation Division Manager

Case # 2020-001600-HDRB
(POSTPONED FROM 2/11/2020)

Address: 113 Washington Ave
Historic Status: Non-contributing
Historic District: Downtown and Eastside

REFERENCE ATTACHMENTS (Sequentially):

CITY SUBMITTALS

____ **District Standards & yard wall & fence standards.**

__x__ **Historic Inventory Form**

__x__ **Zoning Review Sheet**

__x__ **Other**: Height calculation – maximum allowable height calculated to be 20'1"

APPLICANT SUBMITTALS

__x__ **Proposal Letter (original and revised)**

__x__ **Site Plan/Floor Plan (original and revised)**

__x__ **Elevations (original and revised)**

__x__ **Photographs**

__x__ **Other:** digital renderings

STAFF RECOMMENDATION:

Staff finds that the exception criteria have been met and recommends approval of the proposed project and finds that the application complies with Section 14-5.2(D) General Design Standards for all Historic Districts, and 14-5.2(E) Downtown and Eastside Design Standards.

BACKGROUND & SUMMARY:

113 Washington Avenue is a commercial hotel structure that was constructed after 1945 in the Territorial Revival style, when it was known as the State Securities Building. The building was substantially remodeled in 1989 in the Spanish Pueblo Revival style and was adaptively reused as the Inn of the Anasazi. In 2014, the HDRB approved window replacement throughout the structure (Case H-14-025). The building is listed as non-contributing to the Downtown and Eastside.

At the February 11, 2020, hearing of the HDRB, the applicant proposed to construct an addition to the rooftop level of the building, and after discussing several design details, the Board postponed the case, requesting redesign with particular attention to the street-facing west elevation. The applicant submitted revised drawings, reflecting a few modifications to the design, as well as digital renderings which better capture the visual effects of the additions on the streetscape. The project is proposed as follows:

1) Construct an addition and improvements to the rooftop level of the hotel. An exception is requested to exceed the maximum allowable height of 20'1", and exception criteria and responses are provided below. The applicant proposes to build to a height of 56' in the central portion of the existing roof level, and this massing will rise a maximum of 14' above the existing parapet and will be set back from the street-facing façade by more than 70'.

2) At the front (street-facing) third of the space will be an outdoor event space with tile decking, seating, an informal lobby area, elevator overrun, stairwell, and storage space. The seating area will be set back further from the front façade of the building than originally proposed. The applicant redesigned the chimney structures that are prominent on the proposed design, such that the central chimneys have been consolidated, made more massive, and set back further from the front façade, resulting in better integration of the chimneys into the architectural features of the existing building. The side chimneys have also been made more massive and sculptural so as to blend better with the existing hotel. The seating area will feature a 12'8" high tan canopy situated on dark bronze tracks on which the canopy can be extended or retracted depending on weather. The canopy tracks have been redesigned to be seated on top of the three chimney structures at the west end of the seating area, and the space will be framed by 5' high stuccoed walls.

3) The central third of the space will feature an enclosed lounge and bar with required back of the house spaces, including kitchen and restrooms. The stuccoed massing will match the Spanish-Pueblo Revival style of the hotel, and windows will match those that are featured elsewhere on the hotel. As stated above, the height of this massing will rise 14' above the existing parapet, resulting in a total height of 56'. Any rooftop appurtenances and skylights placed on the roof of this addition will not be publicly visible.

4) At the rear third of the space will be a rectangular pool and tile deck, set back approximately 4 feet from the edge of the building. The perimeter of the pool deck will be framed by 4' high stuccoed walls and a retractable tan canopy with dark bronze rails to a

height of 12'8" above the existing parapet. The previously presented wood framed cabana structures have been modified to free-standing fabric structures. In this area, the chimneys have also been moved closer together from the previous design and incorporated into fewer, larger masses rather than having multiple smaller chimneys. At the southeast corner of the pool deck, a stairwell, mechanical and storage spaces will be located, and the northwest corner of the pool deck will feature an outdoor fireplace and seating area.

EXCEPTION CRITERIA AND RESPONSES

Exception to exceed the maximum allowable height, per Section 14-5.2(D)(9):

i) Do not damage the character of the streetscape;

Applicant Response: On this block of Washington Ave (on both sides of the street}, tall institutional and commercial buildings define the streetscape. The hotel adjacent and to the north of the Inn of the Anasazi is about the same height, and the buildings across Washington Avenue are taller than the Inn of the Anasazi. Typically, the buildings rise from the sidewalk up several stories without setting back. This character - tall institution and commercial buildings adjacent to the sidewalks - is unique in many ways to this area of the downtown area. The proposed addition will be set back from the edge of the existing parapet. It will not be visible from the east side of the street and will hardly be noticeable from the west side of the street. As a result, the addition will fit into the existing character of the streetscape, rather than do damage to it. The human scale enjoyed today on this section of the streetscape will not be adversely affected or damaged.

Staff Response: *Staff agrees with this response.*

(i) Prevent a hardship to the applicant or an injury to the public welfare;

Applicant Response: The hardship to the applicant results from the fact that Inn of the Anasazi sits on a lot that already occupies 100% of the lot, and there is no additional area to provide the amenities that are being proposed in the addition. It is in the interest of the public welfare (and the Inn of the Anasazi) for this property to remain economically viable and competitive in the hospitality industry in downtown; the Inn of the Anasazi must be at least as attractive to visitors as other luxury hotels in the downtown area. All of the Inn of the Anasazi's major competitors- La Fonda, the Drury, and the Eldorado Hotel - all provide swimming facilities (all of which are on the roof tops), and opportunities for outdoor and indoor dinning, socializing and event-staging on their rooftops. In order to compete and remain relevant and to avoid eventual obsolescence – and thereby avoid a hardship and harm to the public welfare of the City of Santa Fe – the Inn of the Anasazi must invest in the facilities with the propose addition, but has nowhere to add them except on top of the existing hotel.

Staff Response: *Staff agrees with this response.*

(iii) Strengthen the unique heterogeneous character of the city by providing a full range of design options to ensure that residents can continue to reside within the historic districts;

Applicant Response: This criterion really addresses residential uses in the historic district and a "full range of design options to ensure that residents can continue to reside" and has no applicability to addition of a commercial building. However, the proposed addition will strengthen commercial character of the downtown by adding amenities to a downtown hotel that will allow visitors and patrons a greater range of possibilities to enjoy the unique culture of Santa Fe.

Staff Response: *Staff agrees with this response.*

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

Applicant Response: Inn of the Anasazi sits on a lot that has for decades been occupied by a tall building covering the entire lot, and the applicant did not divide the property to create a lot with a small area of land. Rather, the small lot was created many, many decades ago. The condition of the lot is not the result of the action of the owner.

Staff Response: *Staff agrees with this response.*

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

Applicant Response: The proposed addition and amenities will not have any negative impact on the streetscape or the historic character of the downtown area. The addition will be set back from the edge of the existing parapet so it will reduce its visibility as discussed above and will not add or cast a shadow on to the streets below. In short, it will not exacerbate any of the effects that tall building may have on a streetscape - "canyon effect," shadows, disproportionate scale or massing. So, any potentially negative impacts have been mitigated by the design.

Staff Response: *Staff agrees with this response.*

RELEVANT CODE CITATIONS:

14-5.2(A)(1) General Purpose

In order to promote the economic, cultural, and general welfare of the people of the city and to ensure the harmonious, orderly and efficient growth and development of the city, it is deemed essential by the governing body that the qualities relating to the history of Santa Fe, and a harmonious outward appearance, which preserve property values and attract tourists and residents alike, be preserved, some of these qualities being:

(a) The continued existence and preservation of historical areas and buildings;

(b) The continued construction of buildings in the historic styles; and
(c) A general harmony as to style, form, color, height, proportion, texture and material between buildings of historic design and those of more modern design.

14-5.2(E) Downtown and Eastside Design Standards

(1) Old Santa Fe Style

Old Santa Fe style, characterized by construction with adobe, is defined as including the so-called "pueblo" or "pueblo-Spanish" or "Spanish-Indian" and "territorial" styles and is more specifically described as follows:

(a) With rare exception, buildings are of one story, few have three stories, and the characteristic effect is that the buildings are long and low. Roofs are flat with a slight slope and surrounded on at least three sides by a firewall of the same color and material as the walls or of brick. Roofs are never carried out beyond the line of the walls except to cover an enclosed portal or porch formed by setting back a portion of the wall or to form an exterior portal, the outer edge of the roof being supported by wooden columns. Two-story construction is more common in the territorial than in other sub-styles, and is preferably accompanied by a balcony at the level of the floor of the second story. Façades are flat, varied by inset portales, exterior portales, projecting vigas or roof beams, canales or water-spouts, flanking buttresses and wooden lintels, architraves and cornices, which, as well as doors, are frequently carved and the carving may be picked out with bright colors. Arches are almost never used except for nonfunctional arches, often slightly ogive, over gateways in freestanding walls;
(b) All exterior walls of a building are painted alike. The colors range from a light earth color to a dark earth color. The exception to this rule is the protected space under portales, or in church-derived designs, inset panels in a wall under the roof, in which case the roof overhangs the panel. These spaces may be painted white or a contrasting color, or have mural decorations;
(c) Solid wall space is always greater in any façade than window and door space combined. Single panes of glass larger than thirty (30) inches in any dimension are not permissible except as otherwise provided in this section;
(d) The rule as to flat roofs shall not be construed to prevent the construction of skylights or installation of air conditioning devices, or any other necessary roof structures, but such structures other than chimneys, flues, vents and aerials, shall be so placed as to be concealed by the firewall from the view of anyone standing in the street on which the building fronts;
(e) True old Santa Fe style buildings are made of adobe with mud plaster finish. Construction with masonry blocks, bricks, or other materials with which the adobe effect can be simulated is permissible; provided, that the exterior walls are not less than eight (8) inches thick and that geometrically straight façade lines are avoided. Mud plaster or hard plaster simulating adobe, laid on smoothly, is required; and

(2) Recent Santa Fe Style

Recent Santa Fe style intends to achieve harmony with historic buildings by retention of a similarity of materials, color, proportion, and general detail. The dominating effect is to be that of adobe construction, prescribed as follows:

(a) No building shall be over two stories in height in any façade unless the façade shall include projecting or recessed portales, setbacks or other design elements;

(b) The combined door and window area in any publicly visible façade shall not exceed forty percent of the total area of the façade except for doors or windows located under a portal. No door or window in a publicly visible façade shall be located nearer than three (3) feet from the corner of the façade;

(c) No cantilevers shall be permitted except over projecting vigas, beams, or wood corbels, or as part of the roof treatment described below;

(d) No less than eighty percent of the surface area of any publicly visible façade shall be adobe finish, or stucco simulating adobe finish. The balance of the publicly visible façade, except as above, may be of natural stone, wood, brick, tile, terra cotta, or other material, subject to approval as hereinafter provided for building permits;

(e) The publicly visible façade of any building and of any adjoining walls shall, except as otherwise provided, be of one color, which color shall simulate a light earth or dark earth color, matte or dull finish and of relatively smooth texture. Façade surfaces under portales may be of contrasting or complimentary colors. Windows, doors and portals on publicly visible portions of the building and walls shall be of one of the old Santa Fe styles; except that buildings with portals may have larger plate glass areas for windows under portals only. Deep window recesses are characteristic; and

(f) Flat roofs shall have not more than thirty (30) inches overhang.

14-5.2(D)(9) Height, Pitch, Scale, Massing and Floor Stepbacks

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

(c) Height

(i) Official map of building heights in the historic districts - procedures.

A. The historic districts review board shall recommend the adoption of an official map reflecting building heights in the historic districts to the governing body . This map shall be used for the purpose of regulating building height in the historic districts. The map shall be adopted at a public hearing of the governing body , which hearing shall be advertised in a local newspaper no less than fifteen days prior to the hearing. All affected property owners and owners of lots or of land within one hundred (100) feet, excluding public right-of-way, of the property affected shall be notified of the public hearing by first class mail, mailed at least fifteen days prior to the public hearing. The official map shall be adopted by the governing body by ordinance.

B. The official map of building heights in the historic districts may be amended from time to time. This historic districts review board shall make

recommendations to the governing body for the amendment of the official map, at a public hearing. Such hearing shall be advertised in a local newspaper no less than fifteen days prior to the hearing.

C. The governing body shall hold a public hearing on any amendments to the official map. The official map, inclusive of amendments, is hereby adopted by reference and incorporated as if set out herein. Such public hearing shall be advertised in a local newspaper no less than fifteen days prior to the hearing. All affected property owners and owners of lots or of land within one hundred (100) feet, excluding public right-of-way, of the property affected shall be notified of the public hearing by first class mail, mailed at fifteen days prior to the public hearing.

D. The official map is available in the city planning office and is accessible at all reasonable times for inspection.

(ii) In exercising its authority under this section, the board shall limit the height of structures as set forth in this section. Heights of existing structures shall be as set forth on the official map of building heights in the historic districts.

A. If a proposed building has a parapet, the façade shall not be in excess of two (2) feet of the average of the height of the façades in the streetscape .

B. If the proposed building has a pitched roof, the ridge height of the proposed building shall not be in excess of two (2) feet of the average of the ridge height of the pitched roofs in the streetscape .

C. Yard walls and fences shall be limited to a height that does not exceed the average of the height of other yard walls and fences in the streetscape .

D. Pursuant to Section 14-7.4(C), the height of any other structure shall be limited to the allowable building height within the applicable streetscape , as defined in this section. (Ord. No. 2002-37 § 26)

E. The height and dimension of signage are as set forth in Section 14-8.10(H).

F. The board may increase the allowable height for proposed buildings and additions located on a sloping site where the difference in the natural grade along the structure's foundation exceeds two (2) feet. In no case shall the height of a façade exceed four (4) feet above the allowable height of the applicable streetscape measured from natural or finished grade , whichever is more restrictive. This increase in height shall be constructed only in the form of building stepbacks from the street .

(iii) In historic districts, height shall be the vertical distance measured between the highest part of a structure and the existing grade or finished grade , whichever is more restrictive, at the midpoint of the street facing facade, excluding rooftop appurtenances , the increased height of walls or fences over pedestrian and vehicular openings, and gates (either in opened or closed position). For structures which do not have street frontage, height shall be determined by the facade which contains the tallest vertical distance measured between the highest part of a structure and

the existing grade or finished grade , whichever is more restrictive. The height of walls and fences is measured from the street -facing side of the wall or fence. (Ord. No. 2002-37 § 27)

Attachment B

NEW MEXICO HISTORIC BUILDING INVENTORY FORM

H3537

building threatened? yes	surveyed date 8/3/85 by HMW	county SANTA FE	ID no. 051610424
field map SFHD #1	number 424	UTM reference zone 12 13	easting northing

location description: 113 WASHINGTON

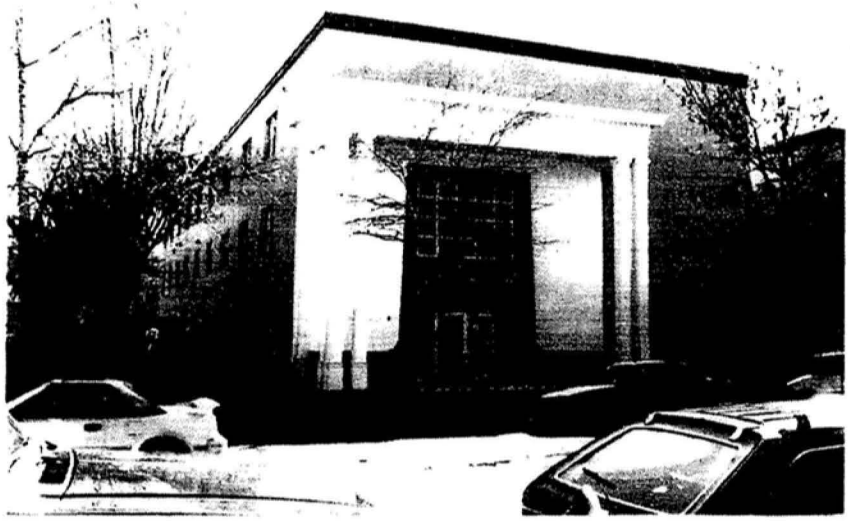
city/town: SANTA FE

land ~~grant~~/reservation

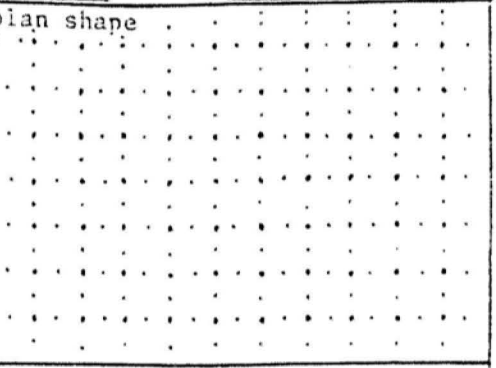
building name: STATE SECURITIES BLDG

legal description: tnsp ___ N S range ___ E W sec ___ ¼ ¼

film roll by HMW no. SFHD 16 | negative nos. 28 | loc. of neg. HPB



plan shape



date of construction: P45 estimate ___ actual

source

use
present: residential
other: ___
historic: residential
other: ___

condition
___ excellent ___ good
___ fair ___ deteriorating

wall material/surface

degree of remodeling
___ minor ___ moderate ___ major
describe:

architectural features

surroundings: COMMERCIAL

relationship to surroundings
___ similar x not similar

district potential
___ yes ___ no

significance
___ eligible ___ of interest x none

if eligible, why?

comments

remodeled 1989 H-89-132
as Spanish-Pueblo Revival
Inn of the Anasazi DR

associated buildings? ___ yes
what type?

if inventoried, list ID nos.

see back? ___ yes

City of Santa Fe, New Mexico

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www.santafenm.gov

Alan Webber, Mayor

Councilors:
Signe I. Lindell, Mayor Pro Tem, District 1
Renee Villarreal, District 1
Michael J. Garcia, District 2
Carol Romero-Wirth, District 2
Roman "Tiger" Abeyta, District 3
Chris Rivera, District 3
Jamie Cassutt-Sanchez, District 4
JoAnne Vigil Coppler, District 4

MEMORANDUM

To: **Members of the Governing Body**

From: **Sally A. Paez, Assistant City Attorney**

Via: **Erin K. McSherry, City Attorney**

Re: **Appeal No. 2020-2043-APPL of Case No. 2019-1600-HDRB.** Appeal by Rosewood Hotels of the Historic Districts Review Board's March 10, 2020 decision to impose conditions on its approval of rooftop improvements at the Rosewood Inn of the Anasazi, located at 113 Washington Avenue, including a fifty-six foot (56') high addition, which exceeds the maximum allowable building height and requires an exception to the height limitations in the Historic Districts Ordinance.

Date: **June 15, 2020; for the June 24, 2020 Meeting of the Governing Body**

Owner Rosewood Hotels ("Appellant" or "Rosewood"), through agent Karl Sommer, challenges the Historic Districts Review Board's ("Board") decision to impose conditions on its approval of an exception to the maximum allowable building height, which will allow Rosewood to construct an addition and rooftop improvements at the Rosewood Inn of the Anasazi. The conditions of approval concern the location and design of the chimneys. **[*See* Ex. E, 03/10/20 Staff Report, pp. 83-91 of 138 (drawings of proposed chimneys)]** In this de novo appeal, the Governing Body should independently determine whether to uphold the conditions of approval imposed by the Board.

I. BACKGROUND & PROCEDURAL HISTORY

The commercial building at 113 Washington Avenue was constructed sometime after 1945 in the Territorial Revival style and was originally known as the State Securities Building. **[Ex. E,**

Staff Report, p. 61 of 138] In 1989, the Rosewood Inn of the Anasazi substantially remodeled the building in the Spanish Pueblo Revival style for adaptive reuse as a hotel. **[*Id.*]** The building is located within the Downtown and Eastside Historic District, where it is listed as a noncontributing structure. **[*Id.*]** The existing building is forty-two feet (42') tall, but the maximum allowable height, as calculated pursuant to the City's Historic Districts Ordinance, is twenty feet, one inch (20'1"). **[*Id.*]** *See generally* Santa Fe City Code ("SFCC"), § 14-5.2(D)(9). **[*Id.*]**

On January 15, 2020, Rosewood filed an application with the City's Historic Preservation Division ("HPD"), requesting Board review and approval of a rooftop event space, bar, and swimming pool ("Project"). **[Ex. H, Application, p. 138 of 138]** The Board held two public hearings on the application, on February 11, 2020 and March 10, 2020.

As set forth in the application, Rosewood requested Board approval of the following rooftop improvements at the first public hearing, held February 11, 2020:

> (1) **Event Space:** The front (westernmost) one-third of the space (closest to Washington Avenue) would feature an outdoor event space with tile decking, seating, an informal lobby area, elevator overrun, stairwell, and storage space. The seating area would be set back six feet (6') from the front façade of the building. The seating area would feature a twelve-foot, eight-inch (12'8") tall tan canopy, situated on dark bronze tracks, which could be extended or retracted, depending on weather. The space would be framed by five-foot (5') tall stuccoed walls and chimney extensions.
>
> (2) **Bar and Lounge:** The central one-third of the space would feature an enclosed bar and lounge with required back-of-the-house spaces, including kitchen and restrooms. The height of this stuccoed addition would result in a total height of fifty-six feet (56'), would rise fourteen feet (14') above the existing parapet, and would be set back from the street-facing façade by more than seventy feet (70').
>
> (3) **Pool:** The rear (easternmost) one-third of the space would feature a rectangular pool and tile deck, set back approximately four feet (4') from the edge of the building. The perimeter of the pool deck would be framed by four-foot 4' high stuccoed walls, wood-framed cabana structures, and a retractable tan canopy with dark bronze rails to a height of twelve feet, eight inches (12'8") above the existing parapet. The southeast corner of the pool deck would contain a stairwell and mechanical and storage spaces, and the northwest corner of the pool deck would feature an outdoor fireplace and seating area.

[Ex. G, 02/11/20 Staff Report, p. 109 of 138]

HPD staff reviewed the application and presented a report and recommendation to the Board to facilitate its review. As stated above, Rosewood proposed an addition to a height of fifty-six feet (56'), but under the height limitations in the Historic Districts Ordinance, the maximum allowable height for structures at this location is twenty feet, one inch (20'1"). **[Ex. E, Staff Report, p. 59 of 138]** *See generally* SFCC § 14-5.2(D)(9) (height provisions). If a property owner wants to exceed one of the limitations set forth in the Historic Districts Ordinance, the owner may

request an exception to the applicable SFCC provision. HPD Staff is responsible for determining whether an exception is required for approval of an application. *See* SFCC § 14-5.2(C)(5). The Board then reviews the exception request and decides whether to grant or deny an exception. *See* SFCC § 14-5.2(C)(5)(c).

In this case, HPD staff determined that Rosewood would need an exception to increase the height of the hotel, which is already taller than the maximum allowable height, and Rosewood requested the exception. To grant the height exception, the Board needed to find that Rosewood had conclusively demonstrated that the exception complied with all six exception criteria set forth in SFCC Section 14-5.2(C)(5)(c), as follows:

> (i) Do not damage the character of the streetscape;
> (ii) Prevent a hardship to the applicant or an injury to the public welfare;
> (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;
> (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;
> (v) Are due to special conditions and circumstances which are not a result of the actions of the applicant; and
> (vi) Provide the least negative impact with respect to the purpose of this section as set forth in Subsection 14-5.2(A)(1).

In the staff report, HPD staff recommended that the Board should grant the exception and approve the application because in staff's determination, Rosewood had satisfied the exception criteria, and the Project otherwise complied with the design standards in the Historic Districts Ordinance. **[Ex. G, 02/11/20 Staff Report, p. 108 of 138]**

At the February 11, 2020 hearing, individual Board members expressed concerns about the proposed height of the additions and improvements, and the visibility of the additions from Washington Avenue and other locations in downtown Santa Fe. **[Ex. F, 02/11/20 Minutes, pp. 102-04 of 138]** Board members also expressed concern about the increased height of the chimneys located closest to the street-facing façade and suggested that perhaps the added height should be stepped-back farther from this façade. **[*Id.*]** The Board postponed a decision on the application and asked Rosewood to provide additional information about the proposed additional height and to consider a redesign, based on the Board's input. **[*Id.* at 104-05]**

On March 10, 2020, Appellant returned to the Board with revised drawings, which reflected a few modifications to the Project design, and digital renderings that better captured the visual effects of the additions on the streetscape. **[Ex. E, 03/10/20 Staff Report, p. 61, 84-91 of 138]** The relevant changes to the design included the following:

> (1) **Event Space**: In the revised plans, the seating area would be set back further from the front façade of the building than originally proposed. Rosewood redesigned the chimney structures closest to the street (west end of the space) by

consolidating them into several stuccoed structures, making them more massive, and setting them farther back from the front façade, with the intent of better integrating them into the architectural features of the existing building. The side chimneys were also made more massive and sculptural to blend with the existing hotel. Finally, the tracks for the retractable canopy were redesigned to be seated on top of the three chimney structures located closest to the street.

(2) **Bar and Lounge:** No significant revisions were proposed for the bar and lounge area.

(3) **Pool:** Like the other chimneys, the chimneys in the pool area were moved closer together and incorporated into fewer, larger masses, instead of having multiple smaller chimneys.

[*Id.* at 61-62, 84-91]

The primary issue on appeal is the appearance of the stuccoed chimney massings and associated canopy support structures, and the visibility of these design features from the street. **[*See* Ex. E, 03/10/20 Staff Report, pp. 85-91 of 138 (drawings that depict these design features)]** HPD staff reviewed the revised plans and recommended that the Board grant the height exception and approve the application. **[*Id.* at 60]**

At the March 10, 2020 hearing, Rosewood testified that the chimney design and location had been revised based on the Board's input and that in the redesigned proposal, the chimneys closest to the street had been stepped back to be fourteen feet (14') away from the street-facing façade, along with the supports for the shade canopies. **[Ex. D, 3/10/20 Minutes, p. 49 of 138]** Rosewood also explained that the building code requires chimneys to be at least two feet (2') higher than any structural element within ten feet (10') of the chimney. **[*Id.*]** Some members of the Board expressed concern about the height and massing of the redesigned chimneys closest to the street-facing façade. **[*Id.* at 46-54 of 138]** Other members of the Board thought that the chimneys would not be especially visible from the street and that the revised plans represented a good design solution and were responsive to the input that the Board had provided in February. **[*Id.*]**

At the end of the public hearing, the Board concluded that Appellant had failed to meet the burden of demonstrating that all six exception criteria had been met with regard to the proposed location and height of the three chimney massings closest to the street-facing façade. **[Ex. B, FOF & COL, p. 24 of 138, FOF #8**] Specifically, the Board found "that the proposed location and height of the three front chimney massings would damage the character of the streetscape" and that the "proposed location and height of the three (3) front chimney massings would not provide the least negative impact with respect to the purposes of SFCC Section 14-5.2 [Historic Districts Ordinance], as set forth in SFCC Section 14-5.2(A)(1)." **[*Id.* at p. 25, FOF #9, #14]** The proposes of the Historic Districts Ordinance, as set forth in Subsection 14-5.2(A)(1), are as follows:

(a) The continued existence and preservation of historical areas and buildings;
(b) The continued construction of buildings in the historic styles; and
(c) A general harmony as to style, form, color, height, proportion, texture and material between buildings of historic design and those of more modern design.

The Board further found "that the potential damage to the character of the streetscape and negative impacts with regard to the purposes of SFCC Section 14-5.2 would be minimized by ensuring that the three (3) front chimneys do not exceed the height of the existing chimneys." **[*Id.* at FOF #15]**

Based on these findings, the Board approved the Project, including the requested height exception, with the following conditions (collectively, the "Chimney Conditions"):

- the proposed three (3) front chimney massings shall be eliminated from the design, and the existing chimney stacks at the front west elevation shall remain in their current location and at their current height;
- the size of the event space shall be limited by the distance that the building code requires the space to be from the existing westernmost chimneys; and
- Applicant shall submit new drawings to staff for approval before seeking permits.

[*Id.* at pp. 25-26, COL #2] Four Board members voted in favor of this decision, and one Board member voted against it. **[Ex. D, 3/10/20 Minutes, p. 55 of 138]** The Board adopted written findings of fact and conclusions of law reflecting its decision on April 28, 2020. **[Ex. B, FOF & COL, at pp. 23-26 of 138]** Rosewood timely appealed the decision to the Governing Body. **[Ex. A, Petition, at pp. 14-21 of 138]**

II. GROUNDS FOR APPEAL TO THE GOVERNING BODY

Under the SFCC Section 14-3.17(A)(2), an appeal of a Board decision may be filed for one or more of the following reasons only:

(1) The Board's final action does not comply with SFCC Chapter 14 or the Zoning Enabling Act, NMSA 1978, Sections 3-21-1 to -14;
(2) The Board misapplied SFCC Chapter 14; or
(3) The Board's decision is not supported by substantial evidence.

III. ANALYSIS

Appellant raises the following arguments on appeal:

1. Appellant has been harmed by the imposition of the Chimney Conditions because the Chimney Conditions would put people at the rooftop patio at risk of breathing smoke; would make portions of the patio dangerous, uninviting, or unusable; and would decrease the aesthetic appeal of the design. **[Ex. A, Petition, at p. 19-21 of 138]**
2. The Board exceeded its authority under the Historic Districts Ordinance when it imposed the Chimney Conditions, and Rosewood is entitled to dictate the design of its project. **[*Id.*]**

As stated in Part II above, an appeal of a Board decision must be based on an argument that the decision violated the Land Use Code or state zoning laws, or that the decision was not supported by substantial evidence. Appellant's first argument does not fit squarely into any of these categories. The argument does, however, implicate the building code provision that

prescribes the required height of chimneys. Specifically, "Chimneys shall extend not less than 2 feet (610 mm) higher than any portion of the building within 10 feet (3048 mm), but shall not be less than 3 feet (914 mm) above the highest point where the chimney passes through the roof." 2015 International Building Code (IBC), § 2113.9 (adopted by SFCC § 7-1.1(A)(4)). Although the building code is contained in Chapter 7 of the SFCC and is not a part of the Land Use Code (Chapter 14), the Land Use Code does reflect that most construction projects require construction permits from the City, which must be reviewed by City building officials for compliance with applicable building codes. *See generally* SFCC § 14-3.11(A).

The Board was aware of the building code requirement for chimney height and took it into account when making its decision. At the March hearing, the Board acknowledged that the Chimney Conditions would require Appellant to move the five-foot (5') stuccoed walls back from the parapet, so that they are located at least ten feet (10') away from the chimneys, which would slightly decrease the space available for patio tables. The Board's Chimney Conditions are not inconsistent with the building code requirement and do not violate any provision of Chapter 14 concerning chimney location.

Second, Appellant relies on SFCC Section 14-5.2(A)(4) to argue that the Board lacks authority to place conditions on the Project design, which should be left to the discretion of Appellant. **[Ex. A, Petition, at pp. 20-21 of 138]** SFCC Section 14-5.2(A)(4) provides as follows:

> (4) Design of Buildings
> Full responsibility for the design and development of structures is left to the applicant; however, the file of previously approved applications shall be made available to the applicant.

The language in SFCC Section 14-5.2(A)(4) means that an applicant is responsible for proposing a design in the application that meets the requirements of the City's regulations, and that the applicant is responsible for developing an approved project in accordance with City approvals and regulations. This code provision also means that an applicant cannot rely on City staff or the Board to design or develop a project.

SFCC Section 14-5.2(A)(4) does not, however, mean that the Board lacks authority over project design. Once an applicant submits an application, the Board must review the application to see if it meets the requirements of the Historic Districts Ordinance, and the Board must determine whether to approve the application, with or without conditions, or to deny it. The Ordinance establishes specific design standards, and the Ordinance requires the Board to apply those standards when reviewing proposals.

Relevant here, the Ordinance provides the method for calculating the maximum allowable height of structures and provides that the Board cannot approve excess height unless the applicant conclusively demonstrates that an exception should be granted. *See* SFCC § 14-5.2(D)(9)(a)-(c) (height); § 14-5.2(C)(5)(c) (exceptions). The Board had an obligation to apply these provisions when evaluating Appellant's Project. Additionally, the Ordinance gives the Board authority to "require that upper floor levels be stepped back" to ensure that additional height on a building "is

in harmony with the massing of the applicable streetscape and preservation of the historic and characteristic visual qualities of the streetscape." SFCC § 14-5.2(D)(9)(f).

The primary issue on appeal is whether the Governing Body agrees with the Board that the Chimney Conditions are an appropriate way to reduce the visual impact of the Project's additional height. In the application, Appellant argued that the Project would not damage the character of the streetscape and would not have a negative impact with respect to the purposes of the Historic Districts Ordinance for the following reasons:

> On this block of Washington Ave (on both sides of the street), tall institutional and commercial buildings define the streetscape. The hotel adjacent and to the north of the Inn of the Anasazi is about the same height, and the buildings across Washington Avenue are taller than the Inn of the Anasazi. Typically, the buildings rise from the sidewalk up several stories without setting back. This character - tall institution and commercial buildings adjacent to the sidewalks - is unique in many ways to this area of the downtown area. The proposed addition will be set back from the edge of the existing parapet. It will not be visible from the east side of the street and will hardly be noticeable from the west side of the street. As a result, the addition will fit into the existing character of the streetscape, rather than do damage to it. The human scale enjoyed today on this section of the streetscape will not be adversely affected or damaged.
>
> The proposed addition and amenities will not have any negative impact on the streetscape or the historic character of the downtown area. The addition will be set back from the edge of the existing parapet so it will reduce its visibility as discussed above and will not add or cast a shadow on to the streets below. In short, it will not exacerbate any of the effects that tall building may have on a streetscape - "canyon effect," shadows, disproportionate scale or massing. So, any potentially negative impacts have been mitigated by the design.

[Ex. E, 03/10/20 Staff Report, pp. 62-63 of 138]

Appellant submitted these responses based on the original project design and did not update the responses based on the redesigned chimney structures. When reviewing the revised project design at the March 10, 2020 hearing, the Board acknowledged that the buildings on the west side of Washington Avenue are taller than the Rosewood Inn of the Anasazi but noted that the hotel is already the tallest building on the east side of the street. **[Ex. D, 3/10/20 Minutes, p. 48 of 138]** Individual members of the Board disagreed somewhat about the extent to which the redesigned chimneys and associated canopy support structures would be visible from Washington Avenue and whether those design features would have a negative impact on the streetscape. **[Ex. D, 3/10/20 Minutes, pp. 50-54 of 138]**

A majority of the Board ultimately decided that approving the tall, stuccoed chimney massings and associated canopy support structures near the street-facing façade would have a negative visual impact on the streetscape. In applying the exception criteria to the requested height exception, the Board concluded that the Chimney Conditions were necessary to protect the

character of the streetscape and ensure that the Project would have the least negative impact with respect to the purposes of the Historic Districts Ordinance.

IV. CONCLUSION & MOTIONS OPTIONS

The Board imposed the Chimney Conditions to ensure that the project is harmonious with the streetscape and that the height of the proposed addition does not have a negative visual impact. The City, acting through the Board or the Governing Body, has authority to place conditions of approval on a project to ensure compliance with the Historic Districts Ordinance.

In this appeal, the Governing Body should consider the Board's reasoning and Appellant's arguments to determine whether the Governing Body agrees with the Board's imposition of the Chimney Conditions. In doing so, the Governing Body should independently determine whether the Chimney Conditions are an appropriate way to ensure that the Project does not damage the character of the streetscape and does not have a negative impact with respect to the purposes of the Historic Districts Ordinance.

There are two options for motions in this case. Sample motions are as follows:

Motion 1: *I move to **grant** the appeal and to approve the Project **without** the Chimney Conditions that were imposed by the Board.*

Motion 2: *I move to **deny** the appeal and to approve the Project **with** the Chimney Conditions that were imposed by the Board.*

APPENDIX A:

EXCERPTS FROM HISTORIC DISTRICTS ORDINANCE

General Purpose; § 14-5.2(A)(1)

In order to promote the economic, cultural, and general welfare of the people of the city and to ensure the harmonious, orderly and efficient growth and development of the city, it is deemed essential by the governing body that the qualities relating to the history of Santa Fe, and a harmonious outward appearance, which preserve property values and attract tourists and residents alike, be preserved, some of these qualities being:

(a) The continued existence and preservation of historical areas and buildings;
(b) The continued construction of buildings in the historic styles; and
(c) A general harmony as to style, form, color, height, proportion, texture and material between buildings of historic design and those of more modern design.

Design of Buildings; SFCC § 14-5.2(A)(4):

Full responsibility for the design and development of structures is left to the applicant; however, the file of previously approved applications shall be made available to the applicant.

Exceptions; SFCC § 14-5.2(C)(5)(c):

Staff shall determine whether an exception to this section is required. The historic board may grant an exception to the regulations set forth in this section provided that such exception does not exceed the underlying zoning.

. . . .

The board may grant exceptions and impose conditions thereon to Subsection 14-5.2(D)(9) for height of structures within the historic districts as specified in Subsection 14-5.2(D)(9)(a). The applicant for such exceptions shall conclusively demonstrate and the board shall make a positive finding of fact that such exceptions comply with all the criteria listed as follows:

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

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

(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;

(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;

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

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

General Design Standards for Height, Pitch, Scale, Massing and Floor Stepbacks; SFCC § 14-5.2(D)(9)

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

. . . .

(c) Height

(i) Official map of building heights in the historic districts - procedures.

A. The historic districts review board shall recommend the adoption of an official map reflecting building heights in the historic districts to the governing body. This map shall be used for the purpose of regulating building height in the historic districts. The map shall be adopted at a public hearing of the governing body, which hearing shall be advertised in a local newspaper no less than fifteen days prior to the hearing. All affected property owners and owners of lots or of land within one hundred (100) feet, excluding public right-of-way, of the property affected shall be notified of the public hearing by first class mail, mailed at least fifteen days prior to the public hearing. The official map shall be adopted by the governing body by ordinance.

. . . .

(ii) In exercising its authority under this section, the board shall limit the height of structures as set forth in this section. Heights of existing structures shall be as set forth on the official map of building heights in the historic districts.

A. If a proposed building has a parapet, the façade shall not be in excess of two (2) feet of the average of the height of the façades in the streetscape.

B. If the proposed building has a pitched roof, the ridge height of the proposed building shall not be in excess of two (2) feet of the average of the ridge height of the pitched roofs in the streetscape.

C. Yard walls and fences shall be limited to a height that does not exceed the average of the height of other yard walls and fences in the streetscape.

D. Pursuant to Section 14-7.4(C), the height of any other structure shall be limited to the allowable building height within the applicable streetscape, as defined in this section. (Ord. No. 2002-37 § 26)

E. The height and dimension of signage are as set forth in Section 14-8.10(H).

F. The board may increase the allowable height for proposed buildings and additions located on a sloping site where the difference in the natural grade along the structure's foundation exceeds two (2) feet. In no case shall the height of a façade exceed four (4) feet above the allowable height of the applicable streetscape measured from natural or finished grade, whichever is more restrictive. This increase in height shall be constructed only in the form of building stepbacks from the street.

(iii) In historic districts, height shall be the vertical distance measured between the highest part of a structure and the existing grade or finished grade, whichever is more restrictive, at the midpoint of the street facing facade, excluding rooftop appurtenances, the increased height of walls or fences over pedestrian and vehicular openings, and gates (either in opened or closed position). For structures which do not have street frontage, height shall be determined by the facade which contains the tallest vertical distance measured between the highest part of a structure and the existing grade or finished grade, whichever is more restrictive. The height of walls and fences is measured from the street -facing side of the wall or fence. (Ord. No. 2002-37 § 27)

(e) Scale

The height of a proposed building or addition, its façade length, and its roof form and pitch shall appear to be in proportion to the height, façade length, and roof form and pitch of buildings in the applicable streetscape , or the building on which the addition is proposed.

(f) Massing and Floor Stepbacks

The Board may require that upper floor levels be stepped back, to carry out the intent of this section; provided that the board in making such determinations shall take into account whether the

height of the proposed building, yard wall, fence, or proposed stepback of upper floor levels is in harmony with the massing of the applicable streetscape and preservation of the historic and characteristic visual qualities of the streetscape. The Board shall also require that the publicly visible façades of the structure be in conformance with Subsections 14-5.2(E) through (H), and in meeting those requirements, may require that different floor levels be stepped back.

Definitions; SFCC § 14-12.1:

FAÇADE
One whole exterior face or elevation of a structure from grade up to and including the top of the parapet. An individual façade is defined as including at least an eight-foot width that is offset from an adjacent plane by at least four feet.

NONCONTRIBUTING STRUCTURE
A structure, located in an H[istoric] district, that is less than fifty years old or that does not exhibit sufficient historic integrity to establish and maintain the character of the H[isotric] District.

APPENDIX B:

EXCERPT FROM 2015 INTERNATIONAL BUILDING CODE

2113.9 Termination. Chimneys shall extend not less than 2 feet (610 mm) higher than any portion of the building within 10 feet (3048 mm), but shall not be less than 3 feet (914 mm) above the highest point where the chimney passes through the roof.

Exhibits to City Attorney's Office Memorandum

Appeal No. 2020-2043-APPL of Case No. 2020-1592-HDRB

Appellant Inn of the Anasazi, 113 Washington Avenue

June 24, 2020 Meeting of the Governing Body

A	Verified Appeal Petition	Apr. 29, 2020	pp. 13-21
B	Historic Districts Review Board's Written Findings of Fact (FOF) and Conclusions of Law (COL)	Apr. 28, 2020	pp. 22-26
C	Relevant Excerpts from Board Meeting Minutes (amending 3/10/20 minutes and approving written FOF & COL)	Apr. 28, 2020	pp. 27-36
D	Relevant Excerpts from Board Meeting Minutes (voting to approve the application and to grant a height exception with conditions)	Mar. 10, 2020	pp. 37-57
E	Historic Preservation Division (HPD) Staff Report and Exhibits	Mar. 10, 2020	pp. 58-91
F	Relevant Excerpts from Board Meeting Minutes (postponing the case)	Feb. 11, 2020	pp. 92-105
G	HPD Staff Report and Exhibits	Feb. 11, 2020	pp. 106-136
H	Application	Jan. 15, 2020	pp. 137-38

EXHIBIT A

SOMMER KARNES & ASSOCIATES LLP

Mailing Address
Post Office Box 2476
Santa Fe, New Mexico 87504-2476

Street Address
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Santa Fe, New Mexico 87501

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Of Counsel

April 29, 2020

VIA HAND DELIVERY

Ms. Lisa Roach
Division Director
Historic Preservation Division
City of Santa Fe
200 Lincoln Ave.
Santa Fe, New Mexico 87501

Re: Property: Inn of the Anasazi
Address: 113 Washington Ave, Santa Fe, NM 87501

Dear Lisa:

Enclosed herewith is the original and two copies of the Verified Petition of Appeal for Inn of the Anasazi. Please endorse one as being filed today and return it it us for our records. Additionally, please let us know when the Findings Fact and Conclusions of Law are adopted by the Board.

Thank you for your attention to this matter.

Sincerely,

Karl H. Sommer

cc: Lutz Arnold
Richard Martinez

LUD Use Only

Time Filed:
Fee paid: $
Receipt attached:)

(date stamp)

APR 29 2020
BY: NCB 4:18PM

VERIFIED APPEAL PETITION

Two originals of this form must be filed. The Land Use Department Director or his/her designee will enter the date and time of receipt and initial both originals. See Section 14-3.17(D) SFCC 2001 for the procedure.

Appellant Information

Name: Rosewood Hotels
Last *First* *M.I.*

Address: 113 Washington Avenue
Street Address *Suite/Unit #*

Santa Fe, New Mexico 87501
City *State* *ZIP Code*

Phone: ( ) E-mail Address: lutz.arnhold@rosewoodhotels.com

Additional Appellant Names:

Correspondence Directed to: ☐ Appellant ☐ Agent ☐ Both

Agent Authorization (if applicable)

I/We: Rosewood Hotels

authorize Sommer Karnes Associates (Karl Sommer) to act as my/our agent to execute this application.

Signed: Date: April 29, 2020

Signed: Date:

Subject of Appeal

Project Name: Inn of the Anasazi Addition

Applicant or Owner Name: Rosewood Hotels

Location of Subject Site: 113 Washington Avenue, Santa Fe NM 87501

Case Number: 2019-001600-HDRB Permit Number (if applicable):

Final Action Appealed:

☐ Issuance of Building Permit ☐ Other Final Determination of LUD Director

Final Action of Board or Commission (specify): ☐ Planning Commission ☐ Board of Adjustment ☐ BCD-DRC ☒ HDRB

Basis of Standing (see Section 14-3.17(B) SFCC 2001):

Basis for Appeal: ☒ The facts were incorrectly determined ☒ Ordinances/laws were violated and/or misrepresented

Description of the final action appealed from, and date on which final action was taken:

Please see attached letter from the City of Santa Fe - Exhibit A

☐ Check here if you have attached a copy of the final action that is being appealed.

Description of Harm

Describe the harm that would result to you from the action appealed from (attach additional pages if necessary):

See attached Exhibit A.

Explain the Basis for Appeal

Please detail the basis for Appeal here (be specific):

See attached Exhibit A

Signature and Verification

The signature/s and notarization below occurred during the COVID-19 Public Health Emergency, when the Governor of the State of New Mexico issued Executive Order 2020-015, allowing notarization of documents to be done remotely through video conferencing during the signature of the signer and scanning or faxing to transmit the signed document/s to the notary. Our signatures below affirm that, both the person seeking notarization and the notary are located in New Mexico during this video conference; that the person who is seeking notarization presented satisfactory evidence of identity (e.g., a valid state-issued photo identification) during the video conference; and that the person whose signature is being notarized transmitted by fax or other electronic means provided a legible copy of the signed document directly to any required witnesses and then to the notary on the same day it was signed.

I hereby certify that the documents submitted for review and consideration by the City of Santa Fe have been prepared to meet the minimum standards outlined in the Land Development Code, Chapter 14 SFCC 2001. Failure to meet these standards may result in the rejection or postponement of my application. I also certify that I have met with the City's Current Planning staff to verify that the attached proposal is in compliance with the City's zoning requirements.

Appellant Signature: _____ Date: 4/29/20

Agent Signature: Karl N. Arnhold Date: 4/29/20

State of New Mexico)
) ss.
County of Santa Fe)

I/We LUTZ ARNHOLD, being first duly sworn, depose and say: I/We have read the foregoing appeal petition and know the contents thereof and that the same are true to my/our own knowledge.

Appellant/s:

_____ _____

Signature GENERAL MANAGER *Signature*

Lutz Arnhold _____

Print Name *Print Name*

Subscribed and sworn to before me this 28th day of April, 2020.

Karl H Sommer

NOTARY PUBLIC

My commission expires:
3-18-23

OFFICIAL SEAL
Karl H. Sommer
NOTARY PUBLIC - STATE OF NEW MEXICO
My Commission Expires: 3-18-23

City of Santa Fe, New Mexico

200 Lincoln Avenue, P.O. Box 909, Santa Fe, N.M. 87504-0909
www.santafenm.gov

Alan Webber, Mayor

Councilors:
Signe I. Lindell, Mayor Pro Tem, District 1
Renee Villarreal, District 1
Michael J. Garcia, District 2
Carol Romero-Wirth, District 2
Roman "Tiger" Abeyta, District 3
Chris Rivera, District 3
Jamie Cassutt-Sanchez, District 4
JoAnne Vigil Coppler, District 4

PROJECT DESCRIPTION: Martinez Architecture Studio, agent for Rosewood Inn of the Anasazi, owner, proposes to construct a 3,078 sq. ft. fourth floor addition to a height of 56'0" with a pool and dining area. An exception is requested to exceed the maximum allowable height of 20'1" (Section 14-5.2(D)(9)).

Case number: **2019-001600-HDRB**
Project Type: HDRB

PROJECT LOCATION (S): 113 Washington Avenue

OW – Rosewood Inn of the Anasazi	113 Washington Avenue	Santa Fe, NM 87501
AP – Martinez Architecture Studio PC	P.O. Box 925	Santa Fe, NM 87504

BOARD ACTION

This is to certify that the Historic Districts Review Board (HDRB) acted on your request at their hearing on March 10, 2020. The decision of the Board was to approve the project, having found that the criteria for a height exception have been met, with the following conditions: 1) that the front (westernmost) three chimney massings shall be eliminated from the design and that the existing westernmost chimney stacks shall remain in their existing locations and at their current heights; 2) that the size of the event space shall be limited by the distance that the building code requires the space to be from the existing westernmost chimneys; and 3) that the applicant shall provide revised drawings to staff for review that conditions have been met. For further information please call 955-6605.

Sincerely,

Lisa Roach

Lisa Gavioli Roach
Planner Manager, Historic Preservation Division

NOTE: Applicant can use this action letter to apply for construction permit, but the permit shall not be released until the end of the appeal period which starts on the date of filing of the Findings and Conclusions in the City Clerk's office (SFCC 14-3.17(D)). Your permit will be denied if any changes on plans that were not approved by the HDRB or if conditions of approval are not met. **Please attach copies of this letter to all sets when submitting for construction permits.**

EXHIBIT A

Exhibit B to Verified Appeal Petition

Describe the harm that would result to you from the action appealed from (attached additional pages if necessary):

Appellants' Response:

I. Brief Summary of Harm.

As explained fully below, the harm that would result is as follows:

1. The imposition of the condition of approval that the chimneys remain low and at the front of the building (defined below as the "Chimney Condition") places the occupants the proposed rooftop patio area ("Patio Area") at the risk of breathing smoke from the fireplaces, and it renders the Patio Area dangerous and uninviting to patrons of the hotel;

2. The imposition of the Chimney Condition will render a significant portion of the Patio Area unusable, and as such, will impose an unnecessary economic burden on the Appellant for improvements in the Patio Area that are not useable; and,

3. The imposition of the Chimney Condition imposes a design limitation that detracts from the continuity of the design of the Patio Area and reduces the overall aesthetic of the project as seen from the public view.

II. Background of Application.

The Appellant (the "Anasazi") applied (the "Application") to add a rooftop addition (the "Addition") to the hotel that includes a the open-air Patio Area (located on approximately the western one-third of the roof facing Washington Avenue), an enclosed structure with lounge, restrooms and "back of house" facilities (located in the center one-third of the roof), and a swimming pool and deck area (located on the eastern one-third of the roof in the rear of the building). The Addition represents a significant commitment on the part of the Anasazi to invest not only in the property *but in the future success of Santa Fe* – in order to maintain the property and downtown Santa Fe as a world-class destination. The Addition will keep the property at least on par with the many other hotel properties that have rooftop amenities that help to distinguish those other downtown properties and enhance the experience of visitors and residents alike, namely the Drury Hotel (with a rooftop pool, bar and patio area), La Fonda Hotel (with rooftop pool, eating and patio areas), and the El Dorado Hotel (newly added rooftop pool facilities, patio and bar area).

The Application for the Addition required approval of an exception to the height limitations applicable to the property under the Historic District Overlay (SFCC 1987 § 14-5.2 et seq.). The property, as is, exceeds the applicable height limitation of nineteen feet (19'). As Staff noted before the Historic Districts Review Board (the "HDRB"), almost all hotel properties and many of the commercial buildings in the Downtown Eastside Historic subdistrict exceed the

applicable height limitations, as the limitations are aimed more at residential (not commercial) development. The existing hotel is forty-two feet (42') above the ground. The Addition will rise fourteen feet (14') above the existing building height. The Application requested a height exception to allow the Addition at the proposed height of fifty-six feet (56').

The HDRB first heard the Application on February 11, at which time the Application was tabled with directions for the Anasazi to redesign the feature where the existing chimneys rise above the rooftop. More specifically, the HDRB directed the Anasazi to move the proposed chimneys at the front of the building back as far away from the front façade as possible. Anasazi followed the direction of the HDRB and redesigned the chimneys by consolidating the chimneys into a single structural element and by moving them fourteen feet (14') from the front façade. On March 10, 2020, the HDRB heard the revised Application and found that (1) the Anasazi met a'l of the Exception Criteria for the height exception under Section 14-5.2.C.5, and (2) met all of the requirements of the styles requirements under Section 14-5.2D for the Downtown and Eastside Historic District standards. On that basis, the HDRB approved the application, but imposed a condition that the chimneys be brought down to their original locations and left at their existing height. This condition results in the chimneys sitting two feet (2') above the rooftop and ***below*** the height of the occupants standing in the Patio Area (the "Chimney Condition").

The Chimney Condition rested solely upon an aesthetic and purely design objection of certain members of the HDRB. The Chimney Condition will result in smoke and fumes from the chimneys blowing into the Patio Area. The Application for the Addition raises the chimneys above the height of the occupants so as to avoid smoke and fumes from blowing into the faces of the occupants of the Patio Area. This will render a good portion of the Patio Area unusable and undesirable for patrons of the hotel – utterly defeating the purpose behind providing an outdoor, open-air rooftop experience for the hotel customers. The obvious harm to the Anasazi is that:

1. The imposition of the Chimney Condition places the occupants of the proposed rooftop Patio Area at the risk of breathing smoke and fumes from the fireplaces, rendering the Patio Area dangerous and uninviting;

2. The imposition of the Chimney Condition will render a significant portion of Patio Area unusable, and as such, will impose an unnecessary economic burden on the Appellant for improvements in the Patio Area that are not useable; and,

3. The imposition of the Chimney Condition creates a purely design-driven element that detracts from the continuity of the design of the Patio Area and reduces the overall aesthetic of the project as seen from the public view.

Please detail the basis for the Appeal here (be specific):

The Anasazi appeals the imposition of the Chimney Condition on the basis that it exceeds the authority of the HDRB under the Historic District Ordinance (SFCC 1987 § 5.2 et seq.) (the "Historic Ordinance"). The Historic Ordinance grants the HDRB's very broad authority in considering applications brought before it. Indeed, the Historic District Ordinance has as one of

its main purposes the promotion of "[a] general harmony as to style, form, color, height, proportion, texture and material between buildings of historic design and those of more modern design." Many of the HDRB's decisions rest upon the harmonious or disharmonious nature of the proposed buildings, modifications and additions that are heard by the HDRB. At the same time, the Historic Districts Ordinance leaves the design of a project to the applicant; it is not the HDRB's role to design or impose its own design considerations upon the applicant. The Ordinance is specific on the design responsibility of the HDRB when it states "[f]ull responsibility for the design and development of structures is ***left to the applicant*** . . . ." SFCC 1987 § 5.2(A)(4). (emphasis added).

Importantly, the HDRB did *not* find that the Addition was disharmonious with the streetscape and did *not* deny the Application on that basis. The opposite is true: the HDRB found that all of the exception criteria and the design criteria in the Ordinance had been met. The record is clear that the certain members of the HDRB did not prefer *the design* solution for the chimneys that the Applicant proposed and required that Addition be re-designed to meet the their preferred aesthetic.

For this reason, the Anasazi appeals the approval because it imposes the Chimney Condition in violation of the provisions of SFCC 1987 § 5.2(A)(4) which leaves the responsibility for design with the applicant.

EXHIBIT B

ITEM # 20-0218

City of Santa Fe
Historic Districts Review Board
Findings of Fact and Conclusions of Law

Case # 2020-1600-HDRB
Address – 113 Washington Avenue
Agent's Name – Martinez Architecture Studio PC
Owner/Applicant's Name – Rosewood Inn of the Anasazi

THIS MATTER came before the Historic Districts Review Board ("Board") for hearing on March 10, 2020.

BACKGROUND

113 Washington Avenue is a commercial hotel structure constructed after 1945 in the Territorial Revival style, when it was known as the State Securities Building. The building was substantially remodeled in 1989 in the Spanish Pueblo Revival style and was adaptively reused as the Inn of the Anasazi. In 2014, the Board approved window replacement throughout the structure (Case #H-14-025). The building is listed as non-contributing to the Downtown and Eastside Historic District. At the February 11, 2020, hearing of the Board, the applicant proposed to construct an addition to the rooftop level of the building, and after discussing several design details, the Board postponed the case, requesting redesign with particular attention to the street-facing west elevation.

The Applicant has now submitted revised drawings that reflect a few modifications to the design, as well as digital renderings, which capture the visual effects of the additions on the streetscape. The project is proposed as follows:

(1) Construct an addition and improvements to the rooftop level of the hotel. The Applicant requests an exception to exceed the maximum allowable height of 20'1", and exception criteria and responses were provided in the staff report. The Applicant proposes to build to a height of 56' in the central portion of the existing roof level. This massing will rise a maximum of 14' above the existing parapet and will be set back from the street-facing façade by more than 70'.

(2) The front (street-facing) third of the space will be used as an outdoor event space with tile decking, seating, an informal lobby area, elevator overrun, stairwell, and storage space. The seating area will be set back further from the front façade of the building than originally proposed. The Applicant redesigned the chimney structures that are prominent on the proposed design, such that the central chimneys have been consolidated, made more massive, and set back further from the front façade, resulting in better integration of the chimneys into the architectural features of the existing building. The side chimneys have also been made more massive and sculptural so as to blend better with the existing hotel. The seating area will feature a 12'8" high tan canopy situated on dark bronze tracks on which the canopy can be extended or retracted depending on weather. The canopy tracks have been redesigned to be seated on top of the three chimney structures at the west end of the seating area, and the space will be framed by 5' high stuccoed walls.

(3) The central third of the space will feature an enclosed lounge and bar with required back-of-the-house spaces, including kitchen and restrooms. The stuccoed massing will match the

Spanish-Pueblo Revival style of the hotel, and windows will match those that are featured elsewhere on the hotel. As stated above, the height of this massing will rise 14' above the existing parapet, resulting in a total height of 56'. Any rooftop appurtenances and skylights placed on the roof of this addition will not be publicly visible.

(4) The rear third of the space will include a rectangular pool and tile deck, set back approximately 4' from the edge of the building. The perimeter of the pool deck will be framed by 4' high stuccoed walls and a retractable tan canopy with dark bronze rails to a height of 12'8" above the existing parapet. The previously presented wood framed cabana structures have been modified to free-standing fabric structures. In this area, the chimneys have also been moved closer together from the previous design and incorporated into fewer, larger masses rather than having multiple smaller chimneys. A stairwell and mechanical and storage spaces will be located at the southeast corner of the pool deck, and the northwest corner of the pool deck will feature an outdoor fireplace and seating area.

FINDINGS OF FACT

After conducting a public hearing and having heard from the Applicant and all interested persons, the Board hereby FINDS, as follows:

1. Land Use Department Staff conducted a preliminary zoning review (PZR) and determined that the Application appears to meet the underlying zoning standards set forth in the Santa Fe City Code (SFCC).
2. Historic Preservation Division City staff reviewed the Application and related materials and information submitted by the Applicant for conformity with applicable SFCC requirements and provided the Board with a written report of its findings (Staff Report), which evaluates the factors relevant to the Application.
3. Historic Preservation Division Staff Recommendation: Staff found that the Applicant met the exception criteria and recommended approval of the proposed project because the application complies with SFCC Sections 14-5.2(D), General Design Standards for all Historic Districts; and 14-5.2(E), Downtown and Eastside Design Standards.
4. The project is subject to requirements of the following sections of the SFCC:
    - Section 14-5.2(D)(9), General Design Standards, Height Pitch Scale and Massing (of any structure);
    - Section 14-5.2(D), General Design Standards; and
    - Section 14-5.2(C), Regulation of Significant and Contributing Structures.
5. The property is located in the Downtown and Eastside Historic District and subject to the Section 14-5.2(E) of the SFCC.
6. Staff calculated the maximum allowable height to be 20'1", and the Applicant proposes to exceed this maximum allowable height.
7. Staff determined that an exception would be required for approval of the proposed height, and the Applicant requested an exception.
8. The Board finds that the Applicant has failed to demonstrate that all of the exception criteria have been met with regard to the proposed height of the three (3) front chimneys massings.

9. Pursuant to SFCC Section 14-5.2(C)(5)(c)(i), the Board finds that the proposed location and height of the three (3) front chimney massings would damage the character of the streetscape.
10. Pursuant to SFCC Section 14-5.2(C)(5)(c)(ii), the Board adopts staff's finding that a height exception is required to present a hardship to the applicant.
11. Pursuant to SFCC Section 14-5.2(C)(5)(c)(iii), the Board adopts staff's finding that a height exception is required to 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.
12. Pursuant to SFCC Section 14-5.2(C)(5)(c)(iv), the Board adopts staff's finding that a height exception is required 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.
13. Pursuant to SFCC Section 14-5.2(C)(5)(c)(v), the Board adopts staff's finding that a height exception is required due to special conditions and circumstances that are not a result of the actions of the Applicant.
14. Pursuant to SFCC Section 14-5.2(C)(5)(c)(vi), the Board finds that approving the proposed location and height of the three (3) front chimney massings would not provide the least negative impact with respect to the purposes of SFCC Section 14-5.2, as set forth in SFCC Section 14-5.2(A)(1).
15. The Board finds that the potential damage to the character of the streetscape and negative impacts with regard to the purposes of SFCC Section 14-5.2 would be minimized by ensuring that the three (3) front chimneys do not exceed the height of the existing chimneys.
16. Under SFCC Sections 14-2.6(C), 14-2.7(C)(2), 14-5.2(A)(1), 14-5.2(C)(2)(a-d & f), 14-5.2(C)(3)(a-b), and 14-5.2(D), the Board has authority to review, approve, with or without conditions, or deny, all or some of the Applicant's proposed design to assure overall compliance with applicable design standards.
17. Under SFCC Section 14-5.2(C)(3)(b), the Board has the authority to approve an application for alteration or new construction on the condition that changes relating to exterior appearance recommended by the Board be made in the proposed work, and no permit is to issue until new exhibits, satisfactory to the Board, have been submitted.
18. The information contained in the Application, and provided in testimony and evidence establishes that all applicable requirements for Board review as herein described have been met.
19. The information contained in the Application and provided in testimony and evidence establishes that all applicable design criteria have been met.

CONCLUSIONS OF LAW

Under the circumstances and given the evidence and testimony submitted during the hearing, the Board acted upon the Application as follows:

1. The Board has the authority to review and approve the Application.
2. The Board approves the Application and grants the requested height exception with the following conditions:

- the proposed three (3) front chimney massings shall be eliminated from the design, and the existing chimney stacks at the front west elevation shall remain in their current location and at their current height;
- the size of the event space shall be limited by the distance that the building code requires the space to be from the existing westernmost chimneys;
- Applicant shall submit new drawings to staff for approval before seeking permits.

IT IS SO ORDERED ON THIS 28th DAY OF April, 2020, BY THE HISTORIC DISTRICTS REVIEW BOARD OF THE CITY OF SANTA FE.

Cecilia Rios
Chairperson

5/8/20
Date:

FILED:

Yolanda Y. Vigil
City Clerk

5/8/20
Date:

APPROVED AS TO FORM:

Sally A. Paez
Assistant City Attorney

May 6, 2020
Date:

EXHIBIT C

City of Santa Fe

Agenda

HISTORIC DISTRICTS REVIEW BOARD FIELD TRIP

*****FIELD TRIP CANCELLED*****

HISTORIC DISTRICTS REVIEW BOARD HEARING

TUESDAY, April 28, 2020 at 5:30 P.M.

*****AMENDED*****

ATTEND VIRTUALLY

SPECIAL PROCEDURES FOR VIRTUAL ATTENDANCE AND PUBLIC COMMENT:

In response to the State's declaration of a Public Health Emergency, the Mayor's Proclamation of Emergency, and the ban on public gatherings of more than five (5) people, this meeting will be conducted virtually using Zoom.

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- Zoom link: https://zoom.us/j/184636049?pwd=MDRMRnRlbGgycCtTWGdweEpta3hlZz09 (Password: 229815)
- Phone numbers: +1 301 715 8592 or +1 253 215 8782 (Meeting ID: 184 636 049)

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Public Comment:

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CALL TO ORDER

A. ROLL CALL

B. APPROVAL OF AGENDA

C. APPROVAL OF MINUTES:

1. **HDRB Field Trip minutes from February 11, 2020, February 25, 2020 and March 10, 2020**
2. **HDRB Hearing minutes March 10, 2020**

D. FINDINGS OF FACT & CONCLUSIONS OF LAW

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Case #2020-001600-HDRB. 113 Washington Avenue.
Case #2020-001736-HDRB. 824 Canyon Road.
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Case #2020-001731-HDRB. 492, 494, 496 W. Water St.
Case #2020-001781-HDRB. 868, 868½ E. Alameda St.

E. BUSINESS FROM THE FLOOR
F. COMMUNICATIONS
G. ACTION ITEMS

1. **Case #2020-1663-HDRB. 512 Agua Fria Street. Westside Guadalupe Historic District. Joel Miller, agent for George Wright and Grace Witking-Wright, owners, proposes to demolish a contributing accessory structure. An exception is requested, per Section 14-5.2(D)(1). (Daniel Schwab, dnschwab@santafenm.gov, 955-6660) (POSTPONED FROM 2/25/2020 and FROM 3/25/2020)**

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H. MATTERS FROM THE BOARD

1. **2020 Santa Fe Heritage Preservation Awards – Selection of Winners**

I. ADJOURNMENT

Cases on this agenda may be postponed to a later date by the Historic Districts Review Board at the noticed meeting. Please contact the Historic Preservation Division at 955-6605 or check https://www.santafenm.gov/historic_districts_review_board for more information regarding cases on this agenda. Persons with disabilities in need of accommodations, contact the Historic Preservation Division office at (505) 955-6605 five (5) working days prior to the meeting date.

RECEIVED AT THE CITY CLERK'S OFFICE
DATE: April 22, 2020
TIME: 10:33 AM

City of Santa Fe

Agenda

HISTORIC DISTRICTS REVIEW BOARD FIELD TRIP

*****FIELD TRIP CANCELLED*****

HISTORIC DISTRICTS REVIEW BOARD HEARING

TUESDAY, April 28, 2020 at 5:30 P.M.

ATTEND VIRTUALLY

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H. MATTERS FROM THE BOARD

1. **2020 Santa Fe Heritage Preservation Awards – Selection of Winners**

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RECEIVED AT THE CITY CLERK'S OFFICE
DATE: April 9, 2020
TIME: 9:48 AM

SUMMARY INDEX
HISTORIC DISTRICTS REVIEW BOARD
April 28, 2020

ITEM	ACTION TAKEN	PAGE(S)
Call to Order	5:30 pm	1
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C. Approval of Minutes		
Field Trip Minutes	Approved	2
March 10, 2020 Hearing	Approved as Amended	2
D. Findings of Fact & Conclusions of Law	Approved	2-3
E. Business from the Floor	Comments	3
F. Communications	None	3
G. Action Items		
1. Case #2020-1663-HDRB 512 Agua Fria Street	Approved	3-7
2. Case #2019-001553-HDRB 1292 Lejano Lane	Approved with Condition	7-12
3. Case #2020-001732-HDRB 868 and 868 ½ East Alameda Street	Denied in Part; Approved in Part	13-23
4. Case #2020-001664-HDRB 1204 Canyon Road	Approved with Conditions	23-30
5. Case #2020-001784-HDRB 339 and 341 Plaza Balentine	Postponed	30-34
6. Case #2020-001823-HDRB 339 and 341 Plaza Balentine	Postponed	34-35
7. Case #2020-001856-HDRB 328 Otero Street	Approved	35-36

8. Case #2020-001817-HDRB 328 Otero Street	Approved	36-38
9. Case #2020-001820-HDRB 1027 Camino San Acacio	Approved	38-42
10. Case #2020-001910-HDRB 448 Camino Monte Vista	Approved with Conditions	42-52
11. Case #2020-001900-HDRB 410 South Guadalupe Street	Approved	52-54
H. Matters from the Board	Comments	54-55
I. Adjournment	Adjourned at 10:50 p.m.	55

MINUTES OF THE CITY OF SANTA FE
HISTORIC DISTRICTS REVIEW BOARD
APRIL 28, 2020
VIRTUAL HEARING

CALL TO ORDER

A regular meeting of the City of Santa Fe Historic Districts Review Board was called to order by Cecilia Rios, Chair, on the above date at approximately 5:30 p.m. at a virtual meeting held at https://www.youtube.com/user/cityofsantafe.

A. ROLL CALL

Roll Call indicated the presence of a quorum as follows:

MEMBERS PRESENT:
Ms. Cecilia Rios, Chairwoman
Mr. Frank Katz, Vice Chair
Ms. Jennifer Biedscheid
Mr. John Bienvenu
Mr. Anthony Guida
Ms. Flynn G. Larson
Mr. Buddy Roybal

MEMBERS EXCUSED:

OTHERS PRESENT:
Ms. Lisa Roach, Planner Manager
Mr. Daniel Schwab, Senior Planner
Ms. Sally Paez, Assistant City Attorney
Ms. Melissa Byers, Stenographer

NOTE: **All items in the Committee packet for all agenda items are incorporated herewith by reference. The original Committee packet is on file in the Historic Preservation Office and available on the City of Santa Fe Website.**

B. APPROVAL OF AGENDA

MOTION: Member Roybal moved, seconded by Member Katz to approve the agenda.

VOTE: The motion passed by unanimous (6-0) roll call vote with Members Biedscheid, Bienvenu, Katz, Guida, Larson and Roybal voting in favor and none voting against.

C. APPROVAL OF MINUTES:

1. HDRB Field Trip minutes from February 11, 2020, February 25, 2020 and March 10, 2020

MOTION: Member Biedscheid moved, seconded by Member Larson, to approve the HDRB Field Trip minutes from February 11, 2020, February 25, 2020 and March 10, 2020.

VOTE: The motion passed by unanimous (6-0) roll call vote with Members Biedscheid, Bienvenu, Katz, Guida, Larson and Roybal voting in favor and none voting against.

2. HDRB Hearing minutes March 10, 2020

Member Biedscheid requested that the following changes be made:

- On page 12, 3rd paragraph, replace "and" with "instead of" to read: "if the post was freestanding instead of attached to the chimney…"
- On page 20, last paragraph, 4th sentence, in the sentence, "She also thought a window replacement exception was granted in a previous case" insert *"*with itself*"* at the end to read: "because it would remain in harmony with itself".
- On page 33, 5th paragraph, 3rd line "reestablished and was…" replace "and was" with "if" to read: "reestablished if done by a different applicant."
- On page 38, 2nd paragraph, 2nd sentence, should read… "the lot is not severely sloped".
- On page 40, 2nd paragraph, 4th sentence, "She thought the slope of the land was" should read: "She thought…slope of the land was *not* a compelling reason."

MOTION: Member Katz moved, seconded by Member Biedschied, to approve the HDRB Hearing Minutes of March 10, 2020 as amended.

VOTE: The motion passed by majority (5-0) roll call vote with Members Biedscheid, Katz, Guida, Larson and Roybal voting in favor and none voting against. Member Bienvenu abstained.

D. FINDINGS OF FACT AND CONCLUSIONS OF LAW

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Case #2020-001737-HDRB. 325 Paseo de Peralta

Case #2020-001663-HDRB. 908 Old Santa Fe Trail.

MOTION: Member Roybal moved, seconded by Member Katz, to approve the Findings of Fact and Conclusions of Law.

VOTE: The motion passed by majority (5-0) roll call vote with Members Biedscheid, Katz, Guida, Larson and Roybal voting in favor and none voting against. Member Bienvenu abstained.

E. BUSINESS FROM THE FLOOR

Stefanie Beninato said she was somewhat disappointed that since they are using Zoom the members are not also using video. She thought the visual part important in feeling like they are connecting to people.

She appreciated that the portal without a permit at 616 Galisteo came down but it was confusing because they did not know who the owner is, and then the portal comes down. Or, that 604 Galisteo was replaced in kind, but it wasn't. It is distressing to get conflicting information about different projects.

She also wanted to bring to their attention the greenhouse in the Railyard District behind REI. The greenhouse has been there several years, and it is obvious, it is plastic with iron supports. She wondered about that if they left that greenhouse but told the people on Canyon Road, they couldn't have one. She said that looks like discriminatory enforcement.

F. COMMUNICATIONS

None

G. ACTION ITEMS

Chair Rios said there are 11 cases on the agenda. She reminded applicants if they disagree with the Board's decision, they have the option to appeal to City Council, within 15 days after the Findings of Fact and Conclusions of Law have been approved.

She limited public comment to two minutes and said that Ms. Paez would assist with timing.

1. **Case #2020-1663-HDRB. 512 Agua Fria Street.** Westside Guadalupe Historic District. Joel Miller, agent for George Wright and Grace Witking-Wright, owners, proposes to demolish a contributing accessory structure. An exception is requested,

EXHIBIT D

City of Santa Fe

Agenda

HISTORIC DISTRICTS REVIEW BOARD FIELD TRIP

TUESDAY, March 10, 2020 at 12:00 NOON

HISTORIC PRESERVATION DIVISION, 1st FLOOR CITY HALL

HISTORIC DISTRICTS REVIEW BOARD HEARING

TUESDAY, March 10, 2020 at 5:30 P.M.

CITY COUNCIL CHAMBERS

****AMENDED****

CALL TO ORDER

A. ROLL CALL
B. APPROVAL OF AGENDA
C. APPROVAL OF MINUTES: February 25, 2020
D. FINDINGS OF FACT & CONCLUSIONS OF LAW

Case #2020-001601-HDRB. 100 East Water Street.
Case #2020-001695-HDRB. 828 Camino Atalaya.
Case #2020-001660-HDRB. 121 Lorenzo Road.
Case #2020-1662-HDRB. 829 El Caminito.
Case #2019-001514-HDRB. 127 East Santa Fe Avenue.
Case #2020-001544-HDRB. 828 Camino Atalaya.
Case #2020-1669-HDRB. 1204 Canyon Road.
Appeal #2020-001644-APPL. 509 Camino Lejo

E. BUSINESS FROM THE FLOOR
F. COMMUNICATIONS
G. ACTION ITEMS

1. **Case #2020-001600-HDRB. 113 Washington Avenue. Downtown & Eastside Historic District. Martinez Architecture Studio, agent for Rosewood Inn of the Anasazi, owner, proposes to construct a 3,078 sq. ft. fourth floor addition to a height of 56'0" with a pool and dining area. An exception is requested to exceed the maximum allowable height of 20'1" (Section 14-5.2(D)(9)). (Lisa Roach, lxroach@santafenm.gov, 955-6657) (POSTPONED FROM 2/25/2020)**

2. **Case #2019-001553-HDRB. 1292 Lejano Lane. Downtown and Eastside Historic District. Thomas Hughes, agent for Linda Carey, owner, proposes to construct a new single-family residence on a vacant lot. (Daniel Schwab, dnschwab@santafenm.gov, 955-6660) (POSTPONED FROM 1/28/2020)**

3. **Case #2020-001781-HDRB. 868 and 868 ½ East Alameda Street. Downtown and Eastside Historic District. Liaison Planning Services, agent for Christina Halaburka, owner, requests a status review for the street-facing yard wall at a contributing residential structure. (Daniel Schwab)**

4. **Case #2020-001732-HDRB. 868 and 868 ½ East Alameda Street. Downtown and Eastside Historic District. Liaison Planning Services, agent for Christina Halaburka, owner, requests to partially demolish a yard wall and to construct a 5 ft. high coyote yardwall and gate at a contributing residential structure. (Daniel Schwab)**

5. **Case #2020-001736-HDRB. 824 Canyon Road. Downtown and Eastside Historic District. Architectural Alliance Inc., agent for Igor Choromanski, owner, proposes to construct a new 6 ft high yard wall and a 204 sq. ft. new free-standing garage and pergola adjacent to a significant residential structure. (Daniel Schwab)**

6. **Case #2020-001737-HDRB. 325 Paseo de Peralta. Downtown and Eastside Historic District. Architectural Allliance Inc., agent for Montgomery Andrew Co., owner, proposes to install new doors and to repair stucco at a non-contributing residential structure. (Daniel Schwab)**

7. **Case #2020-001740-HDRB. 212 Barela Street. Downtown and Eastside Historic District. Joe Simmons and Wendy Waites, owners, propose to construct three new attached residential units. (Daniel Schwab)**

8. Case #2020-001731-HDRB. 492, 494, and 496 West Water Street. Downtown and Eastside Historic District. Perez-Daple Architects, agent for The Orchard LLC, owner, proposes to construct a new mulit-unit commercial structure on a vacant lot. Preliminary design review is requested, along with an exception to exceed the maximum allowable building height, per Section 14-5.2(D)(9)(C)(ii). (Lisa Roach)

9. Case #2020-001663-HDRB. 908 Old Santa Fe Trail. Downtown & Eastside Historic District. Woods Design Builders, Inc., agent for Christy and JC Butler, owners, requests an exception to exceed the maximum allowable wall / fence height, per Section 14-5.2(D)(9)(c)(ii). (Lisa Roach)

10. Case #2020-001734-HDRB. 200 Block of West San Francisco Street (next to 225). Downtown and Eastside Historic District. Sommer, Karnes & Associates, LLP, agent for G. E. Senlic, LLC, owner, requests to demolish a parking kiosk and stairwell and to construct a new four-story commercial hotel structure with two-level underground parking. Exceptions are requested to exceed the maximum allowable building height, per Section14-5.2(D)(9)(c)(ii); to construct a pitched roof where fewer than 50% of the structures in the applicable streetscape have pitched roofs, per Section 14-5.2(D)(9)(d); and to deviate from the district design standards, per Section 14-5.2(E). (Lisa Roach)

H. MATTERS FROM THE BOARD

I. ADJOURNMENT

Cases on this agenda may be postponed to a later date by the Historic Districts Review Board at the noticed meeting. Please contact the Historic Preservation Division at 955-6605 or check https://www.santafenm.gov/historic_districts_review_board for more information regarding cases on this agenda. Persons with disabilities in need of accommodations, contact the Historic Preservation Division office at (505) 955-6605 five (5) working days prior to the meeting date.

RECEIVED AT THE CITY CLERK'S OFFICE
DATE: March 4, 2020
TIME: 11:30 AM

MINUTES OF THE CITY OF SANTA FE
HISTORIC DISTRICTS REVIEW BOARD
FIELD TRIP

Date: 3/10/2020

Time: Approximately 12:00 noon

Place: Historic Districts within the City of Santa Fe

Members Present:

	Present	Absent
Cecelia Rios, Chair	✓	
Frank Katz, Vice Chair	✓	
Jennifer Biedscheid	✓	
Anthony Guida	✓	
Flynn G. Larson		✓
Buddy Roybal		✓
(Vacant)	—	—

Business Conducted:

The Board conducted site visits for the property addresses listed on the agenda for this evening's public hearing, scheduled to begin at 5:30 p.m. The Board conducted the site visits for the sole purpose of making factual observations. The Board did not take any action or make any decisions, and no votes were taken.

Time Adjourned: 1:45pm

Approved by:

Cecilia Rios
Board Chair or Designee

Submitted by:

Risa Roach
Historic Preservation Division Staff

SUMMARY INDEX
HISTORIC DISTRICTS REVIEW BOARD
March 10, 2020

ITEM	ACTION TAKEN	PAGE(S)
Call to Order	5:30 pm	1
A. Roll Call	Quorum Present	1
B. Approval of Agenda	Approved as Amended	1
C. Approval of Minutes February 25, 2020 Hearing	Approved as Amended	2
D. Findings of Fact & Conclusions of Law	Approved	2
E. Business from the Floor	Comments	3
F. Communications	Comments	3
G. Action Items		
1. Case #2020-001600-HDRB 13 Washington Avenue	Approved with Conditions	3-14
2. Case #2019-001553-HDRB 1292 Lejano Lane.	Approved with Condition	14-23
3. Case #2020-001781-HDRB 868 and 868 ½ East Alameda Street	Designated as Contributing	23-25
4. Case #2020-001732-HDRB 868 and 868 ½ East Alameda Street	Postponed	25-26
5. Case #2020-001736-HDRB 824 Canyon Road. Downtown and Eastside Historic District	Approved with Conditions	26-30
6. Case #2020-001737-HDRB 325 Paseo de Peralta	Approved with Conditions	30-31
7. Case #2020-001740-HDRB 212 Barela Street	Postponed	31-40

8. Case #2020-001731-HDRB 492, 494, and 496 West Water Street.	Approved with Condition	40-43
9. Case #2020-001663-HDRB 908 Old Santa Fe Trail	Approved with Condition	43-47
10. Case #2020-001734-HDRB 200 Block of West San Francisco Street (next to 225)	Approved with Conditions	47-55
H. Matters from the Board	None	31
I. Adjournment	Adjourned at 11:25 p.m.	31

MINUTES OF THE CITY OF SANTA FE
HISTORIC DISTRICTS REVIEW BOARD
March 10, 2020

CALL TO ORDER

A regular meeting of the City of Santa Fe Historic Districts Review Board was called to order by Ceceilia Rios, Chair, on the above date at approximately 5:30 p.m. in the City Council Chambers, 200 Lincoln Avenue, Santa Fe, New Mexico.

A. ROLL CALL

Roll Call indicated the presence of a quorum as follows:

MEMBERS PRESENT:
Ms. Cecilia Rios, Chairwoman
Mr. Frank Katz, Vice Chair
Ms. Jennifer Biedscheid
Mr. Anthony Guida
Ms. Flynn G. Larson
Mr. Buddy Roybal

MEMBERS EXCUSED:
One Vacancy

OTHERS PRESENT:
Ms. Lisa Roach, Planner Manager
Mr. Daniel Schwab, Senior Planner
Ms. Sally Paez, Assistant City Attorney
Ms. Melissa Byers, Stenographer

NOTE: **All items in the Committee packet for all agenda items are incorporated herewith by reference. The original Committee packet is on file in the Historic Preservation Office and available on the City of Santa Fe Website.**

B. APPROVAL OF AGENDA

MOTION: Member Roybal moved, seconded by Member Katz to approve the agenda.

VOTE: The motion passed by unanimous (5-0) voice vote with Members Biedscheid, Katz, Guida, Larson and Roybal voting in favor and none voting against.

E. BUSINESS FROM THE FLOOR

Stephanie Beninato pointed out some inconsistencies for IPRAs. She said that at 108/110 E. Santa Fe Avenue, walls were built without a permit, she was told it was covered under 607 Don Gaspar.

She said the application for 604 Galisteo Street was for an adobe brick wall to be replaced. Their insurance company paid entirely for this and Ms. Roach said it was fine to do the brick wall. Public records showed no request to change the project. Also, she wondered how two windows on the southside, and the door were not damaged by the impact and were also replaced under the idea of replacing in kind the west/east wall. She wonders what *replacing in kind* really means.

Ms. Roach commented she could justify any of the decisions she made in the Galisteo case. She is under the impression the walls for Santa Fe Ave. and Don Gaspar have a permit.

F. COMMUNICATIONS

Ms. Roach said the date has been set for the Santa Fe Heritage Preservation Rewards on Thursday, May 14, 2020 at 5:30 PM at the San Miguel Chapel.

Ms. Paez noted that Gabe Smith, Assistant City Attorney, left the City and she will be the only one covering hearings. The City is in the process of hiring another Assistant City Attorney.

G. ACTION ITEMS

Chair Rios said there are ten action items on the agenda. She reminded applicants if they disagree with the Board decision, they can appeal to City Council, within 15 days of when the Findings of Fact and Conclusions of Law are approved.

1. **Case #2020-001600-HDRB. 113 Washington Avenue.** Downtown & Eastside Historic District. Martinez Architecture Studio, agent for Rosewood Inn of the Anasazi, owner, proposes to construct a 3,078 sq. ft. fourth floor addition to a height of 56'0" with a pool and dining area. An exception is requested to exceed the maximum allowable height of 20'1" (Section 14-5.2(D)(9)). (Lisa Roach, lxroach@santafenm.gov, 955-6657) (POSTPONED FROM 2/25/2020)

Related to this case, two photographs were submitted and are attached as Exhibit "1" and Exhibit "2".

Ms. Roach presented the staff report as follows:

STAFF REPORT:

113 Washington Avenue is a commercial hotel structure that was constructed after 1945 in the Territorial Revival style, when it was known as the State Securities Building. The building was substantially remodeled in 1989 in the Spanish Pueblo Revival style and was adaptively reused as the Inn of the Anasazi. In 2014, the HDRB approved window replacement throughout the structure (Case H-14-025). The building is listed as non-contributing to the Downtown and Eastside.

At the February 11, 2020, hearing of the HDRB, the applicant proposed to construct an addition to the rooftop level of the building, and after discussing several design details, the Board postponed the case, requesting redesign with particular attention to the street-facing west elevation. The applicant submitted revised drawings, reflecting a few modifications to the design, as well as digital renderings which better capture the visual effects of the additions on the streetscape. The project is proposed as follows:

1) Construct an addition and improvements to the rooftop level of the hotel. An exception is requested to exceed the maximum allowable height of 20'1", and exception criteria and responses are provided in the packet. The applicant proposes to build to a height of 56' in the central portion of the existing roof level, and this massing will rise a maximum of 14' above the existing parapet and will be set back from the street-facing façade by more than 70'.

2) At the front (street-facing) third of the space will be an outdoor event space with tile decking, seating, an informal lobby area, elevator overrun, stairwell, and storage space. The seating area will be set back further from the front façade of the building than originally proposed. The applicant redesigned the chimney structures that are prominent on the proposed design, such that the central chimneys have been consolidated, made more massive, and set back further from the front façade, resulting in better integration of the chimneys into the architectural features of the existing building. The side chimneys have also been made more massive and sculptural so as to blend better with the existing hotel. The seating area will feature a 12'8" high tan canopy situated on dark bronze tracks on which the canopy can be extended or retracted depending on weather. The canopy tracks have been redesigned to be seated on top of the three chimney structures at the west end of the seating area, and the space will be framed by 5' high stuccoed walls.

3) The central third of the space will feature an enclosed lounge and bar with required back of the house spaces, including kitchen and restrooms. The stuccoed massing will match the Spanish-Pueblo Revival style of the hotel, and windows will match those that are featured elsewhere on the hotel. As stated above, the height of this massing will rise 14' above the existing parapet, resulting in a total height of 56'. Any rooftop appurtenances and skylights placed on the roof of this addition will not be publicly visible.

4) At the rear third of the space will be a rectangular pool and tile deck, set back approximately 4 feet from the edge of the building. The perimeter of the pool deck will be framed by 4' high stuccoed walls and a retractable tan canopy with dark bronze rails to a height of 12'8" above

the existing parapet. The previously presented wood framed cabana structures have been modified to free-standing fabric structures. In this area, the chimneys have also been moved closer together from the previous design and incorporated into fewer, larger masses rather than having multiple smaller chimneys. At the southeast corner of the pool deck, a stairwell, mechanical and storage spaces will be located, and the northwest corner of the pool deck will feature an outdoor fireplace and seating area.

STAFF RECOMMENDATION:

Staff finds that the exception criteria have been met and recommends approval of the proposed project and finds that the application complies with Section 14-5.2(D) General Design Standards for all Historic Districts, and 14-5.2(E) Downtown and Eastside Design Standards.

QUESTIONS FOR STAFF

Member Roybal asked, from the street view, would anyone notice the south, north or west chimneys. He looked at it from across the street and it is set back a lot on the west side.

Ms. Roach explained when standing right in front of the hotel you may not notice the additional massing and the west side is set back a lot. There are no dimensions on the drawings, and they are not a standard scale. They could ask the applicant how far back the two chimneys will be from the street façade.

Member Roybal asked how high La Fonda is in height. Ms. Roach did not know.

Chair Rios asked how many of the existing chimneys will be changed.

Ms. Roach said the reason for the chimney extensions is because of Building Code requirements. The chimneys already exist and have to be extended for the proper draft so people can occupy the space below. They have been consolidated in the new design and four chimneys are within the front event space on the west end of the rooftop level. The chimneys at the rear have been consolidated to three or four different chimneys. The applicant could be asked to provide more clarification.

Chair Rios asked if it is correct that the maximum allowable height is 20 feet, 1 inch.

Ms. Roach explained that is the calculation based on methodology in the Code. The downtown area calculations are tricky because the Code requires doing height calculations without considering noncontributing structures over 16 feet in height.

Chair Rios asked what else is excluded in the height calculation.

Ms. Roach offered to read the Code; noncontributing structures over 16 feet in height; institutional structures.

Ms. Roach said in 14-5.2(D)(9)(c)(ii)(A) it states: "*If a proposed building has a parapet, the façade shall not be in excess of two (2) feet of the average of the height of the façades in the streetscape .*" They then have to go back to how streetscape is defined to determine which façades are included and applicable. Ms. Roach said she couldn't find the exact language in Code but for a long time the procedure was to look at the applicable streetscape, defined by Code, eliminate noncontributing buildings 16 feet or over and any institutional buildings, hotels.

Member Biedscheid noted the height section B and C prior to that on streetscape standards discusses the determination of streetscape and refers to height and structures that should be eliminated.

Chair Rios thought it was important to consider that the building is in harmony with the streetscape.

Ms. Roach said Member Biedscheid was correct. Under Streetscape Standards in 14-5.2(D)(9)(b)(ii): "When determining streetscape, the following structure types shall be excluded: institutional, buildings originally constructed to house a hotel, residential multiple unit, buildings with non-historic multiple stories, non-historic pitched roof, auxiliary outbuildings such as sheds, existing structures approved by way of variance or exception, and yardwalls or fences whose height is inconsistent with the predominant height of yardwalls and fences on an applicable streetscape."

Member Roybal asked when looking at the commercial if they should take into account the height existing in the surrounding structures like the La Fonda, the Cathedral in the calculation.

Ms. Roach thought the predominant height of buildings in the streetscape should be a consideration in the downtown area beyond the exclusions. It would be worth considering a different methodology for calculation for downtown at some point.

Member Roybal agreed.

Chair Rios noted the application was divided into three parts. She asked how far back the seating area and tables start after entering the building.

Ms. Roach did not know the exact distance from the front façade. She suggested they ask the applicant.

Chair Rios confirmed the massing with a bar and lounge, kitchen, and restrooms would be in the second space. She noted massing in that portion is about 70 feet back. She asked to confirm that the third portion would be the area for the swimming pool.

Ms. Roach agreed.

Member Katz said with regard to the height issue, there is confusion of what it is or should be but also a concern there is a height increase. He thought if the Board continued to allow

exceptions for height it would bleed from the downtown district. His concern is the hotel is on Washington Street. The buildings on the west side may not be considered in height calculation but are considerably taller than this. And on the east side they quickly move into the residential area. The east side moves into the residential area and this building on the east side is already the tallest building on that side and is asking for another story. He asked if that wouldn't trigger concern about leap frogging, making things taller and taller and a special concern about having height on the edge of town.

Ms. Roach thought the Board is able to discern when a height exception is appropriate when taking into account the rest of the streetscape around the building. She did not believe there is fear allowing another story to a building already nonconforming hotel structure similar in height to other hotels downtown, or that it would have an impact on the heights of residential properties adjacent or beyond the business district.

Member Katz asked Ms. Roach when she stated the Code requirement could not be too close to a low chimney, what is too close.

Ms. Roach thought the seating area has to be 10 feet from the chimney.

Member Biedscheid asked on staff interpretation of Code on the stucco massing in the center of the building they believed to be a significant step back. She asked how they looked at the chimneys, which are also stuccoed structures, that are not significantly stepped back.

Ms. Roach replied Code specifies that additional height in stories be stepped back to be made the same height. Throughout the design and space, the chimney structures have been consolidated and made more massive. At the west facing façade, the chimney structures are stepped back, but she didn't know the distance from the front. Code does not specify how deep a step back is required to be considered a step back. She thought the Board has to evaluate and that it is a matter of scale and visual impact.

Member Biedscheid asked how staff considered fabric is historic in terms of material such as the awnings proposed.

Ms. Roach noted fabric awnings are throughout the downtown area and generally are regulated in color palette and compatibility predominantly in the streetscape.

Member Biedscheid asked if the awnings are considered temporary structures.

Ms. Roach said the awnings can be extended or retracted as needed, and because the rails they are mounted on are permanent, she thought the canopies would also be considered permanent. Usually awnings over entrances are permitted as permanent structures, opposed to tenting or vestibules around seasonal openings.

APPLICANT'S PRESENTATION

Lutz Arnhold, 2861 Cliff Palace, was sworn. He wanted to point out how important the project is for those in the hotel business and downtown area, and to him personally. He thanked the Board for their comments. He heard their comments and moved the chimney back 14 feet on the front street façade. Secondly, he wanted the renderings to show the Board how great the step back was of the front chimney façade. He not only took the Board's comments seriously and did what was asked but thanks them. He thought their comments had improved the project significantly.

Richard Martinez, 1524 Paseo de Peralta, was sworn.

Chair Rios thanked Mr. Martinez for the digital color visualization.

Mr. Martinez responded to questions. He said the La Fonda is 65 feet tall and the applicant is asking for 52 feet. There are 58 rooms, each with a fireplace and there is a fireplace in the lobby and bar. Chimneys are required to be 2 feet above anything within 10 feet and have been lowered as much as possible. He took advantage of the floor space, which is 6 feet above the existing roof deck. They angled the chimney 45 degrees and moved the chimney mass back. The front façade of the building has a steel structure with another steel structure every 16 feet. The beam across the front of the building holds up the awning and is back 16 feet. The chimneys going up from the hotel must be in front of that beam, so the front of the mass is 14 feet back from the front façade. The smaller wall surrounds the deck area and the area called the event space and is six feet back from the front façade. The chimneys and structures for the canopies are 14 feet back from the front façade. The chimneys were moved back to the deck area with a reconfiguration of the tables. The two end chimneys are moved back as far as possible and integrated and the hotel façade is buttressed. All the other chimneys were grouped together and moved back to be more integrated into the façade.

QUESTIONS FOR THE APPLICANT

Member Katz asked Mr. Martinez to confirm that the chimneys in front on the west façade were moved back to the east and back from the façade.

Mr. Martinez explained they are now 14 feet back from the façade and directly behind the parapet. He confirmed there is a vertical space of the wall and then the chimney and the vertical space is the existing façade. He explained when he said 14 feet, he meant the front of the stucco from the façade, not the chimney itself.

Member Katz asked how far back from the front of the stucco the chimney is currently. He was told about 18 inches to a foot and half.

Member Katz said they did a great job on the redesign of the chimneys, but he was not happy that from Washington Street you could see the three stucco mass chimneys and the beam across. He did not think they needed tall chimneys in front if more than 10 feet from the outdoor space. He noted Mr. Martinez has mentioned it is 18 inches from the front of the façade and the chimneys are 14 feet back, and if the chimneys were left low up front as they are, it would allow the same space. Member Katz said but the three tall chimneys in the front would not be seen.

Mr. Martinez replied that was not true. He explained the wall at the edge of the roof deck above the parapet is within ten feet. He presented they would have to go above that parapet at the last meeting. The chimney currently sticks up above the existing parapet and would have to be 2 feet higher if positioned as Member Katz stated. It is only six feet back but is 14 feet back behind the wall.

Member Katz asked why the wall couldn't be where the chimney is now, with the low chimneys in front.

Chair Rios asked if that was possible.

Mr. Martinez said that was not what the Board asked for at the last meeting.

Member Katz said the Board was quite clear they did not want to see the chimney from Washington Street. It could be seen very clearly and is more massive.

Karl Sommer, PO Box 2476, was sworn. He thought there was confusion. He asked what the Code standard required for the height of the chimney.

Mr. Martinez replied Code is that the chimney has to be 2 feet higher than anything within 10 feet of it.

Mr. Sommer asked why is that the height for anything within 10 feet, design wise.

Mr. Martinez explained it is two feet higher than the beam.

Member Katz said looking at the photograph there is what looks like a parapet line of the current building. Several feet back from that is the wall of the decking upstairs. He thought the current chimney is behind the lower parapet - east to west.

Mr. Martinez explained the current chimney is directly behind the existing parapet.

Ms. Roach asked if it would be helpful to look at the existing roof plan.

Member Katz noted the plan shows that the chimney is directly behind the front parapet. If you drop down to the other one, it is moved 6, 8, 10 feet back.

Mr. Martinez replied it is fourteen feet back from the front parapet.

Member Katz thought the edge of the deck could be moved 10 feet back from the current location of the chimney and it would meet Code. Then the front chimneys would not have to be taller.

Mr. Martinez thought that would be unattractive to have a main chimney for the log fireplace that burns 300 days a year, spew smoke below.

Member Katz suggested on days they have a big event on the roof they could choose not to have a fire. The Board has to look at this for 365 days a year and there is no need to do what is proposed. There should be a compromise to preserve the view from Washington Street.

Member Roybal asked how many changes were made by the applicant to comply with the Board's requests. He noted Mr. Martinez redrew the plan trying to work around the requests previously made.

Mr. Martinez replied he had, and the chimneys were moved back 14 feet. He wanted to take advantage of the space to angle the chimneys back from the front façade. He also integrated the chimneys on the sides of the building, above the parapets. He used that angle to group the chimneys together instead of standing individually, to have fewer and be more mass. He also worked to integrate them with the structure that holds the awning, which is necessary. He used it to move the chimneys back and around the structure. He removed the roof of the cabanas that originally were in the back of his proposal because the owner said it wasn't necessary to have a solid roof.

Member Larson thanked Mr. Martinez for taking the Board's comments to heart. She thought the design creative and liked the integration of the structures and thought it would function nicely. She agreed with Member Katz that something could possibly be done with the chimneys, but it was not a huge visual issue to her.

Member Katz said looking at the roof plat, at the right end of the chimney on the bottom, he could see a vertical line that cuts the two left most tables in half. He guessed that was the edge of the canopy and the beam above it. That is more than 10 feet, it was 14 feet back from the chimney. The only thing he thought would be lost if the tall chimneys were not in front is a small piece of territory that includes half of two tables.

Mr. Martinez explained there are seated areas in front of that and a bar area and seating area with bar stools.

Member Katz said that could be moved back about 7 feet.

Chair Rios asked the height of the chimneys on the west façade.

Mr. Martinez said they are 56 feet, the same height as the building behind it.

Chair Rios asked if that was measured from where they start.

Mr. Martinez clarified it was from the floor to the top.

Ms. Roach said the proposed height would be 14 feet higher than the existing parapet.

Mr. Martinez said it is fourteen feet. He explained the parapet dips and is not all the same height, and 14 feet is the highest.

Chair Rios confirmed that the two beams were moved 14 feet from the existing parapet and 14 feet from that base.

Mr. Sommer asked to add he didn't want Member Katz to think they ignored his comment about keeping the chimney low, but at the last meeting they discussed how they could move it back. There were several comments about redesigning it and looking at it differently. The original design had a straight up, very tall singular element in the middle of the building.

The applicant has done his best from a structural and construction standpoint to take that back and integrate what was there to add more massing. They did not intentionally ignore. And if the Board's comment was to remove the chimney, the applicant misunderstood. The applicant tried to address what they thought the Board had suggested and is their thinking behind the design and the proposal.

Member Biedscheid said she was trying to understand why the chimneys are 14 feet above the deck. She asked if solely because of the canopy railing that is attached.

Mr. Martinez replied yes.

Member Biedscheid asked if he had considered the use of umbrellas or something that would allow a reduction of the chimney height.

Mr. Martinez explained the canopy is retractable and a more high-end, elegant solution. They don't want something unattractive. They wanted the entire addition on the roof to look like it is part of the hotel. He intends to face the beam at the front with wood, so it appears to be a wood beam. Also, the canopy has to go over certain elements like the egress stairs and elevators, etc. and determines the height of the canopy. The canopy is not free standing, it is attached to the solid building in the middle.

Member Biedscheid asked if rather than attaching the beam to the chimney it is attached to the end to reduce the chimney height. She asked if redesigned as freestanding, the chimney could be lower and 10 feet away.

Mr. Martinez said no, they are not 10 feet away and that is the problem. They would be as high as they are now but standing as free elements instead of integrated into the frame of the canopy. The façade has two big elements going to the top. He pointed on the drawing, to the chimneys in the structure for the canopy. Behind that is the elevator, egress stairs, etc. and they were sticking straight up, and he moved those together and used the angles to get the chimneys to that area.

Member Biedscheid asked if the front chimneys could be lower if the post was freestanding and attached to a chimney.

Mr. Martinez replied no. They would still be within 10 feet of the canopy structure or the elevator as he indicated on the plan.

Member Biedscheid asked the options to reduce the front chimneys.

Member Katz asked "what was wrong with Frank's options that would do exactly that?"

Mr. Martinez pointed to the drawing and the place they could stop the deck and reduce the middle chimney, but not the entrance. That is stepped back from the sides.

Member Guida asked if the two chimneys on the end were angled back 45 degrees as the one from the lobby.

Mr. Martinez stated they are angled back but are not exactly behind the front façade. He wasn't sure how far back they were, all of them were not shown.

Ms. Roach said there is only one in question - the front center chimney.

Member Katz said they don't show any on the plan but that does not mean they don't exist. They could angle west instead of east.

Member Guida pointed out they were discussing two schemes. The one presented by the applicant is an admirable design adjustment of what the Board reviewed last time. It is a clear incorporation of the Board's direction and comments. He recalled discussing the last time that the overall massing of the four-story proposal was fine and clear. Their reaction was to the Washington Avenue façade and the presence of the middle of that as a façade point. This design changes that and pushes the point back 14 feet and changes the massing of the chimneys.

Mr. Martinez added it also makes it wider so he can line up the chimneys.

Member Guida said for him that's a good reaction and it did not sacrifice a lot of real estate.

Mr. Martinez said they lost 75 square feet.

Member Guida thought it an elegant design solution. What the Board is discussing now is whether they want to see three chimneys from the street, or at all. They are set back from the façade and to him, looking at line of sight from Washington Avenue upward he would not see them at all. Only the view from across the street shows a glimpse of the chimneys. The renderings did a good job of showing the worst-case scenario - the view from across the street. This is the full exposure in both cases.

He thought the other scenario was to eliminate the three chimneys visually by keeping them above the existing roof and pulling them back about 10 feet or more from the façade. That would obviously cause a loss in square footage. And there is the question of what would support the canopy at that point, and if they should bring it back to the second row of chimneys, or to posts. He thought the second scheme more conservative, but personally agreed that a chimney that emits smoke in an occupied space is less than optimal, even when it meets the letter of Code. He thought the plan did not infringe much on the streetscape.

Chair Rios asked the width of the chimneys that faced Washington.

Mr. Martinez said he tapered the chimneys as they go up and at the least is 2 feet deep. They are as wide as needed to accommodate the chimney at about 8 to 10 feet wide.

PUBLIC HEARING.

John Eddy 227 E. Palace, Suite D, was sworn. He said the spirit of advice given at the last meeting was very clear. The existing building on the west façade is at a height consistent with the surrounding buildings, despite that it is the tallest building. The applicant in trying to redesign, pushed the chimneys back. They tried to decrease the massing fronting on the west side but only to a certain degree. What they see is very visible massing that is disruptive to the streetscape. That is driven by the program the applicant wants on the rooftop to use as much of the area as possible. Looking at the building in thirds from east to west, the middle third is the major massing. Taking everything back at least 25% from the original façade and eliminating rooftop use would eliminate 80% of the visual obstruction on the streetscape.

Stephanie Beninato was sworn. She agreed with Mr. Eddy. She thought this has a huge impact on the streetscape, especially from the Plaza in the northeast corner. They should get rid of the wood burning fireplaces which adds to carbon foot printing. Possibly they could have a smaller opening with gas burning fireplaces. Also, there will be a very visible awning that will impact the streetscape and although allowed, it is a mistake and looks tacky. There is no hardship, it is about making money and using space. they should get rid of the first third and allow the back

third. Also, the applicant should reconsider the pool. She asked if another rooftop pool is needed when they are in a drought. They could advertise the hotel as sustainable, and the awning and pool area could possibly be seen from the streetscape. The scale should be done to standard scale and the drawing should have all of the details. The applicant should be made to make drawings to scale.

BOARD DISCUSSION

Member Katz said he understood the comments from the public but was in no way trying to eliminate the outdoor event space on the roof. The applicant would possibly lose seven feet and two tables but could still have a bar looking west, and it would be nice if the awning did not come all the way across. They might want to discuss that because you could see the underside of the awning. It would be nice if that was not visible.

MOTION: In Case #2020-001600-HDRB, 113 Washington Avenue, Member Katz moved to approve the application as submitted with the condition that the three front chimney massing be eliminated, and the three chimney groupings be at the front of the façade at the current height, and that the rest of the back be the required 10-14 feet from the chimneys and be the front of the event area, and that the applicant submit drawings to show that. Member Biedscheid seconded the motion and added a friendly amendment that the conditions in the motion meet the exception criteria for criteria #5.

VOTE: The motion passed by majority (4-1) voice vote with Members Biedscheid, Guida, Katz and Larson voting in favor and Member Roybal voting against.

2. **Case #2019-001553-HDRB. 1292 Lejano Lane.** Downtown and Eastside Historic District. Thomas Hughes, agent for Linda Carey, owner, proposes to construct a new single-family residence on a vacant lot. (Daniel Schwab, dnschwab@santafenm.gov, 955-6660) (POSTPONED FROM 1/28/2020)

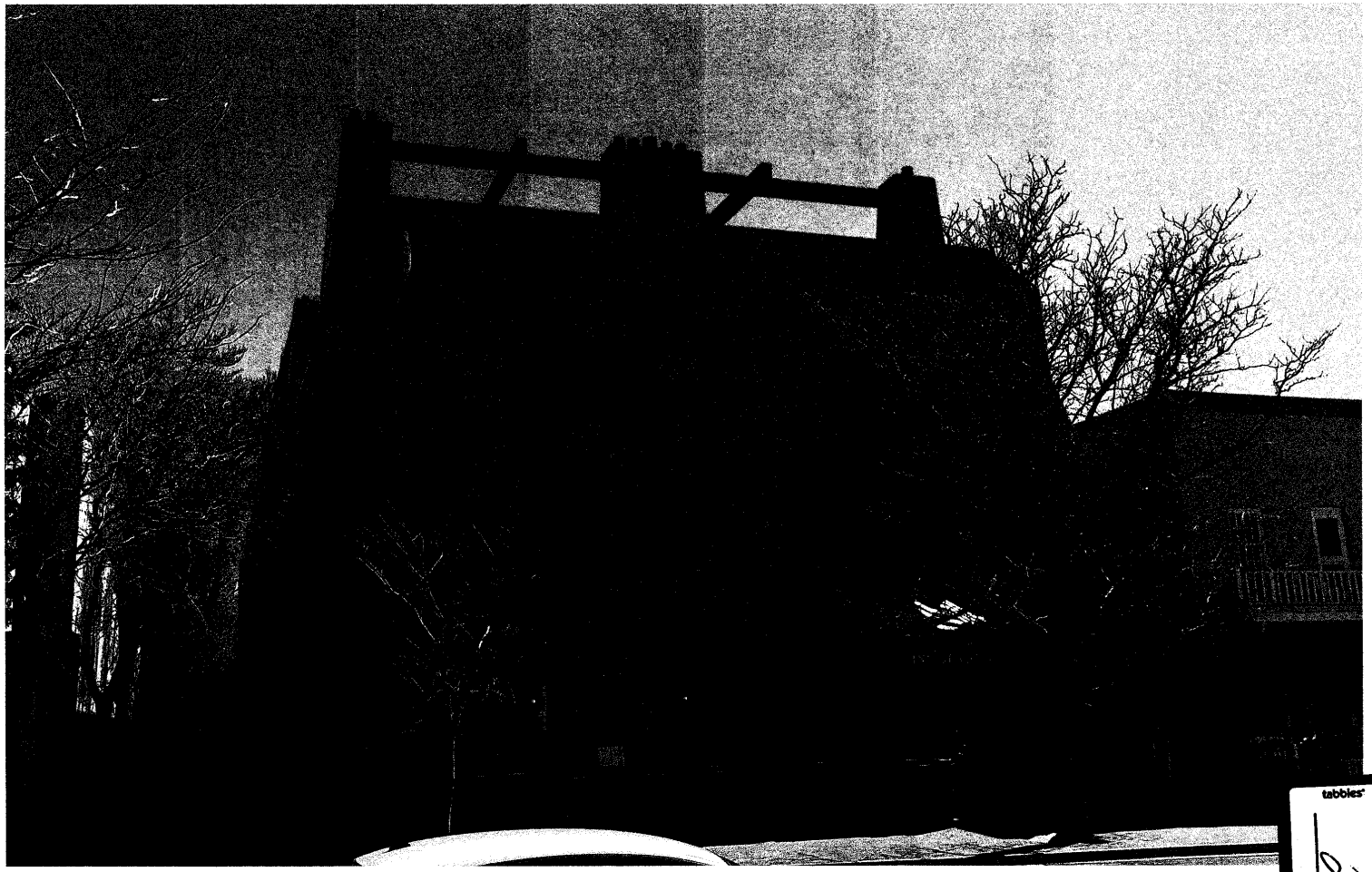
Related to this case, two photographs were submitted and are attached as Exhibit "3".

Mr. Schwab presented the Staff report as follows:

STAFF REPORT:

1292 Lejano Lane is currently an unbuilt residential site in the Downtown and Eastside Historic District. The site has a steep grade and sits at the corner of Lejano Lane and Lorenzo Road. It has public visibility from both roads.

tabbies
EXHIBIT
/
56



tabbies
EXHIBIT
2

EXHIBIT E

CITY OF SANTA FE, NEW MEXICO

PROJECT DESCRIPTION: Martinez Architecture Studio, agent for Rosewood Inn of the Anasazi, owner, proposes to construct a 3,078 sq. ft. fourth floor addition to a height of 56'0" with a pool and dining area. An exception is requested to exceed the maximum allowable height of 20'1" (Section 14-5.2(D)(9)).

Case number: **2019-001600-HDRB**
Project Type: HDRB

PROJECT LOCATION (S): **113 Washington Avenue**

OW – Rosewood Inn of the Anasazi	113 Washington Avenue	Santa Fe, NM 87501
AP – Martinez Architecture Studio PC	P.O. Box 925	Santa Fe, NM 87504

PROJECT DATA:

HISTORIC DISTRICT

Don Gaspar Area ☐ Downtown and Eastside ☑ Historic Review ☐ Transition ☐ Westside-Guadalupe ☐

HISTORIC BUILDING STATUS

Non-Statused ☐ Non-Contributing ☑ Contributing ☐ Significant ☐ Landmark ☐ N/A ☐

PRIMARY ELEVATIONS: North ☐ South ☐ West ☐ East ☐ N/A ☑

PUBLICLY VISIBLE FACADE-EAST Yes ☐ No ☑

PUBLICLY VISIBLE FACADE-NORTH Yes ☑ No ☐

PUBLICLY VISIBLE FACADE-SOUTH Yes ☑ No ☐

PUBLICLY VISIBLE FACADE-WEST Yes ☑ No ☐

HISTORIC DISTRICT INVENTORY NUMBER H3537

YEAR OF CONSTRUCTION post 1945

PROJECT TYPE

Status ☐ Primary Elevations ☐ Remodel ☑ Demolition ☐ New ☐ Other _____

USE, EXISTING Residential ☐ Non-Residential ☑ Vacant ☐

USE, PROPOSED Residential ☐ Non-Residential ☑

HISTORIC BUILDING NAME State Securities Building

City of Santa Fe, New Mexico

memo

DATE: March 10, 2020

TO: Historic Districts Review Board Members

FROM: Lisa Gavioli Roach, Historic Preservation Division Manager

Case # 2020-001600-HDRB
(POSTPONED FROM 2/11/2020)

Address: 113 Washington Ave
Historic Status: Non-contributing
Historic District: Downtown and Eastside

REFERENCE ATTACHMENTS (Sequentially):

CITY SUBMITTALS

____ **District Standards & yard wall & fence standards.**

__x__ **Historic Inventory Form**

__x__ **Zoning Review Sheet**

__x__ **Other**: Height calculation – maximum allowable height calculated to be 20'1"

APPLICANT SUBMITTALS

__x__ **Proposal Letter (original and revised)**

__x__ **Site Plan/Floor Plan (original and revised)**

__x__ **Elevations (original and revised)**

__x__ **Photographs**

__x__ **Other:** digital renderings

STAFF RECOMMENDATION:

Staff finds that the exception criteria have been met and recommends approval of the proposed project and finds that the application complies with Section 14-5.2(D) General Design Standards for all Historic Districts, and 14-5.2(E) Downtown and Eastside Design Standards.

BACKGROUND & SUMMARY:

113 Washington Avenue is a commercial hotel structure that was constructed after 1945 in the Territorial Revival style, when it was known as the State Securities Building. The building was substantially remodeled in 1989 in the Spanish Pueblo Revival style and was adaptively reused as the Inn of the Anasazi. In 2014, the HDRB approved window replacement throughout the structure (Case H-14-025). The building is listed as non-contributing to the Downtown and Eastside.

At the February 11, 2020, hearing of the HDRB, the applicant proposed to construct an addition to the rooftop level of the building, and after discussing several design details, the Board postponed the case, requesting redesign with particular attention to the street-facing west elevation. The applicant submitted revised drawings, reflecting a few modifications to the design, as well as digital renderings which better capture the visual effects of the additions on the streetscape. The project is proposed as follows:

1) Construct an addition and improvements to the rooftop level of the hotel. An exception is requested to exceed the maximum allowable height of 20'1", and exception criteria and responses are provided below. The applicant proposes to build to a height of 56' in the central portion of the existing roof level, and this massing will rise a maximum of 14' above the existing parapet and will be set back from the street-facing façade by more than 70'.

2) At the front (street-facing) third of the space will be an outdoor event space with tile decking, seating, an informal lobby area, elevator overrun, stairwell, and storage space. The seating area will be set back further from the front façade of the building than originally proposed. The applicant redesigned the chimney structures that are prominent on the proposed design, such that the central chimneys have been consolidated, made more massive, and set back further from the front façade, resulting in better integration of the chimneys into the architectural features of the existing building. The side chimneys have also been made more massive and sculptural so as to blend better with the existing hotel. The seating area will feature a 12'8" high tan canopy situated on dark bronze tracks on which the canopy can be extended or retracted depending on weather. The canopy tracks have been redesigned to be seated on top of the three chimney structures at the west end of the seating area, and the space will be framed by 5' high stuccoed walls.

3) The central third of the space will feature an enclosed lounge and bar with required back of the house spaces, including kitchen and restrooms. The stuccoed massing will match the Spanish-Pueblo Revival style of the hotel, and windows will match those that are featured elsewhere on the hotel. As stated above, the height of this massing will rise 14' above the existing parapet, resulting in a total height of 56'. Any rooftop appurtenances and skylights placed on the roof of this addition will not be publicly visible.

4) At the rear third of the space will be a rectangular pool and tile deck, set back approximately 4 feet from the edge of the building. The perimeter of the pool deck will be framed by 4' high stuccoed walls and a retractable tan canopy with dark bronze rails to a

height of 12'8" above the existing parapet. The previously presented wood framed cabana structures have been modified to free-standing fabric structures. In this area, the chimneys have also been moved closer together from the previous design and incorporated into fewer, larger masses rather than having multiple smaller chimneys. At the southeast corner of the pool deck, a stairwell, mechanical and storage spaces will be located, and the northwest corner of the pool deck will feature an outdoor fireplace and seating area.

EXCEPTION CRITERIA AND RESPONSES

Exception to exceed the maximum allowable height, per Section 14-5.2(D)(9):

i) Do not damage the character of the streetscape;

Applicant Response: On this block of Washington Ave (on both sides of the street}, tall institutional and commercial buildings define the streetscape. The hotel adjacent and to the north of the Inn of the Anasazi is about the same height, and the buildings across Washington Avenue are taller than the Inn of the Anasazi. Typically, the buildings rise from the sidewalk up several stories without setting back. This character - tall institution and commercial buildings adjacent to the sidewalks - is unique in many ways to this area of the downtown area. The proposed addition will be set back from the edge of the existing parapet. It will not be visible from the east side of the street and will hardly be noticeable from the west side of the street. As a result, the addition will fit into the existing character of the streetscape, rather than do damage to it. The human scale enjoyed today on this section of the streetscape will not be adversely affected or damaged.

Staff Response: *Staff agrees with this response.*

(i) Prevent a hardship to the applicant or an injury to the public welfare;

Applicant Response: The hardship to the applicant results from the fact that Inn of the Anasazi sits on a lot that already occupies 100% of the lot, and there is no additional area to provide the amenities that are being proposed in the addition. It is in the interest of the public welfare (and the Inn of the Anasazi) for this property to remain economically viable and competitive in the hospitality industry in downtown; the Inn of the Anasazi must be at least as attractive to visitors as other luxury hotels in the downtown area. All of the Inn of the Anasazi's major competitors- La Fonda, the Drury, and the Eldorado Hotel - all provide swimming facilities (all of which are on the roof tops), and opportunities for outdoor and indoor dinning, socializing and event-staging on their rooftops. In order to compete and remain relevant and to avoid eventual obsolescence – and thereby avoid a hardship and harm to the public welfare of the City of Santa Fe – the Inn of the Anasazi must invest in the facilities with the propose addition, but has nowhere to add them except on top of the existing hotel.

Staff Response: *Staff agrees with this response.*

(iii) Strengthen the unique heterogeneous character of the city by providing a full range of design options to ensure that residents can continue to reside within the historic districts;

Applicant Response: This criterion really addresses residential uses in the historic district and a "full range of design options to ensure that residents can continue to reside" and has no applicability to addition of a commercial building. However, the proposed addition will strengthen commercial character of the downtown by adding amenities to a downtown hotel that will allow visitors and patrons a greater range of possibilities to enjoy the unique culture of Santa Fe.

Staff Response: *Staff agrees with this response.*

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

Applicant Response: Inn of the Anasazi sits on a lot that has for decades been occupied by a tall building covering the entire lot, and the applicant did not divide the property to create a lot with a small area of land. Rather, the small lot was created many, many decades ago. The condition of the lot is not the result of the action of the owner.

Staff Response: *Staff agrees with this response.*

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

Applicant Response: The proposed addition and amenities will not have any negative impact on the streetscape or the historic character of the downtown area. The addition will be set back from the edge of the existing parapet so it will reduce its visibility as discussed above and will not add or cast a shadow on to the streets below. In short, it will not exacerbate any of the effects that tall building may have on a streetscape - "canyon effect," shadows, disproportionate scale or massing. So, any potentially negative impacts have been mitigated by the design.

Staff Response: *Staff agrees with this response.*

RELEVANT CODE CITATIONS:

14-5.2(A)(1) General Purpose

In order to promote the economic, cultural, and general welfare of the people of the city and to ensure the harmonious, orderly and efficient growth and development of the city, it is deemed essential by the governing body that the qualities relating to the history of Santa Fe, and a harmonious outward appearance, which preserve property values and attract tourists and residents alike, be preserved, some of these qualities being:

(a) The continued existence and preservation of historical areas and buildings;

(b) The continued construction of buildings in the historic styles; and
(c) A general harmony as to style, form, color, height, proportion, texture and material between buildings of historic design and those of more modern design.

14-5.2(E) Downtown and Eastside Design Standards

(1) Old Santa Fe Style

Old Santa Fe style, characterized by construction with adobe, is defined as including the so-called "pueblo" or "pueblo-Spanish" or "Spanish-Indian" and "territorial" styles and is more specifically described as follows:

(a) With rare exception, buildings are of one story, few have three stories, and the characteristic effect is that the buildings are long and low. Roofs are flat with a slight slope and surrounded on at least three sides by a firewall of the same color and material as the walls or of brick. Roofs are never carried out beyond the line of the walls except to cover an enclosed portal or porch formed by setting back a portion of the wall or to form an exterior portal, the outer edge of the roof being supported by wooden columns. Two-story construction is more common in the territorial than in other sub-styles, and is preferably accompanied by a balcony at the level of the floor of the second story. Façades are flat, varied by inset portales, exterior portales, projecting vigas or roof beams, canales or water-spouts, flanking buttresses and wooden lintels, architraves and cornices, which, as well as doors, are frequently carved and the carving may be picked out with bright colors. Arches are almost never used except for nonfunctional arches, often slightly ogive, over gateways in freestanding walls;
(b) All exterior walls of a building are painted alike. The colors range from a light earth color to a dark earth color. The exception to this rule is the protected space under portales, or in church-derived designs, inset panels in a wall under the roof, in which case the roof overhangs the panel. These spaces may be painted white or a contrasting color, or have mural decorations;
(c) Solid wall space is always greater in any façade than window and door space combined. Single panes of glass larger than thirty (30) inches in any dimension are not permissible except as otherwise provided in this section;
(d) The rule as to flat roofs shall not be construed to prevent the construction of skylights or installation of air conditioning devices, or any other necessary roof structures, but such structures other than chimneys, flues, vents and aerials, shall be so placed as to be concealed by the firewall from the view of anyone standing in the street on which the building fronts;
(e) True old Santa Fe style buildings are made of adobe with mud plaster finish. Construction with masonry blocks, bricks, or other materials with which the adobe effect can be simulated is permissible; provided, that the exterior walls are not less than eight (8) inches thick and that geometrically straight façade lines are avoided. Mud plaster or hard plaster simulating adobe, laid on smoothly, is required; and

(2) Recent Santa Fe Style

Recent Santa Fe style intends to achieve harmony with historic buildings by retention of a similarity of materials, color, proportion, and general detail. The dominating effect is to be that of adobe construction, prescribed as follows:

(a) No building shall be over two stories in height in any façade unless the façade shall include projecting or recessed portales, setbacks or other design elements;

(b) The combined door and window area in any publicly visible façade shall not exceed forty percent of the total area of the façade except for doors or windows located under a portal. No door or window in a publicly visible façade shall be located nearer than three (3) feet from the corner of the façade;

(c) No cantilevers shall be permitted except over projecting vigas, beams, or wood corbels, or as part of the roof treatment described below;

(d) No less than eighty percent of the surface area of any publicly visible façade shall be adobe finish, or stucco simulating adobe finish. The balance of the publicly visible façade, except as above, may be of natural stone, wood, brick, tile, terra cotta, or other material, subject to approval as hereinafter provided for building permits;

(e) The publicly visible façade of any building and of any adjoining walls shall, except as otherwise provided, be of one color, which color shall simulate a light earth or dark earth color, matte or dull finish and of relatively smooth texture. Façade surfaces under portales may be of contrasting or complimentary colors. Windows, doors and portals on publicly visible portions of the building and walls shall be of one of the old Santa Fe styles; except that buildings with portals may have larger plate glass areas for windows under portals only. Deep window recesses are characteristic; and

(f) Flat roofs shall have not more than thirty (30) inches overhang.

14-5.2(D)(9) Height, Pitch, Scale, Massing and Floor Stepbacks

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

(c) Height

(i) Official map of building heights in the historic districts - procedures.

A. The historic districts review board shall recommend the adoption of an official map reflecting building heights in the historic districts to the governing body . This map shall be used for the purpose of regulating building height in the historic districts. The map shall be adopted at a public hearing of the governing body , which hearing shall be advertised in a local newspaper no less than fifteen days prior to the hearing. All affected property owners and owners of lots or of land within one hundred (100) feet, excluding public right-of-way, of the property affected shall be notified of the public hearing by first class mail, mailed at least fifteen days prior to the public hearing. The official map shall be adopted by the governing body by ordinance.

B. The official map of building heights in the historic districts may be amended from time to time. This historic districts review board shall make

recommendations to the governing body for the amendment of the official map, at a public hearing. Such hearing shall be advertised in a local newspaper no less than fifteen days prior to the hearing.

C. The governing body shall hold a public hearing on any amendments to the official map. The official map, inclusive of amendments, is hereby adopted by reference and incorporated as if set out herein. Such public hearing shall be advertised in a local newspaper no less than fifteen days prior to the hearing. All affected property owners and owners of lots or of land within one hundred (100) feet, excluding public right-of-way, of the property affected shall be notified of the public hearing by first class mail, mailed at fifteen days prior to the public hearing.

D. The official map is available in the city planning office and is accessible at all reasonable times for inspection.

(ii) In exercising its authority under this section, the board shall limit the height of structures as set forth in this section. Heights of existing structures shall be as set forth on the official map of building heights in the historic districts.

A. If a proposed building has a parapet, the façade shall not be in excess of two (2) feet of the average of the height of the façades in the streetscape .

B. If the proposed building has a pitched roof, the ridge height of the proposed building shall not be in excess of two (2) feet of the average of the ridge height of the pitched roofs in the streetscape .

C. Yard walls and fences shall be limited to a height that does not exceed the average of the height of other yard walls and fences in the streetscape .

D. Pursuant to Section 14-7.4(C), the height of any other structure shall be limited to the allowable building height within the applicable streetscape , as defined in this section. (Ord. No. 2002-37 § 26)

E. The height and dimension of signage are as set forth in Section 14-8.10(H).

F. The board may increase the allowable height for proposed buildings and additions located on a sloping site where the difference in the natural grade along the structure's foundation exceeds two (2) feet. In no case shall the height of a façade exceed four (4) feet above the allowable height of the applicable streetscape measured from natural or finished grade , whichever is more restrictive. This increase in height shall be constructed only in the form of building stepbacks from the street .

(iii) In historic districts, height shall be the vertical distance measured between the highest part of a structure and the existing grade or finished grade , whichever is more restrictive, at the midpoint of the street facing facade, excluding rooftop appurtenances , the increased height of walls or fences over pedestrian and vehicular openings, and gates (either in opened or closed position). For structures which do not have street frontage, height shall be determined by the facade which contains the tallest vertical distance measured between the highest part of a structure and

the existing grade or finished grade , whichever is more restrictive. The height of walls and fences is measured from the street -facing side of the wall or fence. (Ord. No. 2002-37 § 27)

Attachment B

NEW MEXICO HISTORIC BUILDING INVENTORY FORM

H3537

building threatened? yes	surveyed date 5/3/85 by HMW	county SANTA FE	ID no. 051610424
field map SFHD #1	number 424	UTM reference zone 12 13 easting	northing

location description: 113 WASHINGTON

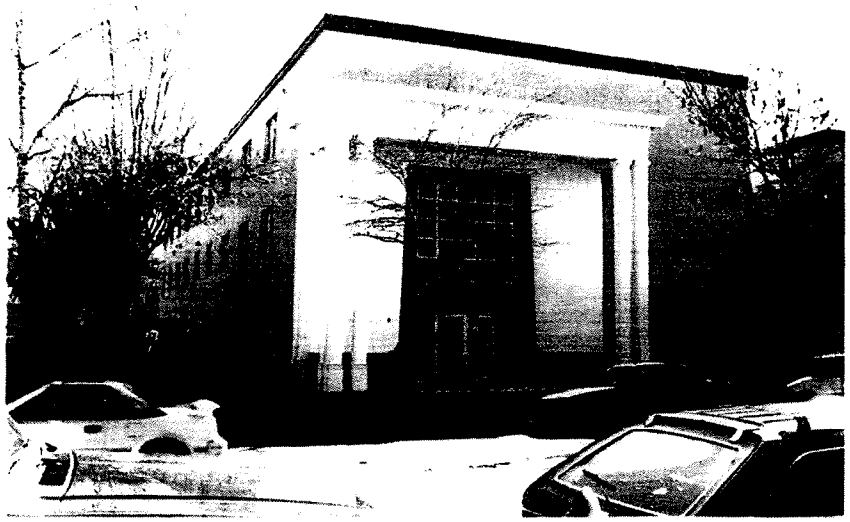
city/town: SANTA FE

land ~~grant~~/reservation

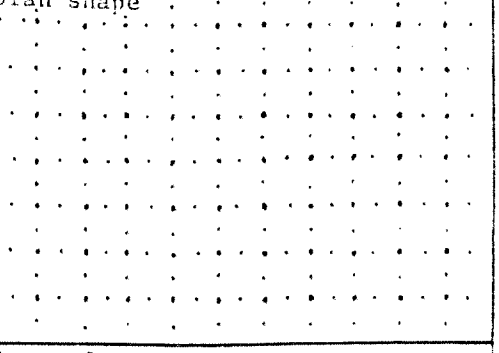
building name: STATE SECURITIES BLDG

legal description: tnsp ___ N S range ___ E W sec ___ ¼ ___ ¼

film roll by HMW no. SFHD 16	negative nos. 28	Loc. of neg. HPB



plan shape



date of construction: P45 estimate _____ actual

source

use
present: residential
other: _____
historic: residential
other: _____

condition
___excellent ___good
___fair ___deteriorating

wall material/surface

degree of remodeling
___minor ___moderate ___major
describe:

architectural features

surroundings: COMMERCIAL

relationship to surroundings
___similar x not similar

district potential
___yes ___no

significance
___eligible ___of interest x none

if eligible, why?

comments

remodeled 1989 H-89-132
as Spanish-Pueblo Revival
Inn of the Anasazi OR

associated buildings? ___yes
what type?

if inventoried, list ID nos.

see back? ___yes

Preliminary Zoning Review Worksheet

City of Santa Fe Land Use Department

To Be Completed By Applicant	Site Address:
Date Submitted: January 13, 2020	113 Washington Ave
Property Owner of Record: Rosewood Inns of the Anasazi	Proposed Construction Description: Rooftop event space, bar & swimming pool
Applicant/Agent Name: Martinez Architecture Studio	
Contact Person Phone Number: 505 989-4958	TOTAL ROOF AREA: 13,640

Zoning District: BCD-MAR

Overlay: ☐ Escarpment ☐ Flood Zone* ☐ Other: N/A

Submittals Reviewed with PZR:
☒ Legal Lot of Record ☐ Development Plan ☒ Building Plans
☒ Existing Site Plan ☒ Proposed Site Plan ☒ Elevations

Supplemental Zoning Submittals Required for Building Permit:
☐ Zero Lot Line Affidavit

Access and Visibility: ☐ Arterial or Collector** ☐ Visibility Triangle Required

Use of Structure: ☐ Residential ☒ Commercial Type of Use: Hotel

Terrain: ☐ 30% slope*

* Requires additional review conducted by the Historic Districts Division
** Requires additional review conducted by the Public Works Division

Lot Coverage: 78.6 %
☐ Open Space Required: ____

Setbacks:
Proposed Front: 2'-9" Minimum: 2'-9"
2nd Front? –
Proposed Rear: 0'-6" Minimum: 0
Proposed Sides: L: 2'-1" R: 1'-6" Minimum: 0

Height: Proposed 56'
Maximum Height: 42' or
☒ Regulated by Historic Districts Ordinance
☐ Regulated by Escarpment District

Parking Spaces:
Proposed 49 Accessible 0
Minimum: –

Bicycle Parking:**
Proposed: 0 Minimum: 0
** Commercial Requirements

THIS REVIEW DOES NOT GRANT ZONING APPROVAL FOR BUILDING PERMIT. FINAL ZONING REVIEW WILL BE PERFORMED AT THE TIME OF BUILDING PERMIT APPLICATION.

Richard Martinez (☐OWNER ☐APPLICANT ☒AGENT)
PRINT NAME

hereby certifies that the information provided for preliminary zoning review is accurate and will not be modified without consulting Land Use Department staff prior to submittal for Historic Districts Review Board review.

Rich Martin 1-13-20
SIGNATURE DATE

To Be Completed By City Staff:

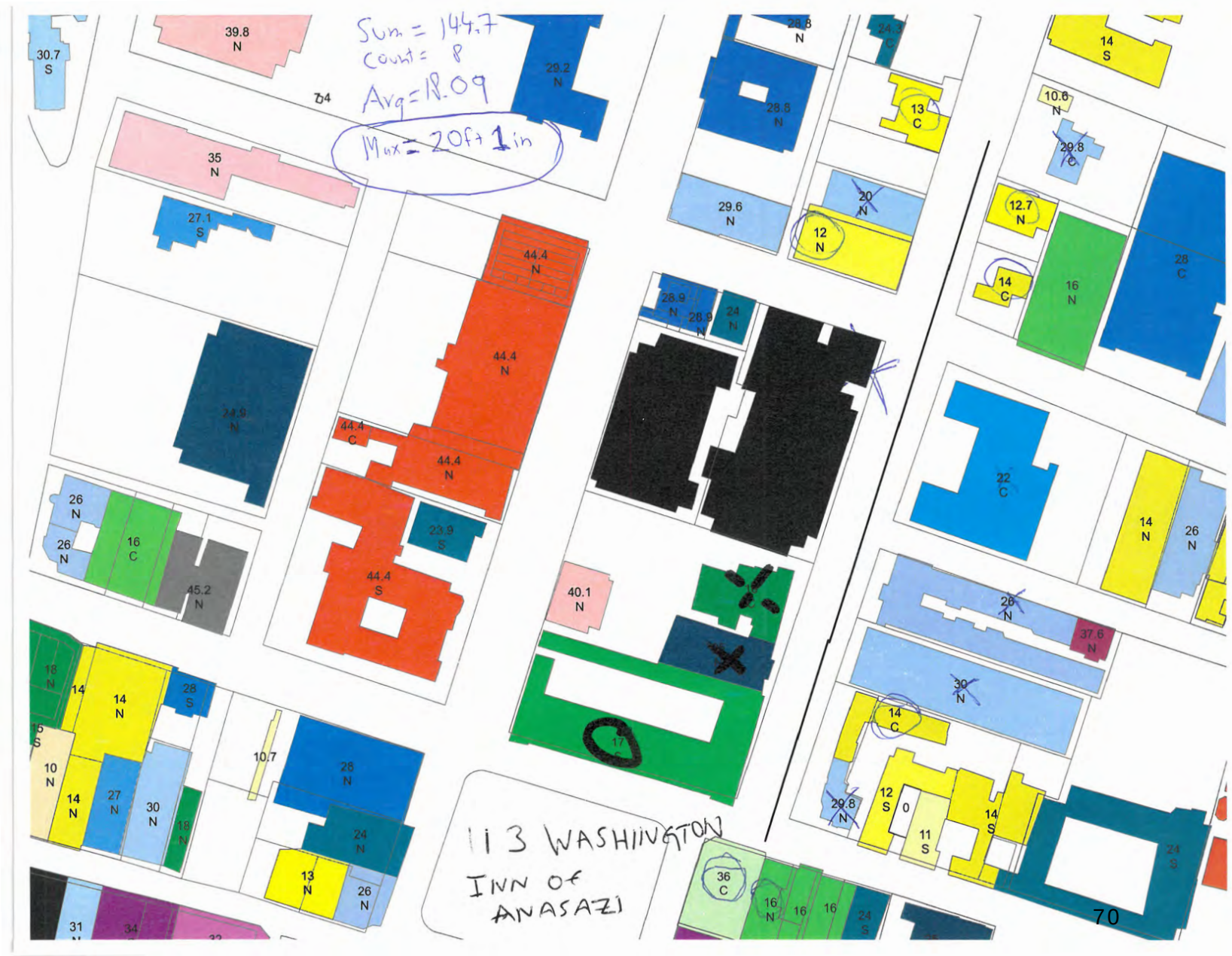
Additional Agency Review if Applicable:
☐ Escarpment Approval by _____ Date: __/__/__
☐ Flood Plain Approval by _____ Date: __/__/__
☐ Traffic Engineering Approval by _____ Date: __/__/__
Notes: _____

Zoning Approval:
☒ Preliminary Approval ☒ with conditions ☐ Rejected
Comments/Conditions: Building exceeds BCD-MAR zoning Height of 42'. The applicant shall apply for a variance before the Board of Adjustment prior to submitting a building permit.

REVIEWER: _____ DATE: 1/13/20

Original color form must be submitted with Historic Districts Review Board (HDRB) application packet.

Revised


Sum = 144.7
Count = 8
Avg = 18.09
Max = 20ft 1in
113 WASHINGTON
INN OF
ANASAZI
39.8 N
30.7 S
29.2 N
35 N
27.1 S
44.4 N
44.4 C
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23.9 S
24.9 N
26 N
16 C
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28.8 N
13 C
29.6 N
20 N
12 N
28.9 N
24 N
14 S
10.6 N
29.8 C
12.7 N
14 C
16 N
28 C
22 C
14 N
26 N
26 N
37.6 N
30 N
14 C
29.8 N
12 S
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11 S
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27 N
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18 N
10.7
28 N
24 N
13 N
26 N
31
34

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PROPOSAL TO ADD ROOFTOP PROJECT
THE ROSEWOOD INN OF THE ANASAZI – 113 WASHINGTON AVE.

Downtown/Eastside Historic District – Non-Contributing

January 13, 2020

EXISTING CONDITIONS:

The Inn of the Anasazi was built in 1990. It incorporated the structural system of the office building that previously occupied the site. The Owner's of the hotel wish to give their guests the experience of staying in a building that reflects the beauty of Santa Fe. The rooftop project is not intended to feel like an addition, but rather an intregal part of the hotel. The hotel has a restaurant and a bar now and the Owner's wish to add a pool and an event space. Current hotel trends have shown that guests want these options when choosing where to stay.

PROPOSED CONSTRUCTION:

The changes asked for are on the roof and for the most part involve elements not seen by the public. There will be no changes to the existing facades which give this building its character. The roof is now unused, valuable space in the downtown area (see attached letter photos "A").

We will extend the existing elevators and exit stairs to access a new floor on the roof of the building which will consist of a deck 6'-0" above the existing roof deck in order to accommodate the pool and the structure to support that pool that will be required.

In the middle of the roof will be an enclosed lounge space and bar with its required back of house spaces (kitchens, etc.) and restrooms.

Proposed bar, back of house, restrooms: 4,654 sq.ft.
Height of proposed bar, back of house, restrooms: 56'-0" (14'-0" from existing parapet)
Materials: stucco, wood windows to match existing

In the front of the space will be an open deck recessed 6'-0" from the street facade to accommodate special events and outdoor seating that would sometimes be partially covered by a canopy (see attached letter photos "B").

Proposed special event space: 3,078 sq.ft.
Height of proposed special event space: 5'-0" stuccoed walls, 12'-8" canopy
Materials: stucco, tile decking, stained wood beam, dark bronze tracks, tan canopy

The back third of the rooftop will be a pool and deck recessed from the exterior walls. The deck will have a fireplace, cabanas and chaise lounges, again with a canopy.

Proposed pool area: 3,716 sq.ft.
Height of proposed: 4'-0" stuccoed walls, 12'-8" canopy
Materials: stucco, tile decking, stained wood beam, dark bronze tracks, tan canopy

The stucco, stained wood and trim colors will match the existing building. The exisiting fireplaces in the rooms below which have flues on the current roof, will be raised with stuccoed chimneys. There will be appurtenances and skylights on the roof of the addition which will not be publicly visible.

Richard Martinez

Inn of Anasazi Applicant's responses to the applicable Exception Criteria:

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

On this block of Washington Ave (on both sides of the street), tall institutional and commercial buildings define the streetscape. The hotel adjacent and to the north of the Inn of the Anasazi is about the same height, and the buildings across Washington Avenue are taller than the Inn of the Anasazi. Typically, the buildings rise from the sidewalk up several stories without setting back. This character – tall institution and commercial buildings adjacent to the sidewalks – is unique in many ways to this area of the downtown area. The proposed addition will be set back from the edge of the existing parapet. It will not be visible from the east side of the street and will hardly be noticeable from the west side of the street. As a result, the addition will fit into the existing character of the streetscape, rather than do damage to it. The human scale enjoyed today on this section of the streetscape will not be adversely affected or damaged.

(i) Prevent a hardship to the applicant or an injury to the public welfare;

The hardship to the applicant results from the fact that Inn of the Anasazi sits a lot that already occupies 100% of the lot, and there is no additional area to provide the amenities that are being proposed in the addition. It is in the interest of the public welfare (and the Inn of the Anasazi) for this property to remain economically viable and competitive in the hospitality industry in downtown; the Inn of the Anasazi must be at least as attractive to visitors as other luxury hotels in the downtown area. All of the Inn of the Anasazi's major competitors – La Fonda, the Drury, and the Eldorado Hotel – all provide swimming facilities (all of which are on the roof tops), and opportunities for outdoor and indoor dinning, socializing and event-staging on their rooftops. In order to compete and remain relevant and to avoid eventual obsolescence – and thereby avoid a hardship and harm to the public welfare of the City of Santa Fe -- the Inn of the Anasazi must invest in the facilities with the propose addition, but has nowhere to add them except on top of the existing hotel.

(ii) 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;

This criterion really addresses residential uses in the historic district and a "full range of design options to ensure that residents can continue to reside" and has no applicability to addition of a commercial building. However, the proposed addition will strengthen commercial character of the downtown by adding amenities to a downtown hotel that will allow visitors and patrons a greater range of possibilities to enjoy the unique culture of Santa Fe.

(iii) 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 exception is requested purely due to the small size of the lot, as discussed above, and the fact that it is completely covered with the existing hotel. Most other lots within the applicable streetscape are not tall hotel properties and have the ability to add height without an exception.

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

Inn of the Anasazi sits on a lot that has for decades been occupied by a tall building covering the entire lot, and the applicant did not divide the property to create a lot with a small area of land. Rather, the small lot was created many, many decades ago. The condition of the lot is not result of the action of the owner.

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

The proposed addition and amenities will not have any negative impact on the streetscape or the historic character of the downtown area. The addition will be set back from the edge of the existing parapet so it will reduce its visibility as discussed above and will not add or cast a shadow on to the streets below. In short, it will not exacerbate any of the effects that tall building may have on a streetscape – "canyon effect," shadows, disproportionate scale or massing. So, any potentially negative impacts have been mitigated by the design.

LOOKING EAST

LOOKING WEST

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INN OF THE ANASAZI
113 WASHINGTON AVENUE
SANTA FE, NEW MEXICO

JANUARY 13, 2020
LETTER PHOTO "A"

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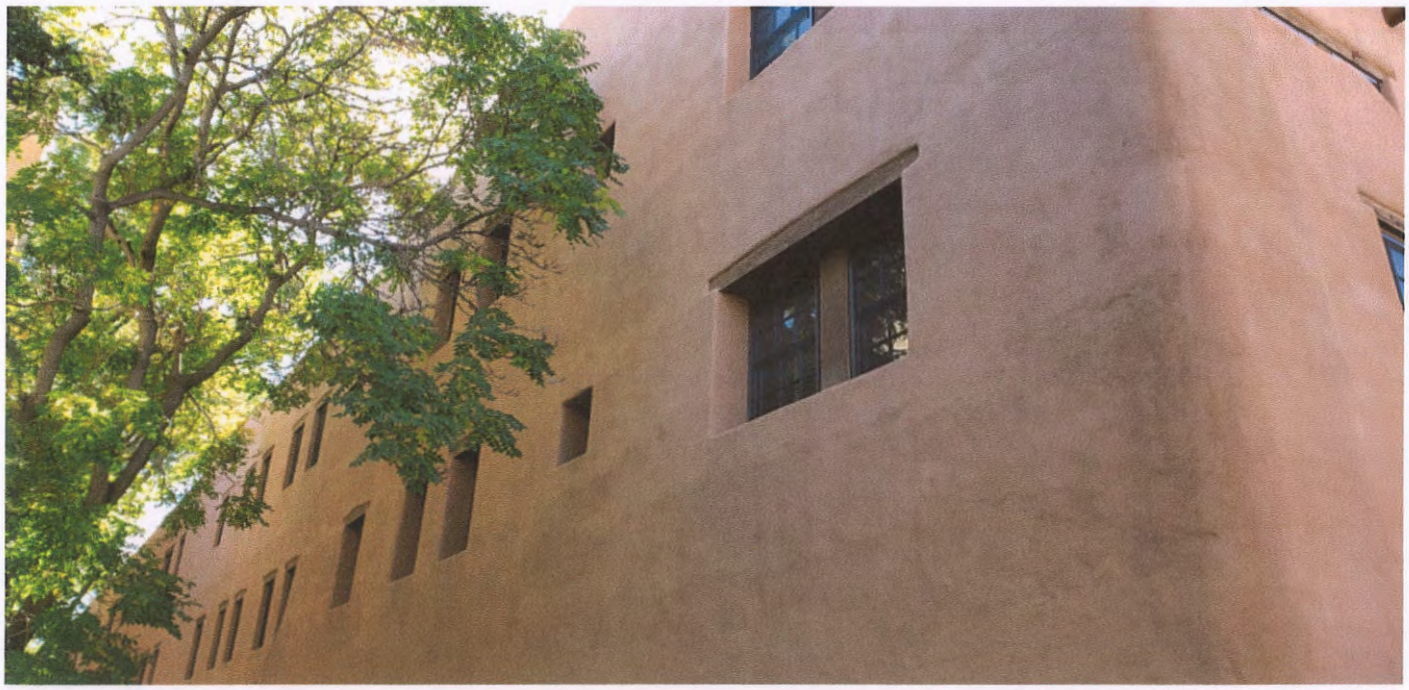
INN OF THE ANASAZI
113 WASHINGTON AVENUE
SANTA FE, NEW MEXICO

JANUARY 13, 2020
LETTER PHOTO "B"

NORTH ELEVATION



NORTH ELEVATION

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JANUARY 13, 2020

NORTH ELEVATION

NORTH ELEVATION

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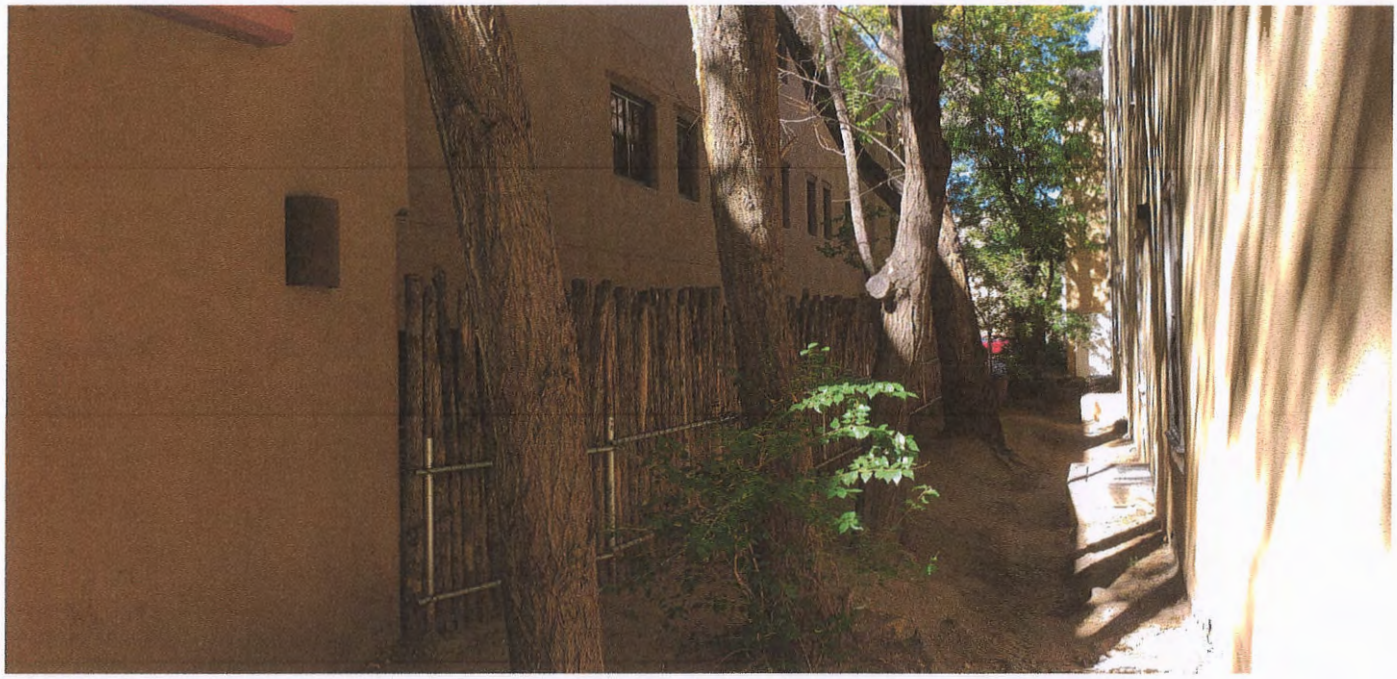
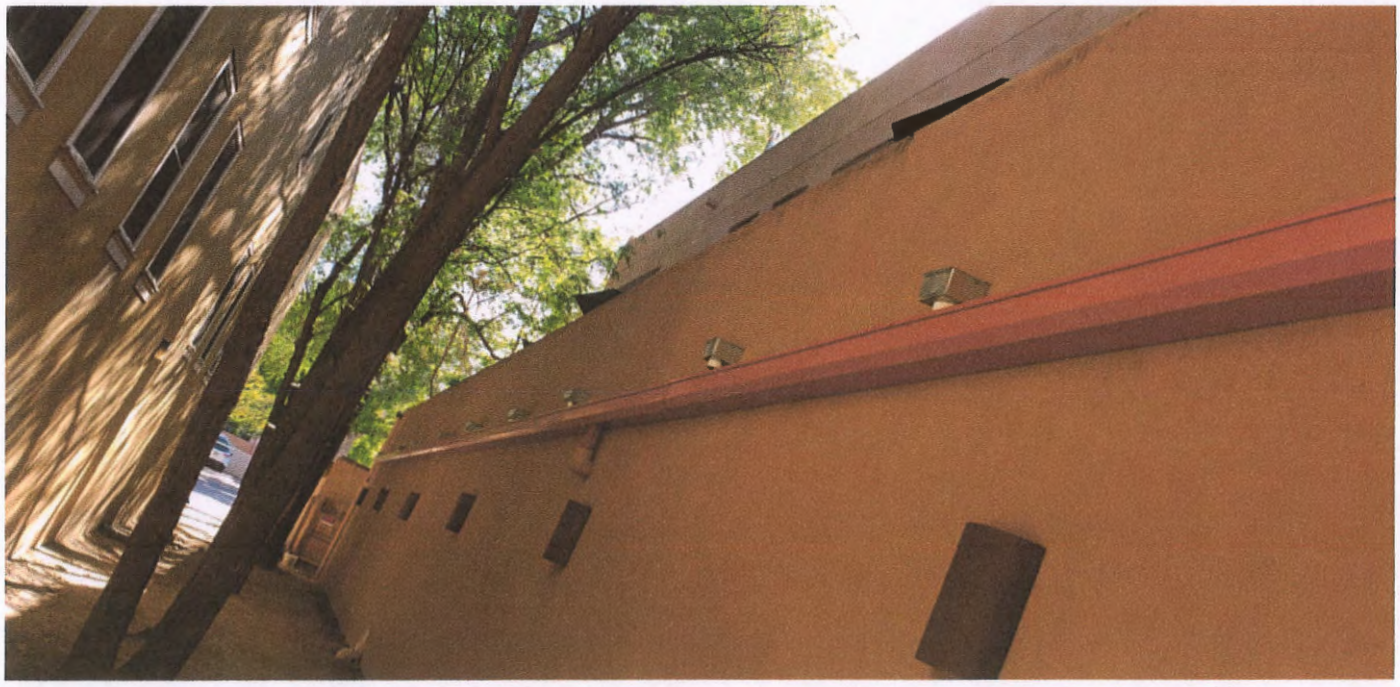
JANUARY 13, 2020



NORTH ELEVATION



NORTH ELEVATION

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INN OF THE ANASAZI
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SANTA FE, NEW MEXICO

JANUARY 13, 2020

EAST ELEVATION

EAST ELEVATION

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INN OF THE ANASAZI
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SOUTH ELEVATION

SOUTH ELEVATION

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INN OF THE ANASAZI
113 WASHINGTON AVENUE
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JANUARY 13, 2020

SOUTH ELEVATION

SOUTH ELEVATION

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INN OF THE ANASAZI
113 WASHINGTON AVENUE
SANTA FE, NEW MEXICO

JANUARY 13, 2020

WEST ELEVATION

WEST ELEVATION

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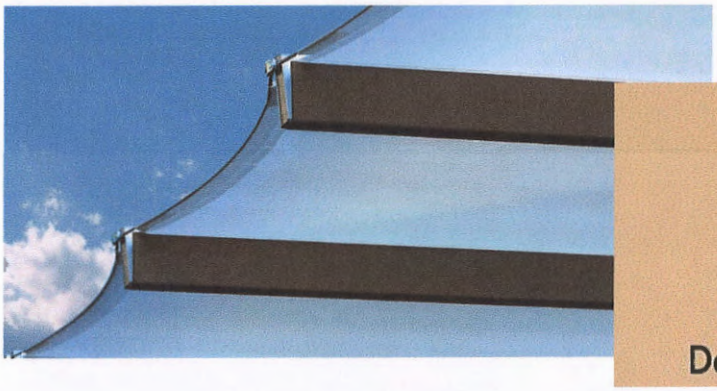
INN OF THE ANASAZI
113 WASHINGTON AVENUE
SANTA FE, NEW MEXICO

JANUARY 13, 2020

Inn of the Anasazi Exterior Finish Selections

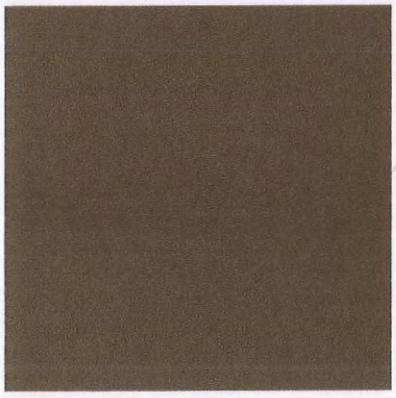


Dark Bronze Anodized Finish

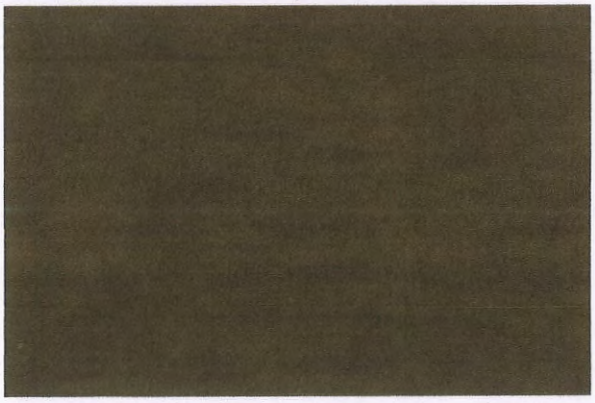
Tan T40 Fabric utilized with the Future Shade Structure

Porcelain Tile with Texture for Pool Deck and Outdoor Patio Area | Comes with Pool Cooping | Aequa Castor 12X48, Arizona Tile

Adobe #116 Stucco Color from El Rey to Match Existing Stucco Finish



Lodge Brown SW3007 Woodscapes Solid Color Stain To Match Existing Wood Stain for the Vigas, Doors and Exposed Lintels



Hawthorne SW3518 Stain Color for the Future Window to Match Existing Windows

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PROPOSAL TO ADD ROOFTOP PROJECT
THE ROSEWOOD INN OF THE ANASAZI – 113 WASHINGTON AVE.

Downtown/Eastside Historic District – Non-Contributing
March 4, 2020

We have appeared before the board on this case and have revised the design based on some comments and concerns of the members of the board. The design has changed in the following ways.

- The center chimney has been pushed back from the front fascade and made wider to appear more like a buttress than a tall skinny chimney. This has reduced the size of the event space by 75 square feet. The height of this chimney is shown by poles on the roof of the Inn of the Anasazi.
- The supports for the retractable awning have been incorporated into the chimneys at the sides of the building to look more like buttresses than chimneys.
- The chimneys at the back of the building have been moved closer together and incorporated into fewer larger masses rather than being multiple smaller chimneys.
- The cabanas have been changed to freestanding fabric structures.

Richard Martinez

RECEIVED
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BY:_____

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MAR - 2 2020
BY:_____

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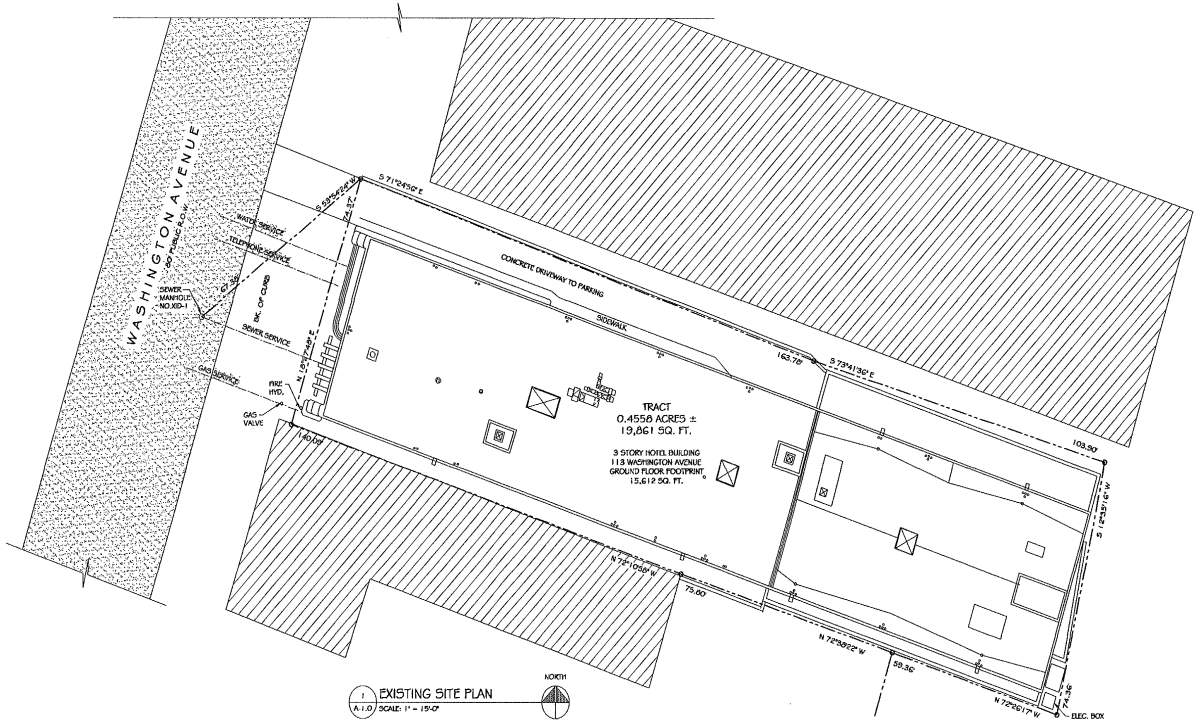

1 EXISTING SITE PLAN
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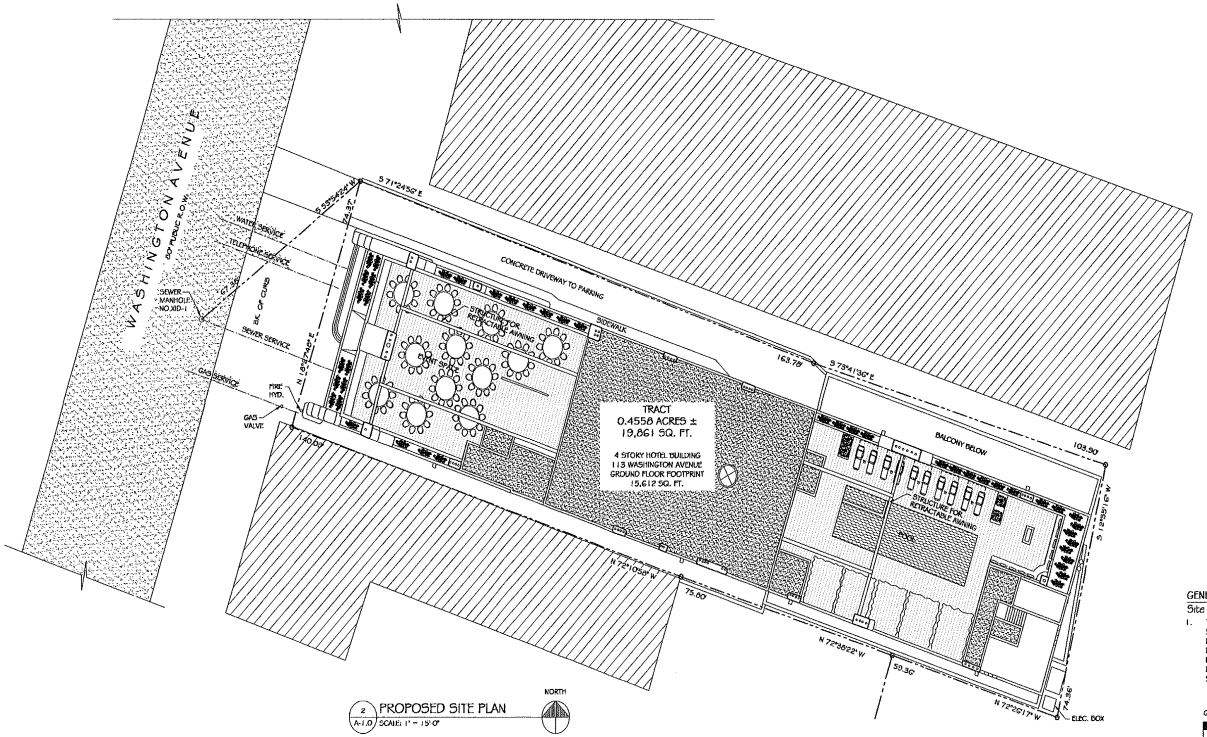

2 PROPOSED SITE PLAN
A-1.0 SCALE: 1" = 15'-0"

GENERAL NOTES:
Site Plan
1. THE SITE SURVEY INFORMATION ON THIS SITE PLAN WAS TAKEN FROM A PLAT PREPARED JULY 18, 2005 BY: PHILLIP B. WIDGET, N.M.P.S. #9756 DEL RIO SURVEYS, INC. PO BOX 22773 SANTA FE, NEW MEXICO 87505

GRAPHIC SCALE: 1" = 15'-0"
0 15' 30' 45'

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1474 PASEO DE PERALTA, SUITE F
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INN OF THE ANASAZI
113 WASHINGTON AVENUE
SANTA FE, NEW MEXICO

MARCH 2, 2020

EXISTING & PROPOSED SITE PLANS

A 1.0

SET #

1904 - ANASAZI

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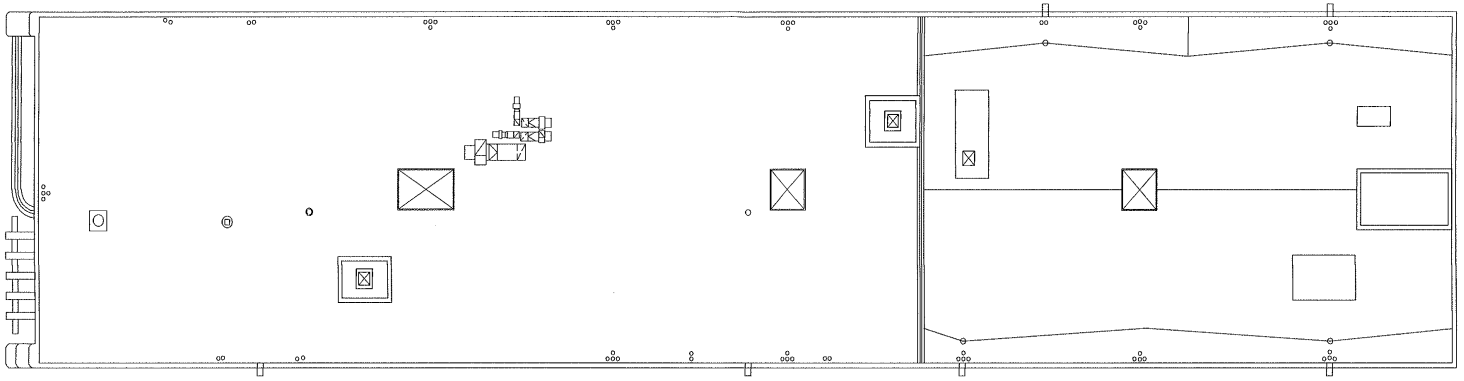
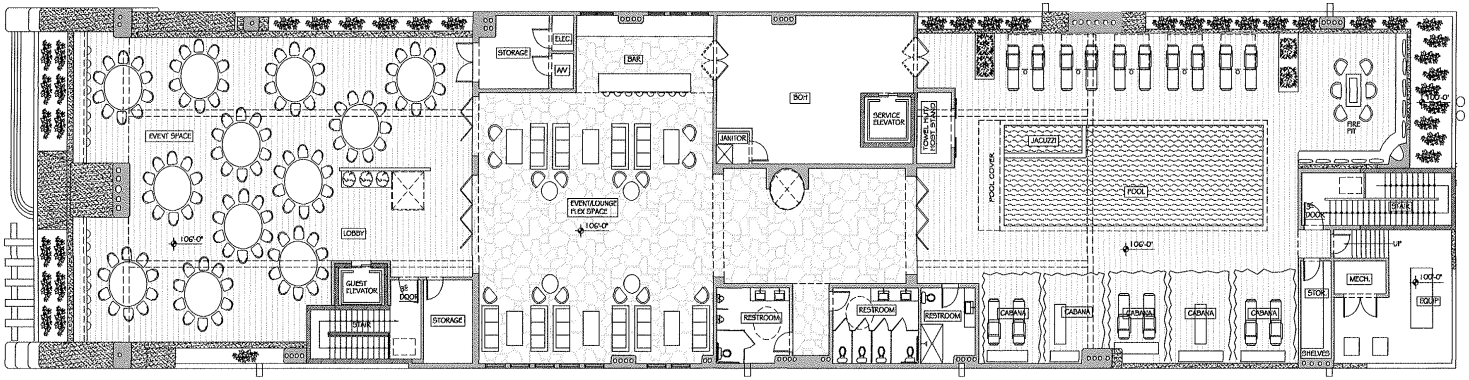


1 EXISTING ROOF PLAN
A-2.0 SCALE: 1/8" = 1'-0"

NORTH



1 PROPOSED FLOOR PLAN
A-2.0 SCALE: 1/8" = 1'-0"

NORTH

GRAPHIC SCALE: 1/8" = 1'-0"
0' 4' 8' 16' 24'

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INN OF THE ANASAZI
113 WASHINGTON AVENUE
SANTA FE, NEW MEXICO

MARCH 2, 2020

EXISTING ROOF PLAN & PROPOSED FLOOR PLAN

A 2.0

SET #

1904 - ANASAZI

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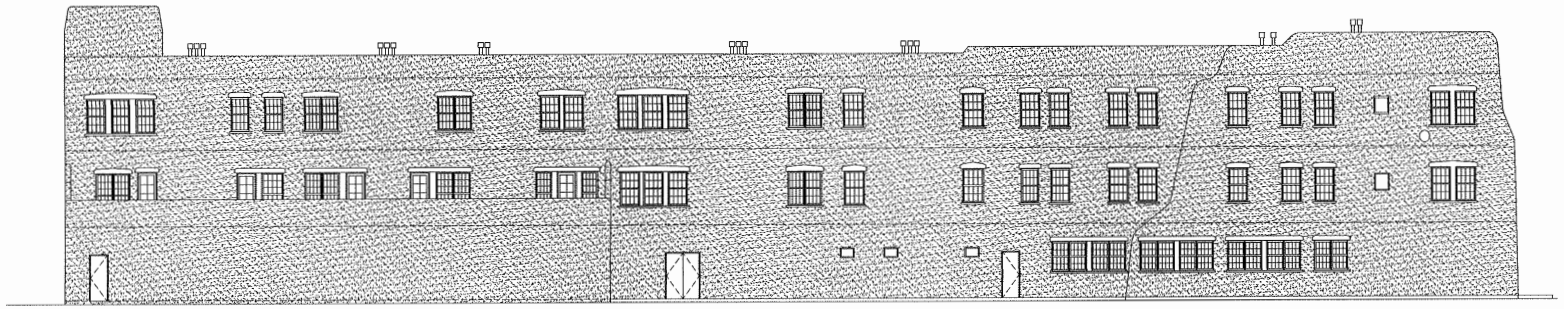
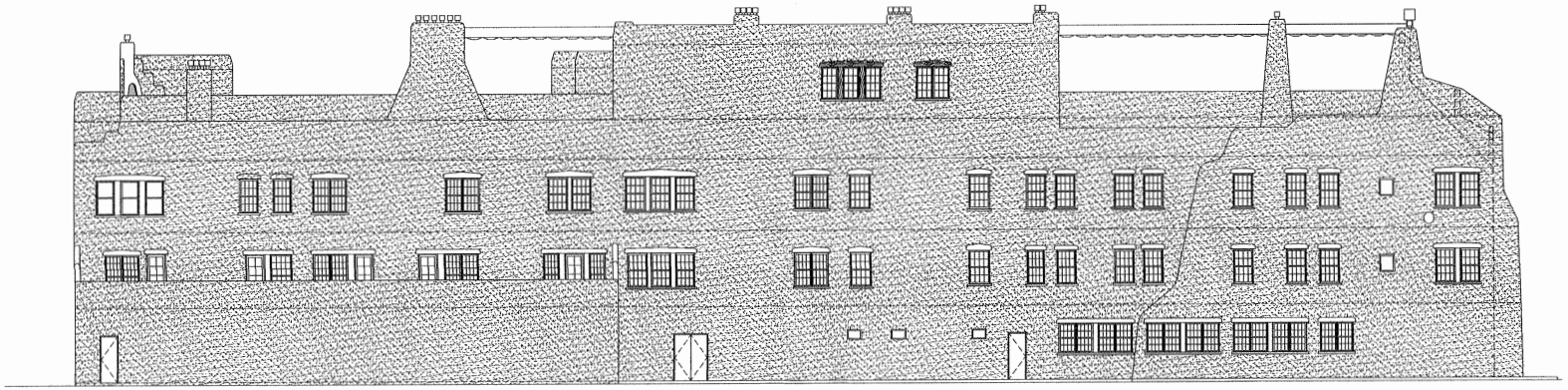


1 A-3.0 EXISTING NORTH ELEVATION
SCALE: 1/8" = 1'-0"



1 A-3.0 PROPOSED NORTH ELEVATION
SCALE: 1/8" = 1'-0"

GRAPHIC SCALE: 1/8" = 1'-0"
0' 4' 8' 16' 24'

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INN OF THE ANASAZI
113 WASHINGTON AVENUE
SANTA FE, NEW MEXICO

MARCH 2, 2020

PROPOSED NORTH ELEVATION

A 3.0

SET #

1904 - ANASAZI

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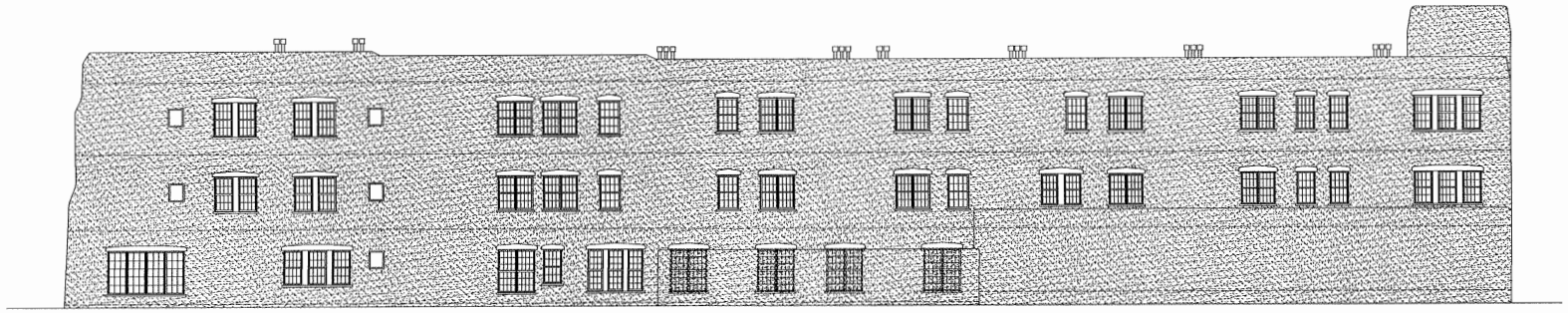
BY:



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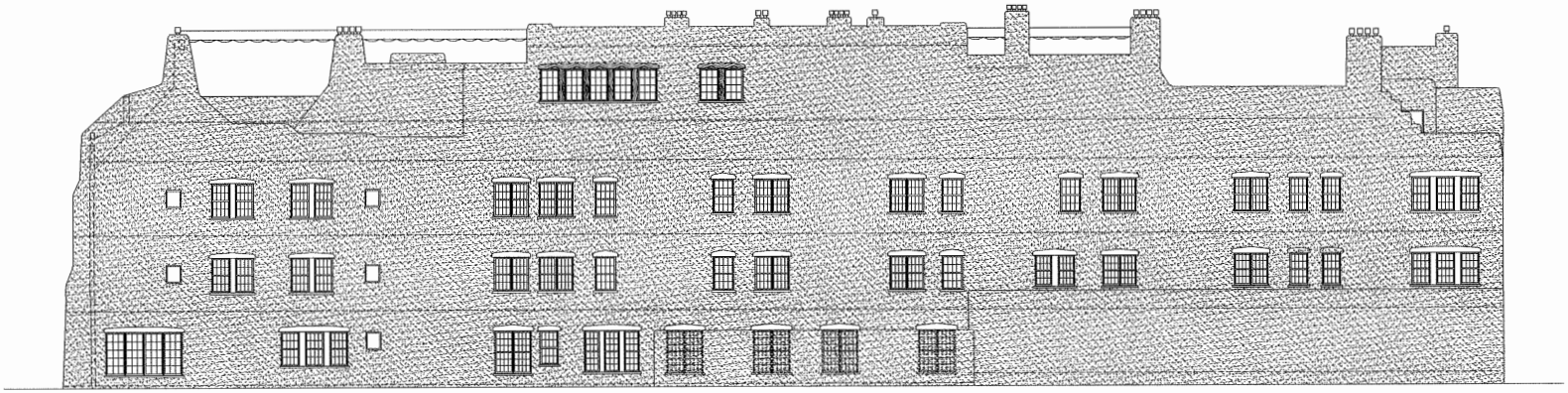

2 A-3.2 PROPOSED SOUTH ELEVATION
SCALE: 1/8" = 1'-0"

GRAPHIC SCALE: 1/8" = 1'-0"
0 4' 8' 16' 24'

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INN OF THE ANASAZI
113 WASHINGTON AVENUE
SANTA FE, NEW MEXICO

MARCH 2, 2020

EXISTING & PROPOSED SOUTH ELEVATION

A 3.2

SET #

1904 - ANASAZI

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BY:

1 A-3.3 EXISTING WEST ELEVATION
SCALE: 1/4" = 1'-0"

2 A-3.3 PROPOSED WEST ELEVATION
SCALE: 1/4" = 1'-0"

GRAPHIC SCALE: 1/4" = 1'-0"
0' 2' 4' 8' 12'

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INN OF THE ANASAZI
113 WASHINGTON AVENUE
SANTA FE, NEW MEXICO

MARCH 2, 2020

PROPOSED WEST ELEVATION

A 3.3

SET #
1904 - ANASAZI

EXHIBIT F

City of Santa Fe

Agenda

HISTORIC DISTRICTS REVIEW BOARD FIELD TRIP

TUESDAY, February 11, 2020 at 12:00 NOON

HISTORIC PRESERVATION DIVISION, 1st FLOOR CITY HALL

HISTORIC DISTRICTS REVIEW BOARD HEARING

TUESDAY, February 11, 2020 at 5:30 P.M.

CITY COUNCIL CHAMBERS

*****SECOND AMENDED*****

CALL TO ORDER

A. ROLL CALL

B. APPROVAL OF AGENDA

C. APPROVAL OF MINUTES: January 28, 2020 (HDRB Hearing and HDRB Field Trip)

D. FINDINGS OF FACT & CONCLUSIONS OF LAW

Case #2019-001203-HDRB. 125 Romero Street.
Case #2019-001094-HDRB. 110 South Armio Lane.
Case #2019-001214-HDRB. 303 East Alameda Street.
Case #2019-001551-HDRB. 506 San Antonio Street.
Case #2019-001302-HDRB. 523 East Alameda Street.
Case #2019-001488-HDRB. 1404 Cerro Gordo Road Unit E.
Case #2019-001524-HDRB. 340 Delgado Street.
Case #2019-001091-HDRB. 110 South Armijo Lane.
Case #2019-001406-HDRB. 1598 Cerro Gordo Road.
Case #2019-001516-HDRB. 330 Otero Street.
Case #2019-001332-HDRB. 540 Garcia Street.

E. BUSINESS FROM THE FLOOR

F. COMMUNICATIONS

1. Nominations open for the 2020 Santa Fe Heritage Preservation Awards.

G. ACTION ITEMS

1. Case #2020-001601-HDRB. 100 East Water Street. Downtown & Eastside Historic District. Lloyd and Associates Architects, agent for the City of Santa Fe, owner, proposes to amend a previous application to demolish a non-contributing structure and construct a 1,400 sq. ft. structure to a height of 16'. (Lisa Roach, lxroach@santafenm.gov, 955-6657)

2. Case #2020-001581-HDRB. 534½ Hillside Avenue. Downtown & Eastside Historic District. Michael Sandrin, owner, requests a historic status review with primary elevation(s) designation, if applicable, of a non-contributing residential structure. (Daniel Schwab, dnschwab@santafenm.gov, 955-6660)

3. Case #2019-001552-HDRB. 534½ Hillside Avenue. Downtown & Eastside Historic District. Michael Sandrin, owner, proposes to replace windows and doors, reconstruct a portal, repair roofing, and stucco a non-contributing residential structure. (Daniel Schwab)

4. Case #2020-001603-HDRB. 807 Abeyta Street. Downtown & Eastside Historic District. Jay Jay Shapiro, owner, requests a historic status review with primary elevation(s) designation, if applicable, for a contributing residential structure. (Daniel Schwab)

5. Case #2020-001602-HDRB. 807 Abeyta Street. Downtown & Eastside Historic District. Jay Jay Shapiro, owner, proposes to replace windows and doors, infill a window, construct a chimney, and stucco a contributing residential structure. (Daniel Schwab)

6. Case #2020-001599-HDRB. 620 Martinez Lane Unit B. Downtown & Eastside Historic District. Antoine El-Khoury, agent for Andrew Eisman, owner, proposes to construct a carport and portal on a contributing residential structure. (Daniel Schwab)

7. **Case #2020-001615-HDRB. 650 Canyon Road. Downtown & Eastside Historic District. D. Maahs Construction, agent for Patrick Rayes, owner, requests primary elevation(s) designation for a contributing residential structure. (Lisa Roach)**

8. **Case #2020-001614-HDRB. 650 Canyon Road. Downtown & Eastside Historic District. D. Maahs Construction, agent for Patrick Rayes, owner, proposes to alter the roof line and replace the roof, construct a portal, remove chimneys, replace windows and doors including the stained glass window, install a gate, stucco, and hardscape a contributing residential property. (Lisa Roach)**

9. **Case #2020-001600-HDRB. 113 Washington Avenue. Downtown & Eastside Historic District. Martinez Architecture Studio, agent for Rosewood Inn of the Anasazi, owner, proposes to construct a 3,078 sq. ft. fourth floor addition to a height of 56'0" with a pool and dining area. An exception is requested to exceed the maximum allowable height of 20'1" (Section 14-5.2(D)(9)). (Lisa Roach)**

H. MATTERS FROM THE BOARD

I. ADJOURNMENT

Cases on this agenda may be postponed to a later date by the Historic Districts Review Board at the noticed meeting. Please contact the Historic Preservation Division at 955-6605 or check https://www.santafenm.gov/historic_districts_review_board for more information regarding cases on this agenda. Persons with disabilities in need of accommodations, contact the Historic Preservation Division office at (505) 955-6605 five (5) working days prior to the meeting date.

RECEIVED AT THE CITY CLERK'S OFFICE
DATE: February 5, 2020
TIME: 2:22 PM

MINUTES OF THE CITY OF SANTA FE
HISTORIC DISTRICTS REVIEW BOARD
FIELD TRIP

Date: 2/11/2020

Time: Approximately 12:00 noon

Place: Historic Districts within the City of Santa Fe

Members Present:

	Present	Absent
Cecelia Rios, Chair		✓
Frank Katz, Vice Chair	✓	
Jennifer Biedscheid	✓	
Anthony Guida		✓
Flynn G. Larson	✓	
Buddy Roybal		✓
(Vacant)	—	—

Business Conducted:

The Board conducted site visits for the property addresses listed on the agenda for this evening's public hearing, scheduled to begin at 5:30 p.m. The Board conducted the site visits for the sole purpose of making factual observations. The Board did not take any action or make any decisions, and no votes were taken.

Time Adjourned: 1:06 pm

Approved by:

Board Chair or Designee (Frank Katz)

Submitted by:

Historic Preservation Division Staff

SUMMARY INDEX
HISTORIC DISTRICTS REVIEW BOARD
February 11, 2020

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C. Approval of Minutes		
January 28, 2020 Hearing	Approved as Amended	2
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G. Action Items		
1. Case #2020-001601-HDRB 100 East Water Street	Approved with Conditions	3-7
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8. Case #2020-001614-HDRB 650 Canyon Road.	Approved with Conditions	21-25
9. Case #2020-001600-HDRB 113 Washington Avenue	Postponed	25-31
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I. Adjournment	Adjourned at 8:05 p.m.	31

MINUTES OF THE CITY OF SANTA FE
HISTORIC DISTRICTS REVIEW BOARD
FEBRUARY 11, 2020

CALL TO ORDER

A regular meeting of the City of Santa Fe Historic Districts Review Board was called to order by Frank Katz, Acting Chair, on the above date at approximately 5:30 p.m. in the City Council Chambers, 200 Lincoln Avenue, Santa Fe, New Mexico.

A. ROLL CALL

Roll Call indicated the presence of a quorum as follows:

MEMBERS PRESENT:
Mr. Frank Katz, Vice Chair
Ms. Jennifer Biedscheid
Mr. Anthony Guida
Ms. Flynn G. Larson

MEMBERS EXCUSED:
Ms. Cecilia Rios, Chairwoman
Mr. Buddy Roybal
One Vacancy

OTHERS PRESENT:
Ms. Lisa Roach, Planner Manager
Mr. Daniel Schwab
Mr, Gabe Smith, Assistant City Attorney
Ms. Melissa Byers, Stenographer

NOTE: **All items in the Committee packet for all agenda items are incorporated herewith by reference. The original Committee packet is on file in the Historic Preservation Office and available on the City of Santa Fe Website.**

B. APPROVAL OF AGENDA

Ms. Roach said on Item 3 it should be 2020, Item 4 will be a designation of primary facades, not a status review and on Item 6 the historic status is non-contributing, not contributing.

Member Guida accepted.

VOTE: The motion passed by unanimous (3-0) voice vote with Members Biedscheid, Guida and Larson voting in favor and none voting against.

Ms. Roach asked for clarification of the last condition. That the trim be white, and the stucco more closely match.

Member Biedscheid said that was correct.

9. **Case #2020-001600-HDRB. 113 Washington Avenue**. Downtown & Eastside Historic District. Martinez Architecture Studio, agent for Rosewood Inn of the Anasazi, owner, proposes to construct a 3,078 sq. ft. fourth floor addition to a height of 56'0" with a pool and dining area. An exception is requested to exceed the maximum allowable height of 20'1" (Section 14-5.2(D)(9)). (Lisa Roach)

Ms. Roach presented the staff report as follows:

STAFF REPORT

113 Washington Avenue is a commercial hotel structure that was constructed after 1945 in the Territorial Revival style, when it was known as the State Securities Building. The building was substantially remodeled in 1989 in the Spanish Pueblo Revival style and was adaptively reused as the Inn of the Anasazi. In 2014, the HDRB approved window replacement throughout the structure (Case H-14-025). The building is listed as non-contributing to the Downtown and Eastside.

Now, the applicant proposes to construct an addition to the rooftop level of the building, for which an exception is requested to exceed the maximum allowable height of 20'1". Exception criteria and responses are provided in the packet. The applicant proposes to build to a height of 56' in the central portion of the existing roof level, and this massing will rise a maximum of 14' above the existing parapet and will be set back from the street-facing façade by more than 70'. The proposed improvements to the rooftop level of the hotel include the following:

1) At the front (street-facing) third of the space will be an outdoor event space with tile decking, seating, an informal lobby area, elevator overrun, stairwell, and storage space. The seating area will be set back 6' from the front façade of the building. The seating area will feature a 12'8" high tan canopy situated on dark bronze tracks on which the canopy can be extended or retracted depending on weather. The space will be framed by 5' high stuccoed walls and chimney extensions.
2) The central third of the space will feature an enclosed lounge and bar with required back of the house spaces, including kitchen and restrooms. The stuccoed massing will match the Spanish-Pueblo Revival style of the hotel, and windows will match those that are featured elsewhere on the hotel. As stated above, the height of this massing will rise 14' above the

existing parapet, resulting in a total height of 56'. Any rooftop appurtenances and skylights placed on the roof of this addition will not be publicly visible.

3) At the rear third of the space will be a rectangular pool and tile deck, set back approximately 4 feet from the edge of the building. The perimeter of the pool deck will be framed by 4' high stuccoed walls, wood-framed cabana structures, and a retractable tan canopy with dark bronze rails to a height of 12'8" above the existing parapet. At the southeast corner of the pool deck, a stairwell, mechanical and storage spaces will be located, and the northwest corner of the pool deck will feature an outdoor fireplace and seating area.

STAFF RECOMMENDATION

Staff finds that the exception criteria have been met and recommends approval of the proposed project and finds that the application complies with Section 14-5.2(D) General Design Standards for all Historic Districts, and 14-5.2(E) Downtown and Eastside Design Standards.

QUESTIONS FOR STAFF

Chair Katz asked Ms. Roach if that's an elevator that would be used to get up to the roof level or if it is just the elevator overrun which is shown on the west end of the Washington Avenue end.

Ms. Roach said it's the top of the elevator. She referred to the westside of the floor plan, where there is a stairwell coming up and an elevator.

APPLICANT'S PRESENTATION

Karl Sommer, P.O. Box 2476, Santa Fe, NM, was sworn. He said he, Richard Martinez, the architect and Lutz Arnhold, general manager of the Inn of the Anasazi were present on behalf of the applicant, Rosewood Inn. This application represents an investment and the addition of amenities to help this facility maintain its standing with the other properties in the Downtown area that have similar amenities. It speaks to the success of the Downtown area in that there are property owners who want to continue to invest in Downtown Santa Fe and maintain it as a high-quality destination that people want to come and visit. The Inn of Anasazi is one of the premier properties in the Downtown area. This is an effort to keep it competitive and to keep it part of an important experience for people who come to Santa Fe from all over the world to be able to stay in a luxury hotel that has similar amenities that are shared by other properties in the Downtown. He said Mr. Martinez will go through the architectural elements of the application and Mr. Arnhold is available to answer questions as well.

Richard Martinez, 1524 Paseo de Peralta, was sworn. Mr. Martinez asked staff to project the plan on the screen. He said they plan to extend the two elevators that exist on the site, to the roof. One is the guest elevator and one is the service elevator. The elevator that will be used by the guests is toward the street façade, in the event area. That elevator is backed by an egress stairway that will also be extended to the roof. The other egress stairway, at the rear of the property, will also be extended up to the roof.

He said three areas will be added to the roof. The central part will be the bar and lounge area with back of the house spaces, including kitchen and restrooms. He referred to the north façade which reflects the three areas. The center part of the building will have the new enclosed area. On either side of it will be deck area, which is a setback from the existing parapets. On the Washington Avenue façade, will be an event area, which will be surrounded by a wall that in some places is 5' tall and some places 3½' tall. This will be covered by a canopy that is set back from the street façade of the building itself. In the rear will also be a deck area which will have the pool. This is set back from the edges and will be surrounded on two sides by a 3½' wall to create that deck area. There will be canales on the southside of the pool, those are going up 9' to the top of the roof, above the deck. It also has a canopy that covers about one third of the deck area and the pool area, again set back from the rear façade. All of this on the roof is intended to feel as if it's part of the hotel and has always been a part of the hotel. They are planning to match the stucco color, the window details, the finishes on the inside and thick walls.

There will be some equipment on the roof that will be placed on the southeast corner. There will also be some equipment on top of the roof of the addition, at the center of the building, that will be behind parapets, not visible to the public.

Mr. Martinez stood for questions.

PUBLIC HEARING.

Mr. Eddy, previously sworn, said he gets flabbergasted when a submission like this comes before the Board. He asked what the average height restriction is on this block, per City Code.

Ms. Roach said the calculated maximum allowable height is 20'1". The existing structure is 42' high. The way staff is instructed to calculate maximum allowable height, per the regulations, which were adopted in the early 1990s, is to average any structure that is noncontributing at 16' or lower. The way that the height regulations require staff to calculate height is based on a residential building pattern. It is not based on the Downtown building pattern. Almost any building in the Downtown is going to exceed the maximum allowable height. Any improvements or additions, especially vertical, to any building Downtown is going to require a height exception. That's a function of the City's height regulations.

Mr. Eddy said this building is already taller than most of the other buildings. On that block is the First Interstate building which is probably taller than this proposal. He thinks the Burrito Company looks about six feet lower than a parapet of the existing Anasazi. The adjacent building, which has the Low Rider bar, may be comparable in height. The buildings across the street, which are more historic in nature, the Palace of the Governors, which goes back to the founding of the city; the old library building; the Fray Angelico building as well, those buildings are much lower than the existing Anasazi Building. When impacting the streetscape is discussed, this project is egregious, if it were to be allowed. There's a term in the submission about the "canyon effect".

He also noticed in the submission that the primary façade of the building is only on the west and no other facades are primary.

Ms. Roach said this is a non-contributing building, none of the facades are primary.

Mr. Eddy said he noticed that on the first page, the west side is checked off, the north side is not.

Ms. Roach said that referred to public visibility.

Mr. Eddy said the north side of the building is publicly visible and that's where the "canyon effect" is seen. He's disturbed by the project and perplexed that staff recommended approval.

Chair Katz closed the public hearing.

BOARD DISCUSSION

Chair Katz said he felt conflicted. He applauded the goal of the hotel and if the Board can, he thinks the hotel needs to be provided with the amenity. Yet, he looks at the proposal, and his jaw drops when he sees how the proposal looks from Washington Avenue. The building is very visible, it's seen from the Plaza and by Cathedral Park.

He stated that staff is correct; the height ordinance is developed for residential not the Downtown commercial area. There are taller buildings in the area, but he didn't think they were relevant. There are a couple of buildings downtown, that many of them regret very much; one being the El Dorado Hotel, how tall it is and how it blocks the view west when standing on Palace Avenue, in front of Palace of the Governors. On the east side of Washington Avenue, this is already as tall as any other building and with an extra floor, it will be taller than anything else there. He would like to see some way of mitigating that, particularly from the Plaza view. He asked how the additional height can be moved off the Washington Avenue street front. He's not clear what the story is with those chimneys because that exacerbates things. He was curious to hear discussion from the Board and some of the strictures the architect is facing.

Member Larson said she's having trouble visualizing this because there were no story poles. She thought there would be something visual, like a model. It's difficult for her to make a judgement because the building already is very tall. On the field trip, they viewed the hotel from several angles. She wasn't sure that it would make a huge difference from the Plaza view and the streetscape. It's tough to visualize what the actual construction would look like.

Member Guida said it's a surprising project. He said there is a lot about the design that attempts to mitigate the effect how the building mass is detailed. He said as you go around the site, this building, as tall as it is, does largely disappear because it's obscured mostly by its

neighbors. He wished there were story poles. He knows this would be visible from elsewhere in the downtown district. The space would be an incredible addition to city.

Regarding the hardship criteria, he said the applicant's responses are quite thoughtful, particularly the economic hardship response. This is in the interest of this business and there's an argument being made that this business is in the interest of the city. He thinks that all businesses doing well is in the interest of the city. What is seen here is a substantial investment in terms of space. This is a noncontributing structure in the Downtown district. There are buildings much taller than this in the Downtown district. This is a case of how we grow intensity in Downtown Santa Fe in a way that doesn't significantly detract from its neighbors. In terms of the specifics of the project it could be discussed whether the covered open-air portion that faces Washington could be pulled back. The thing that bothers him the most is the chimney that's sticking up in the middle. He asked Mr. Martinez if it's the building right now.

Mr. Martinez said the chimneys that are sticking up, already exist.

Chair Katz asked why the chimneys have to be that high

Mr. Martinez said so they are above anything within 10 feet of them.

Chair Katz referred to the chimney in the lobby. He asked if the seating area was set back more than 10 feet, if the chimney would have to be that high

Mr. Martinez said the fireplace flu is already set back from the front façade, about 10 feet. He said the fireplace flue is in the deck, even though its set back from the front façade six feet.

Chair Katz was looking at floor plan and the roof. He said that front chimney is in the middle.

Mr. Martinez said that was correct.

Chair Katz asked if the seating area was set back 10 feet further east from that, could that chimney be lower.

Mr. Martinez said "no", because the flue is already set back from the front façade. The flue is not right on the front of the building.

Ms. Roach said Chair Katz is suggesting that the entire deck be moved back beyond the flue, by at least 10 feet to allow that chimney to remain low.

Chair Katz said the pool is fine, the interior space is fine, but the exterior space on the west side needs to not be entirely deck which would allow the flue not to stick up prominently, right on

the street. He's hopeful that the applicant can think about that. He suggested that the application be postponed for redesign of that front portion to minimize the impact and so the Board can see story poles. He was very leery of approving another too high building. He said he wants to be able to approve most of the project.

Member Biedscheid said she agrees with Chair Katz and Member Guida. In addition, she wants to bring it down a little bit, so it doesn't look like they're just putting stuff on the roof in that sensitive spot. She appreciates the way they've pushed things back but maybe a little bit more of that would be in order.

Mr. Sommer said he thinks what would be helpful is how this proposal would look like in poles so there is some visualization of what they are talking about. That would give less speculation of how it's going to look. In the interim, maybe they can talk about redesign. He appreciated the comments and recognition of the importance of this kind of investment in the town.

Member Guida said he would be open to looking at different solutions for that chimney. This discussion has yielded that visibility from the ground matters. He said an aerial view is not going to help because he's not typically in a helicopter in Downtown Santa Fe. He knows the Board cares about what it's going to look like, and story poles will help with that.

Mr. Martinez mentioned that he has stepped the chimney back from the front façade so it follows the buttresses on each side of the building; but he will look at other options as well.

Member Guida said it might have a different massing that could word too. In terms of the hotel and the drawings, pulling this off is an incredible slide of hand. This is a great start, and it's heading in the right direction.

Ms. Roach requested that if there's a requirement in the motion about the placement of story poles, that it state where the poles are to be placed. She asked if the request is being postponed for redesign and story poles.

Chair Katz said he would hope that they would think about redesign. He said the whole front thing needs to be quite a bit further back. In some ways it limits the size of the reception possible on the west side roof, but maybe that's what needs to be done to get approval for the rest of it. He hopes they think about that and do the story poles. He's hoping this can be done two meetings away.

MOTION: In Case #2020-001600-HDRB, 113 Washington Avenue, Member Guida moved to postpone the case for redesign and placement of story poles as follows: to describe the central volume of the proposal; at least the outboard piers for the canopy and cabana at the rear; the mechanical volume at the back; and the three western most chimneys. Member Biedscheid seconded the motion.

VOTE: The motion passed by unanimous (3-0) voice vote with Members Biedscheid, Guida and Larson voting in favor and none voting against.

Chair Katz asked when this is postponed too.

Ms. Roach said the Board would only need to postpone to a date certain, if it's two weeks from the decision. If there is going to be a redesign, they would need new drawings submitted for the March 10, 2020 meeting.

Mr. Martinez said he could come back to the next meeting with new sketches.

Ms. Roach said that meeting agenda is already full. But if they want to be placed on the March 10th agenda, they could do that.

H. MATTERS FROM THE BOARD

None

I. ADJOURNMENT

Chair Rios adjourned the meeting at 8:05 p.m.

Approved by:

Frank Katz, Vice-Chair

Submitted by:

Melissa D. Byers, Stenographer
For Byers Organizational Support Services

EXHIBIT G

CITY OF SANTA FE, NEW MEXICO

PROJECT DESCRIPTION: Martinez Architecture Studio, agent for Rosewood Inn of the Anasazi, owner, proposes to construct a 3,078 sq. ft. fourth floor addition to a height of 56'0" with a pool and dining area. An exception is requested to exceed the maximum allowable height of 20'1" (Section 14-5.2(D)(9)).

Case number: **2019-001600-HDRB**
Project Type: HDRB

PROJECT LOCATION (S): **113 Washington Avenue**

OW – Rosewood Inn of the Anasazi	113 Washington Avenue	Santa Fe, NM 87501
AP – Martinez Architecture Studio PC	P.O. Box 925	Santa Fe, NM 87504

PROJECT DATA:

HISTORIC DISTRICT

Don Gaspar Area ☐ Downtown and Eastside ☑ Historic Review ☐ Transition ☐ Westside-Guadalupe ☐

HISTORIC BUILDING STATUS

Non-Statused ☐ Non-Contributing ☑ Contributing ☐ Significant ☐ Landmark ☐ N/A ☐

PRIMARY ELEVATIONS: North ☐ South ☐ West ☐ East ☐ N/A ☑

PUBLICLY VISIBLE FACADE-EAST Yes ☐ No ☐

PUBLICLY VISIBLE FACADE-NORTH Yes ☐ No ☐

PUBLICLY VISIBLE FACADE-SOUTH Yes ☐ No ☐

PUBLICLY VISIBLE FACADE-WEST Yes ☑ No ☐

HISTORIC DISTRICT INVENTORY NUMBER H3537

YEAR OF CONSTRUCTION _____

PROJECT TYPE

Status ☐ Primary Elevations ☐ Remodel ☑ Demolition ☐ New ☐ Other _____

USE, EXISTING Residential ☐ Non-Residential ☑ Vacant ☐

USE, PROPOSED Residential ☐ Non-Residential ☑

HISTORIC BUILDING NAME _____

City of Santa Fe, New Mexico

memo

DATE: February 11, 2020

TO: Historic Districts Review Board Members

FROM: Lisa Roach, Historic Preservation Division Manager

Case # 2020-001600-HDRB

Address: 113 Washington Ave
Historic Status: Non-contributing
Historic District: Downtown and Eastside

REFERENCE ATTACHMENTS (Sequentially):

CITY SUBMITTALS

____ **District Standards & yard wall & fence standards.**

__x__ **Historic Inventory Form**

__x__ **Zoning Review Sheet**

__x__ **Other:** Height calculation – maximum allowable height calculated to be 20'1"

APPLICANT SUBMITTALS

__x__ **Proposal Letter**

__x__ **Site Plan/Floor Plan**

__x__ **Elevations**

__x__ **Photographs**

____ **Other:**

STAFF RECOMMENDATION:

Staff finds that the exception criteria have been met and recommends approval of the proposed project and finds that the application complies with Section 14-5.2(D) General Design Standards for all Historic Districts, and 14-5.2(E) Downtown and Eastside Design Standards.

BACKGROUND & SUMMARY:

113 Washington Avenue is a commercial hotel structure that was constructed after 1945 in the Territorial Revival style, when it was known as the State Securities Building. The building was substantially remodeled in 1989 in the Spanish Pueblo Revival style and was adaptively reused as the Inn of the Anasazi. In 2014, the HDRB approved window replacement throughout the structure (Case H-14-025). The building is listed as non-contributing to the Downtown and Eastside.

Now, the applicant proposes to construct an addition to the rooftop level of the building, for which an exception is requested to exceed the maximum allowable height of 20'1". Exception criteria and responses are provided below. The applicant proposes to build to a height of 56' in the central portion of the existing roof level, and this massing will rise a maximum of 14' above the existing parapet and will be set back from the street-facing façade by more than 70'. The proposed improvements to the rooftop level of the hotel include the following:

1) At the front (street-facing) third of the space will be an outdoor event space with tile decking, seating, an informal lobby area, elevator overrun, stairwell, and storage space. The seating area will be set back 6' from the front façade of the building. The seating area will feature a 12'8" high tan canopy situated on dark bronze tracks on which the canopy can be extended or retracted depending on weather. The space will be framed by 5' high stuccoed walls and chimney extensions.

2) The central third of the space will feature an enclosed lounge and bar with required back of the house spaces, including kitchen and restrooms. The stuccoed massing will match the Spanish-Pueblo Revival style of the hotel, and windows will match those that are featured elsewhere on the hotel. As stated above, the height of this massing will rise 14' above the existing parapet, resulting in a total height of 56'. Any rooftop appurtenances and skylights placed on the roof of this addition will not be publicly visible.

3) At the rear third of the space will be a rectangular pool and tile deck, set back approximately 4 feet from the edge of the building. The perimeter of the pool deck will be framed by 4' high stuccoed walls, wood-framed cabana structures, and a retractable tan canopy with dark bronze rails to a height of 12'8" above the existing parapet. At the southeast corner of the pool deck, a stairwell, mechanical and storage spaces will be located, and the northwest corner of the pool deck will feature an outdoor fireplace and seating area.

EXCEPTION CRITERIA AND RESPONSES

Exception to exceed the maximum allowable height, per Section 14-5.2(D)(9):

i) Do not damage the character of the streetscape;

Applicant Response: On this block of Washington Ave (on both sides of the street}, tall institutional and commercial buildings define the streetscape. The hotel adjacent and to the north of the Inn of the Anasazi is about the same height, and the buildings across Washington Avenue are taller than the Inn of the Anasazi. Typically, the buildings rise from the sidewalk up several stories without setting back. This character - tall institution and commercial buildings adjacent to the sidewalks - is unique in many ways to this area of the downtown area. The proposed addition will be set back from the edge of the existing parapet. It will not be visible from the east side of the street and will hardly be noticeable from the west side of the street. As a result, the addition will fit into the existing character of the streetscape, rather than do damage to it. The human scale enjoyed today on this section of the streetscape will not be adversely affected or damaged.

Staff Response: *Staff agrees with this response.*

(i) Prevent a hardship to the applicant or an injury to the public welfare;

Applicant Response: The hardship to the applicant results from the fact that Inn of the Anasazi sits on a lot that already occupies 100% of the lot, and there is no additional area to provide the amenities that are being proposed in the addition. It is in the interest of the public welfare (and the Inn of the Anasazi) for this property to remain economically viable and competitive in the hospitality industry in downtown; the Inn of the Anasazi must be at least as attractive to visitors as other luxury hotels in the downtown area. All of the Inn of the Anasazi's major competitors- La Fonda, the Drury, and the Eldorado Hotel - all provide swimming facilities (all of which are on the roof tops), and opportunities for outdoor and indoor dinning, socializing and event-staging on their rooftops. In order to compete and remain relevant and to avoid eventual obsolescence – and thereby avoid a hardship and harm to the public welfare of the City of Santa Fe – the Inn of the Anasazi must invest in the facilities with the propose addition, but has nowhere to add them except on top of the existing hotel.

Staff Response: *Staff agrees with this response.*

(iii) Strengthen the unique heterogeneous character of the city by providing a full range of design options to ensure that residents can continue to reside within the historic districts;

Applicant Response: This criterion really addresses residential uses in the historic district and a "full range of design options to ensure that residents can continue to reside" and has no applicability to addition of a commercial building. However, the proposed addition will strengthen commercial character of the downtown by adding amenities to a downtown hotel

that will allow visitors and patrons a greater range of possibilities to enjoy the unique culture of Santa Fe.

Staff Response: *Staff agrees with this response.*

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

Applicant Response: Inn of the Anasazi sits on a lot that has for decades been occupied by a tall building covering the entire lot, and the applicant did not divide the property to create a lot with a small area of land. Rather, the small lot was created many, many decades ago. The condition of the lot is not the result of the action of the owner.

Staff Response: *Staff agrees with this response.*

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

Applicant Response: The proposed addition and amenities will not have any negative impact on the streetscape or the historic character of the downtown area. The addition will be set back from the edge of the existing parapet so it will reduce its visibility as discussed above and will not add or cast a shadow on to the streets below. In short, it will not exacerbate any of the effects that tall building may have on a streetscape - "canyon effect," shadows, disproportionate scale or massing. So, any potentially negative impacts have been mitigated by the design.

Staff Response: *Staff agrees with this response.*

RELEVANT CODE CITATIONS:

14-5.2(A)(1) General Purpose

In order to promote the economic, cultural, and general welfare of the people of the city and to ensure the harmonious, orderly and efficient growth and development of the city, it is deemed essential by the governing body that the qualities relating to the history of Santa Fe, and a harmonious outward appearance, which preserve property values and attract tourists and residents alike, be preserved, some of these qualities being:

(a) The continued existence and preservation of historical areas and buildings;
(b) The continued construction of buildings in the historic styles; and
(c) A general harmony as to style, form, color, height, proportion, texture and material between buildings of historic design and those of more modern design.

14-5.2(E) Downtown and Eastside Design Standards

(1) Old Santa Fe Style

Old Santa Fe style, characterized by construction with adobe, is defined as including the so-called "pueblo" or "pueblo-Spanish" or "Spanish-Indian" and "territorial" styles and is more specifically described as follows:

(a) With rare exception, buildings are of one story, few have three stories, and the characteristic effect is that the buildings are long and low. Roofs are flat with a slight slope and surrounded on at least three sides by a firewall of the same color and material as the walls or of brick. Roofs are never carried out beyond the line of the walls except to cover an enclosed portal or porch formed by setting back a portion of the wall or to form an exterior portal, the outer edge of the roof being supported by wooden columns. Two-story construction is more common in the territorial than in other sub-styles, and is preferably accompanied by a balcony at the level of the floor of the second story. Façades are flat, varied by inset portales, exterior portales, projecting vigas or roof beams, canales or water-spouts, flanking buttresses and wooden lintels, architraves and cornices, which, as well as doors, are frequently carved and the carving may be picked out with bright colors. Arches are almost never used except for nonfunctional arches, often slightly ogive, over gateways in freestanding walls;
(b) All exterior walls of a building are painted alike. The colors range from a light earth color to a dark earth color. The exception to this rule is the protected space under portales, or in church-derived designs, inset panels in a wall under the roof, in which case the roof overhangs the panel. These spaces may be painted white or a contrasting color, or have mural decorations;
(c) Solid wall space is always greater in any façade than window and door space combined. Single panes of glass larger than thirty (30) inches in any dimension are not permissible except as otherwise provided in this section;
(d) The rule as to flat roofs shall not be construed to prevent the construction of skylights or installation of air conditioning devices, or any other necessary roof structures, but such structures other than chimneys, flues, vents and aerials, shall be so placed as to

be concealed by the firewall from the view of anyone standing in the street on which the building fronts;

(e) True old Santa Fe style buildings are made of adobe with mud plaster finish. Construction with masonry blocks, bricks, or other materials with which the adobe effect can be simulated is permissible; provided, that the exterior walls are not less than eight (8) inches thick and that geometrically straight façade lines are avoided. Mud plaster or hard plaster simulating adobe, laid on smoothly, is required; and

(2) Recent Santa Fe Style

Recent Santa Fe style intends to achieve harmony with historic buildings by retention of a similarity of materials, color, proportion, and general detail. The dominating effect is to be that of adobe construction, prescribed as follows:

(a) No building shall be over two stories in height in any façade unless the façade shall include projecting or recessed portales, setbacks or other design elements;

(b) The combined door and window area in any publicly visible façade shall not exceed forty percent of the total area of the façade except for doors or windows located under a portal. No door or window in a publicly visible façade shall be located nearer than three (3) feet from the corner of the façade;

(c) No cantilevers shall be permitted except over projecting vigas, beams, or wood corbels, or as part of the roof treatment described below;

(d) No less than eighty percent of the surface area of any publicly visible façade shall be adobe finish, or stucco simulating adobe finish. The balance of the publicly visible façade, except as above, may be of natural stone, wood, brick, tile, terra cotta, or other material, subject to approval as hereinafter provided for building permits;

(e) The publicly visible façade of any building and of any adjoining walls shall, except as otherwise provided, be of one color, which color shall simulate a light earth or dark earth color, matte or dull finish and of relatively smooth texture. Façade surfaces under portales may be of contrasting or complimentary colors. Windows, doors and portals on publicly visible portions of the building and walls shall be of one of the old Santa Fe styles; except that buildings with portals may have larger plate glass areas for windows under portals only. Deep window recesses are characteristic; and

(f) Flat roofs shall have not more than thirty (30) inches overhang.

Attachment B

NEW MEXICO HISTORIC BUILDING INVENTORY FORM

H3537

building threatened? yes	surveyed date 5/3/85 by HMW	county SANTA FE	ID no. 051610424
field map SFHD #1	number 424	UTM reference zone 12 13	easting northing

location description: 113 WASHINGTON

city/town: SANTA FE

land grant/reservation: ~~land grant/reservation~~

building name: STATE SECURITIES BLDG

legal description: tnsp ___ N S range ___ E W sec ___ ¼ ___ ¼

film roll: by HMW no. SFHD 16 | negative nos.: 28 | loc. of neg.: HPB

plan shape:

date of construction: P45 estimate _____ actual

source

use: present residential; other _____; historic residential; other _____

condition: ___excellent ___good ___fair ___deteriorating

wall material/surface

degree of remodeling: ___minor ___moderate ___major

describe:

architectural features

surroundings: COMMERCIAL

relationship to surroundings: ___similar _x_ not similar

district potential: ___yes ___no

significance: ___eligible ___of interest _x_ none

if eligible, why?

comments:

remodeled 1989 H-89-132
as Spanish-Pueblo Revival
Inn of the Anasazi NR

associated buildings? ___yes

what type?

if inventoried, list ID nos.

see back? ___yes

Preliminary Zoning Review Worksheet

City of Santa Fe Land Use Department

To Be Completed By Applicant:

Date Submitted: January 13, 2020

Property Owner of Record: Rosewood Inn of the Anasazi

Applicant/Agent Name: Martinez Architecture Studio

Contact Person Phone Number: 505 989-4958

Site Address: 113 Washington Ave

Proposed Construction Description: Rooftop event space, bar & swimming pool

TOTAL ROOF AREA: 15,000

Zoning District: BCD-MAR

Overlay: NA
- □ Escarpment
- □ Flood Zone*
- □ Other:

Submittals Reviewed with PZR:
- ☒ Legal Lot of Record □ Development Plan ☒ Building Plans
- ☒ Existing Site Plan ☒ Proposed Site Plan ☒ Elevations

Supplemental Zoning Submittals Required for Building Permit:
- □ Zero Lot Line Affidavit

Access and Visibility: □ Arterial or Collector**
- □ Visibility Triangle Required

Use of Structure: □ Residential
- ☒ Commercial Type of Use: Hotel

Terrain: □ 30% slopes

* Requires an additional review conducted by Technical Review Division
** Requires an additional review conducted by the Traffic Engineering Division

Lot Coverage: 78.16 %
- □ Open Space Required:

Setbacks:
Proposed Front: 2'-9" Minimum: 2'-9"
2nd Front? –
Proposed Rear: 0'-6" Minimum: 0
Proposed Sides: L 1'-2" R 16" Minimum: 0

Height: Proposed 516'
Maximum Height: 42' or
- ☒ Regulated by Historic Districts Ordinance
- □ Regulated by Escarpment District

Parking Spaces:
Proposed 49 Accessible 0
Minimum: –

Bicycle Parking:**
Proposed: 0 Minimum: 0
** Commercial Requirement

THIS REVIEW DOES NOT GRANT ZONING APPROVAL FOR BUILDING PERMIT. FINAL ZONING REVIEW WILL BE PERFORMED AT THE TIME OF BUILDING PERMIT APPLICATION.

Richard Martinez [□OWNER □APPLICANT ☒AGENT]
PRINT NAME

hereby certifies that the information provided for preliminary zoning review is accurate and will not be modified without consulting Land Use Department staff prior to submittal for Historic Districts Review Board review.

Richard Martinez 1.13.20
SIGNATURE **DATE**

To Be Completed By City Staff:

Additional Agency Review if Applicable:
- □ Escarpment Approval by _____ Date: __/__/__
- □ Flood Plain Approval by _____ Date: __/__/__
- □ Traffic Engineering Approval by _____ Date: __/__/__

Notes: _____

Zoning Approval:

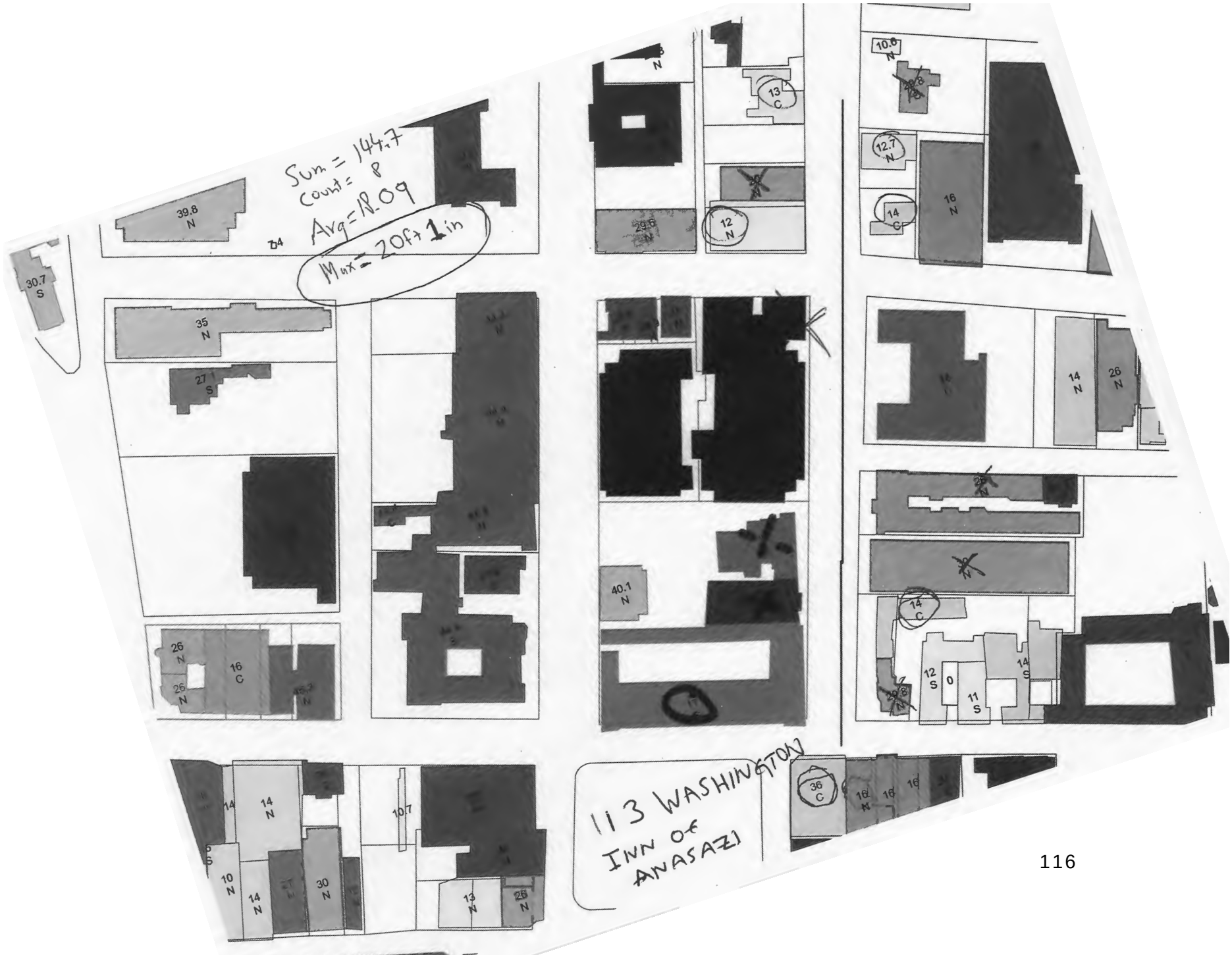
☒ **Preliminary Approval** ☒ **with conditions** □ **Rejected**

Comments/Conditions: Building exceeds BCD MAR zoning Height of 42'. The applicant shall apply for a variance before the Board of Adjustment prior to submitting a building permit.

REVIEWER: _____ **DATE:** 1/13/20

Original color form must be submitted with Historic Districts Review Board (HDRB) application packet.

Revised 11/17/13


Sum = 144.7
count = 8
Avg = 18.09
Max = 20 ft 1 in
113 WASHINGTON
INN OF
ANASAZI

MARTINEZ
ARCHITECTURE
STUDIO PC

TEL (505) 989-4958 MAIL: P O BOX 925 SANTA FE NM 87504
1524 PASEO DE PERALTA —— STUDIO@MARTINEZARCH.COM

PROPOSAL TO ADD ROOFTOP PROJECT
THE ROSEWOOD INN OF THE ANASAZI – 113 WASHINGTON AVE.

Downtown/Eastside Historic District – Non-Contributing

January 13, 2020

EXISTING CONDITIONS:

The Inn of the Anasazi was built in 1990. It incorporated the structural system of the office building that previously occupied the site. The Owner's of the hotel wish to give their guests the experience of staying in a building that reflects the beauty of Santa Fe. The rooftop project is not intended to feel like an addition, but rather an intregal part of the hotel. The hotel has a restaurant and a bar now and the Owner's wish to add a pool and an event space. Current hotel trends have shown that guests want these options when choosing where to stay.

PROPOSED CONSTRUCTION:

The changes asked for are on the roof and for the most part involve elements not seen by the public. There will be no changes to the existing facades which give this building its character. The roof is now unused, valuable space in the downtown area (see attached letter photos "A").

We will extend the existing elevators and exit stairs to access a new floor on the roof of the building which will consist of a deck 6'-0" above the existing roof deck in order to accommodate the pool and the structure to support that pool that will be required.

In the middle of the roof will be an enclosed lounge space and bar with its required back of house spaces (kitchens, etc.) and restrooms.

Proposed bar, back of house, restrooms: 4,654 sq.ft.
Height of proposed bar, back of house, restrooms: 56'-0" (14'-0" from existing parapet)
Materials: stucco, wood windows to match existing

In the front of the space will be an open deck recessed 6'-0" from the street facade to accommodate special events and outdoor seating that would sometimes be partially covered by a canopy (see attached letter photos "B").

Proposed special event space: 3,078 sq.ft.
Height of proposed special event space: 5'-0" stuccoed walls, 12'-8" canopy
Materials: stucco, tile decking, stained wood beam, dark bronze tracks, tan canopy

The back third of the rooftop will be a pool and deck recessed from the exterior walls. The deck will have a fireplace, cabanas and chaise lounges, again with a canopy.

Proposed pool area: 3,716 sq.ft.
Height of proposed: 4'-0" stuccoed walls, 12'-8" canopy
Materials: stucco, tile decking, stained wood beam, dark bronze tracks, tan canopy

The stucco, stained wood and trim colors will match the existing building. The exisiting fireplaces in the rooms below which have flues on the current roof, will be raised with stuccoed chimneys. There will be appurtenances and skylights on the roof of the addition which will not be publicly visible.

Richard Martinez

Inn of Anasazi Applicant's responses to the applicable Exception Criteria:

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

On this block of Washington Ave (on both sides of the street), tall institutional and commercial buildings define the streetscape. The hotel adjacent and to the north of the Inn of the Anasazi is about the same height, and the buildings across Washington Avenue are taller than the Inn of the Anasazi. Typically, the buildings rise from the sidewalk up several stories without setting back. This character – tall institution and commercial buildings adjacent to the sidewalks – is unique in many ways to this area of the downtown area. The proposed addition will be set back from the edge of the existing parapet. It will not be visible from the east side of the street and will hardly be noticeable from the west side of the street. As a result, the addition will fit into the existing character of the streetscape, rather than do damage to it. The human scale enjoyed today on this section of the streetscape will not be adversely affected or damaged.

(i) Prevent a hardship to the applicant or an injury to the public welfare;

The hardship to the applicant results from the fact that Inn of the Anasazi sits a lot that already occupies 100% of the lot, and there is no additional area to provide the amenities that are being proposed in the addition. It is in the interest of the public welfare (and the Inn of the Anasazi) for this property to remain economically viable and competitive in the hospitality industry in downtown; the Inn of the Anasazi must be at least as attractive to visitors as other luxury hotels in the downtown area. All of the Inn of the Anasazi's major competitors – La Fonda, the Drury, and the Eldorado Hotel – all provide swimming facilities (all of which are on the roof tops), and opportunities for outdoor and indoor dinning, socializing and event-staging on their rooftops. In order to compete and remain relevant and to avoid eventual obsolescence – and thereby avoid a hardship and harm to the public welfare of the City of Santa Fe -- the Inn of the Anasazi must invest in the facilities with the propose addition, but has nowhere to add them except on top of the existing hotel.

(ii) 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;

This criterion really addresses residential uses in the historic district and a "full range of design options to ensure that residents can continue to reside" and has no applicability to addition of a commercial building. However, the proposed addition will strengthen commercial character of the downtown by adding amenities to a downtown hotel that will allow visitors and patrons a greater range of possibilities to enjoy the unique culture of Santa Fe.

(iii) 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 exception is requested purely due to the small size of the lot, as discussed above, and the fact that it is completely covered with the existing hotel. Most other lots within the applicable streetscape are not tall hotel properties and have the ability to add height without an exception.

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

Inn of the Anasazi sits on a lot that has for decades been occupied by a tall building covering the entire lot, and the applicant did not divide the property to create a lot with a small area of land. Rather, the small lot was created many, many decades ago. The condition of the lot is not result of the action of the owner.

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

The proposed addition and amenities will not have any negative impact on the streetscape or the historic character of the downtown area. The addition will be set back from the edge of the existing parapet so it will reduce its visibility as discussed above and will not add or cast a shadow on to the streets below. In short, it will not exacerbate any of the effects that tall building may have on a streetscape – "canyon effect," shadows, disproportionate scale or massing. So, any potentially negative impacts have been mitigated by the design.

LOOKING EAST

LOOKING WEST

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INN OF THE ANASAZI
113 WASHINGTON AVENUE
SANTA FE, NEW MEXICO

JANUARY 13, 2020
LETTER PHOTO "A"

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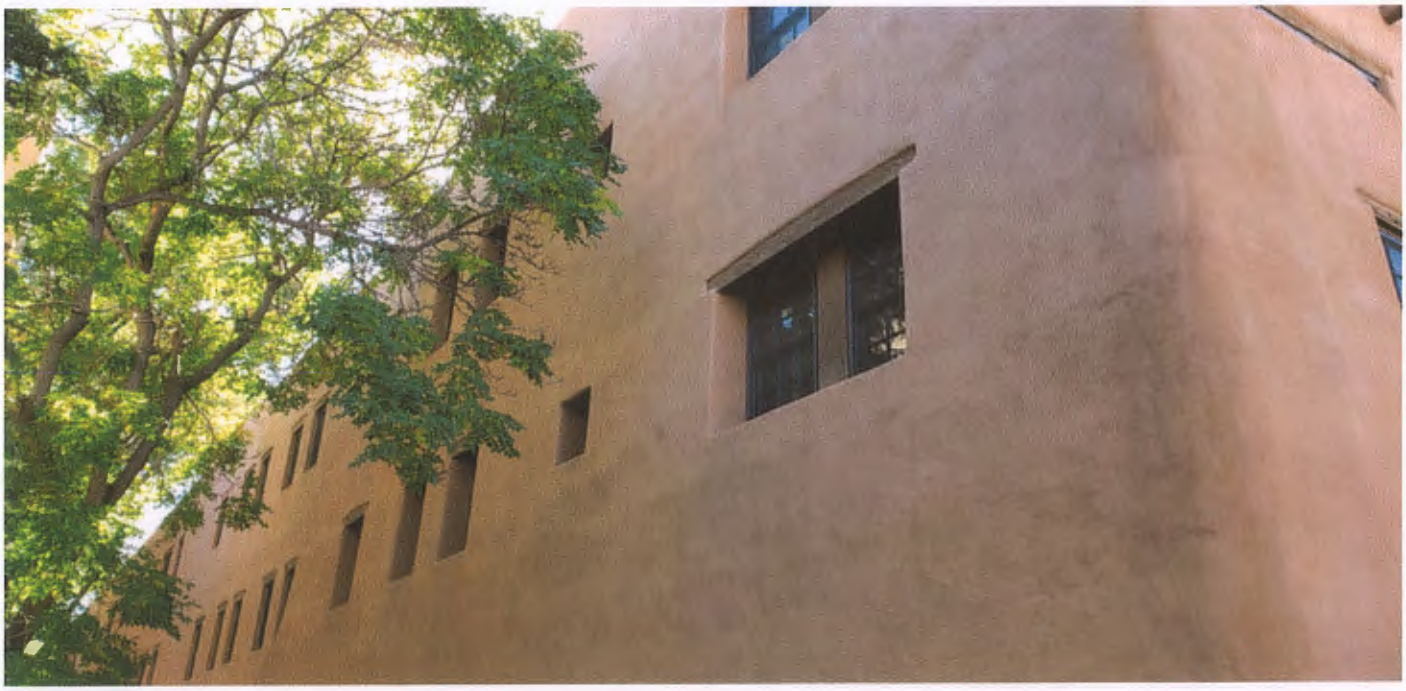
INN OF THE ANASAZI
113 WASHINGTON AVENUE
SANTA FE, NEW MEXICO

JANUARY 13, 2020
LETTER PHOTO "B"

NORTH ELEVATION



NORTH ELEVATION

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JANUARY 13, 2020

NORTH ELEVATION

NORTH ELEVATION

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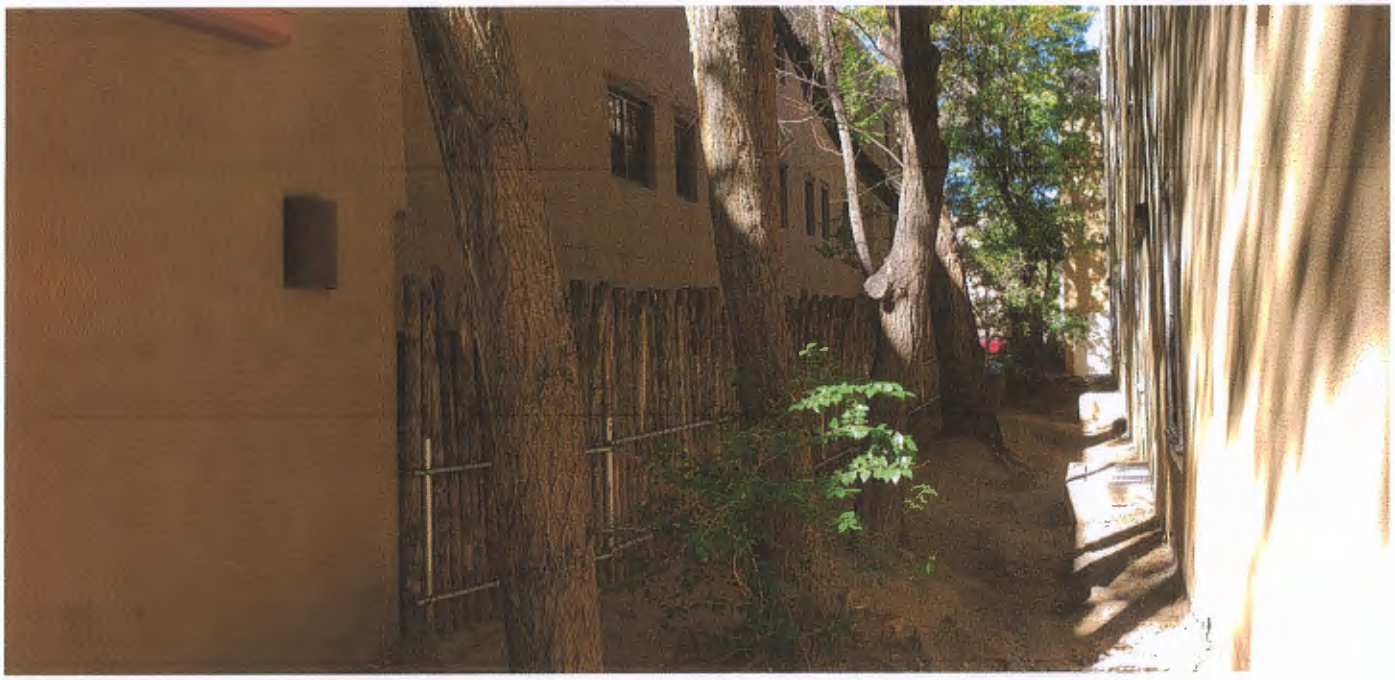

NORTH ELEVATION

NORTH ELEVATION

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INN OF THE ANASAZI
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JANUARY 13, 2020

EAST ELEVATION

EAST ELEVATION

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INN OF THE ANASAZI
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JANUARY 13, 2020

SOUTH ELEVATION

SOUTH ELEVATION

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INN OF THE ANASAZI
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SOUTH ELEVATION

SOUTH ELEVATION

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WEST ELEVATION

WEST ELEVATION

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INN OF THE ANASAZI
113 WASHINGTON AVENUE
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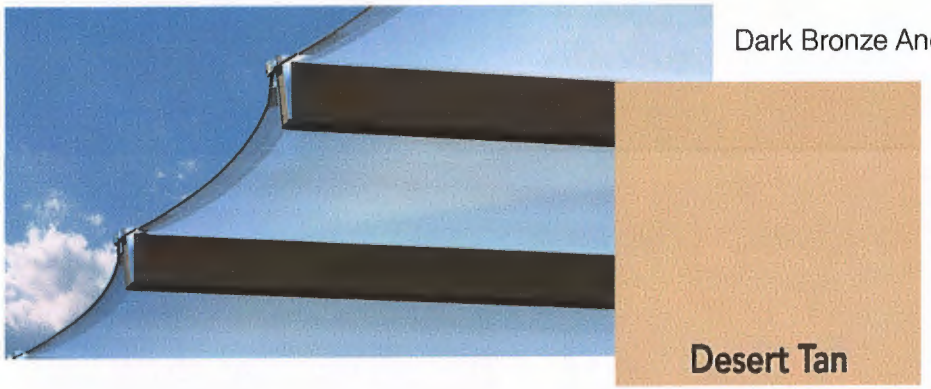
JANUARY 13, 2020

Inn of the Anasazi Exterior Finish Selections

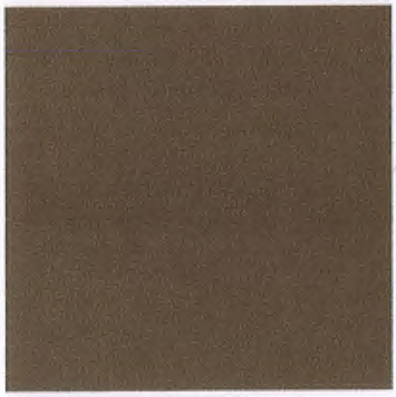


Dark Bronze Anodized Finish

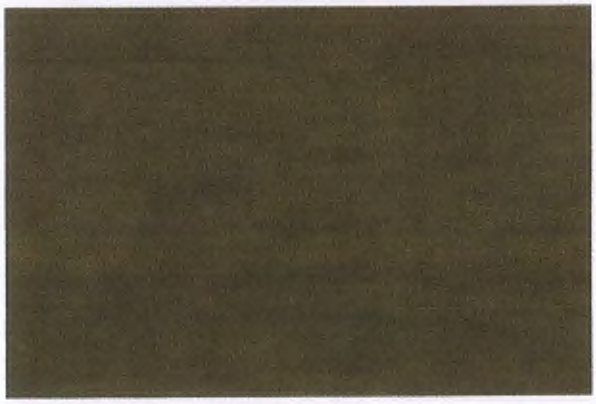
Tan T40 Fabric utilized with the Future Shade Structure

Porcelain Tile with Texture for Pool Deck and Outdoor Patio Area |Comes with Pool Cooping | Aequa Castor 12X48, Arizona Tile

Adobe #116 Stucco Color from El Rey to Match Existing Stucco Finish



Lodge Brown SW3007 Woodscapes Solid Color Stain To Match Existing Wood Stain for the Vigas, Doors and Exposed Lintels



Hawthorne SW3518 Stain Color for the Future Window to Match Existing Windows

INN OF THE ANASAZI ROOFTOP PROJECT

113 WASHINGTON AVENUE
SANTA FE NEW MEXICO 87505

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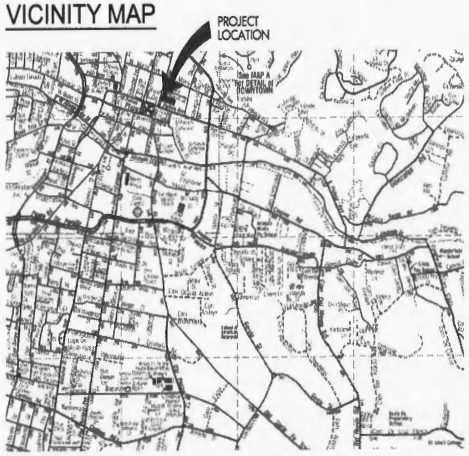
VICINITY MAP



DIRECTIONS TO SITE:

FROM 200 LINCOLN AVE. HEAD SOUTH ON LINCOLN AVE. TOWARD W. MARCY ST.
TURN LEFT ONTO W. MARCY ST. TURN RIGHT ONTO WASHINGTON AVE.
DESTINATION WILL BE ON THE LEFT @ 113 WASHINGTON AVE.

PROJECT DATA

SCOPE OF WORK: NEW ROOFTOP EVENT SPACE, BAR & SWIMMING POOL

BUILDING TYPE: HOTEL

CONSTRUCTION TYPE: V-B
(IBC SECTION 602)

NET AREAS (EXISTING):

SUB-BASEMENT	7,576 S.F.
BASEMENT	2,738 S.F.
LOWER LEVEL PARKING	7,576 S.F.
1ST FLOOR	15,612 S.F.
2ND FLOOR	15,640 S.F.
3RD FLOOR	14,300 S.F.
EXISTING ROOFED AREA	15,640 S.F.

NET AREAS (PROPOSED)

4TH FLOOR (HEATED)	4,654 S.F.
4TH FLOOR (UNHEATED)	7,368 S.F.

NO NEW ROOFED AREA PROPOSED

LOT AREA: 19,656 S.F.

LOT COVERAGE: EXISTING = 78.6%
PROPOSED = 78.6%

ZONING: BCD-MAR

HISTORIC DISTRICT: DOWNTOWN & EASTSIDE

HISTORIC STATUS: NON-CONTRIBUTING

DRAWING INDEX

A-0.1	COVER SHEET & PROJECT DATA
A-1.0	EXISTING & PROPOSED SITE PLAN
A-2.0	EXISTING ROOF PLAN & PROPOSED FLOOR PLAN
A-3.1	EXISTING & PROPOSED NORTH ELEVATION
A-3.1	EXISTING & PROPOSED EAST ELEVATIONS
A-3.2	EXISTING & PROPOSED SOUTH ELEVATION
A-3.3	EXISTING & PROPOSED WEST ELEVATION

GENERAL NOTES

1. THE CONTRACTOR SHALL CHECK AND VERIFY ALL DIMENSIONS AND REPORT DISCREPANCIES TO THE ARCHITECT BEFORE PROCEEDING WITH THE WORK.

2. UNLESS NOTED OTHERWISE, ALL WORK AND MATERIALS SHALL BE PROVIDED AND INSTALLED BY THE CONTRACTOR.

3. ALL CONSTRUCTION SHALL COMPLY WITH THE MOST RECENTLY ADOPTED APPLICABLE CODES: 2015 NM COMMERCIAL BUILDING CODE (IBC AS AMENDED), 2015 NM RESIDENTIAL CODE (IRC AS AMENDED), 2015 NM EXISTING BUILDING CODE (IEBC AS AMENDED), 2012 NM PLUMBING CODE (UPC AS AMENDED), 2012 NM MECHANICAL CODE (UMC AS AMENDED), 2017 NM ELECTRICAL CODE (NEC AS AMENDED), 2012 NM ELECTRICAL SAFETY CODE (NESC AS AMENDED), 2015 NM HISTORIC EARTHEN BUILDINGS CODE, 2015 NM EARTHEN BUILDING MATERIALS CODE, 2009 NM NON-LOAD BEARING BALED STRAW CONSTRUCTION BUILDING CODE, 2009 NM ENERGY CONSERVATION CODE (IECC AS AMENDED), 2012 NM SWIMMING POOL, SPA AND HOT TUB CODE PHASE III (USPSHTC AS AMENDED), 2012 NM SOLAR ENERGY CODE (USEC AS AMENDED), 2009 INTERNATIONAL FIRE CODE AND CITY OF SANTA FE IFC AMENDMENTS. CODE COMPLIANCE SHALL BE THE RESPONSIBILITY OF THE GENERAL CONTRACTOR.

4. ALL DRAWINGS ARE THE PROPERTY OF MARTINEZ ARCHITECTURE STUDIO P.C. AND MUST BE RETURNED AT THE COMPLETION OF WORK. THEY SHALL NOT BE REPRODUCED, MODIFIED OR REVISED IN ANY WAY WITHOUT THE WRITTEN CONSENT FROM, AND PROPER COMPENSATION TO THE ARCHITECT. THE ARCHITECT SHALL PROTECT HIS RIGHT AND BE REIMBURSED FOR ALL LEGAL AND COURT COST ETC., FOR ANY NECESSARY PROTECTION OF THE DRAWINGS. SUBMISSION OF THESE DRAWINGS TO ANY PUBLIC BODY FOR ANY USE DOES NOT RELEASE IN ANY WAY THE COPYRIGHT AND OWNERSHIP OF DRAWINGS/SPECIFICATIONS PROVISIONS LISTED HEREIN.

DESIGN PROFESSIONALS

ARCHITECT
Richard Martinez
MARTINEZ ARCHITECTURE STUDIO P.C.
P.O. Box 925 Santa Fe, NM 87504
(505) 989-4956, Fax (505) 989-8933

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INN OF THE ANASAZI
113 WASHINGTON AVENUE
SANTA FE, NEW MEXICO

JANUARY 13, 2020

1-13-20

COVER SHEET & PROJECT DATA

A 0.1

SET #

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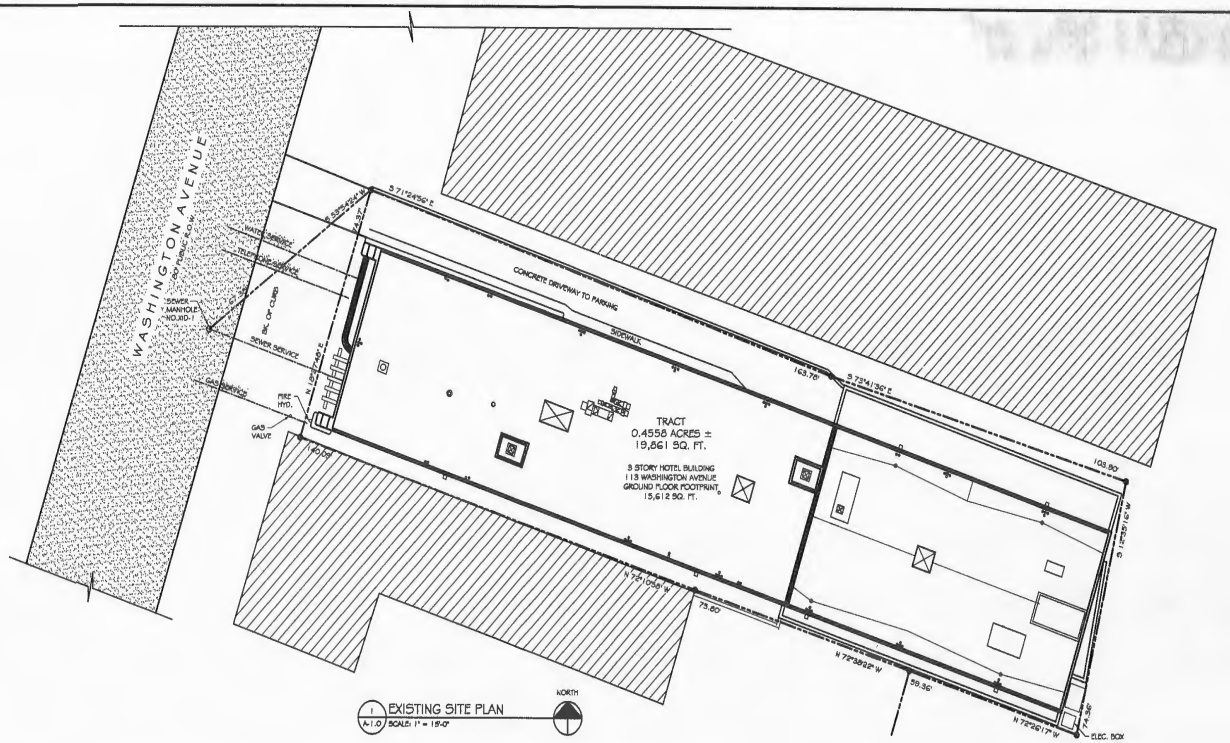
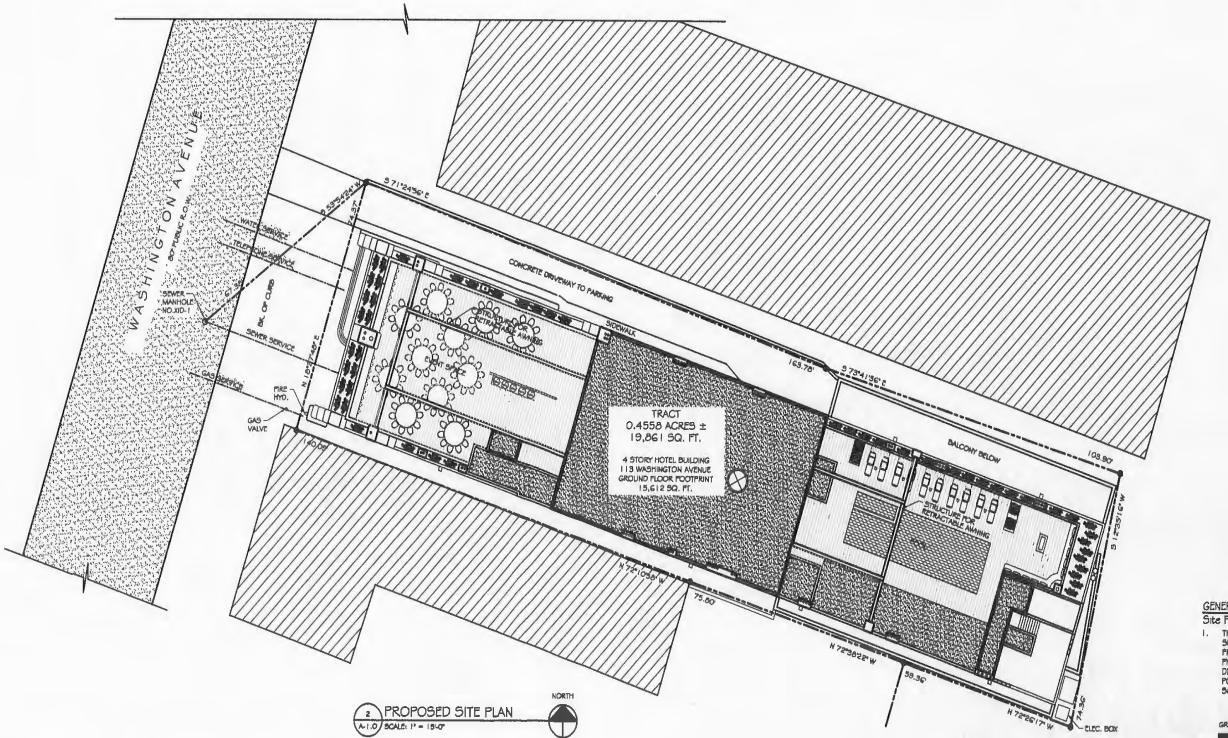


1 EXISTING SITE PLAN
A-1.0 SCALE: 1" = 15'-0"



2 PROPOSED SITE PLAN
A-1.0 SCALE: 1" = 15'-0"

GENERAL NOTES:
Site Plan

1. THE SITE SURVEY INFORMATION ON THIS SITE PLAN WAS TAKEN FROM A PLAT PREPARED JULY 18, 2005 BY: PHILIP D. WIGEL N.M.P.S. #9758 DEL RIO SURVEYS, INC. PO BOX 22773 SANTA FE, NEW MEXICO 87505

GRAPHIC SCALE: 1" = 15'-0"
0 15' 30' 45'

MARTINEZ ARCHITECTURE STUDIO PC
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505-989-4998 studio@martinezarch.com

INN OF THE ANASAZI
113 WASHINGTON AVENUE
SANTA FE, NEW MEXICO

JANUARY 13, 2020

1-13-20

EXISTING & PROPOSED SITE PLANS

A 1.0

SET #

1904 - ANASAZI

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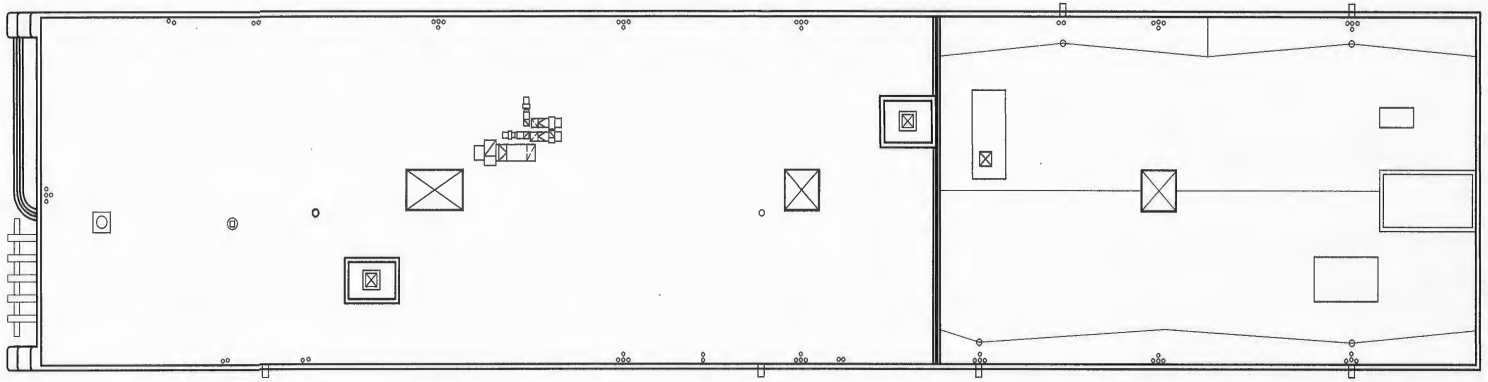
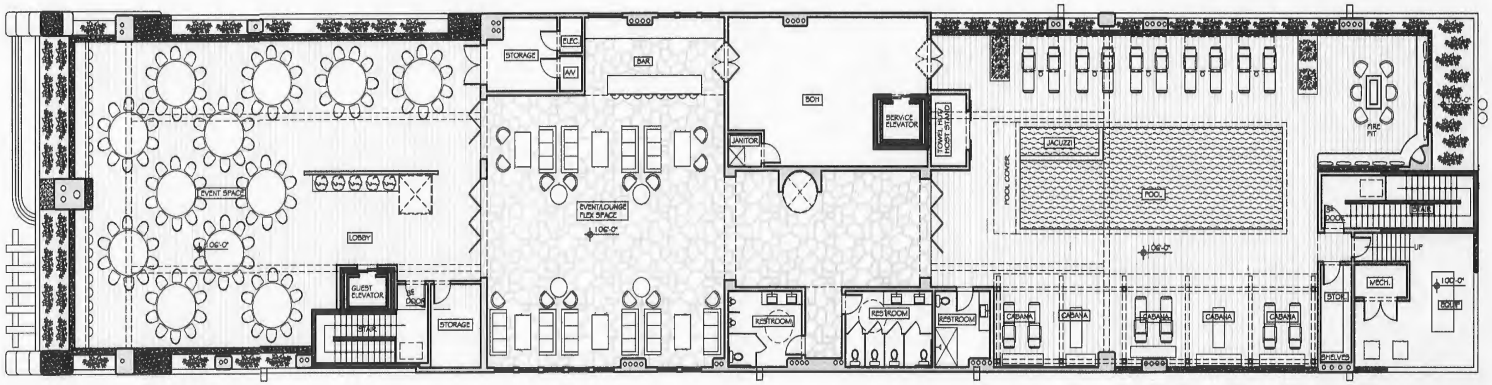


1 EXISTING ROOF PLAN
A-2.0 SCALE: 1/8" = 1'-0"

NORTH



1 PROPOSED FLOOR PLAN
A-2.0 SCALE: 1/8" = 1'-0"

NORTH

GRAPHIC SCALE: 1/8" = 1'-0"
0' 4' 8' 16' 24'

MARTINEZ ARCHITECTURE STUDIO PC
1524 PASEO DE PERALTA SANTA FE
505-989-4858 studio@martinezarch.com

INN OF THE ANASAZI
113 WASHINGTON AVENUE
SANTA FE, NEW MEXICO

JANUARY 13, 2020

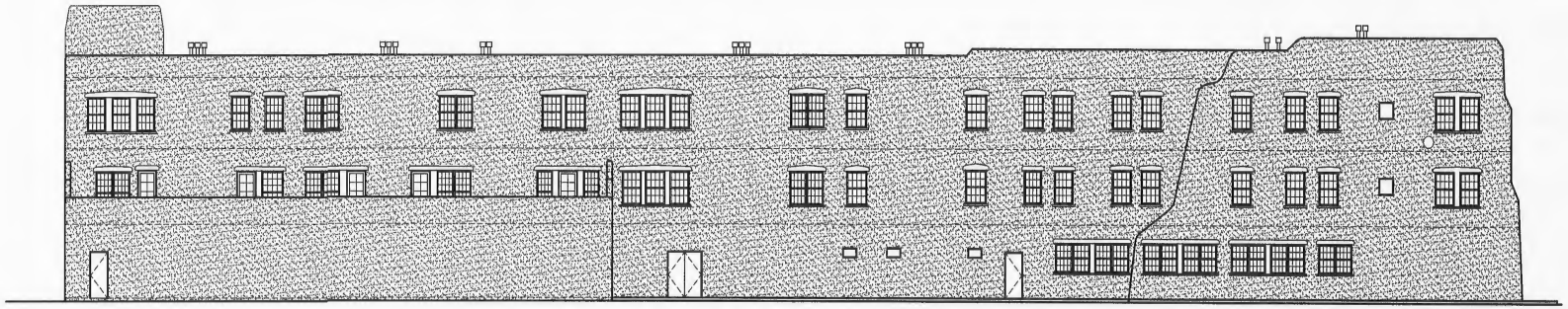
1-13-20

EXISTING ROOF PLAN & PROPOSED FLOOR PLAN

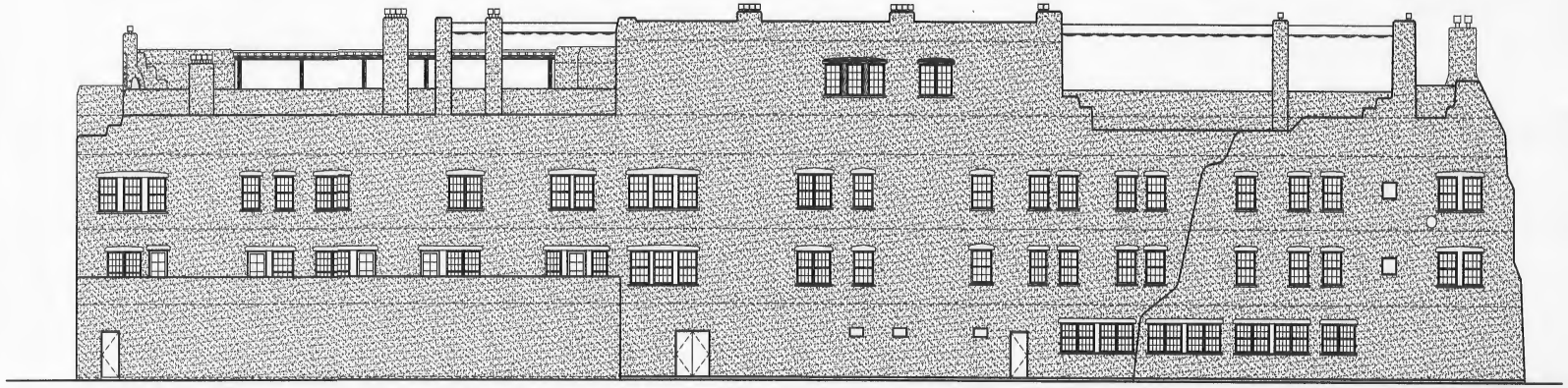
A 2.0

SET #
1904 - ANASAZI

RECEIVED
JAN 15 2020
BY:



1 A-3.0 EXISTING NORTH ELEVATION
SCALE: 1/8" = 1'-0"



1 A-3.0 PROPOSED NORTH ELEVATION
SCALE: 1/8" = 1'-0"

GRAPHIC SCALE: 1/8" = 1'-0"
0' 4' 8' 16' 24'

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505-988-4958 studio@martinezarch.com

INN OF THE ANASAZI
113 WASHINGTON AVENUE
SANTA FE, NEW MEXICO

JANUARY 13, 2020

1-13-20

EXISTING & PROPOSED NORTH ELEVATION

A 3.0

SET # 133

1904 - ANASAZI

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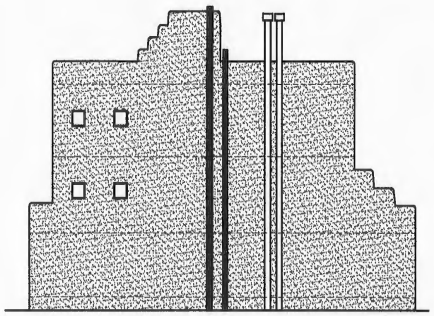
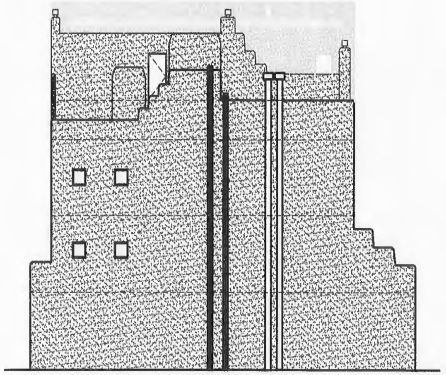
JAN 15 2020
BY:



1 / A-3.1 EXISTING EAST ELEVATION
SCALE: 1/8" = 1'-0"



2 / A-3.1 PROPOSED EAST ELEVATION
SCALE: 1/8" = 1'-0"

GRAPHIC SCALE: 1/8" = 1'-0"
0' 4' 8' 16' 24'

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INN OF THE ANASAZI
113 WASHINGTON AVENUE
SANTA FE, NEW MEXICO

JANUARY 13, 2020

1-13-20

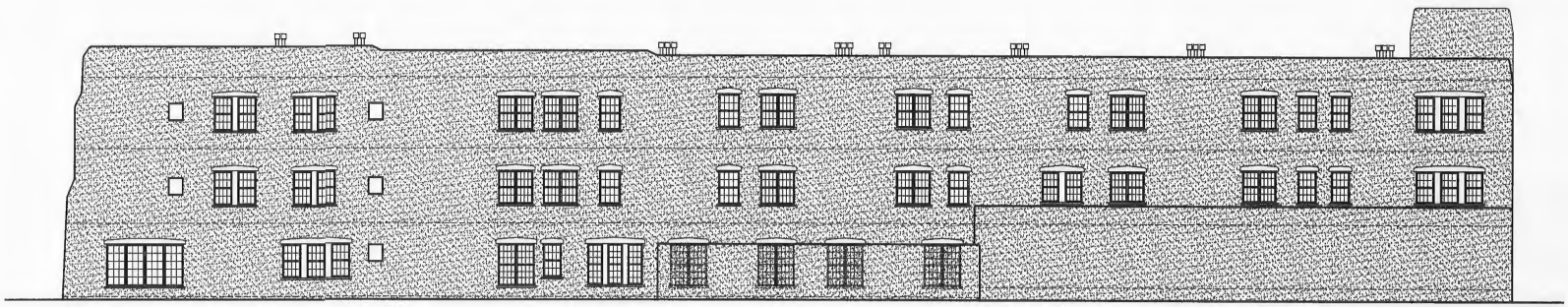
EXISTING & PROPOSED EAST ELEVATION

A 3.1

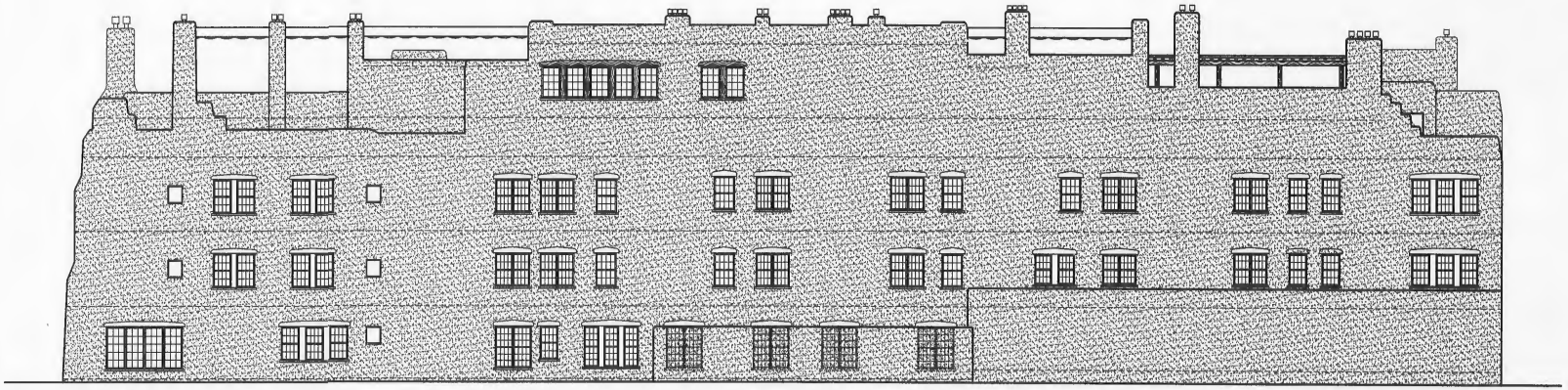
SET #

1904 - ANASAZI

RECEIVED
JAN 15 2020
BY:



1 A-3.2 EXISTING SOUTH ELEVATION
SCALE: 1/8" = 1'-0"



2 A-3.2 PROPOSED SOUTH ELEVATION
SCALE: 1/8" = 1'-0"

GRAPHIC SCALE: 1/8" = 1'-0"
0' 4' 8' 16' 24'

MARTINEZ ARCHITECTURE STUDIO PC
1524 PASEO DE PERALTA SANTA FE
505-989-4988 studio@martinezarch.com

INN OF THE ANASAZI
113 WASHINGTON AVENUE
SANTA FE, NEW MEXICO

JANUARY 13, 2020

1-13-20

EXISTING & PROPOSED SOUTH ELEVATION

A 3.2

SET # 135

1904 - ANASAZI

RECEIVED
JAN 15 2020
BY:

3 A-3.1 EXISTING WEST ELEVATION
SCALE: 1/8" = 1'-0"

4 A-3.1 PROPOSED WEST ELEVATION
SCALE: 1/8" = 1'-0"

GRAPHIC SCALE: 1/8" = 1'-0"
0' 4' 8' 16' 24'

MARTINEZ ARCHITECTURE STUDIO PC
1574 PASEO DE PERALTA, SANTA FE
505-988-4558 STUDIO@MARTINEZARCHITECTURE.COM

INN OF THE ANASAZI
113 WASHINGTON AVENUE
SANTA FE, NEW MEXICO

JANUARY 13, 2020

1-13-20

EXISTING & PROPOSED WEST ELEVATIONS

A 3.3

SET #
1804 - ANASAZI

EXHIBIT H

HISTORIC DISTRICTS REVIEW BOARD APPLICATION

PROJECT LOCATION: 113 Washington

HISTORIC DISTRICT: Downtown & Eastside [✓] Don Gaspar Area [ ] Westside-Guadalupe [ ]
(from attached map) Historic Transition [ ] Historic Review [ ] Landmark (outside of historic districts) [ ]

PROJECT PROPOSAL: Rooftop event space, bar and swimming pool

CONSTRUCTION COST: $ 4M

BASE FEE: $ 2000 + **EXCEPTION:** $ 350 + **POSTER:** $ 25 = **TOTAL:** $ 2375

(base fee = ½ of 1% of construction cost, not to exceed $2,000 and not less than $250)

(each exception has an additional fee of $350) **($25 per poster with one (1) poster per street frontage)**

OWNER: Rosewood Inn of the Anasazi **PHONE #:**

OWNER MAILING ADDRESS: 113 Washington Avenue

CITY, STATE, ZIP CODE: Santa Fe, NM 87501

EMAIL:

AGENT: Martinez Architecture Studio PC **PHONE #:** 505 989 4958

MAILING ADDRESS: PO Box 925

CITY, STATE, ZIP CODE: Santa Fe, NM 87504

EMAIL: Studio @ martinezarch.com

PREAPPLICATION MEETING: Date: 12/10/2019 Case Planner: Lisa Roach

---

AFFIDAVIT TO AUTHORIZE SOLE AGENT

I am,/We are the owner(s) and record title holder(s) of the property located at: 113 Washington Ave

I/We authorize Martinez Architecture Studio to act as my/our agent to execute this application.

Signed: [signature] Date: 1/15/20

Printed Name: Lutz Arnhold

I/We shall act as my/our own agent to execute this application.

Signed: _____ Date: _____

Printed Name: _____

AFFIDAVIT TO AUTHORIZE SOLE AGENT must be signed to be accepted.

Original form must be submitted with Historic Districts Review Board Application packet.

All documents submitted to the Historic Preservation Division are public record. HPD does not return documents.

Rosewood – Inn of the Anasazi

I. Witness List

a. Richard Martinez. Project Architect. Mr. Martinez will address the design process undertaken, modifications made to the plans at the request of the Historic District Board, the reasons for the modifications and the design solutions. Mr. Martinez will address the general aspects of the design and how the project meets the standards for the Downtown & Eastside Historic District requirement.

b. Karl H. Sommer. Project Attorney. Mr. Sommer will address the legal issues related to the appeal. Namely, Mr. Sommer will address the criteria for the exceptions, how they were met, and the bases for the appeal. More specifically, Mr. Sommer will address the impermissible design activity of the Board in relation to the proposal.

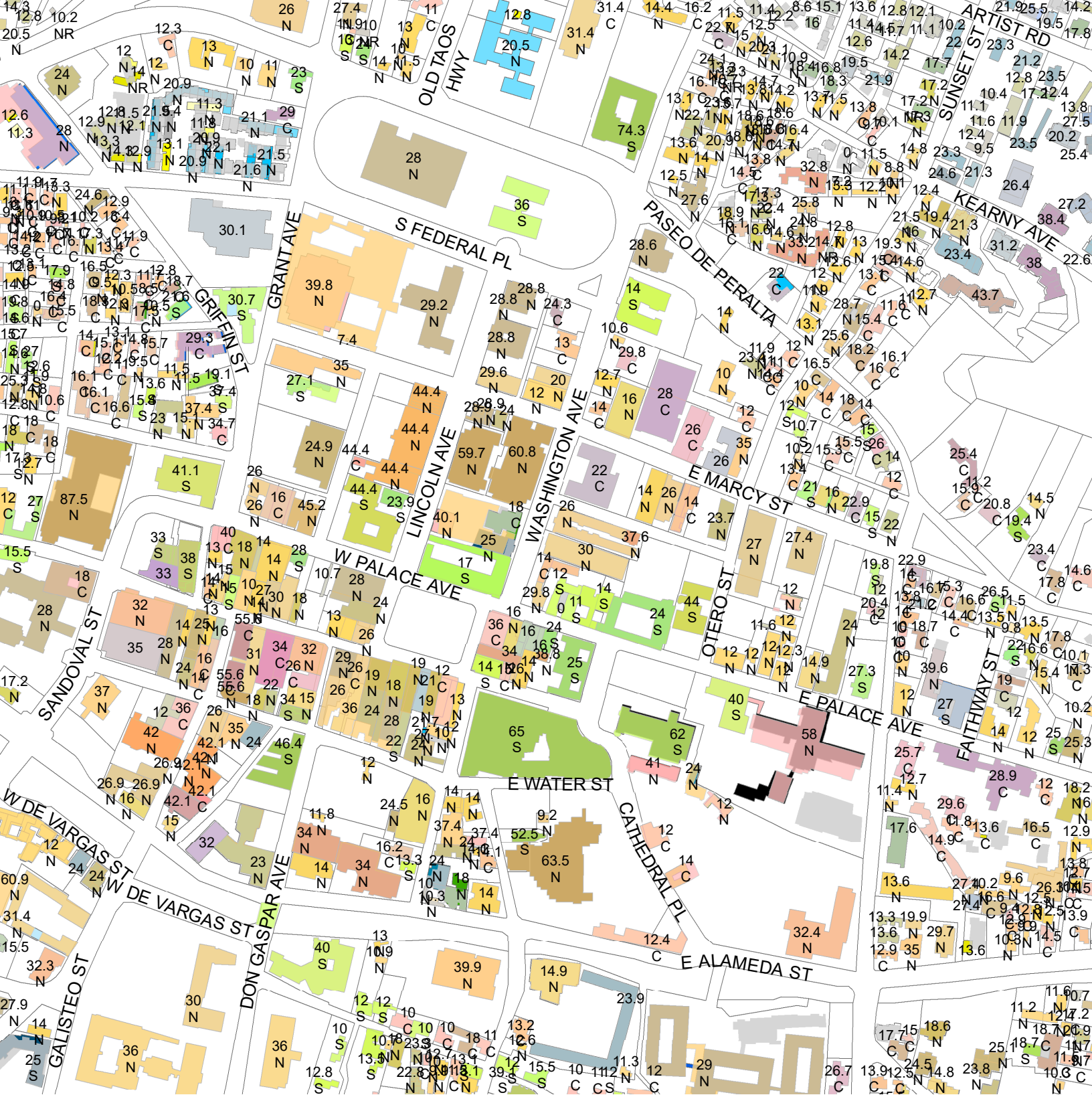
c. Lutz Aarnhold. Mr. Aarnhold is the General Manager of the Inn of the Anasazi. He will address the general nature of the project, the reasons for the project, and the nature of the investment in the Inn of the Anasazi and the downtown by the ownership.

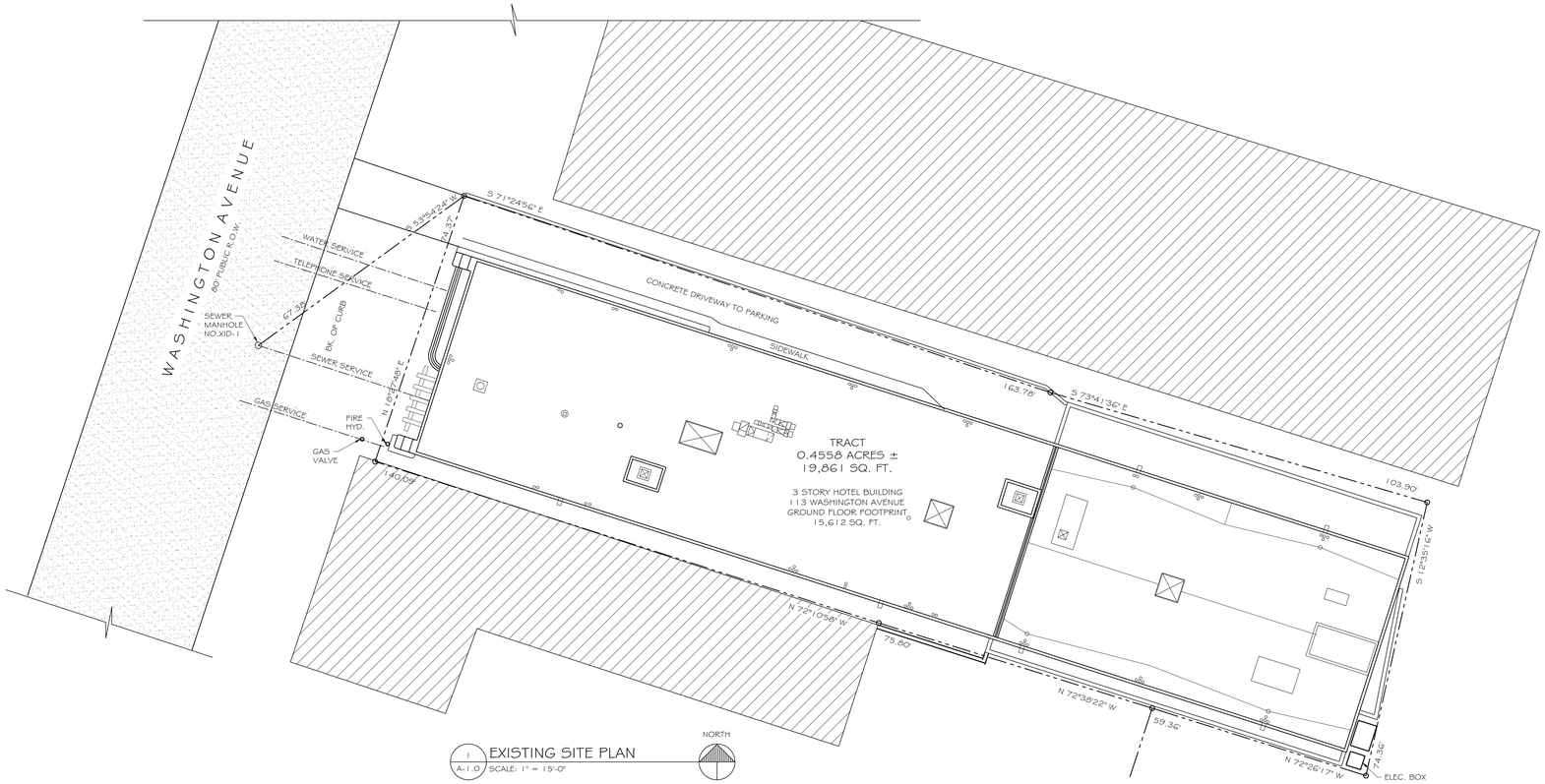
II. Exhibits – Attached.

a. Map of Downtown Heights

b. Plans of the Project

c. Photos of Project and Streetscape.


S FEDERAL PL
GRANT AVE
GRIFFIN ST
OLD TAOS HWY
LINCOLN AVE
WASHINGTON AVE
PASEO DE PERALTA
KEARNY AVE
SUNSET ST
ARTIST RD
E MARCY ST
W PALACE AVE
E PALACE AVE
OTERO ST
SANDOVAL ST
FAITHWAY ST
E WATER ST
CATHEDRAL PL
W DE VARGAS ST
DON GASPAR AVE
GALISTEO ST
E ALAMEDA ST



GENERAL NOTES:

Site Plan

1. THE SITE SURVEY INFORMATION ON THIS SITE PLAN WAS TAKEN FROM A PLAT PREPARED JULY 18, 2005 BY: PHILLIP B. WIEGEL N.M.P.S. #9758 DEL RIO SURVEYS, INC. PO BOX 22773 SANTA FE, NEW MEXICO 87505

GRAPHIC SCALE: 1" = 15'-0"

0' 15' 30' 45'

MARTINEZ ARCHITECTURE STUDIO PC
1524 PASEO DE PERALTA SANTA FE
505-989-4958 studio@martinezarch.com

INN OF THE ANASAZI
113 WASHINGTON AVENUE
SANTA FE, NEW MEXICO

MARCH 2, 2020

EXISTING & PROPOSED SITE PLANS

A 1.0

SET #

1904 - ANASAZI

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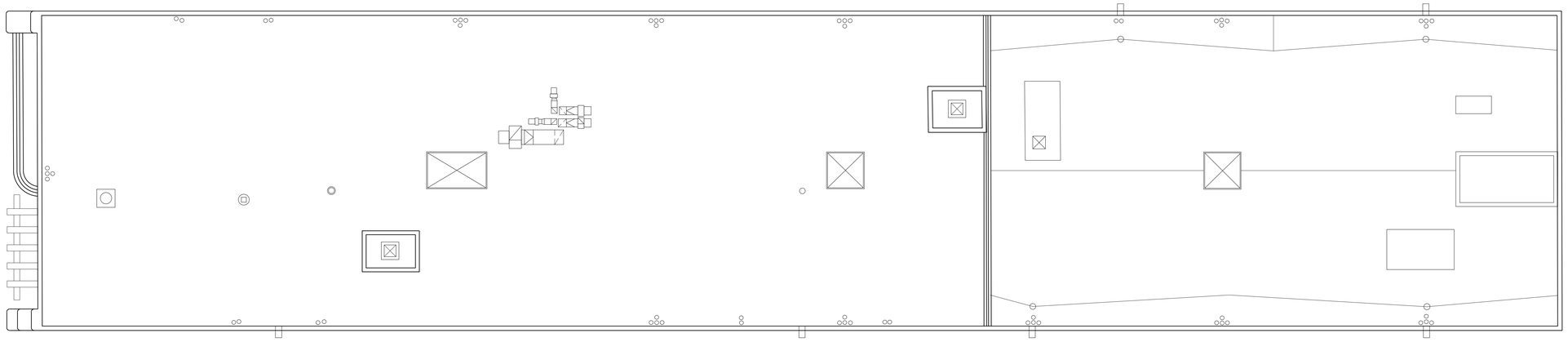
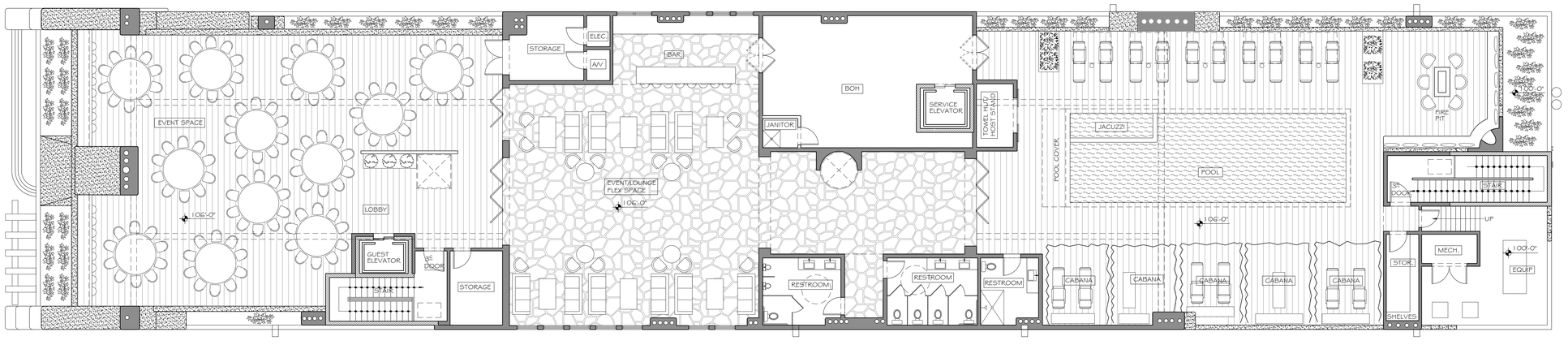


1 A-2.0 EXISTING ROOF PLAN
SCALE: 1/8" = 1'-0"

NORTH



1 A-2.0 PROPOSED FLOOR PLAN
SCALE: 1/8" = 1'-0"

NORTH

GRAPHIC SCALE: 1/8" = 1'-0"
0' 4' 8' 16' 24'

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INN OF THE ANASAZI
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SANTA FE, NEW MEXICO

MARCH 2, 2020

EXISTING ROOF PLAN & PROPOSED FLOOR PLAN

A 2.0

SET #

1904 - ANASAZI

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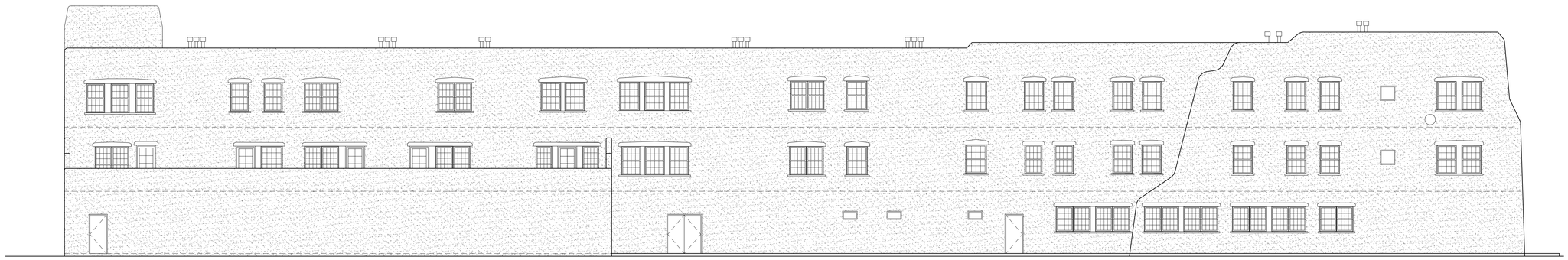

1 A-3.0 EXISTING NORTH ELEVATION
SCALE: 1/8" = 1'-0"

1 A-3.0 PROPOSED NORTH ELEVATION
SCALE: 1/8" = 1'-0"

GRAPHIC SCALE: 1/8" = 1'-0"
0' 4' 8' 16' 24'

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INN OF THE ANASAZI
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SANTA FE, NEW MEXICO

MARCH 2, 2020

PROPOSED NORTH ELEVATION

A 3.0

SET #
1904 - ANASAZI

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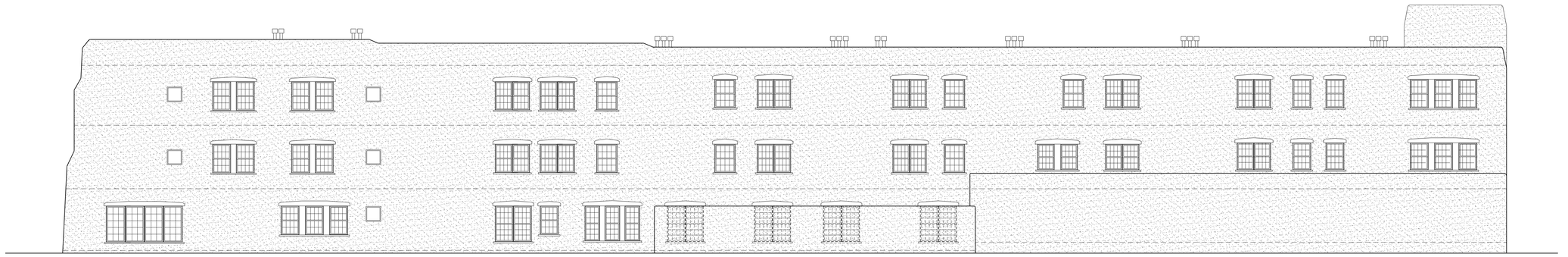

1 A-3.2 EXISTING SOUTH ELEVATION
SCALE: 1/8" = 1'-0"

2 A-3.2 PROPOSED SOUTH ELEVATION
SCALE: 1/8" = 1'-0"

GRAPHIC SCALE: 1/8" = 1'-0"
0' 4' 8' 16' 24'

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505-989-4958 studio@martinezarch.com

INN OF THE ANASAZI
113 WASHINGTON AVENUE
SANTA FE, NEW MEXICO

MARCH 2, 2020

EXISTING & PROPOSED SOUTH ELEVATION

A
3.2

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1904 - ANASAZI

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1 A-3.3 EXISTING WEST ELEVATION
SCALE: 1/4" = 1'-0"

2 A-3.3 PROPOSED WEST ELEVATION
SCALE: 1/4" = 1'-0"

GRAPHIC SCALE: 1/4" = 1'-0"
0' 2' 4' 8' 12'

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ARCHITECTURE
STUDIO PC
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505-989-4958 studio@martinezarch.com

INN OF THE ANASAZI
113 WASHINGTON AVENUE
SANTA FE, NEW MEXICO

MARCH 2, 2020

PROPOSED WEST ELEVATION

A 3.3

SET #

1904 - ANASAZI

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Mountain Mist
The Water Man
473-2047
NO PARKING ANY TIME

NO
PARKING
ANY
TIME

INN OF THE ANA
NOTICE

CITY OF SANTA FE, NEW MEXICO

PROJECT DESCRIPTION: Martinez Architectural Studio, agent for Rosewood Inn of the Anasazi, present alterations to the design of rooftop additiona on a non-contributing, non-residiential structure, in order to comply with the conditions of the previous partial approval by the HDRB.

Case number: **2020-002548-HDRB**
Project Type: HDRB

PROJECT LOCATION (S): 113 Washington Avenue

OW – Rosewood Inn of the Anasazi 113 Washington Avenue, Santa Fe, NM 87501

AP – Martinez Architecture Studio PC P.O. Box 925, Santa Fe, NM 87504 studio@martinezarch.com

PROJECT DATA:

HISTORIC DISTRICT

Don Gaspar Area ☐ Downtown and Eastside ☑ Historic Review ☐ Transition ☐ Westside-Guadalupe ☐

HISTORIC BUILDING STATUS

Non-Statused ☐ Non-Contributing ☑ Contributing ☐ Significant ☐ Landmark ☐ N/A ☐

PRIMARY ELEVATIONS: **North ☐ South ☐ West ☐ East ☐ N/A ☐**

PUBLICLY VISIBLE FACADE-EAST Yes ☐ No ☑

PUBLICLY VISIBLE FACADE-NORTH Yes ☑ No ☐

PUBLICLY VISIBLE FACADE-SOUTH Yes ☑ No ☐

PUBLICLY VISIBLE FACADE-WEST Yes ☑ No ☐

HISTORIC DISTRICT INVENTORY NUMBER #3537

YEAR OF CONSTRUCTION p.1945

PROJECT TYPE

Status ☐ Primary Elevations ☐ Remodel ☑ Demolition ☐ New ☐ Other Revisions to previous design

USE, EXISTING **Residential ☐ Non-Residential ☑ Vacant ☐**

USE, PROPOSED **Residential ☐ Non-Residential ☑**

HISTORIC BUILDING NAME "State Securities Building"

City of Santa Fe, New Mexico

memo

DATE: September 22, 2020

TO: Historic Districts Review Board Members

FROM: Lisa Gavioli Roach, Historic Preservation Division Manager LR

Case # 2020-002548-HDRB

Address: 113 Washington Avenue
Historic Status: Non-contributing
Historic District: Downtown and Eastside

REFERENCE ATTACHMENTS (Sequentially):

CITY SUBMITTALS

____ **District Standards & yard wall & fence standards.**

__x__ **Historic Inventory Form**

__x__ **Zoning Review Sheet**

__x__ **Other**: Findings of Fact and Conclusions of Law from Case 2020-001600-HDRB and 2020-002043-APPL

APPLICANT SUBMITTALS

__x__ **Proposal Letter**

__x__ **Site Plan/Floor Plan**

__x__ **Elevations**

__x__ **Photographs**

__x__ **Other:** 1) HDRB Action Letter from 2020-001600-HDRB; and 2) Design Options for Roof of Shade Structure

STAFF RECOMMENDATION:

Staff defers to the Board as to whether the application meets the conditions of approval from the previous case (2020-001600-HDRB), in compliance with Section 14-5.2(D) General Design Standards for all Historic Districts, and 14-5.2(E) Downtown and Eastside Design Standards.

BACKGROUND & SUMMARY:

113 Washington Avenue is a commercial hotel structure that was constructed after 1945 in the Territorial Revival style, when it was known as the "State Securities Building." The building was substantially remodeled in 1989 in the Spanish Pueblo Revival style and was adaptively reused as the Inn of the Anasazi. In 2014, the HDRB approved window replacement throughout the structure (Case H-14-025). The building is listed as non-contributing to the Downtown and Eastside.

In March of 2020, the applicant came before the Board with a proposal to construct an addition to the rooftop level of the building to a height of 56', for which an exception was requested to exceed the maximum allowable height of 20'1". At the front third of the proposed rooftop addition, the design included an outdoor event space with tile decking, seating, retractable tan canopy on dark bronze rails, an informal lobby area, elevator overrun, stairwell, and storage space. The middle third of the proposal included an enclosed lounge and bar with kitchen and restroom spaces, designed at the exterior in Spanish Pueblo Revival style to match the existing structure. The rear third of the proposed addition space included a rectangular pool and tile deck, framed by 4' high stuccoed walls, wood-framed cabana structures, a retractable tan canopy with dark bronze rails, a stairwell, mechanical and storage spaces, and an outdoor fireplace and seating area.

The board found that the criteria for a height exception had been met and approved the application with the following conditions: 1) that the three front chimney massings shall be eliminated from the design and the existing chimney stacks at the west elevation shall remain in their current locations; 2) that the size of the event space shall be limited by the distance that the building code requires the space to be from the westernmost chimneys; and 3) that the applicant shall submit new drawings to staff for approval before seeking permits. The applicant subsequently appealed this decision to the Governing Body, who ultimately upheld the Board's decision to impose conditions on the approval.

Now the applicant returns with a revised design with the intent of complying with the conditions of approval specified by the Board in its previous review of the proposal. The revised design was presented to staff for review; however, staff felt that the revisions were sufficiently different from the previous design as to require additional Board review.

The applicant proposes the following modifications to the original design in order to comply with conditions of approval:

1) The westernmost chimneys are labeled on the plans in their existing location, where they will remain. Other chimneys in the front third of the rooftop design had to be consolidated into new chimney massings for practical reasons.

2) The middle bar/lounge massing has been moved east to create a usable event space at the front, resulting in the reduction of the pool area in the rear. The floorplan of the

bar/lounge has been revised to accommodate the altered layout of the rooftop additions. The windows in the bar/lounge have also been relocated and their size altered to avoid existing flues.

3) The retractable canopies over the pool area and the event space have been removed. Movable cabanas will be utilized as furniture in the pool area instead of the canopy. At the front event space, a new shade structure is proposed. It is designed as an open ramada/trellis made of dark bronze colored metal posts and beams, natural stained wood lattices with rust colored cut metal panels between the wood lattice sections.

RELEVANT CODE CITATIONS:

14-5.2(A)(1) General Purpose

In order to promote the economic, cultural, and general welfare of the people of the city and to ensure the harmonious, orderly and efficient growth and development of the city, it is deemed essential by the governing body that the qualities relating to the history of Santa Fe, and a harmonious outward appearance, which preserve property values and attract tourists and residents alike, be preserved, some of these qualities being:

(a) The continued existence and preservation of historical areas and buildings;
(b) The continued construction of buildings in the historic styles; and
(c) A general harmony as to style, form, color, height, proportion, texture and material between buildings of historic design and those of more modern design.

14-5.2(E) Downtown and Eastside Design Standards

(1) Old Santa Fe Style

Old Santa Fe style, characterized by construction with adobe, is defined as including the so-called "pueblo" or "pueblo-Spanish" or "Spanish-Indian" and "territorial" styles and is more specifically described as follows:

(a) With rare exception, buildings are of one story, few have three stories, and the characteristic effect is that the buildings are long and low. Roofs are flat with a slight slope and surrounded on at least three sides by a firewall of the same color and material as the walls or of brick. Roofs are never carried out beyond the line of the walls except to cover an enclosed portal or porch formed by setting back a portion of the wall or to form an exterior portal, the outer edge of the roof being supported by wooden columns. Two-story construction is more common in the territorial than in other sub-styles, and is preferably accompanied by a balcony at the level of the floor of the second story. Façades are flat, varied by inset portales, exterior portales, projecting vigas or roof beams, canales or water-spouts, flanking buttresses and wooden lintels, architraves and cornices, which, as well as doors, are frequently carved and the carving may be picked out with bright colors. Arches are almost never used except for nonfunctional arches, often slightly ogive, over gateways in freestanding walls;
(b) All exterior walls of a building are painted alike. The colors range from a light earth color to a dark earth color. The exception to this rule is the protected space under

portales, or in church-derived designs, inset panels in a wall under the roof, in which case the roof overhangs the panel. These spaces may be painted white or a contrasting color, or have mural decorations;

(c) Solid wall space is always greater in any façade than window and door space combined. Single panes of glass larger than thirty (30) inches in any dimension are not permissible except as otherwise provided in this section;

(d) The rule as to flat roofs shall not be construed to prevent the construction of skylights or installation of air conditioning devices, or any other necessary roof structures, but such structures other than chimneys, flues, vents and aerials, shall be so placed as to be concealed by the firewall from the view of anyone standing in the street on which the building fronts;

(e) True old Santa Fe style buildings are made of adobe with mud plaster finish. Construction with masonry blocks, bricks, or other materials with which the adobe effect can be simulated is permissible; provided, that the exterior walls are not less than eight (8) inches thick and that geometrically straight façade lines are avoided. Mud plaster or hard plaster simulating adobe, laid on smoothly, is required; and

(2) Recent Santa Fe Style

Recent Santa Fe style intends to achieve harmony with historic buildings by retention of a similarity of materials, color, proportion, and general detail. The dominating effect is to be that of adobe construction, prescribed as follows:

(a) No building shall be over two stories in height in any façade unless the façade shall include projecting or recessed portales, setbacks or other design elements;

(b) The combined door and window area in any publicly visible façade shall not exceed forty percent of the total area of the façade except for doors or windows located under a portal. No door or window in a publicly visible façade shall be located nearer than three (3) feet from the corner of the façade;

(c) No cantilevers shall be permitted except over projecting vigas, beams, or wood corbels, or as part of the roof treatment described below;

(d) No less than eighty percent of the surface area of any publicly visible façade shall be adobe finish, or stucco simulating adobe finish. The balance of the publicly visible façade, except as above, may be of natural stone, wood, brick, tile, terra cotta, or other material, subject to approval as hereinafter provided for building permits;

(e) The publicly visible façade of any building and of any adjoining walls shall, except as otherwise provided, be of one color, which color shall simulate a light earth or dark earth color, matte or dull finish and of relatively smooth texture. Façade surfaces under portales may be of contrasting or complimentary colors. Windows, doors and portals on publicly visible portions of the building and walls shall be of one of the old Santa Fe styles; except that buildings with portals may have larger plate glass areas for windows under portals only. Deep window recesses are characteristic; and

(f) Flat roofs shall have not more than thirty (30) inches overhang.

Attachment B

NEW MEXICO HISTORIC BUILDING INVENTORY FORM

13537

building threatened? yes	surveyed date 5/3/85 by HMW	county SANTA FE	ID no. 051610424
field map SFHD #1	number 424	UTM reference zone 12 13 easting	northing

location description: 113 WASHINGTON

city/town: SANTA FE

land grant/reservation: ~~land grant/reservation~~

building name: STATE SECURITIES BLDG

legal description: tnsp ___ N S range ___ E W sec ___ ¼ ___ ¼

film roll by HMW no. SFHD 16 | negative nos. 28 | loc. of neg. HPB

plan shape

date of construction: P45 estimate ___ actual

source

use: present residential; other ___; historic residential; other ___

condition: ___ excellent ___ good ___ fair ___ deteriorating

wall material/surface

degree of remodeling: ___ minor ___ moderate ___ major

describe:

architectural features

surroundings: COMMERCIAL

relationship to surroundings: ___ similar x not similar

district potential: ___ yes ___ no

significance: ___ eligible ___ of interest x none

if eligible, why?

comments:

remodeled 1989 H-89-132
as Spanish-Pueblo Revival
Inn of the Anasazi DR

associated buildings? ___ yes

what type?

if inventoried, list ID nos.

see back? ___ yes

Preliminary Zoning Review Worksheet

City of Santa Fe Land Use Department

THIS REVIEW DOES NOT GRANT ZONING APPROVAL FOR BUILDING PERMIT. FINAL ZONING REVIEW WILL BE PERFORMED AT THE TIME OF BUILDING PERMIT APPLICATION.

Richard Martinez (OWNER) (APPLICANT) (AGENT)

I hereby certify that the information provided for preliminary zoning review is accurate and will not be modified without consulting Land Use Department staff prior to submittal for Historic Districts Review Board review.

SIGNATURE 1.15.20 DATE

To Be Completed By City Staff:

Additional Agency Review if Applicable:

- ☐ Escarpment Approval by _____ Date: __/__/__
- ☐ Flood Plain Approval by _____ Date: __/__/__
- ☐ Traffic Engineering Approval by _____ Date: __/__/__

Notes: _____

Zoning Approval:

☒ Preliminary Approval ☒ with conditions ☐ Rejected

Comments/Conditions: Building exceeds 24.0 max. Zoning Height of 42'-6" to ridge of the proposed building. Must be reduced prior to submittal of Final Zoning Review.

REVIEWER: _____ DATE: 1/15/20

Original color form must be submitted with Historic Districts Review Board (HDRB) application packet.

Revised

ITEM # 20-0218

City of Santa Fe
Historic Districts Review Board
Findings of Fact and Conclusions of Law

Case # 2020-1600-HDRB
Address – 113 Washington Avenue
Agent's Name – Martinez Architecture Studio PC
Owner/Applicant's Name – Rosewood Inn of the Anasazi

THIS MATTER came before the Historic Districts Review Board ("Board") for hearing on March 10, 2020.

BACKGROUND

113 Washington Avenue is a commercial hotel structure constructed after 1945 in the Territorial Revival style, when it was known as the State Securities Building. The building was substantially remodeled in 1989 in the Spanish Pueblo Revival style and was adaptively reused as the Inn of the Anasazi. In 2014, the Board approved window replacement throughout the structure (Case #H-14-025). The building is listed as non-contributing to the Downtown and Eastside Historic District. At the February 11, 2020, hearing of the Board, the applicant proposed to construct an addition to the rooftop level of the building, and after discussing several design details, the Board postponed the case, requesting redesign with particular attention to the street-facing west elevation.

The Applicant has now submitted revised drawings that reflect a few modifications to the design, as well as digital renderings, which capture the visual effects of the additions on the streetscape. The project is proposed as follows:

(1) Construct an addition and improvements to the rooftop level of the hotel. The Applicant requests an exception to exceed the maximum allowable height of 20'1", and exception criteria and responses were provided in the staff report. The Applicant proposes to build to a height of 56' in the central portion of the existing roof level. This massing will rise a maximum of 14' above the existing parapet and will be set back from the street-facing façade by more than 70'.

(2) The front (street-facing) third of the space will be used as an outdoor event space with tile decking, seating, an informal lobby area, elevator overrun, stairwell, and storage space. The seating area will be set back further from the front façade of the building than originally proposed. The Applicant redesigned the chimney structures that are prominent on the proposed design, such that the central chimneys have been consolidated, made more massive, and set back further from the front façade, resulting in better integration of the chimneys into the architectural features of the existing building. The side chimneys have also been made more massive and sculptural so as to blend better with the existing hotel. The seating area will feature a 12'8" high tan canopy situated on dark bronze tracks on which the canopy can be extended or retracted depending on weather. The canopy tracks have been redesigned to be seated on top of the three chimney structures at the west end of the seating area, and the space will be framed by 5' high stuccoed walls.

(3) The central third of the space will feature an enclosed lounge and bar with required back-of-the-house spaces, including kitchen and restrooms. The stuccoed massing will match the

Spanish-Pueblo Revival style of the hotel, and windows will match those that are featured elsewhere on the hotel. As stated above, the height of this massing will rise 14' above the existing parapet, resulting in a total height of 56'. Any rooftop appurtenances and skylights placed on the roof of this addition will not be publicly visible.

(4) The rear third of the space will include a rectangular pool and tile deck, set back approximately 4' from the edge of the building. The perimeter of the pool deck will be framed by 4' high stuccoed walls and a retractable tan canopy with dark bronze rails to a height of 12'8" above the existing parapet. The previously presented wood framed cabana structures have been modified to free-standing fabric structures. In this area, the chimneys have also been moved closer together from the previous design and incorporated into fewer, larger masses rather than having multiple smaller chimneys. A stairwell and mechanical and storage spaces will be located at the southeast corner of the pool deck, and the northwest corner of the pool deck will feature an outdoor fireplace and seating area.

FINDINGS OF FACT

After conducting a public hearing and having heard from the Applicant and all interested persons, the Board hereby FINDS, as follows:

1. Land Use Department Staff conducted a preliminary zoning review (PZR) and determined that the Application appears to meet the underlying zoning standards set forth in the Santa Fe City Code (SFCC).
2. Historic Preservation Division City staff reviewed the Application and related materials and information submitted by the Applicant for conformity with applicable SFCC requirements and provided the Board with a written report of its findings (Staff Report), which evaluates the factors relevant to the Application.
3. Historic Preservation Division Staff Recommendation: Staff found that the Applicant met the exception criteria and recommended approval of the proposed project because the application complies with SFCC Sections 14-5.2(D), General Design Standards for all Historic Districts; and 14-5.2(E), Downtown and Eastside Design Standards.
4. The project is subject to requirements of the following sections of the SFCC:
    - Section 14-5.2(D)(9), General Design Standards, Height Pitch Scale and Massing (of any structure);
    - Section 14-5.2(D), General Design Standards; and
    - Section 14-5.2(C), Regulation of Significant and Contributing Structures.
5. The property is located in the Downtown and Eastside Historic District and subject to the Section 14-5.2(E) of the SFCC.
6. Staff calculated the maximum allowable height to be 20'1", and the Applicant proposes to exceed this maximum allowable height.
7. Staff determined that an exception would be required for approval of the proposed height, and the Applicant requested an exception.
8. The Board finds that the Applicant has failed to demonstrate that all of the exception criteria have been met with regard to the proposed height of the three (3) front chimneys massings.

9. Pursuant to SFCC Section 14-5.2(C)(5)(c)(i), the Board finds that the proposed location and height of the three (3) front chimney massings would damage the character of the streetscape.
10. Pursuant to SFCC Section 14-5.2(C)(5)(c)(ii), the Board adopts staff's finding that a height exception is required to present a hardship to the applicant.
11. Pursuant to SFCC Section 14-5.2(C)(5)(c)(iii), the Board adopts staff's finding that a height exception is required to 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.
12. Pursuant to SFCC Section 14-5.2(C)(5)(c)(iv), the Board adopts staff's finding that a height exception is required 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.
13. Pursuant to SFCC Section 14-5.2(C)(5)(c)(v), the Board adopts staff's finding that a height exception is required due to special conditions and circumstances that are not a result of the actions of the Applicant.
14. Pursuant to SFCC Section 14-5.2(C)(5)(c)(vi), the Board finds that approving the proposed location and height of the three (3) front chimney massings would not provide the least negative impact with respect to the purposes of SFCC Section 14-5.2, as set forth in SFCC Section 14-5.2(A)(1).
15. The Board finds that the potential damage to the character of the streetscape and negative impacts with regard to the purposes of SFCC Section 14-5.2 would be minimized by ensuring that the three (3) front chimneys do not exceed the height of the existing chimneys.
16. Under SFCC Sections 14-2.6(C), 14-2.7(C)(2), 14-5.2(A)(1), 14-5.2(C)(2)(a-d & f), 14-5.2(C)(3)(a-b), and 14-5.2(D), the Board has authority to review, approve, with or without conditions, or deny, all or some of the Applicant's proposed design to assure overall compliance with applicable design standards.
17. Under SFCC Section 14-5.2(C)(3)(b), the Board has the authority to approve an application for alteration or new construction on the condition that changes relating to exterior appearance recommended by the Board be made in the proposed work, and no permit is to issue until new exhibits, satisfactory to the Board, have been submitted.
18. The information contained in the Application, and provided in testimony and evidence establishes that all applicable requirements for Board review as herein described have been met.
19. The information contained in the Application and provided in testimony and evidence establishes that all applicable design criteria have been met.

CONCLUSIONS OF LAW

Under the circumstances and given the evidence and testimony submitted during the hearing, the Board acted upon the Application as follows:

1. The Board has the authority to review and approve the Application.
2. The Board approves the Application and grants the requested height exception with the following conditions:

- the proposed three (3) front chimney massings shall be eliminated from the design, and the existing chimney stacks at the front west elevation shall remain in their current location and at their current height;
- the size of the event space shall be limited by the distance that the building code requires the space to be from the existing westernmost chimneys;
- Applicant shall submit new drawings to staff for approval before seeking permits.

IT IS SO ORDERED ON THIS 28th DAY OF April, 2020, BY THE HISTORIC DISTRICTS REVIEW BOARD OF THE CITY OF SANTA FE.

Cecilia Rios
Chairperson

5/8/20
Date:

FILED:

Yolanda Y. Vigil
City Clerk

5/8/20
Date:

APPROVED AS TO FORM:

Sally A. Paez
Assistant City Attorney

May 6, 2020
Date:

City of Santa Fe ITEM# _____
Governing Body
Findings of Fact and Conclusions of Law

Appeal No. 2020-2043-APPL
Appellant's Name – Rosewood Hotels
Address – 113 Washington Avenue

THIS MATTER came before the City of Santa Fe (City) Governing Body (Governing Body) for a public hearing on June 24, 2020 (Hearing) to consider the appeal (Appeal) of Rosewood Hotels (Appellant) from the written decision of the City's Historic Districts Review Board (Board) in Case No. 2019-1600-HDRB. In that decision, the Board imposed conditions on its approval of rooftop improvements at the Rosewood Inn of the Anasazi, located at 113 Washington Avenue, including a fifty-six foot (56') high addition, which exceeds the maximum allowable building height and would require an exception to the height limitations in the City's Historic Districts Ordinance. Appellant requested that the Governing Body remove the conditions of approval imposed by the Board, which concern the location and design of the proposed stuccoed chimney massings closest to the street-facing façade.

The record on appeal (Record) includes the following documents:

1. Memorandum dated June 15, 2020, for the June 24, 2020 Meeting of the Governing Body to the Members of the Governing Body from Sally A. Paez, Assistant City Attorney, regarding the Appellant's appeal from the Board's decision in Case No. 2019-1600-Board (Memorandum);
2. Exhibit A, Verified Appeal Petition (Petition) filed April 29, 2020;
3. Exhibit B, Board Findings of Fact and Conclusions of Law issued April 28, 2020 and filed by the City Clerk with the records of the City as Item #20-0218;
4. Exhibit C, relevant excerpts from the minutes of the April 28, 2020 Board meeting;
5. Exhibit D, relevant excerpts from the minutes of the March 10, 2020 Board meeting;
6. Exhibit E, Historic Preservation Division (HPD) Staff Report and Exhibits from the March 10, 2020 Board meeting;
7. Exhibit F, relevant excerpts from the minutes of the February 11, 2020 Board meeting;
8. Exhibit G, HPD Staff Report and Exhibits from the February 11, 2020 Board meeting;
9. Exhibit H, Application filed with the City Land Use Department (LUD) on January 15, 2020;
10. Appellant's Hearing Materials for the June 24, 2020 Hearing (totaling 12 pages).

After conducting a public hearing, the Governing Body hereby FINDS, as follows:

FINDINGS OF FACT

Background

1. The commercial building at 113 Washington Avenue was constructed sometime after 1945 in the Territorial Revival style and was originally known as the State Securities Building.
2. In 1989, the Rosewood Inn of the Anasazi substantially remodeled the building in the Spanish Pueblo Revival style for adaptive reuse as a hotel.
3. The building is located within the Downtown and Eastside Historic District and is listed as a "noncontributing structure."
4. SFCC Section 14-12.1 defines a "noncontributing structure" as a "structure, located in an H[istoric] district, that is less than fifty years old or that does not exhibit sufficient historic integrity to establish and maintain the character of the H[istoric] District."
5. The maximum allowable height at 113 Washington Avenue, as calculated pursuant to the City's Historic Districts Ordinance, is twenty feet, one inch (20'1"). *See generally* Santa Fe City Code (SFCC) § 14-5.2(D)(9) (height calculation).
6. The existing building height is forty-two feet (42').

Procedural History

7. On January 15, 2020, Appellant filed an Application with the HPD, requesting Board review and approval of a rooftop event space, bar, and swimming pool (Project).
8. The Project includes three main components: (1) an outdoor event space at the front one-third of the rooftop space (closest to Washington Avenue); (2) an enclosed bar and lounge addition in the middle one-third of the space; and (3) a pool and deck area at the rear one-third of the rooftop space.
9. The Project would include a rooftop addition built to a height of fifty-six feet (56').
10. LUD Staff conducted a preliminary zoning review (PZR) and determined that the Application appeared to meet the underlying zoning standards set forth in the SFCC.
11. HPD staff reviewed the Application and related materials and information submitted by the Applicant for conformity with applicable SFCC requirements and provided the Board with a written report of its findings (Staff Report), which evaluated the factors relevant to the Application.
12. Under SFCC Section 14-5.2(C)(5)(c), HPD staff is responsible for determining whether an exception is required for approval of an application.
13. HPD staff determined that approval of the Project would require an exception to exceed the maximum allowable height of 20'1".
14. Applicant requested a height exception in the Application.
15. To obtain a height exception, Appellant needed to conclusively demonstrate that all six of the exception criteria set forth in SFCC Section 14-5.2(C)(5)(c)(i)-(vi) had been met.
16. In the Staff Report, HPD staff recommended that the Board should grant the exception and approve the Project.

Board Decision

17. The Board held two public hearings on the application, on February 11, 2020 and March 10, 2020.
18. At the February 11, 2020 hearing, Board members expressed concerns about the proposed height and visibility of the rooftop additions, especially the increased height of the chimneys located closest to the street-facing façade, and suggested that the added height should be stepped-back farther from this façade.
19. SFCC Section 14-5.2(D)(9)(f) grants the Board authority to "require that upper floor levels be steeped back" to ensure that additional height on a building "is in harmony with the massing of the applicable streetscape and preservation of the historic and characteristic visual qualities of the streetscape."
20. At the February 11, 2020 hearing, the Board postponed a decision on the application and asked Appellant to provide additional information about the proposed additional height and to consider a redesign, based on the Board's input.
21. At the March 10, 2020 hearing, Appellant returned to the Board with revised drawings, which reflected a few modifications to the Project design, and digital renderings that better captured the visual effects of the additions on the streetscape.
22. At the March 10, 2020 hearing, the Board concluded that Appellant had failed to demonstrate that all six exception criteria set forth in SFCC Section 14-5.2(C)(5)(c) had been met with regard to the proposed location and height of the three chimney massings closest to the street-facing façade.
23. Specifically, the Board found "that the proposed location and height of the three front chimney massings would damage the character of the streetscape," *see* SFCC § 14-5.2(C)(5)(c)(i), and that the "proposed location and height of the three (3) front chimney massings would not provide the least negative impact with respect to the purposes of SFCC Section 14-5.2 [Historic Districts Ordinance], as set forth in SFCC Section 14-5.2(A)(1)," *see* SFCC § 14-5.2(C)(5)(c)(vi).
24. At the March 10, 2020 hearing, the Board granted the height exception and approved the Project subject to conditions of approval concerning the location and appearance of the chimneys (Chimney Conditions) as follows: (1) the proposed three front chimney massings shall be eliminated from the design, and the existing chimney stacks at the front west elevation shall remain in their current location and at their current height; (2) the size of the event space shall be limited by the distance that the building code requires the space to be from the existing westernmost chimneys; and (3) Appellant shall submit new drawings to staff for approval before seeking permits.
25. On April 28, 2020, the Board adopted written findings of fact and conclusions of law reflecting its decision, which are filed with the records of the City Clerk as Item #20-0218.
26. The Board approved the vast majority of the Project, including the enclosed bar and lounge, pool, and deck; and the Chimney Conditions will impact only a portion of the proposed event space.
27. The Board was aware of the building code requirements for the location and height of chimneys and took those requirements into account when imposing the Chimney Conditions.

Appeal to Governing Body

1. Under SFCC Section 14-3.17(A)(1)(b), final actions of a Land Use Board include a written decision made after a public hearing.
2. On April 29, 2020, Appellant timely filed a verified appeal petition, asking the Governing Body to remove the Chimney Conditions from the Project approval.
3. The Appellant provided notice of the Hearing in accordance with the notice provisions of SFCC Section 14-3.1(H)(4).
4. Under SFCC Section 14-3.17(H)(4), Appellant has the burden of proof on appeal.
5. Under SFCC Section 14-2.2(F), the Governing Body hears and decides appeals of final actions of any Land Use Board de novo.
6. At the Hearing, the Governing Body reviewed the Record and heard the report of City staff and the presentations made by Appellant's representatives and interested members of the public.
7. SFCC Section 14-3.17(A)(2) sets forth the valid grounds for an appeal of a Board decision and provides that an appeal may be filed for one or more of the following reasons only: (1) the Board's final action does not comply with SFCC Chapter 14 or the Zoning Enabling Act, NMSA 1978, Sections 3-21-1 to -14; (2) the Board misapplied SFCC Chapter 14; or (3) the Board's decision is not supported by substantial evidence.
8. In this case, Appellant raised two issues on appeal: (1) the Chimney Conditions would put people on the rooftop patio at risk of breathing smoke; would make portions of the patio dangerous, uninviting, or unusable; and would decrease the aesthetic appeal of the design; and (2) the Board exceeded its authority under the Historic Districts Ordinance when it imposed the Chimney Conditions.

CONCLUSIONS OF LAW

Under the circumstances and based upon the record and the evidence and testimony submitted at the hearing, the Governing Body CONCLUDES as follows:

1. The Governing Body has the power and authority to hear and decide the matter that is the subject of the Appeal.
2. The Board decision issued April 28, 2020 is a final action subject to appeal.
3. Appellant timely appealed the Board's decision to the Governing Body.
4. The first issue Appellant raised on appeal, that the Chimney Conditions would put people on the rooftop patio at risk of breathing smoke; would make portions of the patio dangerous, uninviting, or unusable; and would decrease the aesthetic appeal of the design, fails to identify a valid basis for appeal under SFCC Section 14-3.17(A)(2).
5. The second issue Appellant raised on appeal, that the Board lacked authority to impose the Chimney Conditions, lacks merit because Board had authority under the SFCC to approve, with or without conditions, or to deny part or all of the proposed design to assure compliance with applicable design standards, including the exception criteria.
6. Under SFCC Section 14-5.2(C)(3)(b), the Board had the authority to approve the Application on the condition that changes relating to exterior appearance be made in the proposed work.

7. On appeal, Appellant failed to carry the burden of conclusively demonstrating that the proposed design of the three front chimney massings met the exception criteria set forth in SFCC Section 14-5.2(C)(5)(c)(i) (does not damage the character of the streetscape) and (vi) (provides the least negative impact with respect to the purposes of the Historic Districts Ordinance).
8. The Governing Body voted to deny the appeal and to affirm the Board's final action, with a vote of six (6) in the affirmative and three (3) in the negative, with Mayor Alan Webber, Councilor Roman Abeyta, and Councilor JoAnne Vigil Coppler voting in favor of Appellant.

WHEREFORE, IT IS ORDERED ON THE 8TH OF JULY, 2020 BY THE GOVERNING BODY OF THE CITY OF SANTA FE:

Considering the foregoing findings and conclusions, the Governing Body denies the appeal and approves the Project, subject to the conditions of approval imposed by the Board.

_____ _____
Alan M. Webber Date
Mayor

FILED WITH THE CITY CLERK:

_____ _____
Yolanda Y. Vigil Date
City Clerk

APPROVED AS TO FORM:

_____ Jun 30, 2020
Erin K. McSherry Date
City Attorney

ARCHITECTURE
MARTINEZ STUDIO PC
TEL (505) 989-4958 MAIL: P O BOX 925 SANTA FE NM 87504
1524 PASEO DE PERALTA —— STUDIO@MARTINEZARCH.COM

September 1, 2020

RE: 113 Washington Avenue
Case # 2019-001600, Case #2020-002548-HDRB

The application from MASPC was approved with conditions on March 10, 2020 (the letter from the HDRB regarding the meeting of March 10, 2020 is attached.) We are now submitting changes to the approved drawings dated March 2, 2020. The new drawings are dated September 1, 2020.

We have revised the design to comply with the following conditions of approval:

> "1) ***That the front (westernmost) three chimney massing shall be eliminated from the design and that the existing westernmost chimney stacks shall remain their existing locations and at their current heights;"***

The existing westernmost chimneys are labeled on the floor plan. The smaller chimneys near the front parapet are from the existing rooms and the bar below, and the larger chimney in middle of roof deck is from the fireplace in the lobby.

> ***"2) That the size of the event space shall be limited by the distance that the building code requires the space to be from the existing westernmost chimneys;"***

We have moved the event space deck back to accommodate the existing flues. The event space deck has been moved back by 10 feet at the sides, and back 16 feet at the center of the roof deck near the existing lobby chimney flue, and we added a fireplace to block the resulting view of the lobby flue.
The event space must accommodate 120 people, so we moved the Bar/Lounge mass back one column bay, making the pool deck area 16 feet shorter. That meant we needed to make the pool smaller. Because certain elements on the existing roof did not move (elevators, flues, access stairs, etc.), we had to make the following changes:
The windows of the Bar/Lounge are relocated to avoid existing flues and are lengthened and given railings so they match the existing windows on the street (west facade). The moveable canopy and its structure over the pool is eliminated. The moveable canopy and its structure over the event area is eliminated and replaced with an open trellis made of dark bronze colored metal posts and beams, natural stained wood lattices with rust colored cut metal panels between the wood lattice sections. (See attachments A & B).
We also don't show any permanent roof structure over the cabanas because they will no longer have any, they are only furniture.

> ***"3) That the applicant shall provide revised drawings to staff for review that conditions have been met."***

These drawings now submitted, show that we have met all the conditions required by the HDRB. Please note that the west facade looks very similar to the old drawings, because it consists of some of the same elements to the same heights, they are simply moved further back which doesn't show in this elevation.

Richard Martinez

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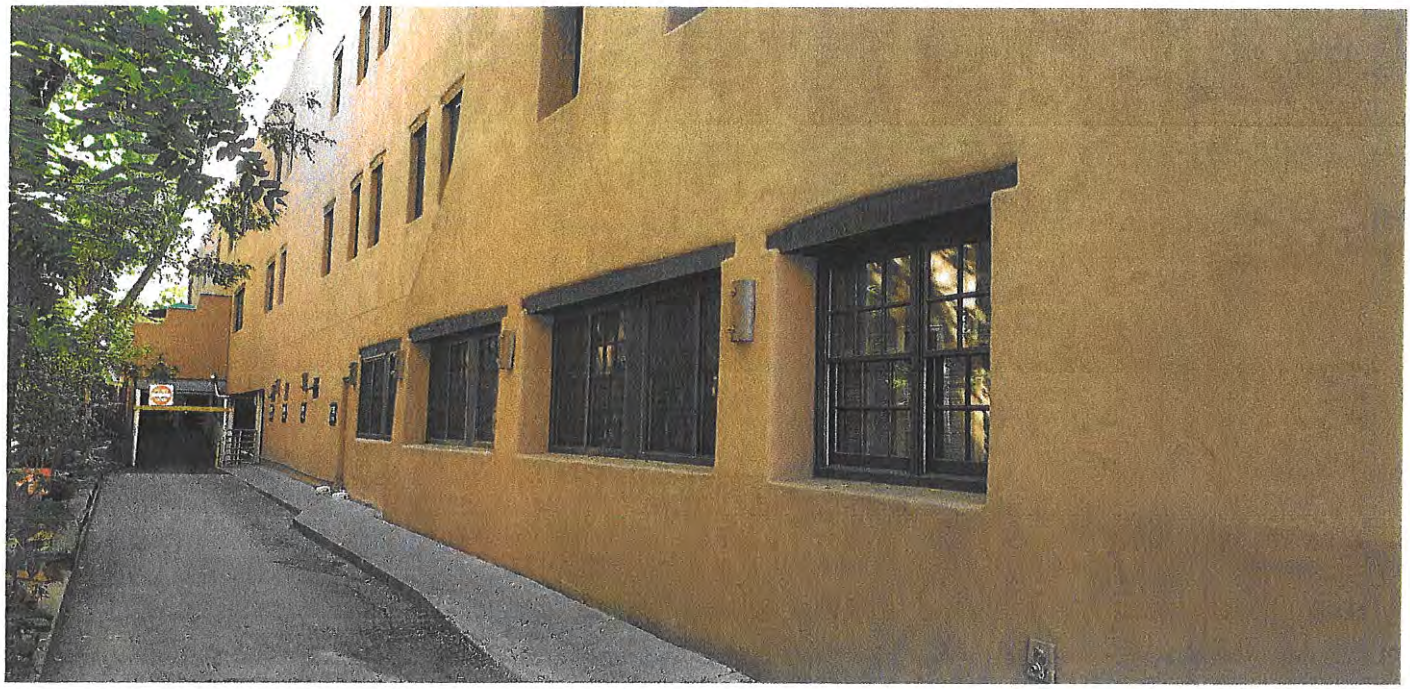

NORTH ELEVATION

NORTH ELEVATION

MARTINEZ
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INN OF THE ANASAZI
113 WASHINGTON AVENUE
SANTA FE, NEW MEXICO

JANUARY 13, 2020

NORTH ELEVATION

NORTH ELEVATION

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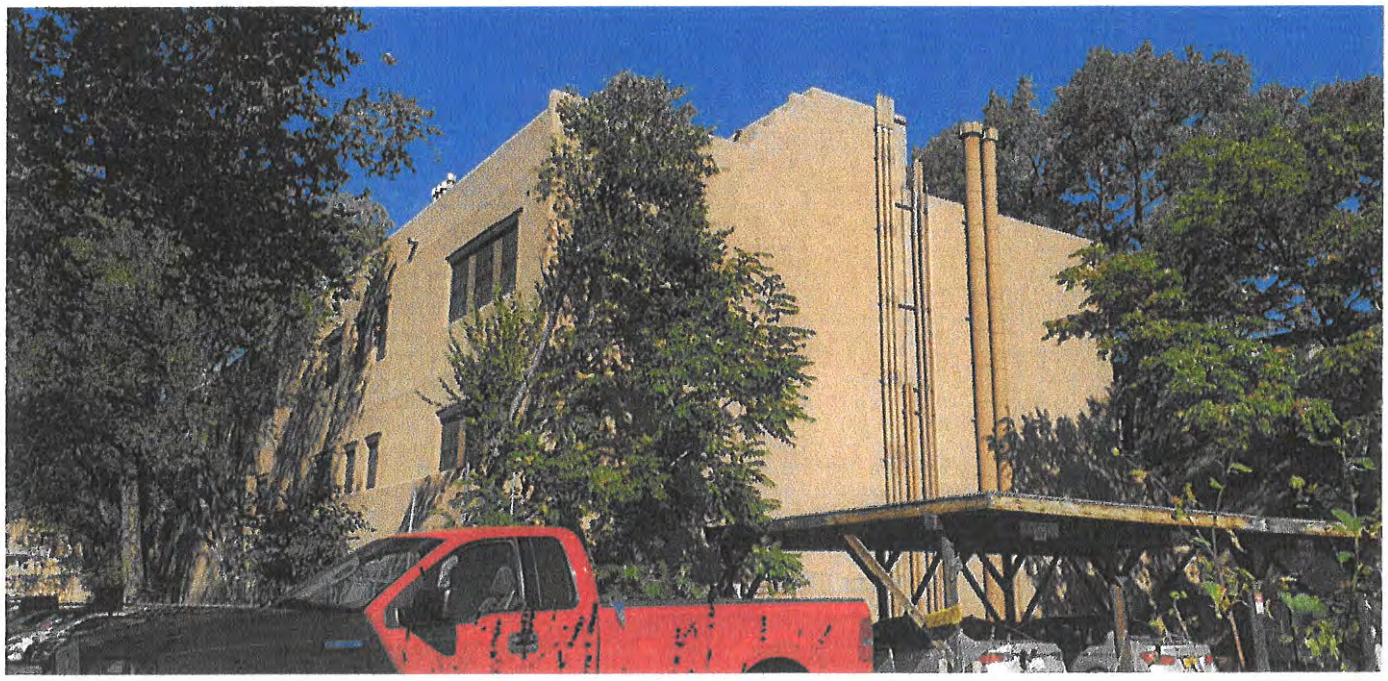
JANUARY 13, 2020

EAST ELEVATION



EAST ELEVATION

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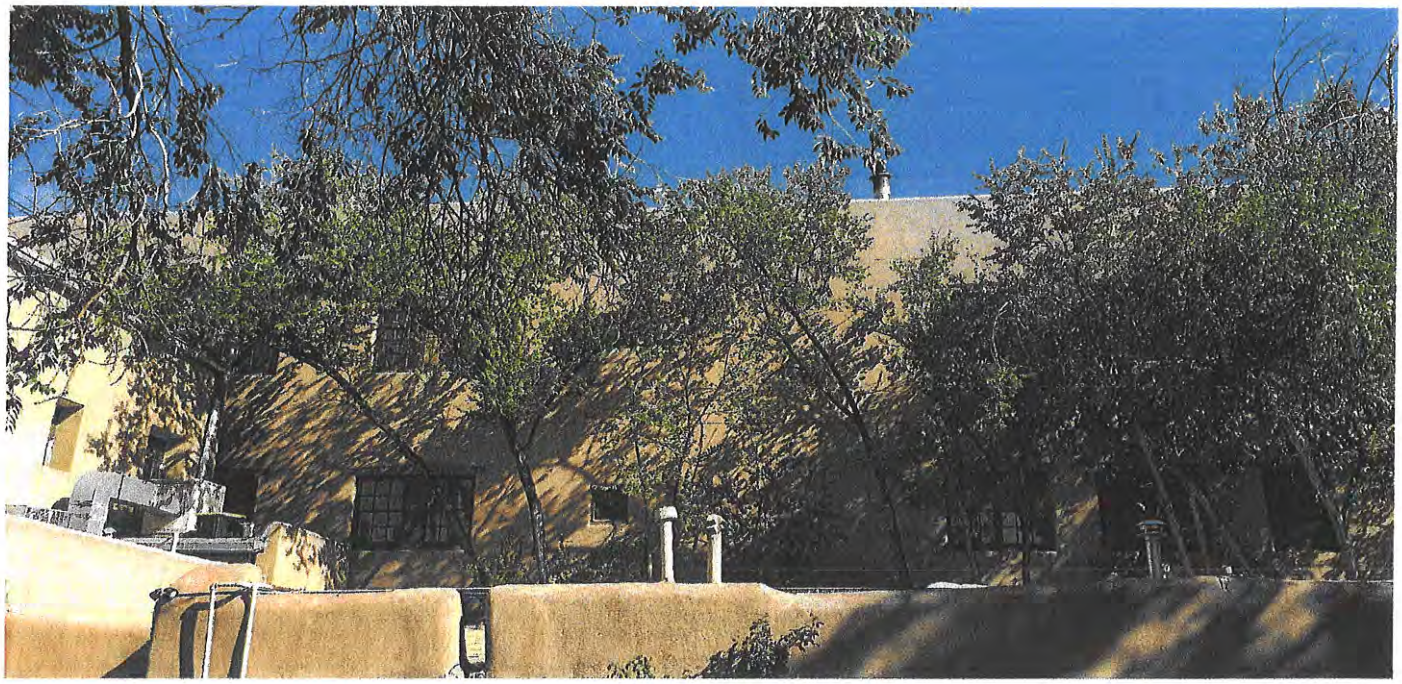
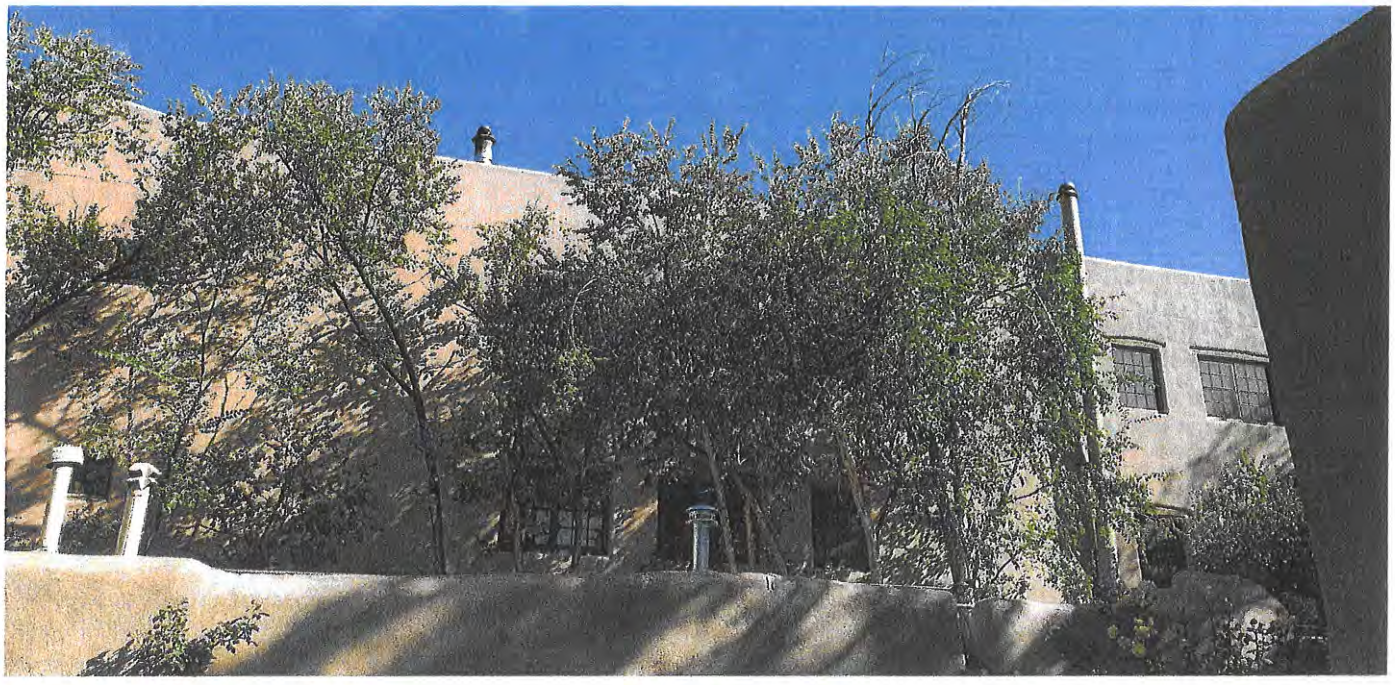
JANUARY 13, 2020



SOUTH ELEVATION



SOUTH ELEVATION

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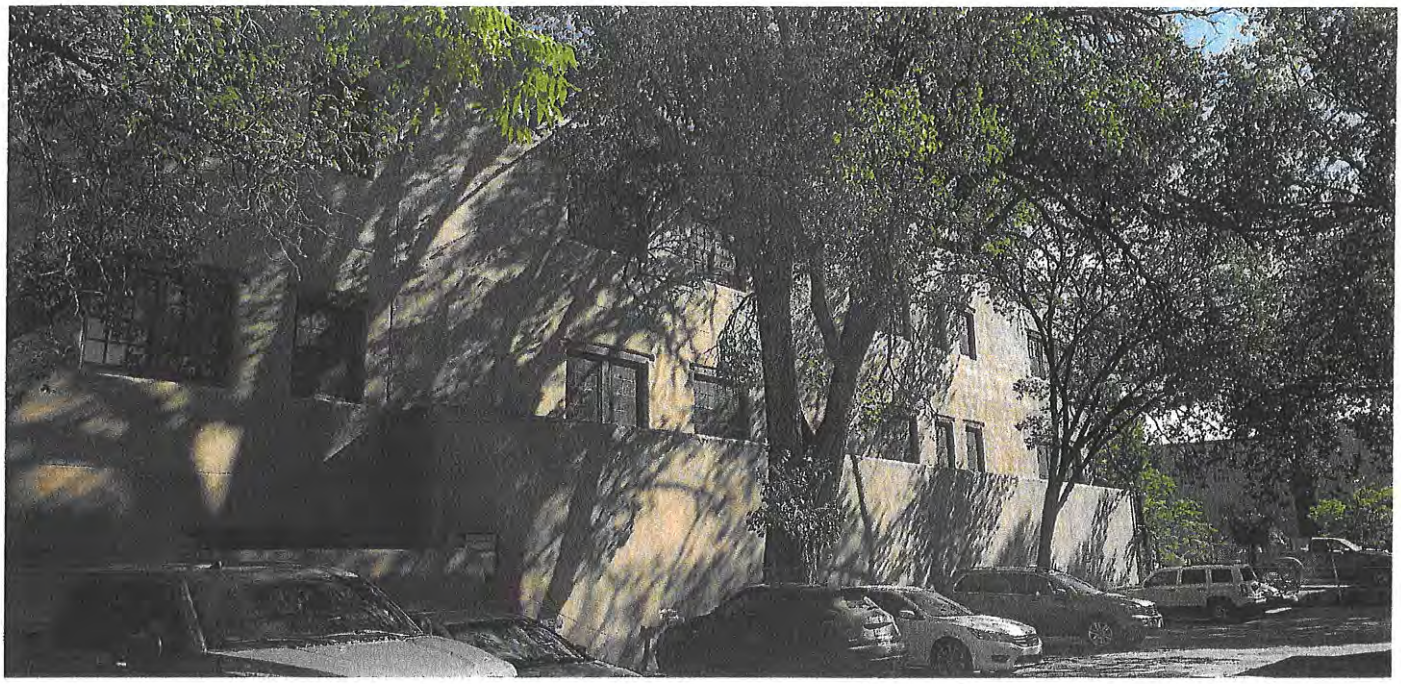
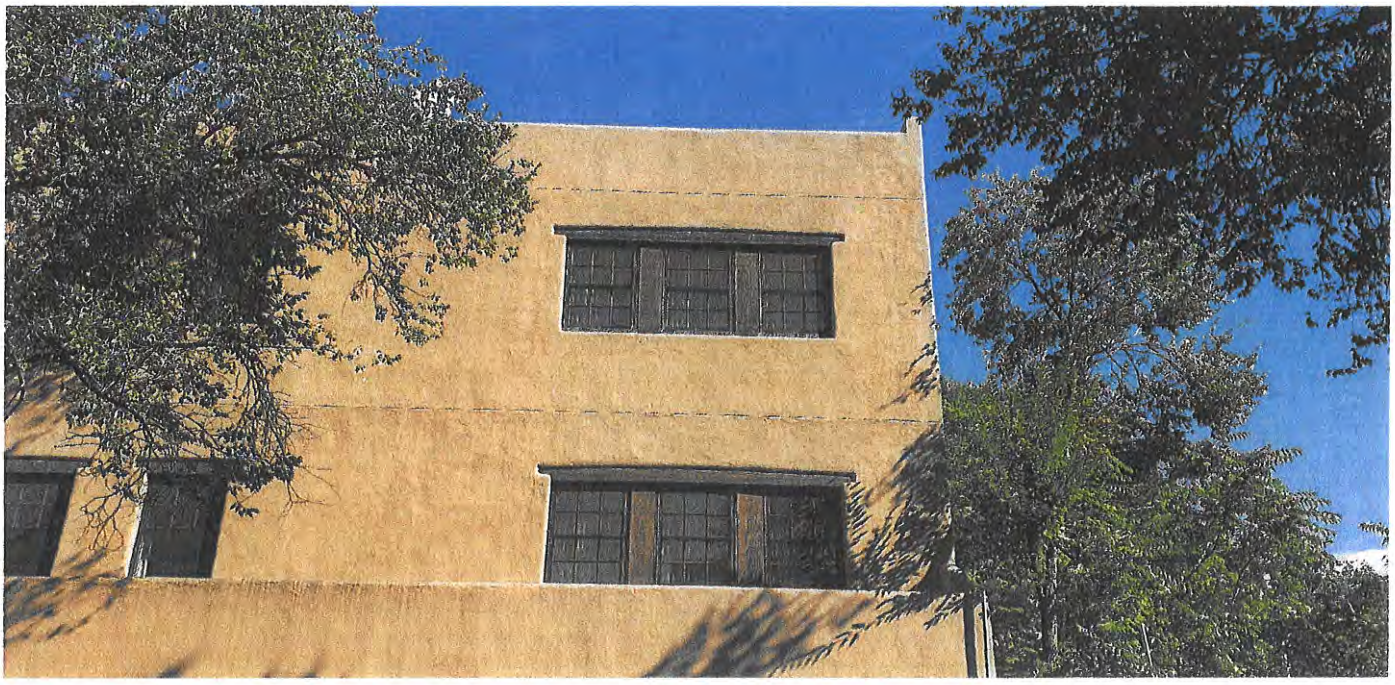
SANTA FE, NEW MEXICO

JANUARY 13, 2020



SOUTH ELEVATION



SOUTH ELEVATION

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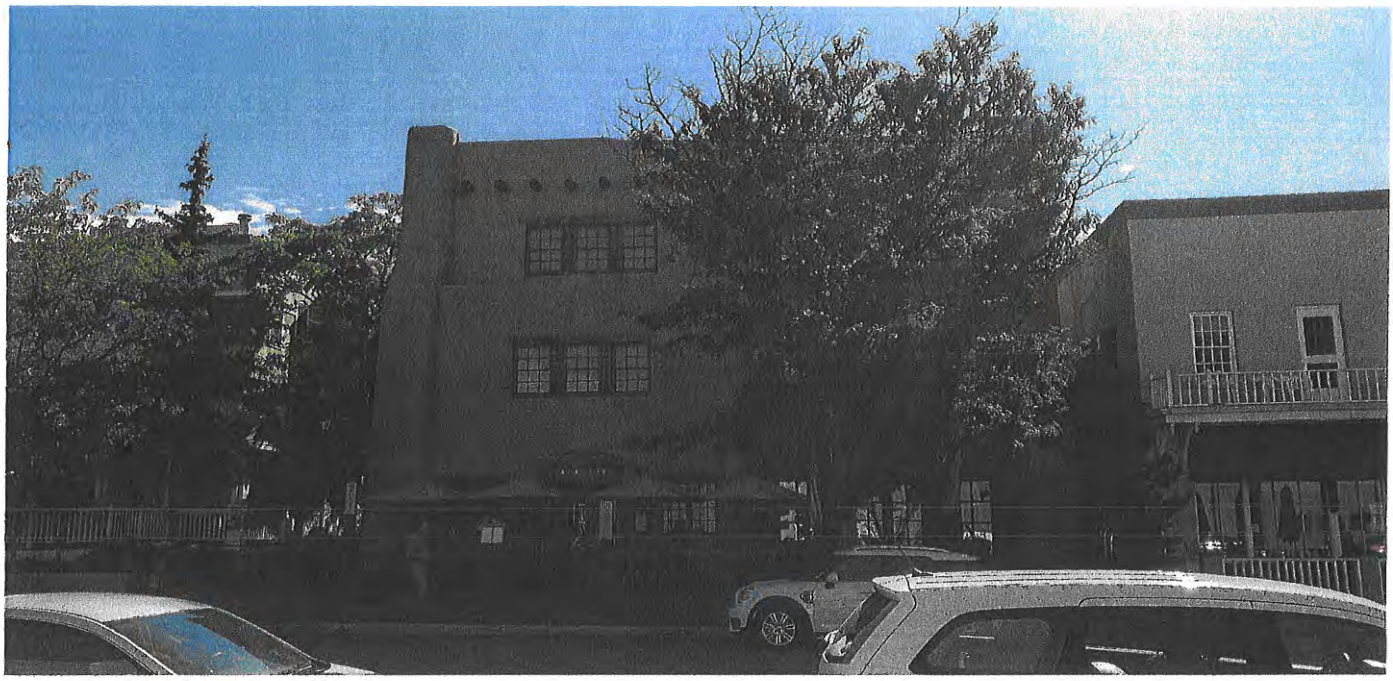
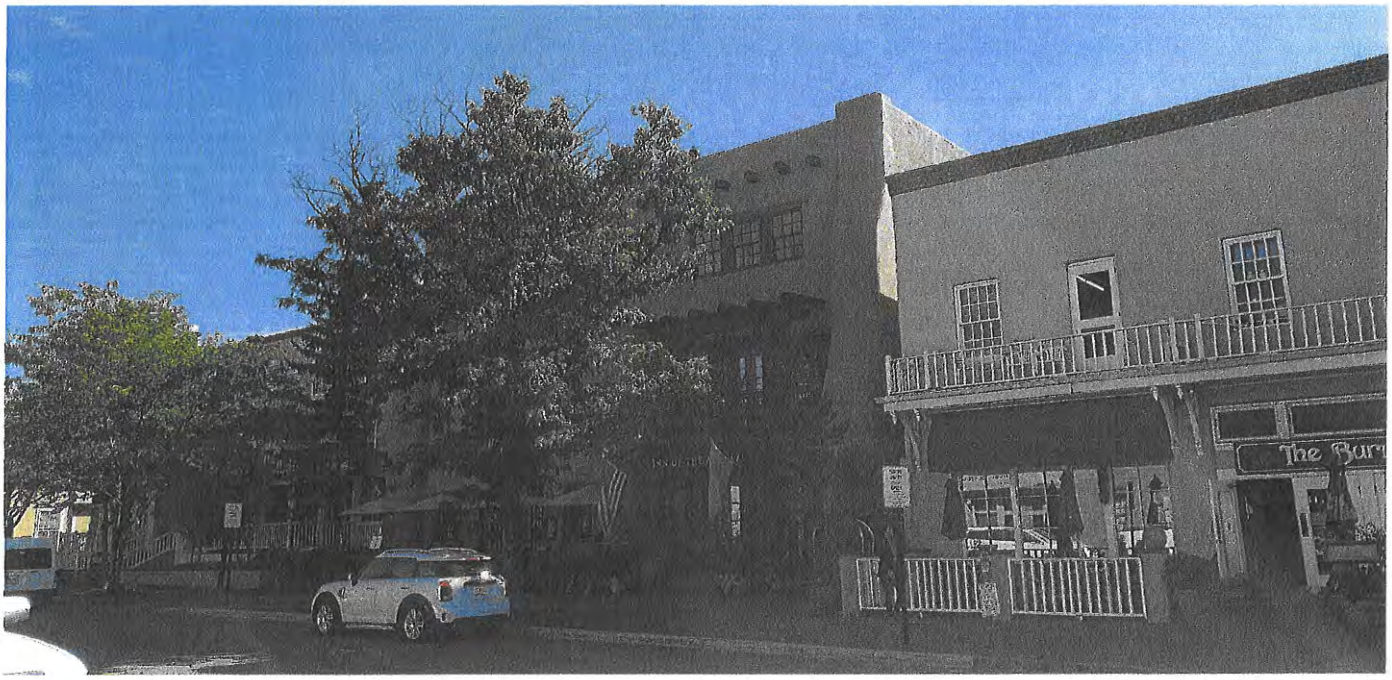
113 WASHINGTON AVENUE
SANTA FE, NEW MEXICO

JANUARY 13, 2020



WEST ELEVATION



WEST ELEVATION

MARTINEZ
ARCHITECTURE
STUDIO PC
1524 PASEO DE PERALTA SANTA FE
505-989-4958 studio@martinezarch.com

INN OF THE ANASAZI
113 WASHINGTON AVENUE
SANTA FE, NEW MEXICO

JANUARY 13, 2020

City of Santa Fe, New Mexico

200 Lincoln Avenue, P.O. Box 909, Santa Fe, N.M. 87504-0909
www.santafenm.gov

Alan Webber, Mayor

Councilors:
Signe I. Lindell, Mayor Pro Tem, District 1
Renee Villarreal, District 1
Michael J. Garcia, District 2
Carol Romero-Wirth, District 2
Roman "Tiger" Abeyta, District 3
Chris Rivera, District 3
Jamie Cassutt-Sanchez, District 4
JoAnne Vigil Coppler, District 4

PROJECT DESCRIPTION: Martinez Architecture Studio, agent for Rosewood Inn of the Anasazi, owner, proposes to construct a 3,078 sq. ft. fourth floor addition to a height of 56'0" with a pool and dining area. An exception is requested to exceed the maximum allowable height of 20'1" (Section 14-5.2(D)(9)).

Case number: **2019-001600-HDRB**
Project Type: HDRB

PROJECT LOCATION (S): 113 Washington Avenue

OW – Rosewood Inn of the Anasazi	113 Washington Avenue	Santa Fe, NM 87501
AP – Martinez Architecture Studio PC	P.O. Box 925	Santa Fe, NM 87504

BOARD ACTION

This is to certify that the Historic Districts Review Board (HDRB) acted on your request at their hearing on March 10, 2020. The decision of the Board was to approve the project, having found that the criteria for a height exception have been met, with the following conditions: 1) that the front (westernmost) three chimney massings shall be eliminated from the design and that the existing westernmost chimney stacks shall remain in their existing locations and at their current heights; 2) that the size of the event space shall be limited by the distance that the building code requires the space to be from the existing westernmost chimneys; and 3) that the applicant shall provide revised drawings to staff for review that conditions have been met. For further information please call 955-6605.

Sincerely,

Lisa Roach

Lisa Gavioli Roach
Planner Manager, Historic Preservation Division

NOTE: Applicant can use this action letter to apply for construction permit, but the permit shall not be released until the end of the appeal period which starts on the date of filing of the Findings and Conclusions in the City Clerk's office (SFCC 14-3.17(D)). Your permit will be denied if any changes on plans that were not approved by the HDRB or if conditions of approval are not met. **Please attach copies of this letter to all sets when submitting for construction permits.**

ATTACHMENT "A"

ATTACHMENT "B"

MARTINEZ
ARCHITECTURE
STUDIO PC
1524 PASEO DE PERALTA SANTA FE
505-989-4958 studio@martinezarch.com

INN OF THE ANASAZI
113 WASHINGTON AVENUE
SANTA FE, NEW MEXICO

SEPTEMBER 1, 2020
ATTACHEMENTS "A" & "B"

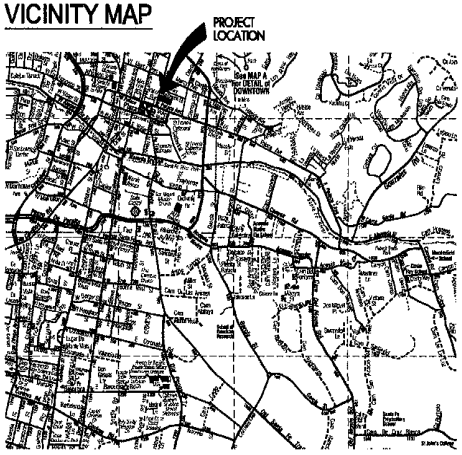
INN OF THE ANASAZI ROOFTOP PROJECT

113 WASHINGTON AVENUE
SANTA FE NEW MEXICO 87505

MARTINEZ ARCHITECTURE STUDIO P.C.

1524 PASEO DE PERALTA

VICINITY MAP



DIRECTIONS TO SITE:

FROM 200 LINCOLN AVE. HEAD SOUTH ON LINCOLN AVE. TOWARD W. MARCY ST.
TURN LEFT ONTO W. MARCY ST. TURN RIGHT ONTO WASHINGTON AVE.
DESTINATION WILL BE ON THE LEFT @ 113 WASHINGTON AVE.

PROJECT DATA

SCOPE OF WORK:	NEW ROOFTOP EVENT SPACE, BAR & SWIMMING POOL
BUILDING TYPE:	HOTEL
CONSTRUCTION TYPE: (IBC SECTION 602)	V-B

NET AREAS (EXISTING):

SUB-BASEMENT	7,576 S.F.
BASEMENT	2,738 S.F.
LOWER LEVEL PARKING	7,576 S.F.
1ST FLOOR	15,612 S.F.
2ND FLOOR	15,640 S.F.
3RD FLOOR	14,300 S.F.
EXISTING ROOFED AREA	15,640 S.F.

NET AREAS (PROPOSED)

4TH FLOOR (HEATED)	4,892 S.F.
4TH FLOOR (UNHEATED)	6,591 S.F.

NO NEW ROOFED AREA PROPOSED

LOT AREA:	19,655 S.F.
LOT COVERAGE:	EXISTING = 78.6% PROPOSED = 78.6%
ZONING:	BCD-MAR
HISTORIC DISTRICT:	DOWNTOWN & EASTSIDE
HISTORIC STATUS:	NON-CONTRIBUTING

DRAWING INDEX

A-0.1	COVER SHEET & PROJECT DATA
A-1.0	APPROVED & PROPOSED SITE PLAN
A-2.0	APPROVED & PROPOSED FLOOR PLAN
A-3.1	APPROVED & PROPOSED NORTH ELEVATION
A-3.1	APPROVED & PROPOSED EAST ELEVATIONS
A-3.2	APPROVED & PROPOSED SOUTH ELEVATION
A-3.3	APPROVED & PROPOSED WEST ELEVATION

GENERAL NOTES

1. THE CONTRACTOR SHALL CHECK AND VERIFY ALL DIMENSIONS AND REPORT DISCREPANCIES TO THE ARCHITECT BEFORE PROCEEDING WITH THE WORK.

2. UNLESS NOTED OTHERWISE, ALL WORK AND MATERIALS SHALL BE PROVIDED AND INSTALLED BY THE CONTRACTOR.

3. ALL CONSTRUCTION SHALL COMPLY WITH THE MOST RECENTLY ADOPTED APPLICABLE CODES: 2015 NM COMMERCIAL BUILDING CODE (IBC AS AMENDED), 2015 NM RESIDENTIAL CODE (IRC AS AMENDED), 2015 NM EXISTING BUILDING CODE (IEBC AS AMENDED), 2012 NM PLUMBING CODE (UPC AS AMENDED), 2012 NM MECHANICAL CODE (UMC AS AMENDED), 2017 NM ELECTRICAL CODE (NEC AS AMENDED), 2012 NM ELECTRICAL SAFETY CODE (NESC AS AMENDED), 2015 NM HISTORIC EARTHEN BUILDINGS CODE, 2015 NM EARTHEN BUILDING MATERIALS CODE, 2009 NM NON-LOAD BEARING BALED STRAW CONSTRUCTION BUILDING CODE, 2009 NM ENERGY CONSERVATION CODE (ECC AS AMENDED), 2012 NM SWIMMING POOL, SPA AND HOT TUB CODE PHASE III (USPSHTC AS AMENDED), 2012 NM SOLAR ENERGY CODE (USEC AS AMENDED), 2009 INTERNATIONAL FIRE CODE AND CITY OF SANTA FE IFC AMENDMENTS. CODE COMPLIANCE SHALL BE THE RESPONSIBILITY OF THE GENERAL CONTRACTOR.

4. ALL DRAWINGS ARE THE PROPERTY OF MARTINEZ ARCHITECTURE STUDIO P.C. AND MUST BE RETURNED AT THE COMPLETION OF WORK. THEY SHALL NOT BE REPRODUCED, MODIFIED OR REVISED IN ANY WAY WITHOUT THE WRITTEN CONSENT FROM, AND PROPER COMPENSATION TO THE ARCHITECT. THE ARCHITECT SHALL PROTECT HIS RIGHT AND BE REIMBURSED FOR ALL LEGAL AND COURT COST ETC., FOR ANY NECESSARY PROTECTION OF THE DRAWINGS. SUBMISSION OF THESE DRAWINGS TO ANY PUBLIC BODY FOR ANY USE DOES NOT RELEASE IN ANY WAY THE COPYRIGHT AND OWNERSHIP OF DRAWINGS/SPECIFICATIONS PROVISIONS LISTED HEREIN.

DESIGN PROFESSIONALS

ARCHITECT
Richard Martinez
MARTINEZ ARCHITECTURE STUDIO P.C.
P.O. Box 925 Santa Fe, NM 87504
(505) 989-4958, Fax (505) 989-8833

MARTINEZ ARCHITECTURE STUDIO PC
1524 PASEO DE PERALTA, SANTA FE
505.989.4958 STUDIO@MARTINEZARCH.COM

INN OF THE ANASAZI
113 WASHINGTON AVENUE
SANTA FE, NEW MEXICO

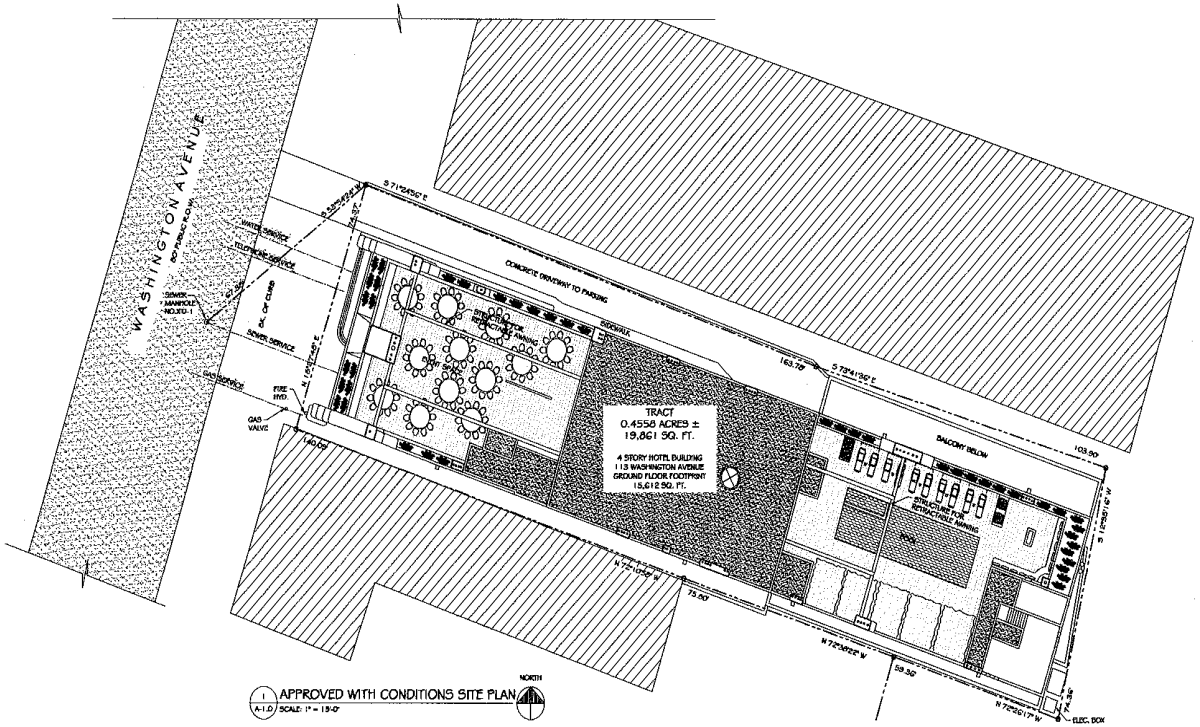
SEPTEMBER 1, 2020

COVER SHEET & PROJECT DATA

A 0.1

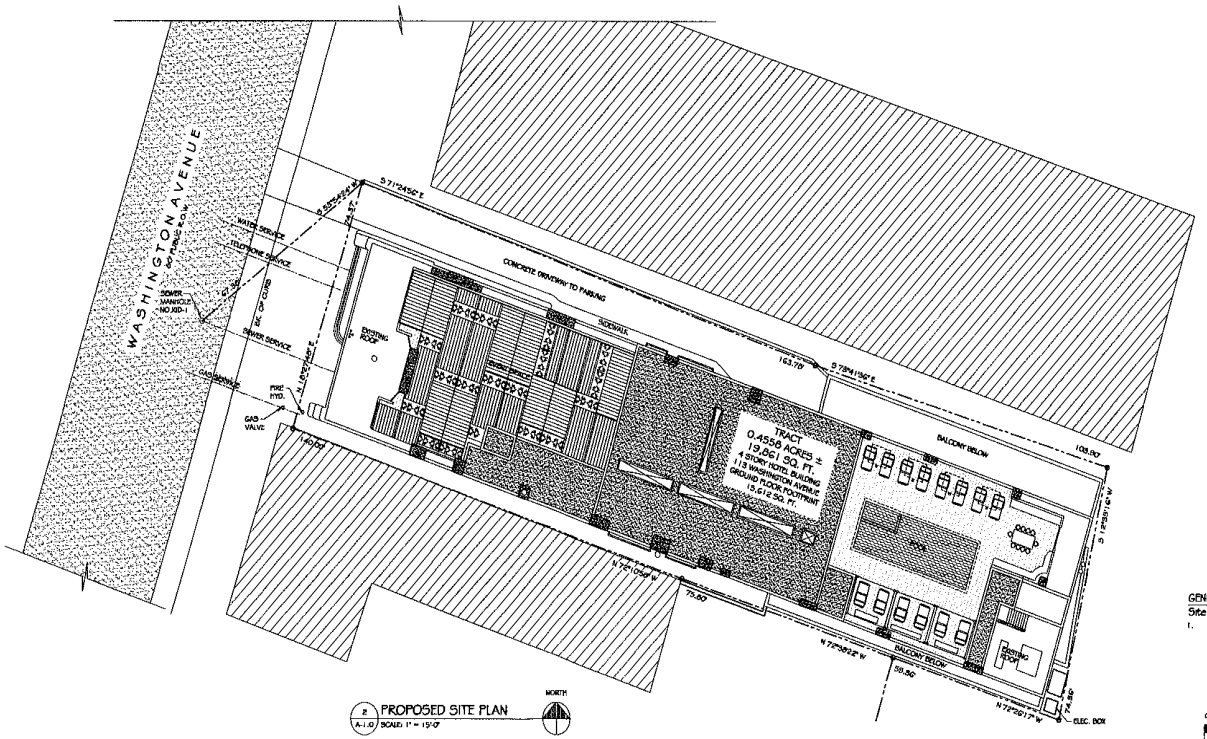
SET #

1804 - ANASAZI



1 APPROVED WITH CONDITIONS SITE PLAN
A-1.0 SCALE: 1" = 15'-0"

NORTH



2 PROPOSED SITE PLAN
A-1.0 SCALE: 1" = 15'-0"

NORTH

GENERAL NOTES:

Site Plan

1. THE SITE SURVEY INFORMATION ON THIS SITE PLAN WAS TAKEN FROM A PLAT PREPARED JULY 18, 2005 BY: PHILLIP B. WEGGE, N.M.P.S. #9750 DBS RID SURVEYS, INC. PO BOX 22773 SANTA FE, NEW MEXICO 87505

GRAPHIC SCALE: 1" = 15'-0"

0' 15' 30' 45'

MARTINEZ ARCHITECTURE STUDIO PC
1424 PASEO DE PERALTA, SANTA FE
505-988-4868 STUDIO@MARTINEZARCH.COM

INN OF THE ANASAZI
113 WASHINGTON AVENUE
SANTA FE, NEW MEXICO

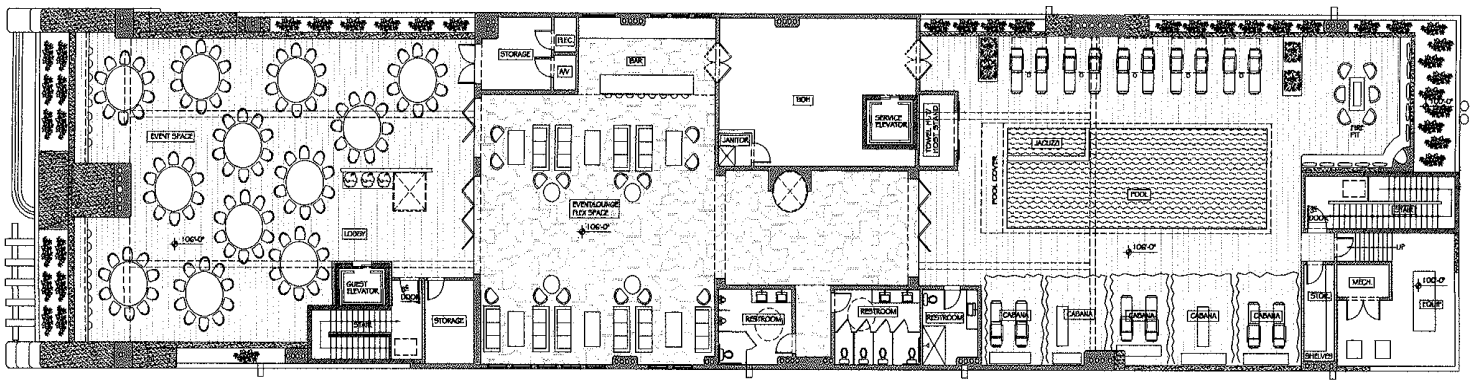
SEPTEMBER 1, 2020

APPROVED & PROPOSED SITE PLANS

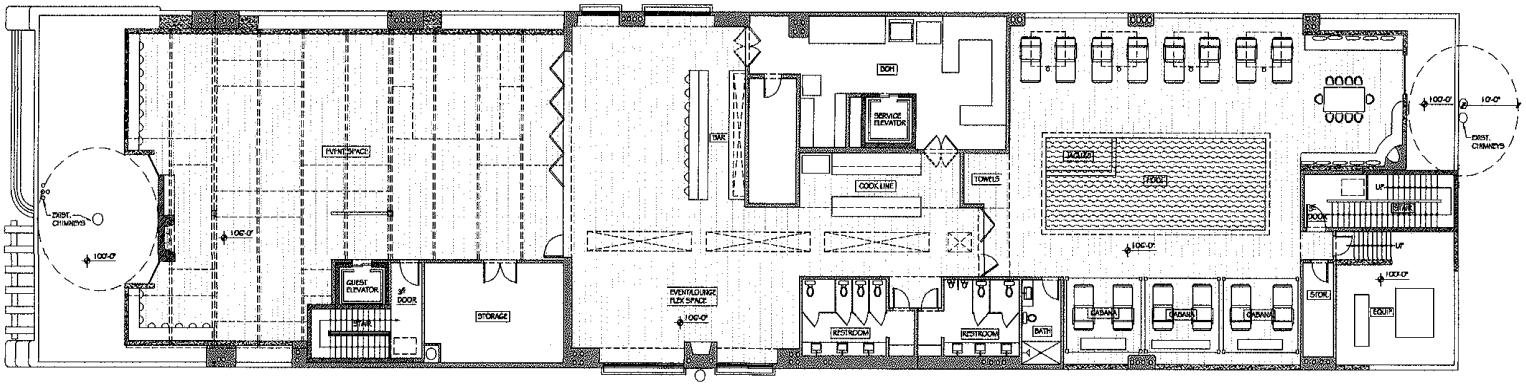
A 1.0

SET #

1904 - ANASAZI



1 A-2.0 APPROVED WITH CONDITIONS FLOOR PLAN
SCALE: 1/8" = 1'-0"



1 A-2.0 PROPOSED FLOOR PLAN
SCALE: 1/8" = 1'-0"

GRAPHIC SCALE: 1/8" = 1'-0"
0' 4' 8' 16' 24'

MARTINEZ ARCHITECTURE STUDIO PC
1824 PASEO DE PERALTA, UNIT A-1E
505-988-4668 STUDIO@MARTINEZARCH.COM

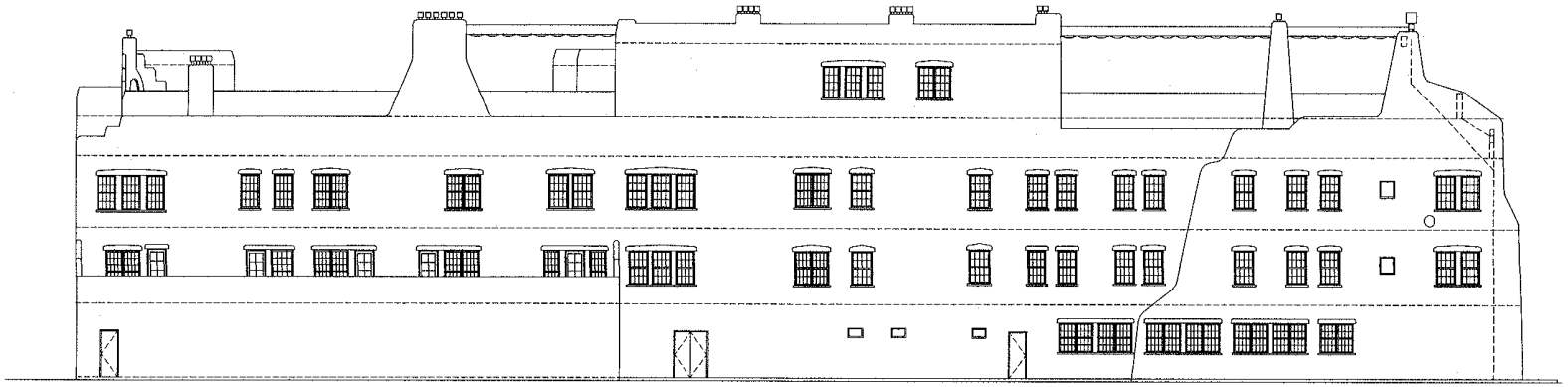
INN OF THE ANASAZI
113 WASHINGTON AVENUE
SANTA FE, NEW MEXICO

SEPTEMBER 1, 2020

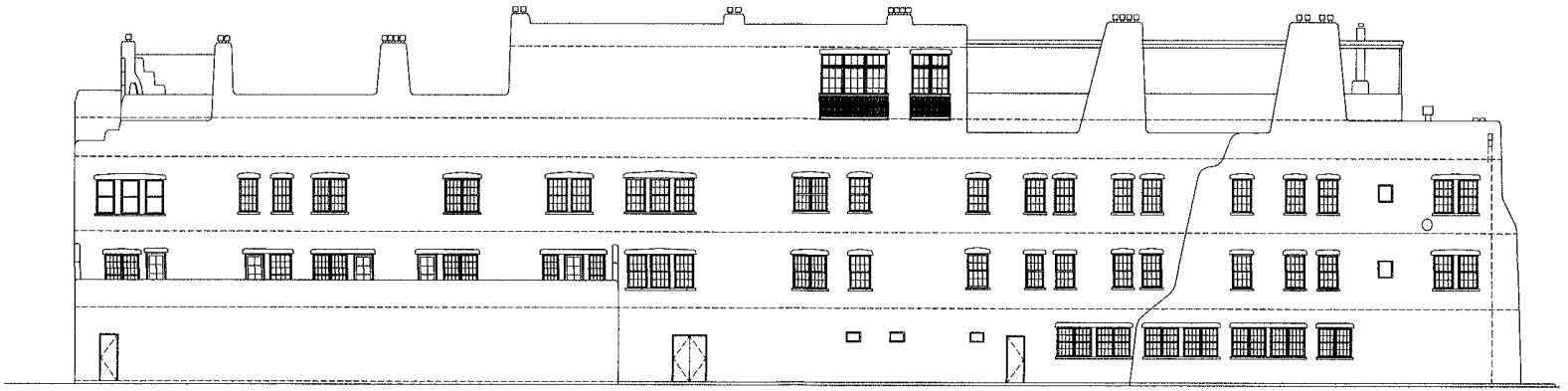
APPROVED & PROPOSED FLOOR PLAN

A 2.0

SET #
1904 - ANASAZI



1 / A-3.0 APPROVED WITH CONDITIONS NORTH ELEVATION
SCALE: 1/8" = 1'-0"



2 / A-3.0 PROPOSED NORTH ELEVATION
SCALE: 1/8" = 1'-0"

GRAPHIC SCALE: 1/8" = 1'-0"
0 4' 8' 16' 24'

MARTINEZ ARCHITECTURE STUDIO PC
1524 PASEO DE PERALTA, SANTA FE
505.982.8828 STUDIO@MARTINEZARCH.COM

INN OF THE ANASAZI
113 WASHINGTON AVENUE
SANTA FE, NEW MEXICO

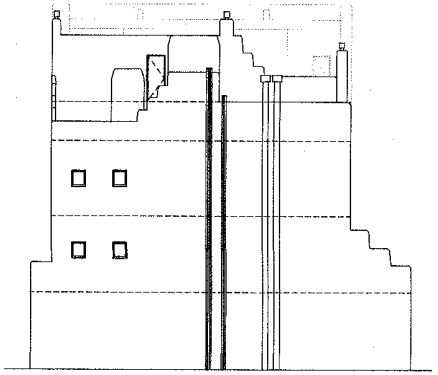
SEPTEMBER 1, 2020

APPROVED & PROPOSED NORTH ELEVATION

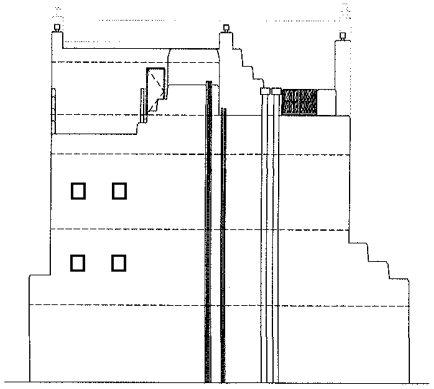
A
3.0

SET #

1904 - ANASAZI



1 / A-3.1 APPROVED EAST ELEVATION
SCALE: 1/8" = 1'-0"



2 / A-3.1 PROPOSED EAST ELEVATION
SCALE: 1/8" = 1'-0"

GRAPHIC SCALE: 1/8" = 1'-0"
0' 4' 8' 16' 24'

MARTINEZ ARCHITECTURE STUDIO PC
1924 PASEO DE PERALTA SANTA FE
505.983.4888 STUDIO@MARTINEZARCH.COM

INN OF THE ANASAZI
113 WASHINGTON AVENUE
SANTA FE, NEW MEXICO

SEPTEMBER 1, 2020

APPROVED & PROPOSED EAST ELEVATION

A 3.1

SET #

1904 - ANASAZI

1 A-3.2 APPROVED WITH CONDITIONS SOUTH ELEVATION
SCALE: 1/8" = 1'-0"

2 A-3.2 PROPOSED SOUTH ELEVATION
SCALE: 1/8" = 1'-0"

GRAPHIC SCALE: 1/8" = 1'-0"
0' 4' 8' 16' 24'

MARTINEZ ARCHITECTURE STUDIO PC
1824 PASEO DE PERALTA SANTA FE
505-983-9868 STUDIO@MARTINEZARCH.COM

INN OF THE ANASAZI
113 WASHINGTON AVENUE
SANTA FE, NEW MEXICO

SEPTEMBER 1, 2020

APPROVED & PROPOSED SOUTH ELEVATION

A 3.2

SET #

1904 - ANASAZI

1 / A-3.3 APPROVED WITH CONDITIONS WEST ELEVATION
SCALE: 1/8" = 1'-0"

2 / A-3.3 PROPOSED WEST ELEVATION
SCALE: 1/8" = 1'-0"

GRAPHIC SCALE: 1/4" = 1'-0"
0' 2' 4' 8' 12'

MARTINEZ ARCHITECTURE STUDIO PC
1824 PASEO DE PERALTA SANTA FE
505-988-9868 STUDIO@MARTINEZARCH.COM

INN OF THE ANASAZI
113 WASHINGTON AVENUE
SANTA FE, NEW MEXICO

SEPTEMBER 1, 2020

APPROVED & PROPOSED WEST ELEVATION

A
3.3

SET #

1904 - ANASAZI

October 20, 2020
Board Of Adjustment
Case #2020-2494 & 2020-2638
113 Washington Avenue
Variances

EXHIBIT

G

Applicant Material

LIAISON Planning Services Inc.

P.O. Box 1835 Santa Fe, NM 87504 (505) 920-6839 liaisonplanning@gmail.com

August 17, 2020

Mr. Daniel Esquibel, Senior Planner
City of Santa Fe, Land Use Department.
909 Lincoln Avenue
Santa Fe, NM 87501

Re: Board of Adjustment Application
Height and Setback Variances for the Inn of the Anasazi
113 Washington Avenue, Santa Fe NM

Dear Mr. Esquibel,

The property owners for the above referenced address, are requesting approval for height and setback variances. The height requested has been approved by the Historic Review District Board and the City County pursuant to a "Height Exception" request in Case No. _____. The underlying zoning in the BCD limits the height of structures to 42 feet. This building already exceeds that height as a legally non-conforming use. In order to avoid becoming obsolete as a luxury hotel in downtown Santa Fe, the owner proposes to add roof top amenities that exist on all other luxury hotels in the downtown area, i.e., La Fonda Hotel, The Drury, and the El Dorado Hotel. Without a variance, no additions to the rooftop can be made.

The applicant is proposing an increase in height from existing 42' to 56'. The request is to allow a rooftop swimming pool/ event space/ bar/ covered retractable canopy/ restrooms/ janitor storage rooms/ guest elevator and stairs. The property is zoned BCD-MAR and is approximately 19,861 sq. ft. Please see enclosed site plan that delineates what is proposed.

The variance criteria are as follows:

(C) Approval Criteria Subsections 14-3.16(C)(1) through (5) and, if applicable, Subsection 14-3.15(C)(6), are required to grant a variance.

(1) One or more of the following special circumstances applies:

(a) unusual physical characteristics exist that distinguish the land or structure from others in the vicinity that are subject to the same relevant provisions of Chapter 14, characteristics that existed at the time of the adoption of the regulation from which the variance is sought, or that were created by natural forces or by government action for which no compensation was paid;

The variance is requested due to the small size of the lot, and the fact that it is completely covered with an existing structure that exceeds the allowable height. Most other lots within the vicinity do not exceed the allowable zoning height of 42 feet, and thus are able to make improvements without the need for a variance.

(b) the parcel is a legal nonconforming lot created prior to the adoption of the regulation from which the variance is sought, or that was created by government action for which no compensation was paid;

The Inn of the Anasazi sits on a lot that has for decades, been occupied by a tall building covering the entire lot and the applicant did not divide the property to create a lot with a small area of land. Rather, the small lot was created many, many decades ago. The condition of the lot is not a result of the action of the owner.

(2) The special circumstances make it infeasible, for reasons other than financial cost, to develop the property in compliance with the standards of Chapter 14.

Due to the lot size and existing lot coverage, the Anasazi cannot expand anywhere but up to provide the same type of amenities allowed to competitors within the downtown area.

(3) The intensity of development shall not exceed that which is allowed on other properties in the vicinity that are subject to the same relevant provisions of Chapter 14.

The Anasazi already occupies 100% of the lot and there is no additional area to provide amenities that are being proposed for in this addition. All of the of the Anasazi's main competitors in the vicinity provide rooftop swimming facilities and outdoor and indoor dining, socializing and event staging on their rooftops which are subject to the same relevant provisions of Chapter 14.

(4) The variance is the minimum variance that will make possible the reasonable use of the land or structure. The following factors shall be considered:

(a) whether the property has been or could be used without variances for a different category or lesser intensity of use;

The property has not been nor would be used for other than a hotel. Regardless, expansion to the structure for any use could not be increased without the variances.

(b) consistency with the purpose and intent of Chapter 14, with the purpose and intent of the articles and sections from which the variance is granted and with the applicable goals and policies of the general plan.

This request is consistent with the intent of Chapter 14. The addition would be setback from the edge of the existing parapet so it will reduce its visibility and will not add or cast a shadow on the street below. The use (hotel) will remain which is consistent with the general plan's goals and policies.

(5) The variance is not contrary to the public interest.

This request is not contrary to public interest. In fact, it will support public interest by providing amenities that will serve the general public. It is in the interest of the public welfare for this property to remain economically viable and competitive in the hospitality industry and in downtown.

(6) There may be additional requirements and supplemental or special findings required by other provisions of Chapter 14.

Attached, please find a vicinity map and site plan outlining the project area. If you have any questions or comments, please contact Liaison Planning Services Inc., (505) 920-6839.

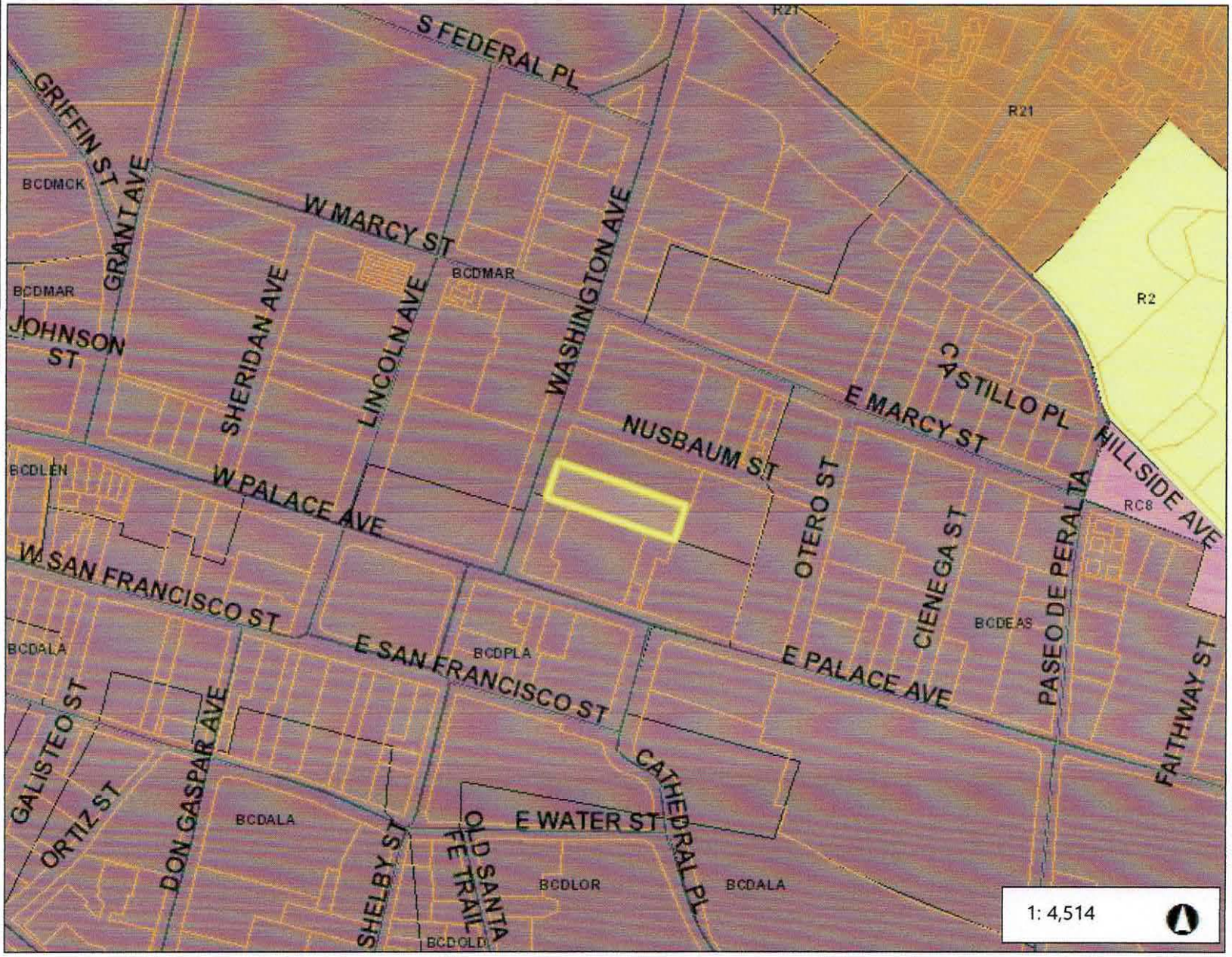
Sincerely,

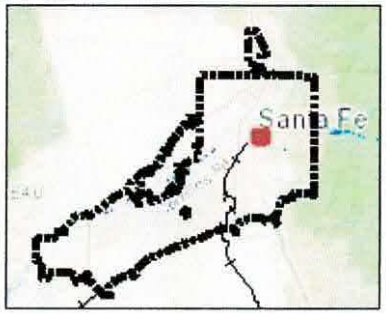
Dolores I. Vigil

Attachments: Vicinity Map
Site Plan
Elevations
Legal Lot of Record

Santa Fe
Mapping the City Different

113 Washington Avenue





Legend

- City Limits
- Address Points
- Roads
- Major Roads
- Santa Fe County Parcels
- Zoning
  - RR Rural Residential
  - R1, (PUD) Single- Family 1du/ac.
  - R2, (DT), (PUD),(AC) Single - Fami
  - R3, (PUD) Single - Family 3du/ac
  - R4 Single - Family 4du/ac
  - R5, (DT), (PUD), (AC), R6, (PUD) S
  - R7, (I), (PUD), R8 Single - Family 7
  - RC5, RC5AC Compound 5du/ac
  - RC8, RC8AC Compound 8du/ac
  - R10, (PUD) Multiple - Family 10du/
  - R12, (PUD) Multiple - Family 12du/
  - R21, (PUD) Multiple - Family 21du/
  - R29, (PUD),(AC) Multiple - Family
  - RAC Residential Arts & Crafts
  - MHP Mobile Home Park
  - C1, (PUD) Office and Related Com
  - C2, (PUD) General Commercial
  - C4 Limited Office and Retail
  - HZ Hospital Zone
  - BCD Business Capital District

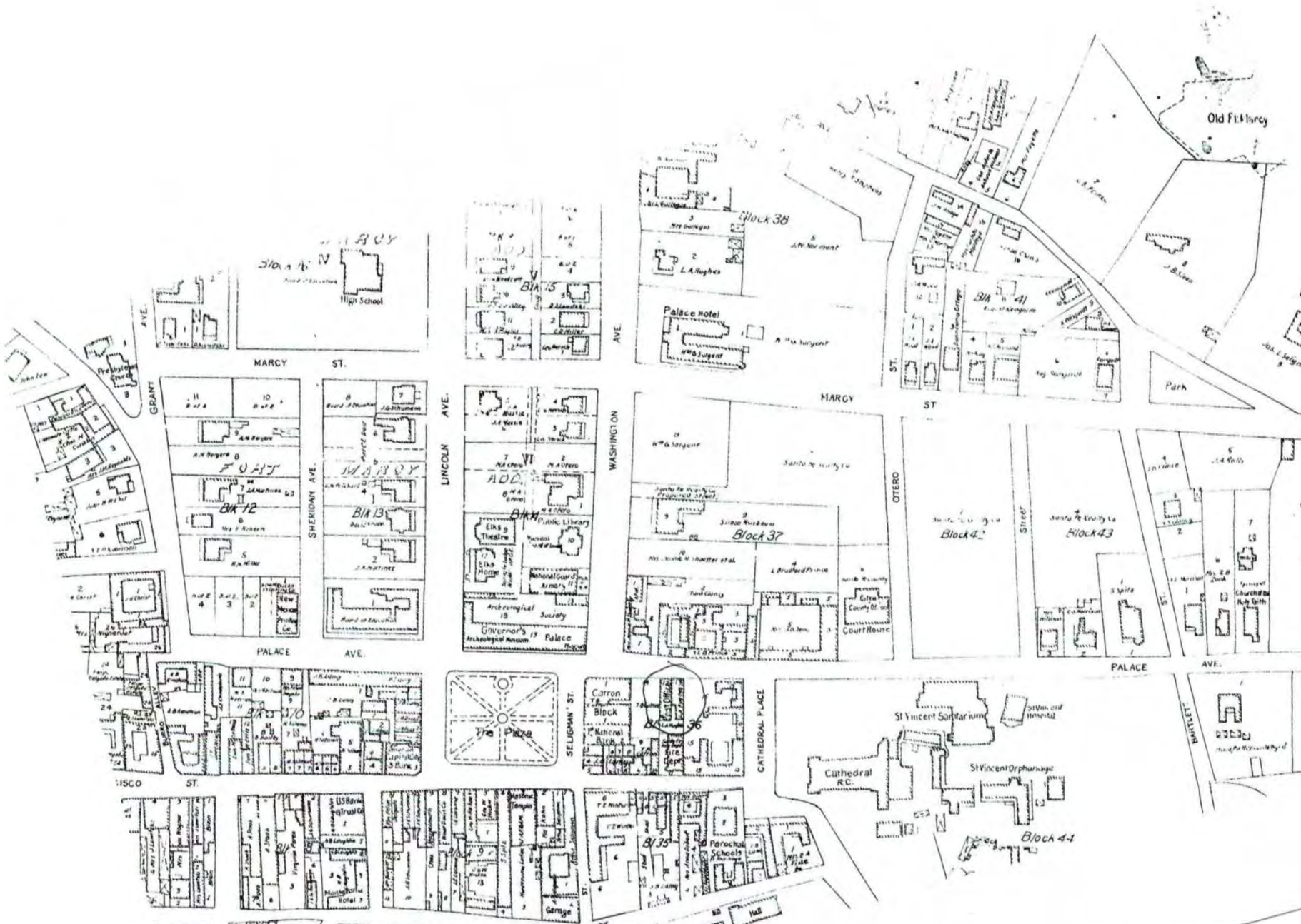
Notes

Inn of The Anasazi

752.3 0 376.17 752.3 Feet

WGS_1984_Web_Mercator_Auxiliary_Sphere

This map is a user generated static output from an Internet mapping site and is for reference only. Data layers that appear on this map may or may not be accurate, current, or otherwise reliable.
THIS MAP IS NOT TO BE USED FOR NAVIGATION


Old Fish Hatchery
Block 38
Palace Hotel
BLK 41
Park
MARCY ST.
MARCY ST
GRANT AVE.
SHERIDAN AVE.
LINCOLN AVE.
WASHINGTON AVE.
OTERO
BLK 12
BLK 13
BLK 14
BLK 15
Public Library
Elks Theatre
Elks Home
National Guard Armory
Archeological Society
Governor's Palace
Block 37
Block 42
Block 43
Santa Fe County Court House
PALACE AVE.
PALACE AVE.
BLK 10
BLK 36
BLK 35
The Plaza
Carron Block
First National Bank
Fire Dept.
SELIGMAN ST.
CATHEDRAL PLACE
St Vincent Sanitarium
St Vincent Hospital
Cathedral R.C.
St Vincent Orphanage
Block 44
BARTLETT
Parochial Schools
Masonic Temple
US Bank
Montezuma Hotel
Garage
Hall

LIAISON Planning Services Inc.

P.O. Box 1835 Santa Fe, NM 87504 (505) 920-6839 liaisonplanning@gmail.com

August 17, 2020

Mr. Daniel Esquibel, Senior Planner
City of Santa Fe, Land Use Department.
909 Lincoln Avenue
Santa Fe, NM 87501

Re: Board of Adjustment Application
Setback Variance for the Inn of the Anasazi
113 Washington Avenue, Santa Fe NM

Dear Mr. Esquibel,

The property owners for the above referenced address, are requesting approval for a setback variance to Section 14-7.4 (A)-1 Table of Dimension Requirements for Townscape Districts. The underlying zoning in the BCDMAR requires a 1' horizontal setback and 1" vertical above 24' in height. This building already exceeds that height as a legally non-conforming use. In order to avoid becoming obsolete as a luxury hotel in downtown Santa Fe, the owner proposes to add roof top amenities that exist on all other luxury hotels in the downtown area, i.e., La Fonda Hotel, The Drury, and the El Dorado Hotel. Without a variance, no additions to the rooftop are limited.

The applicant is proposing an increase in height from existing 42' to 56'. The request is to allow a rooftop swimming pool/ event space/ bar/ covered retractable canopy/ restrooms/ janitor storage rooms/ guest elevator and stairs. The property is zoned BCD-MAR and is approximately 19,861 sq. ft. Please see enclosed site plan that delineates what is proposed.

The variance criteria are as follows:

(C) Approval Criteria Subsections 14-3.16(C)(1) through (5) and, if applicable, Subsection 14-3.15(C)(6), are required to grant a variance.

(1) One or more of the following special circumstances applies:

(a) unusual physical characteristics exist that distinguish the land or structure from others in the vicinity that are subject to the same relevant provisions of Chapter 14,

characteristics that existed at the time of the adoption of the regulation from which the variance is sought, or that were created by natural forces or by government action for which no compensation was paid;

The variance is requested due to the small size of the lot, and the fact that it is completely covered with an existing structure which is currently 42' in height. The applicant is proposing a rooftop addition that would increase the height to 56'. This setback requirement would not allow for any improvements that are allowed by most other properties within the vicinity, and thus are able to make improvements without the need for a variance.

(b) the parcel is a legal nonconforming lot created prior to the adoption of the regulation from which the variance is sought, or that was created by government action for which no compensation was paid;

The Inn of the Anasazi sits on a lot that has for decades, been occupied by a tall building covering the entire lot and the applicant did not divide the property to create a lot with a small area of land. Rather, the small lot was created many, many decades ago. The condition of the lot is not a result of the action of the owner.

(2) The special circumstances make it infeasible, for reasons other than financial cost, to develop the property in compliance with the standards of Chapter 14.

Due to the lot size and existing lot coverage, the Anasazi cannot expand anywhere but up to provide the same type of amenities allowed to competitors within the downtown area.

(3) The intensity of development shall not exceed that which is allowed on other properties in the vicinity that are subject to the same relevant provisions of Chapter 14.

The Anasazi already occupies 100% of the lot and there is no additional area to provide amenities that are being proposed for in this addition. All of the of the Anasazi's main competitors in the vicinity provide rooftop swimming facilities and outdoor and indoor dining, socializing and event staging on their rooftops which are subject to the same relevant provisions of Chapter 14.

(4) The variance is the minimum variance that will make possible the reasonable use of the land or structure. The following factors shall be considered:

(a) whether the property has been or could be used without variances for a different category or lesser intensity of use;

The property has not been nor would be used for other than a hotel. Regardless, expansion to the structure for any use could not be increased without the variance.

(b) consistency with the purpose and intent of Chapter 14, with the purpose and intent of the articles and sections from which the variance is granted and with the applicable goals and policies of the general plan.

This request is consistent with the intent of Chapter 14. The addition would be setback from the edge of the existing parapet so it will reduce its visibility and will not add or cast a shadow on the street below. The use (hotel) will remain which is consistent with the general plan's goals and policies.

(5) The variance is not contrary to the public interest.

This request is not contrary to public interest. In fact, it will support public interest by providing amenities that will serve the general public. It is in the interest of the public welfare for this property to remain economically viable and competitive in the hospitality industry and in downtown.

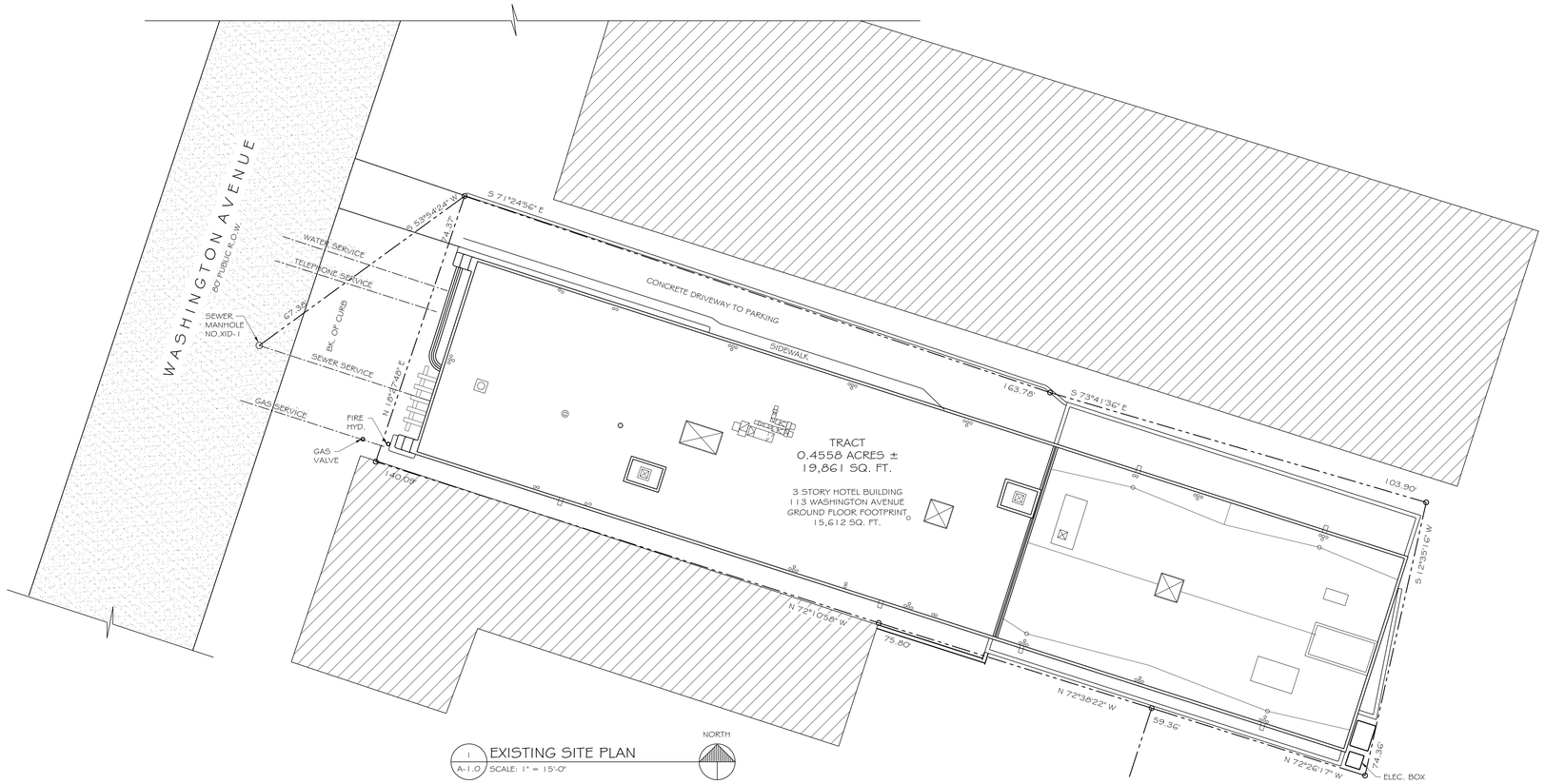
(6) There may be additional requirements and supplemental or special findings required by other provisions of Chapter 14.

Attached, please find a vicinity map and site plan outlining the project area. If you have any questions or comments, please contact Liaison Planning Services Inc., (505) 920-6839.

Sincerely,

Dolores I. Vigil

Attachments: Vicinity Map
Rooftop Floor Plan
Legal Lot of Record



GENERAL NOTES:

Site Plan

1. THE SITE SURVEY INFORMATION ON THIS SITE PLAN WAS TAKEN FROM A PLAT PREPARED JULY 18, 2005 BY:
PHILLIP B. WIEGEL N.M.P.S. #9758
DEL RIO SURVEYS, INC.
PO BOX 22773
SANTA FE, NEW MEXICO 87505

GRAPHIC SCALE: 1" = 15'-0"

0' 15' 30' 45'

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ARCHITECTURE
STUDIO PC
1624 PASEO DE PERALTA SANTA FE
505-989-4958 studio@martinezarch.com

INN OF THE ANASAZI
113 WASHINGTON AVENUE
SANTA FE, NEW MEXICO

MARCH 2, 2020

EXISTING & PROPOSED SITE PLANS

A 1.0

SET #

1904 - ANASAZI

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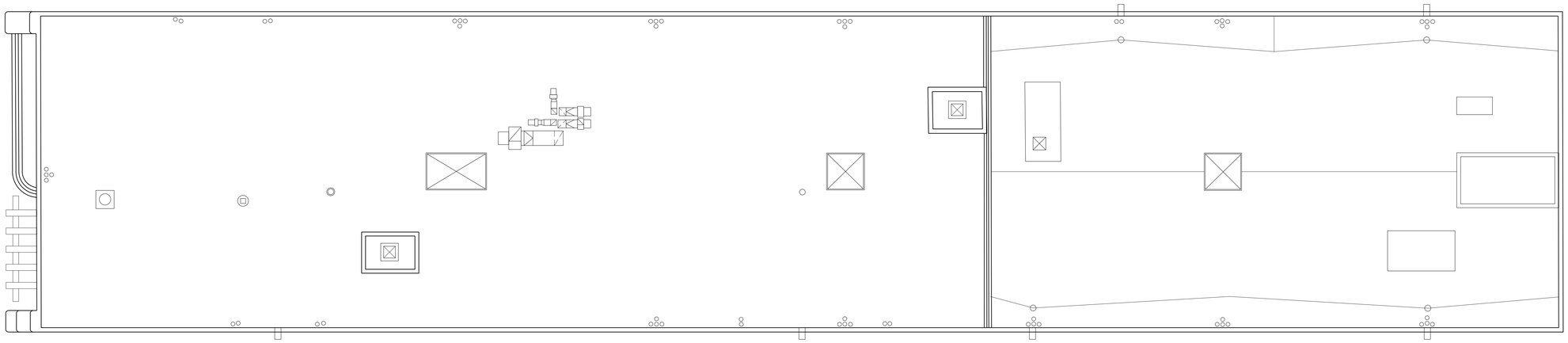
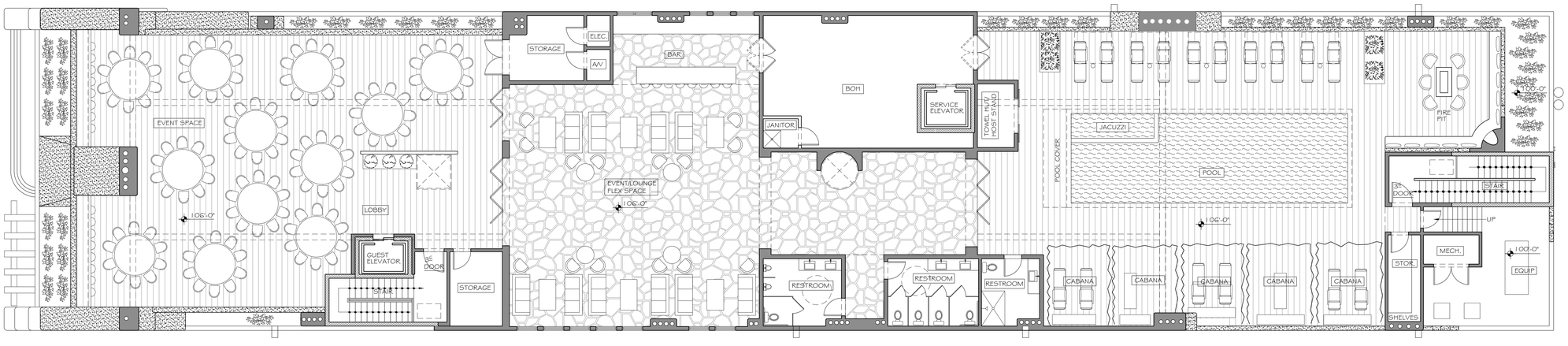


1 A-2.0 EXISTING ROOF PLAN
SCALE: 1/8" = 1'-0"

NORTH



1 A-2.0 PROPOSED FLOOR PLAN
SCALE: 1/8" = 1'-0"

NORTH

GRAPHIC SCALE: 1/8" = 1'-0"
0' 4' 8' 16' 24'

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INN OF THE ANASAZI
113 WASHINGTON AVENUE
SANTA FE, NEW MEXICO

MARCH 2, 2020

EXISTING ROOF PLAN & PROPOSED FLOOR PLAN

A 2.0

SET #
1904 - ANASAZI

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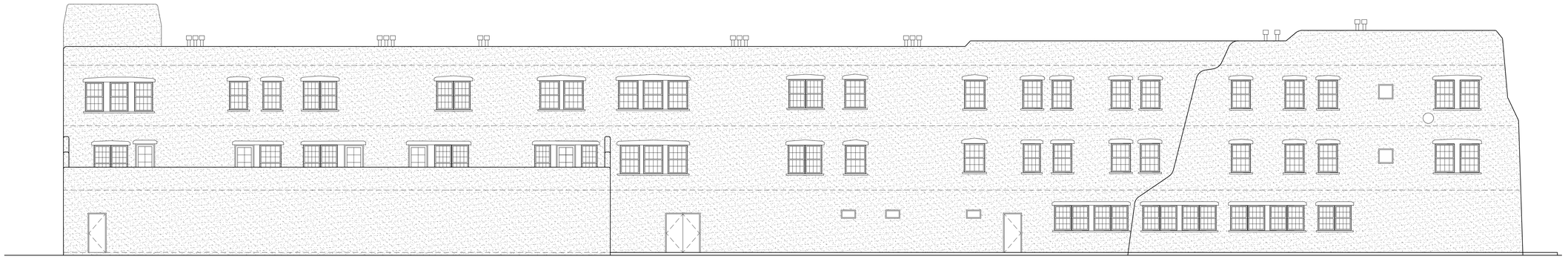

1 A-3.0 EXISTING NORTH ELEVATION
SCALE: 1/8" = 1'-0"

1 A-3.0 PROPOSED NORTH ELEVATION
SCALE: 1/8" = 1'-0"

GRAPHIC SCALE: 1/8" = 1'-0"
0' 4' 8' 16' 24'

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INN OF THE ANASAZI
113 WASHINGTON AVENUE
SANTA FE, NEW MEXICO

MARCH 2, 2020

PROPOSED NORTH ELEVATION

A
3.0

SET #
1904 - ANASAZI

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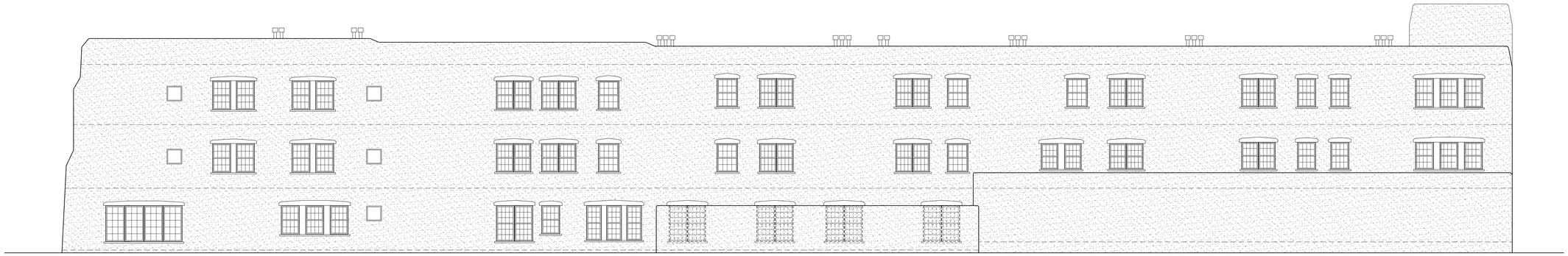

1 A-3.2 EXISTING SOUTH ELEVATION
SCALE: 1/8" = 1'-0"

2 A-3.2 PROPOSED SOUTH ELEVATION
SCALE: 1/8" = 1'-0"

GRAPHIC SCALE: 1/8" = 1'-0"
0' 4' 8' 16' 24'

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INN OF THE ANASAZI
113 WASHINGTON AVENUE
SANTA FE, NEW MEXICO

MARCH 2, 2020

EXISTING & PROPOSED SOUTH ELEVATION

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SET #
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1 A-3.3 EXISTING WEST ELEVATION
SCALE: 1/4" = 1'-0"

2 A-3.3 PROPOSED WEST ELEVATION
SCALE: 1/4" = 1'-0"

GRAPHIC SCALE: 1/4" = 1'-0"
0' 2' 4' 8' 12'

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INN OF THE ANASAZI
113 WASHINGTON AVENUE
SANTA FE, NEW MEXICO

MARCH 2, 2020

PROPOSED WEST ELEVATION

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SET #

1904 - ANASAZI

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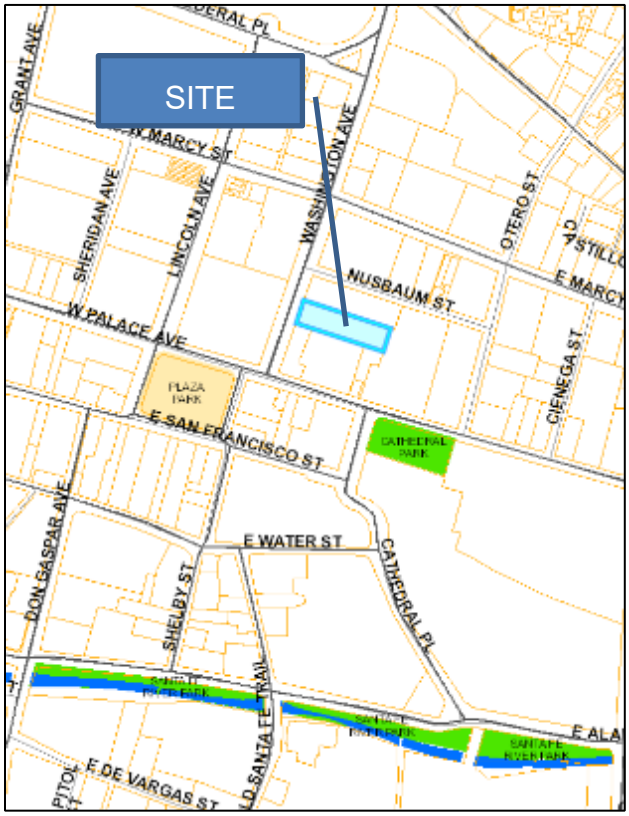
Land Use Department
Board Of Adjustment Staff Report

Case No's:	2020-2494 & 2020-2638
Hearing Date:	October 20, 2020
Applicant:	Liaison Planning Services Inc.
Request:	Variances.
Location:	113 Washington Avenue
Case Mgr.:	Daniel A. Esquibel
Zoning:	BCDMAR (Community Commercial [Business Capital District] – Marcy Townscape Sub-district)
Overlay:	Downtown and East Side Historic District, and Historic Archaeological Districts
Pre-app.	Mtg.: December 10, 2019
ENN Mtg.:	January 30, 2020
Proposal:	Request a variance to Table 14-7.4(A)-1 "Table of Dimensional Requirements for Townscape Districts" for the Marcy Townscape Sub-district, to allow a height of 56' where 42 'is the maximum and required stepbacks above 24'.



Case 2020-2494. 113 Washington Avenue Variance to Height. Liaison Planning Services Inc., Agent, for Rosewood Inn Of The Anasazi, Owner, request a variance to Table 14-7.4(A)-1 "Table of Dimensional Requirements for Townscape Districts" for the Marcy Townscape Sub-district, to allow a height of 56' where 42' is the maximum. The property is approximately .45 acres, zoned BCDMAR (Community Commercial [Business Capital District] – Marcy Townscape Sub-district) and located within the Downtown and East Side Historic District.

Case 2020-2638. 113 Washington Avenue Variance to Stepback. Liaison Planning Services Inc., Agent, for Rosewood Inn Of The Anasazi, Owner, request a variance to Table 14-7.4(A)-1 "Table of Dimensional Requirements for Townscape Districts" for the Marcy Townscape Sub-district, requirement from the 1" Vertical above 24'; wall stepbacks of 10 horizontal feet. The property is approximately .45 acres, zoned BCDMAR (Community Commercial [Business Capital District] – Marcy Townscape Sub-district) and located within the Downtown and East Side Historic District.

RECOMMENDATION

The Land Use Department recommends **DENIAL** of **Case #2020-2494** ***"113 Washington Avenue Variance to Height"*** and **DENIAL** of **#2020-2638** ***"113 Washington Avenue Variance to Stepback".***

Two motions will be required in the following order:

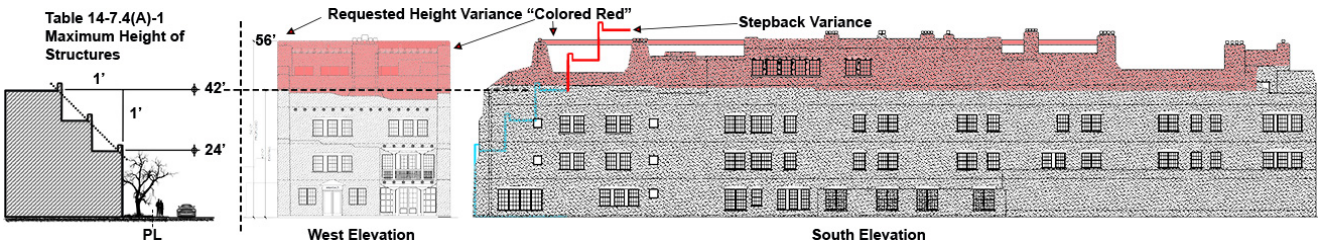
1. Approve or deny Case #2020-2494 113 Washington Avenue Variance to Table 14-7.4(A)-1 subject to technical corrections of approval Listed in Exhibit "A", recommended by staff.
2. Approve or deny Case #2020-2638 113 Washington Avenue Variance to Table 14-7.4(A)-1 subject to technical corrections of approval Listed in Exhibit "A", recommended by staff.

I. EXECUTIVE SUMMARY

The request consists of two variances both to Table 14-7.4(A)-1 "Table of Dimensional Requirements for Townscape Districts" to maximum height of structures and stepbacks:

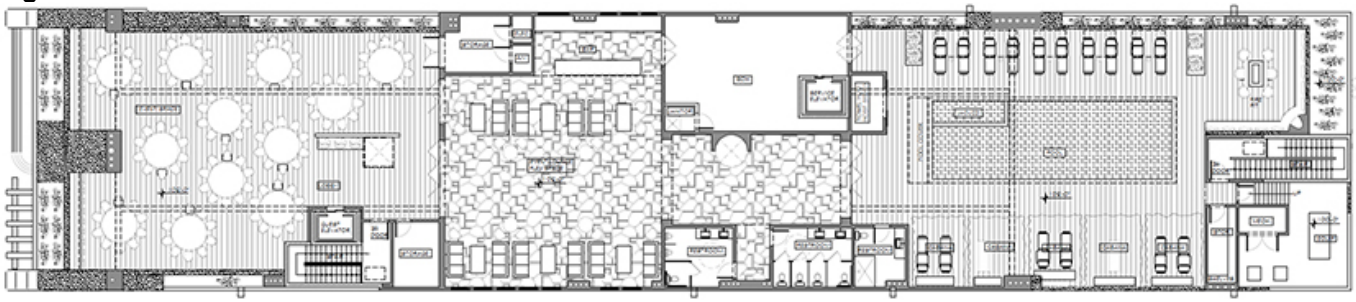
1. The first variance (Case #2020-2494) is a request to allow a 14-foot height increase above the maximum height limit of 42' within the Marcy Subdistrict. The request allows the Rosewood Inn of The Anasazi Hotel a height of 56'. (reference Figure 1).
2. The second variance (Case #2020-2638) is a request to waive the stepback requirement for structures exceeding 24' in height within the Marcy Subdistrict.
    - *"1' Horiz.: 1" Vert. above 24'; wall stepbacks shall be a minimum of 10 horizontal feet"* (see Figure 1).

Figure 1



The requested variances will allow the Applicant to construct rooftop amenities for guests staying at the hotel. The amenities include a bar, lounge, event space, pool and jacuzzi, cabanas and supporting facilities (refence Fig 2).

Figure 2



The Applicant has complied with Subsections 14-3.1(E) *"Pre-Application Conferences",* 14-3.1(F) "Early Neighborhood Notification Procedures" and 14-3.1(H) *"Notice Requirements".*

Staff's analysis finds that the Applicant has **not** satisfied Subsection 14-3.7(C) "Approval Criteria", for the proposed variances requested for **Case #2020-2494** and **Case # 2020-2638**.

II. SITE ANALYSIS

The property is approximately .45 acres, zoned Business Capital District-Marcy Subdistrict (BCDMAR - Community Commercial). The Business Capitol District comprises fourteen townscape subdistricts and two redevelopment subdistricts, each establishing different characteristics in architecture and streetscapes. Like the C-2 general commercial district counterpart, there is no lot size required in the BCD. Additionally, of the fourteen Townscape Subdistricts, ten do not have a lot coverage requirement. However, all but two Townscape Subdistricts have building placement or setback requirements. The Applicant's lot is a Legal lot of record established by the King's Map. There are two versions of the King's Map, one established in 1912 and the other established in 1924. Both King Map versions and current lot configuration are consistent, showing a Legal lot created before the effective date of Chapter 14 (December 5, 1962). Additionally, because there are no parameters for lot size or design in the BCD, the Applicant's lot has no nonconformities to lot size or lot configuration.

A. Adjacent Properties

The property adjoins the Plaza/San Francisco Townscape Subdistrict to the south and surrounded by the BCDMAR to the north, west and east.

Table 1 (Adjacent Properties)

North	Hotel Chimayo	Zoning
South	The Burrito Company	BCDMAR
	The Shed Restaurant	BCDPLA
	Rainbow Man Gallery	
East	Parking Lot	
West	Washington Avenue	Streets are not zoned

B. BCDMAR (Table 14-7.4(A)-1 "Table of Dimensional Requirements for Townscape Districts")

Table 2 Table 14-7.4(A)-1 (BCDMAR)

Category	Standard	Compliance
Maximum Height of Structures (feet); Stepback Note 2	42 1' Horiz.: 1" Vert. above 24'; wall stepbacks shall be a minimum of 10 horizontal feet.	Partially Legal nonconforming (The stair way at the east end of the building measures to approximately 45' high).
Maximum Lot Coverage Ratio	No requirements	Complies to standard (79.6% lot coverage)
Building Placement and Setback Requirements (feet)	Front required yard equal to the average depth of existing front yards on the block shall be required for (a) the east side of Washington Avenue between Place Avenue and Paseo de Peralta (Hillside); and the west side of Grant Avenue between Palace Avenue and Paseo de Peralta. Elsewhere in the subdistrict there are no required yards.	Legal nonconforming (No front yard)
Minimum Open Space Requirements	An open space of no less than 10 percent of the lot area shall be located adjacent to the front	Legal nonconforming (No front yard and no open space)

	property line to serve as a yard or courtyard	
Landscape Treatment in Yards	Landscape treatment required in yards and open space. Street trees and landscape treatment required if planting strip exists. Asphalt or concrete pavement prohibited in planting strip. Note 3.	Legal nonconforming (building makes up approximately 79.6% lot coverage with no front yard)
Height of Walls and Fences (feet)	4 maximum	No fence proposed (Not Applicable)
Placement of Off-Street Parking	Placement of Off-Street Parking	Complies to standard (No parking on site)
Portals	Prohibited within ROW	Complies to standard (No proposed Portal in the ROW)

C. Fire

The City Fire Department provided standard conditions should the Board of Adjustment (BOA) approve Cases 20-2494 and 20-2638. These conditions are listed both in Exhibit "A" *"Technical Correction" and Exhibit* "B" *"DRT Comments"*.

VII. VARIANCE APPROVAL CRITERIA (Cases #20-2494 and 20-2638 113 Washington Avenue Variance to Table 14-7.4(A)-1 "Table of Dimensional Requirements for Townscape Districts")

The variance process balances reasonable use of the Applicant's property against compliance with the letter and intent of adopted regulations. The proposal must be consistent with at least one of the circumstances listed in Criteria 1a through 1d, and must be consistent with all of Criteria 2 through 5.

On September 22, 2020, The Historic Design Review Board (HDRB) reviewed and approved the proposed modification to the Inn of The Anasazi Hotel. The Memorandum presented to the HDRB and supporting documentation is included in Exhibit "F" of the BOA packet. It should be noted that the review criteria required by the HDRB to adopt the Findings of Fact and Conclusions of Law are different from the review criteria required by the Board of Adjustment to make findings pursuant to Chapter 14-3.16 *"Variances."*

Table 3 Variance Approval Criteria– Subsection 14-3.16(C) (Case #20-2494 Variance to Height)

Criterion 1: Subsection 14-3.6(C)(1) as follows: One or more of the following special circumstances applies:	**Criterion Met:** (Yes/No/)
(a) unusual physical characteristics exist that distinguish the land or structure from others in the vicinity that are subject to the same relevant provisions of Chapter 14, characteristics that existed at the time of the adoption of the regulation from which the variance is sought, or that were created by natural forces or by government action for which no compensation was paid; or **(b) the parcel is a Legal nonconforming lot created prior to the adoption of the regulation from which the variance is sought, or that was created by government action for which no compensation was paid; or** **(c) there is an inherent conflict in applicable regulations that cannot be resolved by compliance with the more restrictive provision as provided in Section 14-1.7; or** **(d) the land or structure is nonconforming and has been designated as a landmark, contributing or significant property pursuant to Section 14-5.2 (Historic Districts).**	**NO**

The Applicant's response states that:

- *"The variance is requested due to the small size of the lot, and the fact that it is completely covered with an existing structure that exceeds the allowable height. Most other lots within the vicinity do not exceed the allowable zoning height of 42 feet, and thus are able to make improvements without the need for a variance."*
- *"The Inn of the Anasazi sits on a lot that has for decades, been occupied by a tall building covering the entire lot and the applicant did not divide the property to create a lot with a small area of land rather, the small lot was created many, many decades ago. The condition of the lot is not a result of the action of the owner."*

Staff's Analysis:

Two of the circumstances presented by the Applicant, i.e., "small size of the lot" and "completely covered with an existing structure," is a common feature within the BCDMAR and adjoining BCDPLA Townscapes Subdistricts. As stated earlier in this report, ten of the fourteen townscape subdistricts, including the BCDMAR, have no lot coverage or lot size requirement. Neither lot size nor lot coverage makes for a unique or special circumstance in the majority of the BCD Townscape Subdistricts. The Applicant's third presented circumstance states that "Most other lots within the vicinity do not exceed the allowable zoning height of 42 feet". However, except for the stair wells located at the east end of the hotel building, the hotel is in the same circumstance with all height compliant buildings at or below the BCDMAR maximum height limits. Any improvement request to exceed the zoning height limit would require a variance.

Additionally, baring no unpermitted work on a property, maintenance, and repair is permitted on all buildings in the BCD subject to review by the City Historic Division and or HDRB, subject Chapter 14-5.2 "Historic Districts." The requirement to seek a variance to exceed zoning height limits do not make for a unique or special circumstance. Finally, the Applicant states: "the applicant did not divide the property to create a lot" and "[t]he condition of the lot is not a result of the action of the owner." Neither circumstance is a criterion required by 14-3.6(C) "Approval Criteria." Additionally, the Applicant has not provided any information relative to lot size or lot design to establish a nonconformity under Chapter 14 today.

Staff's analysis identifies that the Applicant has not satisfied the variance criterion required by Subsection 14-3.6(C)(1).

Criterion 2:	**Criterion Met:**
The special circumstances make it infeasible, for reasons other than financial cost, to develop the property in compliance with the standards of Chapter 14.	(Yes/ No) **NO**

The Applicant's response states that:

"Due to the lot size and existing lot coverage, the Anasazi cannot expand anywhere but up to provide the same type of amenities allowed to competitors within the downtown area."

Staff's Analysis:

Criterion 14-3.6(C)(3) looks for special circumstances that *"make it infeasible to develop the property in compliance with the standards of Chapter 14."* 14-3.6(C)(3) does not allow for any circumstance to develop a property out of compliance with the standards of Chapter 14. A property developed to the maximum allowance of Chapter 14 allows the property owner reasonable use of land and structure within the rules. In criterion 14-3.6(C)(1), the Applicant identified that the conditions of the lot were not the "*result of the action of the owner."* However, the conditions of the property were known to the Applicant at the time of purchase. These conditions include a fully developed lot that maximized lot coverage and building height. Further, nothing within Chapter 14 provides a business a variance of the rules to compete with adjacent uses or similar uses in the area or other zoned districts.

Staff's analysis identifies that the Applicant has not satisfied the variance criterion required by Subsection14-3.6(C)(2).

Criterion 3: The intensity of the development shall not exceed that which is allowed on other properties in the vicinity that are subject to the same relevant provisions of Chapter 14	**Criterion Met:** (Yes/No) **NO**

The Applicant's response states that:

"The Anasazi already occupies 100% of the lot and there is no additional area to provide amenities that are being proposed for in this addition. All of the of the Anasazi 's main competitors in the vicinity provide rooftop swimming facilities and outdoor and indoor dining, socializing and event staging on their rooftops which are subject to the same relevant provisions of Chapter 14."

Staff's Analysis:

Staff could not identify "*competitors*" with "*rooftop swimming facilities and outdoor and indoor dining, socializing and event staging on their rooftops"* within the same Marcy Townscape Subdistrict. The proposal does increase the intensity in that the proposed height increases the extent of development per unit of area beyond the maximum heights within the BCD Marcy Townscape Subdistrict. The proposal also increases the intensity in that the request also exceeds regulations not allowed *"on other properties in the vicinity that are subject to the same relevant provisions of Chapter 14."* Chapter 14 does not provide a criterion to vary the rules to compete with adjacent uses or similar uses in different zoned districts.

Staff's analysis identifies that the Applicant has not satisfied the variance criterion required by Subsection14-3.6(C)(2).

Criterion 4: **The variance is the minimum variance that will make possible the reasonable use of the land or structure. The following factors shall be considered:** **(a) whether the property has been or could be used without variances for a different category or lesser intensity of use; and** **(b): consistency with the purpose and intent of Chapter 14, with the purpose and intent of the articles and sections from which the variance is granted and with the applicable goals and policies of the general plan.**	**Criterion Met:** (Yes/No) **YES**

The Applicant's response to "4a" states that:

"The property has not been nor would be used for other than a hotel. Regardless, expansion to the structure for any use could not be increased without the variances."

The Applicant's response to "4b" states that:

"This request is consistent with the intent of Chapter 14. The addition would be setback from the edge of the existing parapet so it will reduce its visibility and will not add or cast a shadow on the street below. The use (hotel) will remain which is consistent with the general plan 's goals and policies."

Staff's Analysis (4a):
Reasonable use is not defined in Chapter 14. The criterion requires the Board of Adjustment to find that the proposed "*variance is the minimum variance that will make possible the reasonable use of the land or structure"* using the factors of "4a" and "4b". Criterion (4a) asked the Board to consider if the property could be used without a variance or different intensity of use. The property could be used for a different use that does not require the competitive need for the proposed amenities and variances. However, the proposed variance does not increase the intensity of use as the proposed amenities are common ancillary components of a hotel.

Staff's Analysis (4b):
The Governing Body adopted the BCD Ordinance on February 10, 1982, a recommendation from the Urban Policy Board in1981. The Ordinance replaced the RM-1(renamed R21 – Residential: 21 dwelling units per acre), C-1(General Office), C-3 (General Commercial), and I-1 (Light Industrial) Districts, which now make up a collection of fourteen unique Townscape Subdistrict (Townscapes). The Townscapes defined areas of the downtown area, characterizing distinct urban design and architecture. While respecting the historic urban fabric of the area, design standards were established in 1983 for each Townscape. The design standards regulated building height, building placement, lot coverage, etc., to maintain the character of each Townscape.

14-7.4(3) The Design Objectives for Townscape Subdistrict:

14-7.4(3)(g) Marcy Street Subdistrict:

(i) maintain street trees and stands of trees as dominant elements in the subdistrict;
(ii) maintain avenue features, such as broad streets, planting strips, street trees and wide sidewalks;
(iii) maintain a sense of openness to provide occasional view of the mountains;
(iv) separate pedestrians from vehicles using planting strips and street trees while providing an enclosed space; and
(v) maintain the relationship between the height and mass of trees and the height and scale of buildings.

On March 10, 2020, the Applicant presented an Exception to the Historic Design Review Board (HDRB) directly affecting height and massing. The decision of the HDRB was to approve the Exception subject to conditions. On June 24, 2020, The Applicant presented an appeal of the HDRB the conditions to the Governing body. The decision of the Governing Body was to uphold the decision of the HDRB. The criterion for the HDRB to approve an exception is listed in Exhibit "E". The follow identify criterion that affect the Design Objectives of 14-7.4(3)(g) *"Marcy Street Subdistrict"*:

- *Height:*
  If the applicant requests approval of a height in the historic district that exceeds the underlying zoning district requirement, the applicant shall first receive an exception to this Section 14-5.2. If approved by the historic board, the applicant shall proceed to the board of adjustment or other applicable city body for consideration of the proposed variance.

- *Height, Pitch, Scale, Massing, and Floor Stepbacks*

    - *Do not damage the character of the streetscape;*
    - *Prevent a hardship to the applicant or an injury to the public welfare;*
    - *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;*
    - *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;*
    - *Are due to special conditions and circumstances which are not a result of the actions of the applicant; and*
    - *Provide the least negative impact with respect to the purpose of this section as set forth in Subsection 14-5.2(A)(1).*

The architectural modifications approved by the HDRB and upheld by the Governing Body are *consistent* with purpose and intent of the *Marcy Street Subdistrict* design objectives.

Staff's analysis identifies that the Applicant has satisfied the variance criterion required by 14-3.6(C)(4) based on HDRB approval and affirmed by Governing Body .

Criterion 5: The variance is not contrary to the public interest;	**Criterion Met:** (Yes/No) **YES**

The Applicant's response states that:

"This request is not contrary to public interest. In fact, it will support public interest by providing amenities that will serve the general public. It is in the interest of the public welfare for this property to remain economically viable and competitive in the hospitality industry and in downtown."

Staff's Analysis:
The public interest is much broader than the benefits obtained by a single company to compete within the same universe of businesses in the area. Publicly developed and promulgated regulations by the municipality provide minimum health, safety, and welfare standards to support the public interest. The HDRB has addressed architectural compatibility to the Townscape. The conditional approval by the HDRB does not conflict to public interest for the modifications proposed.

Staff's analysis identifies that the Applicant has satisfied the variance criterion required by 14-3.6(C)(5).

Table 4 Variance Approval Criteria– Subsection 14-3.16(C) (Case 20-2638)

Criterion 1: Subsection 14-3.6(C)(1) as follows: One or more of the following special circumstances applies:	**Criterion Met:** (Yes/No/)
(a) unusual physical characteristics exist that distinguish the land or structure from others in the vicinity that are subject to the same relevant provisions of Chapter 14, characteristics that existed at the time of the adoption of the regulation from which the variance is sought, or that were created by natural forces or by government action for which no compensation was paid; or **(b) the parcel is a Legal nonconforming lot created prior to the adoption of the regulation from which the variance is sought, or that was created by government action for which no compensation was paid; or** **(c) there is an inherent conflict in applicable regulations that cannot be resolved by compliance with the more restrictive provision as provided in Section 14-1.7; or** **(d) the land or structure is nonconforming and has been designated as a landmark, contributing or significant property pursuant to Section 14-5.2 (Historic Districts).**	**NO**

The Applicant's response states that:

- *"The variance is requested due to the small size of the lot, and the fact that it is completely covered with an existing structure which is currently 42' in height. The applicant is proposing a rooftop addition that would increase the height to 56'. This setback requirement would not allow for any improvements that are allowed by most other properties within the vicinity, and thus are able to make improvements without the need for a variance."*
- *"The Inn of the Anasazi sits on a lot that has for decades, been occupied by a tall building covering the entire lot and the applicant did not divide the property to create a lot with a small area of land. Rather, the small lot was created many, many decades ago. The condition of the lot is not a result of the action of the owner."*

Staff's Analysis:
The Applicant's response to criterion 14-3.6(C)(1)(a) & (b) are similar responses provided to the same Subsection given for Case #20-2494 *"Variance to Height."* Therefore, the Staff response is also the same for this criterion, with the additional review. The current massing of the building is nonconforming relative to stepbacks. This requested variance will increase the nonconformity within the Marcy Townscape Subdistrict that exceed 24' in height. The proposed addition is the design of the Applicant. The Applicant's response fails to provide any circumstance that prevents the plan to include the stepbacks in compliance with Chapter 14, for the proposed addition.

Staff's analysis identifies that the Applicant has not satisfied the variance criterion required by Subsection 14-3.6(C)(1).

Criterion 2: **The special circumstances make it infeasible, for reasons other than financial cost, to develop the property in compliance with the standards of Chapter 14.**	**Criterion Met:** (Yes/ No) **<u>NO</u>**

The Applicant's response states that:

"Due to the lot size and existing lot coverage, the Anasazi cannot expand anywhere but up to provide the same type of amenities allowed to competitors within the downtown area."

Staff's Analysis:

The Applicant's response to criterion 14-3.6(C)(2) is the same provided to the same Subsection given for Case #20-2494 *"Variance to Height"* which does not address the criterion relative to the requested variance. Therefore, the Staff response is also the same for this criterion, with the additional review. The proposed addition is the design of the Applicant. The Applicant's response fails to provide any special circumstances that make it infeasible to design and develop the addition to include the stepbacks in compliance with Chapter 14's standards.

Staff's analysis identifies that the Applicant has not satisfied the variance criterion required by Subsection14-3.6(C)(2).

Criterion 3: The intensity of the development shall not exceed that which is allowed on other properties in the vicinity that are subject to the same relevant provisions of Chapter 14	**Criterion Met:** (Yes/No) **NO**

The Applicant's response states that:

> *"The Anasazi already occupies 100% of the lot and there is no additional area to provide amenities that are being proposed for in this addition. All of the of the Anasazi 's main competitors in the vicinity provide rooftop swimming facilities and outdoor and indoor dining, socializing and event staging on their rooftops which are subject to the same relevant provisions of Chapter 14."*

Staff's Analysis:

The Applicant's response to criterion 14-3.6(C)(3) is the same provided to the same Subsection given for Case #20-2494 *"Variance to Height"* Therefore, the Staff response is also the same for this criterion, with the additional review. The failure to comply with the step back massing requirements adds to the intensity of the development relative to the design standards, design objectives of the Marcy Townscape. However, while the Applicant failed to address the criterion of Subsection14-3.6(C)(3), the architectural modifications approved by the HDRB do address the intent of the Townscape to help mitigate the step back variance request.

Staff's analysis identifies that the Applicant has not satisfied the variance criterion required by Subsection14-3.6(C)(3).

Criterion 4: **The variance is the minimum variance that will make possible the reasonable use of the land or structure. The following factors shall be considered:** **(a) whether the property has been or could be used without variances for a different category or lesser intensity of use; and** **(b): consistency with the purpose and intent of Chapter 14, with the purpose and intent of the articles and sections from which the variance is granted and with the applicable goals and policies of the general plan.**	**Criterion Met:** (Yes/No) **YES**

The Applicant's response to "4a" states that:

"The property has not been nor would be used for other than a hotel. Regardless, expansion to the structure for any use could not be increased without the variance."

The Applicant's response to "4b" states that:

"The Planning Commission is granted the authority by Code to allow for roads that are more representative of the development pattern in the existing neighborhood. This is certainly the case where this private road has existed since the 1970 's. The general plan does state that the character of the surrounding neighborhood should be recognized when considering new development."

Staff's Analysis (4a) and (4b):
The Applicant's responses to criterion 14-3.6(C)(4a) and (4b) are the same provided to the same Subsection given for Case #20-2494 *"Variance to Height"* Therefore, the Staff response is also the same for this criterion.

Staff's analysis identifies that the Applicant has satisfied the variance criterion required by 14-3.6(C)(4).

Criterion 5: The variance is not contrary to the public interest;	**Criterion Met:** (Yes/No) **YES**

The Applicant's response states that

"This request is not contrary to public interest. In fact, it will support public interest by providing amenities that will serve the general public. It is in the interest of the public welfare for this property to remain economically viable and competitive in the hospitality industry and in downtown."

Staff's Analysis:
The Applicant's response to criterion 14-3.6(C)(5) is the same provided to the same Subsection given for Case #20-2494 *"Variance to Height"* Therefore, the Staff response is also the same for this criterion, with the additional review.

Staff's analysis identifies that the Applicant has satisfied the variance criterion required by 14-3.6(C)(5).

VIII. EARLY NEIGHBORHOOD NOTIFICATION

The Applicant conducted a ENN on January 30, 2020, at the Main Library located at 145 Washington Ave. There were eight members of the public in attendance. The following concerns were raised at the meeting:

1. Trash such as cups and napkins etc., flying of the roof and onto adjacent properties.
2. There was no detail where the construction vehicles are park.
3. Who to talk to if damage from construction occurs?

These concerns were not addressed in the Applicant's submittals.

IX. EXPIRATION

The expiration date for a variance is listed in Subsection 14-3.19(B) *"Expiration of Development Approvals"*. Variances shall expire three years after final action approving it unless actual development of the site or offsite improvements has begun and is continued pursuant to Subsection 14-3.19(B)(6)."

Should the Board of Adjustment approve the variances and adopt all the Findings of Fact and Conclusions of Law, the expiration date would be October 20, 2023.

X. EXHIBITS:

EXHIBIT A: Technical Conditions

EXHIBIT B: Development Review Team (DRT)
1) Fire Department, Geronimo Griego

EXHIBIT C: Early Neighborhood Notification
1) Guidelines
2) ENN Notes

EXHIBIT D: Maps and Photos
1) Current Zoning Map 1
2) Current Zoning Map 2
3) BCD Townscape Subdistrict Map
4) Aerial Photo

EXHIBIT E: Code Material
1) Table 14-7.4(A)-1 "Table of Dimensional Requirements for Townscape Districts"
2) *14-7.4(3) The Design Objectives for Townscape Subdistrict"*
3) 14-5.2(C)(5)(C) *"Exceptions"*

EXHIBIT F: HDRB Material
1) March 10, 2020 HDRB Memo
2) June 24, 2020 Governing Body Appeal material
3) September 2020 HDRB material

EXHIBIT G: Applicant Material
1) Application Variance to Height
2) Application Variance to Stepback
3) Plans

APPROVED AS TO FORM:

Title	Name	Initials
Land Use Department Director	Elias Isaacson, AICP	ESI
Land Use Planner Senior	Dan Esquibel	

October 20, 2020
Board Of Adjustment
Case #2020-2494 & 2020-2638
113 Washington Avenue
Variances

EXHIBIT

A

Technical Corrections

EXHIBIT A
Technical Corrections
Case #2020-2494 & 2020-2638
113 Washington Avenue Variances

	Technical Corrections of approval	Department	To be completed by:
1	Fire apparatus access shall have an unobstructed width of not less than 20 feet exclusive of shoulders and an unobstructed vertical clearance of not less than 13 feet 6 inches (IFC 2009 Section 503.2.1)	**Fire Division**	At the time of any new construction or remodel.
2	Shall meet the 150 feet driveway requirements must be met as per IFC, or an emergency turn-around that meets the IFC requirements shall be provided. (Appendix D Table D103.4)		
3	Shall comply with table D103.4 Requirements for Dead-End Fire Apparatus Access Roads.		
4	Fire Department shall have 150 feet distance to any portion of the building on any new construction. (IFC 2009 section 503.1.1)		
5	507.5 Fire hydrant systems. Fire hydrant systems shall comply with Sections 507.5.1 through 507.5.6. 507.5.1 Where required. Where a portion of the facility or building hereafter constructed or moved into or within the jurisdiction is more than 400 feet (122 m) from a hydrant on a fire apparatus access road, as measured by an approved route around the exterior of the facility or building.		
6	Shall have water supply that meets fire flow requirements as per IFC (Appendix B)		
7	Shall comply with Section D102.1 Access and Loading (75,000 lbs).		
8	Shall meet the 150 feet driveway requirements must be met as per IFC, or an emergency turn-around that meets the IFC requirements shall be provided. (Appendix D Table D103.4)		
9	Shall comply with IFC 2009 Section D103.2 Grade. Fire apparatus access roads shall not exceed 10 percent in grade.		
10	Shall comply with IFC 2009 Section D103.5 Fire apparatus access road gates.		
11	Shall comply with IFC 2009, Appendix D, Aerial Fire Apparatus Access Roads.		

12	Shall meet the IFC code requirements 2009 edition or the most current edition the governing body has adopted at the time of permitting.		

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Variances

EXHIBIT

B

DRT

Development Review Team

Comment Form

Date: 10/02/2020

Staff person: Geronimo Griego

Dept/Div: Fire Prevention

Case:2020-2638 113 Washington Avenue Variance to Step back

Case Mgr: Dan Esquibel

Review by this division/department has determined that this application will meet applicable standards if the following are met:

Conditions of Approval:	Must be completed by:
Shall provide elevations for full review from fire department.	Prior to planning commission.

Technical Corrections*:	Must be completed by:
1. Fire apparatus access shall have an unobstructed width of not less than 20 feet exclusive of shoulders and an unobstructed vertical clearance of not less than 13 feet 6 inches (IFC 2009 Section 503.2.1) 2. Shall meet the 150 feet driveway requirements must be met as per IFC, or an emergency turn-around that meets the IFC requirements shall be provided. (Appendix D Table D103.4) 3. Shall comply with table D103.4 Requirements for Dead-End Fire Apparatus Access Roads. 4. Fire Department shall have 150 feet distance to any portion of the building on any new construction. (IFC 2009 section 503.1.1) 5. 507.5 Fire hydrant systems. Fire hydrant systems shall comply with Sections 507.5.1 through 507.5.6. 507.5.1 Where required. Where a portion of the facility or building hereafter constructed or moved into or within the jurisdiction is more than 400 feet (122 m) from a hydrant on a fire apparatus access road, as measured by an approved route around the exterior of the facility or building. 6. Shall have water supply that meets fire flow requirements as per IFC (Appendix B)	At the time of any new construction or remodel.

7. Shall comply with Section D102.1 Access and Loading (75,000 lbs). 8. Shall meet the 150 feet driveway requirements must be met as per IFC, or an emergency turn-around that meets the IFC requirements shall be provided. (Appendix D Table D103.4) 9. Shall comply with IFC 2009 Section D103.2 Grade. Fire apparatus access roads shall not exceed 10 percent in grade. 10. Shall comply with IFC 2009 Section D103.5 Fire apparatus access road gates. 11. Shall comply with IFC 2009, Appendix D, Aerial Fire Apparatus Access Roads. 12. Shall meet the IFC code requirements 2009 edition or the most current edition the governing body has adopted at the time of permitting.	

*Must made prior to recording and/or permit issuance

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Variances

EXHIBIT

C

ENN

ENN GUIDELINES

Applicant Information

Project Name: **Inn of the Anaszi Variance**

Name: **Rosewood Inn of the Anasazi** (*Last*) **c/o Lutz Arnhold** (*First*) (*M.I.*)

Address: **113 Washington** (*Street Address*) (*Suite/Unit #*)

Santa Fe (*City*) **NM** (*State*) **87501** (*ZIP Code*)

Phone: **(505) 946-4009** E-mail Address: **c/o liaisonplanning@gmail.com**

Please address each of the criteria below. Each criterion is based on the Early Neighborhood Notification (ENN) guidelines for meetings, and can be found in Section 14-3.1(F)(5) SFCC 2001, as amended, of the Santa Fe City Code. A short narrative should address each criterion (if applicable) in order to facilitate discussion of the project at the ENN meeting. These guidelines should be submitted with the application for an ENN meeting to enable staff enough time to distribute to the interested parties. For additional detail about the criteria, consult the Land Development Code.

(a) EFFECT ON CHARACTER AND APPEARANCE OF THE SURROUNDING NEIGHBORHOODS ***For example: number of stories, average setbacks, mass and scale, landscaping, lighting, access to public places, open spaces and trails.***

The property is located on the east side of Washington Avenue, north of Palace Avenue at 113 Washington Avenue and is zoned BCD-MAR. The property is approximately 19,861 square feet. The applicant would a variance to increase the height from 42' to 56' for a roof top pool, bar and event space.

(b) EFFECT ON PROTECTION OF THE PHYSICAL ENVIRONMENT ***For example: trees, open space, rivers, arroyos, floodplains, rock outcroppings, escarpments, trash generation, fire risk, hazardous materials, easements, etc.***

Approval of this request will not adversely affect the public interest. The site is currently being used as a hotel and an increase in use will not effect open space, rivers, arroyos, floodplains, trees, rock outcroppings, escarpment, trash generation, fire risk nor easements. The primary use of this building will remain the same.

(c) IMPACTS ON ANY PREHISTORIC, HISTORIC, ARCHAEOLOGICAL OR CULTURAL SITES OR STRUCTURES, INCLUDING ACEQUIAS AND THE HISTORIC DOWNTOWN ***For example: the project's compatibility with historic or cultural sites located on the property where the project is proposed.***

The property is located within the Downtown Eastside Historic District and will have to adhere to the standards. An application to the Historic Board has been submitted for review.

(d) RELATIONSHIP TO EXISTING DENSITY AND LAND USE WITHIN THE SURROUNDING AREA AND WITH LAND USES AND DENSITIES PROPOSED BY THE CITY GENERAL PLAN ***For example: how are existing City Code requirements for annexation and rezoning, the Historic Districts, and the General Plan and other policies being met.***

The subject property has been approved for its current use and satisfies all the requirements within the General Plan. Aside from the requested variances, the property meets all development standards.

(e) EFFECTS ON PARKING, TRAFFIC PATTERNS, CONGESTION, PEDESTRIAN SAFETY, IMPACTS OF THE PROJECT ON THE FLOW OF PEDESTRIAN OR VEHICULAR TRAFFIC AND PROVISION OF ACCESS FOR THE DISABLED, CHILDREN, LOW-INCOME AND ELDERLY TO SERVICES ***For example: increased access to public transportation, alternate transportation modes, traffic mitigation, cumulative traffic impacts, pedestrian access to destinations and new or improved pedestrian trails.***

Presently, parking is solely valet and vehicles are parked underground. The amount of spaces provided meet and exceed what is required. The proposed improvements do not require additional parking spaces. Because the improvements are to the rooftop and are not adding to the footprint an increase in traffic and circulation will not be affected.

The proposed application will maintain adequate road standards, will provide access to public transportation and pedestrian walkways.

(f) IMPACT ON THE ECONOMIC BASE OF SANTA FE ***For example: availability of jobs to Santa Fe residents; market impacts on local businesses; and how the project supports economic development efforts to improve living standards of neighborhoods and their businesses.***

While new development may be perceived a negative impact on neighborhood property owners in the immediate vicinity, that impact must be weighed against the benefit to the public, or the expense to the public, of not allowing improvements to commercial businesses within the downtown area. The proposed improvements will provide employment and a place for the public and guests to enjoy these amenaties.

(g) EFFECT ON THE AVAILABILITY OF AFFORDABLE HOUSING AND AVAILABILITY OF HOUSING CHOICES FOR ALL SANTA FE RESIDENTS ***For example: creation, retention, or improvement of affordable housing; how the project contributes to serving different ages, incomes, and family sizes; the creation or retention of affordable business space.***

This project is not applicable.

(h) EFFECT UPON PUBLIC SERVICES SUCH AS FIRE, POLICE PROTECTION, SCHOOL SERVICES AND OTHER PUBLIC SERVICES OR INFRASTRUCTURE ELEMENTS SUCH AS WATER, POWER, SEWER, COMMUNICATIONS, BUS SYSTEMS, COMMUTER OR OTHER SERVICES OR FACILITIES ***For example: whether or how the project maximizes the efficient use or improvement of existing infrastructure; and whether the project will contribute to the improvement of existing public infrastructure and services.***

Public water and sewer are readily available at this site and have sufficient capacity to handle the additional load from this development. All other outside utility providers agree that this site is well served by existing infrastructure, with all dry utilities either already on, adjacent to, or in close

proximity to the property. Dry utilities are of sufficient capacity to serve the project at full development.

(i) IMPACTS UPON WATER SUPPLY, AVAILABILITY AND CONSERVATION METHODS ***For example: conservation and mitigation measures; efficient use of distribution lines and resources; effect of construction or use of the project on water quality and supplies.***

The development will be served by City Water and sewer. Conservation methods will be incorporated into the project as required by Code.

(j) EFFECT ON THE OPPORTUNITIES FOR COMMUNITY INTEGRATION AND SOCIAL BALANCE THROUGH MIXED LAND USE, PEDESTRIAN ORIENTED DESIGN, AND LINKAGES AMONG NEIGHBORHOODS AND RECREATIONAL ACTIVITY AND EMPLOYMENT CENTERS ***For example: how the project improves opportunities for community integration and balance through mixed land uses, neighborhood centers and/or pedestrian-oriented design.***

Planning for mixed uses and linkages to employment centers seem to have been central in this area. The proposed project will enrich community integration and employment opportunities. The design provides the property with enhancements that are allowed among other hotels within the downtown historic district. The proposed project fits well into this conceptual model.

(k) EFFECT ON SANTA FE'S URBAN FORM ***For example: how are policies of the existing City General Plan being met? Does the project promote a compact urban form through appropriate infill development? Discuss the project's effect on intra-city travel and between employment and residential centers.***

The proposed improvements will be sited on an existing building site that is high density and will not exceed the scale of surrounding buildings. Its proximity to both a busy mixed-use neighborhood with public transportation serves the policies of the City 's General Plan well. Travel between employment and residential centers will not be affected.

City of Santa Fe
Land Use Department
Early Neighborhood Notification Meeting Notes

Project Name	ENN: 113 Washington Avenue
Project Location	113 Washington Avenue
Project Description	Proposed variance request from 14-7.4(A)-1 Table of Dimensional Requirements for Townscapes to increase the maximum height of 42 feet within the Marcy Townscape to allow the Rosewood Inn of the Anasazi a height of 56 foot rooftop accessory use. The project is located at 113 Washington Avenue.
Applicant / Owner	Rosewood Inn Of The Anasazi
Agent	Liaison Planning Services Inc.
Pre-App Meeting Date	December 10, 2019
ENN Meeting Date	January 30, 2020
ENN Meeting Location	Main Library, 145 Washington Ave
Application Type	ENN
Land Use Staff	Dan Esquibel
Other Staff	None
Attendance	8

Notes/Comments:
The Applicant conducted a ENN on January 30, 2020, at the Main Library located at 145 Washington Ave. There were eight members of the public in attendance. The following concerns were raised at the meeting:

1. Trash such as cups and napkins etc., flying of the roof and onto adjacent properties.
2. There was no detail where the construction vehicles are park.
3. Who to talk to if damage from construction occurs?

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EXHIBIT

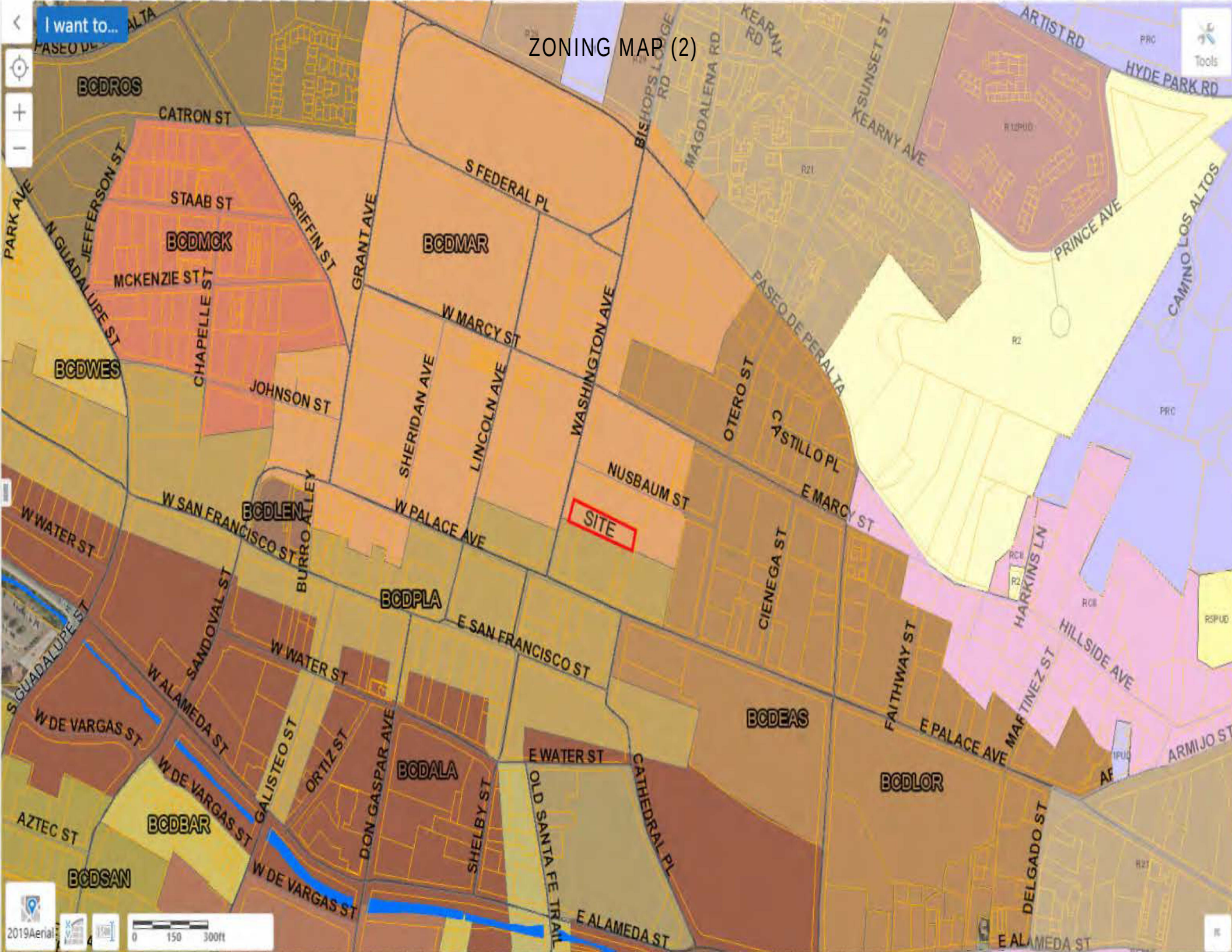
D

Maps and Photos

ZONING MAP (1)

NUSBAUM ST
WASHINGTON AVE
BCDMAR
SITE
BCDPLA
BCDEAS
20
40ft

ZONING MAP (2)


I want to...
Tools
BCDROS
CATRON ST
S FEDERAL PL
STAAB ST
BCDMCK
MCKENZIE ST
BCDMAR
W MARCY ST
BCDWES
JOHNSON ST
BCDLEN
W SAN FRANCISCO ST
W PALACE AVE
NUSBAUM ST
SITE
E MARCY ST
BCDPLA
E SAN FRANCISCO ST
W WATER ST
W DE VARGAS ST
W ALAMEDA ST
BCDALA
E WATER ST
BCDEAS
E PALACE AVE
BCDLOR
AZTEC ST
BCDBAR
BCDSAN
W DE VARGAS ST
E ALAMEDA ST
E ALAMEDA ST
PARK AVE
N GUADALUPE ST
JEFFERSON ST
CHAPELLE ST
GRIFFIN ST
GRANT AVE
SHERIDAN AVE
LINCOLN AVE
WASHINGTON AVE
BISHOPS LODGE RD
MAGDALENA RD
KEARNY RD
KEARNY AVE
SUNSET ST
ARTIST RD
HYDE PARK RD
PRINCE AVE
CAMINO LOS ALTOS
PASEO DE PERALTA
OTERO ST
CASTILLO PL
CIENEGA ST
HARKINS LN
HILLSIDE AVE
FAITHWAY ST
MARTINEZ ST
ARMIJO ST
DELGADO ST
S GUADALUPE ST
SANDOVAL ST
BURRO ALLEY
GALISTEO ST
ORTIZ ST
DON GASPAR AVE
SHELBY ST
OLD SANTA FE TRAIL
CATHEDRAL PL
PRC
R21
R2
RC/R
RSPUD
2019Aerial
0 150 300ft

BCD MAP

GOOGLE EARTH
AERIAL MAP
Site

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EXHIBIT

E

Code Material

14-7.4 - BUSINESS-CAPITOL DISTRICT

(A) Table of Dimensional Requirements for Townscape Subdistricts

14-7.4(A)-1 Table of Dimensional Requirements for Townscape Districts[Note 1]

Maximum Height of Structures (feet); Stepback Note 2	Maximum Lot Coverage Ratio	Building Placement and Setback Requirements (feet)	Minimum Open Space Requirements	Landscape Treatment in Yards	Height of Walls and Fences (feet)	Placement of Off-Street Parking	Portals
Marcy							
42 1' Horiz.: 1" Vert. above 24'; wall stepbacks shall be a minimum of 10 horizontal feet.	No requirements	Note 7	An open space of no less than 10 percent of the lot area shall be located adjacent to the front property line to serve as a yard or courtyard	Same as East Marcy/East Palace Subdistrict	4 maximum	Parking prohibited in front yard	Prohibited within ROW

Notes:

1. Provisions of overlay districts including historic, escarpment or neighborhood districts may override standards in this table. Refer to Article 14-5 Overlay Districts and zoning map.

2. Wall stepbacks are expressed as ratio of increased horizontal *setback* required to vertical height increase, above a specified *building* height. Example: 1' Horiz: 2' Vert. above 36' means that a wall stepback equivalent to one horizontal foot for each two vertical feet over thirty-six feet is required. The stepback required shall be measured horizontally from the face of the *building façade* or *portal*. Wall stepbacks shall be measured vertically from grade for all walls except those that directly abut another *zero lot line building*, in which case the vertical measurement may be taken from the roof plane of the abutting *building*; and those to which a *portal* is attached, in which case the vertical measurement may be taken from the roof plane of the *portal*.

14-7.4(b)(3) Design Objectives for Individual Townscape Subdistricts The best existing qualities of the individual townscape subdistricts should be preserved, while encouraging diversity of design in the individual townscape subdistricts. New development should be harmonious with the specific physical characteristics and development and design objectives listed below:

(g) Marcy Street Subdistrict:

(i) maintain street trees and stands of trees as dominant elements in the subdistrict;

(ii) maintain avenue features, such as broad streets , planting strips , street trees and wide sidewalks;

(iii) maintain a sense of openness to provide occasional view of the mountains;

(iv) separate pedestrians from vehicles using planting strips and street trees while providing an enclosed space; and

(v) maintain the relationship between the height and mass of trees and the height and scale of buildings.

(5) Exceptions

Staff shall determine whether an exception to this section is required. The historic board may grant an exception to the regulations set forth in this section provided that such exception does not exceed the underlying zoning.

(a) Height

If the *applicant* requests approval of a height in the historic district that exceeds the underlying zoning district requirement, the *applicant* shall first receive an exception to this Section 14-5.2. If approved by the historic board, the *applicant* shall proceed to the board of adjustment or other applicable *city* body for consideration of the proposed variance.

(b) Design Standards and Signage

The board may recommend exceptions to Subsections 14-5.2(D)(1-8, 10-11) and 14-5.2(E) through (I) for construction or alterations within the historic district. The recommendation for exceptions shall be made to the *governing body*. Procedures for public notice and hearing before the *governing body* shall be as set forth in Section 14-3.6(B)(3). Exceptions are *project* specific and do not apply to the subject *property* in perpetuity. If approved by the *governing body*, the inspections and enforcement *office* shall accept and review an *application* for, and issue, as appropriate, a *building permit*. The *applicant* for such exceptions shall conclusively demonstrate and the board shall make a positive finding of fact that such exceptions comply with all the criteria listed as follows:

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

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

(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.

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

The board is the *city* administrative board reviewing and granting or denying requests for exceptions from regulations set forth in Subsection 14-5.2(D)(9). When requesting exceptions the *applicant* shall use the procedures for public notice and hearing set forth in Section 14-3.6(B)(3), unless the *applicant* also requests a variance to the underlying zoning. In such a case the *applicant* for the H ordinance exception shall not be required to publish a legal ad in the local newspaper. Exceptions are *project* specific and do not apply to the subject *property* in perpetuity. The board may grant exceptions and impose conditions thereon to Subsection 14-5.2(D)(9) for height of *structures* within the historic districts as specified in Subsection 14-5.2(D)(9)(a). The *applicant* for such exceptions shall conclusively demonstrate and the board shall make a positive finding of fact that such exceptions comply with all the criteria listed as follows:

(i) Do not damage the character of the *streetscape*;

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

(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;

(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*;

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

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

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EXHIBIT

F

HDRB Material

City of Santa Fe, New Mexico

200 Lincoln Avenue, P.O. Box 909, Santa Fe, N.M. 87504-0909
www.santafenm.gov

Alan Webber, Mayor

Councilors:
Signe I. Lindell, Mayor Pro Tem, District 1
Renee Villarreal, District 1
Michael J. Garcia, District 2
Carol Romero-Wirth, District 2
Roman "Tiger" Abeyta, District 3
Chris Rivera, District 3
Jamie Cassutt-Sanchez, District 4
JoAnne Vigil Coppler, District 4

PROJECT DESCRIPTION: Martinez Architecture Studio, agent for Rosewood Inn of the Anasazi, owner, proposes to construct a 3,078 sq. ft. fourth floor addition to a height of 56'0" with a pool and dining area. An exception is requested to exceed the maximum allowable height of 20'1" (Section 14-5.2(D)(9)).

Case number: **2019-001600-HDRB**
Project Type: HDRB

PROJECT LOCATION (S): 113 Washington Avenue

OW – Rosewood Inn of the Anasazi	113 Washington Avenue	Santa Fe, NM 87501
AP – Martinez Architecture Studio PC	P.O. Box 925	Santa Fe, NM 87504

BOARD ACTION

This is to certify that the Historic Districts Review Board (HDRB) acted on your request at their hearing on March 10, 2020. The decision of the Board was to approve the project, having found that the criteria for a height exception have been met, with the following conditions: 1) that the front (westernmost) three chimney massings shall be eliminated from the design and that the existing westernmost chimney stacks shall remain in their existing locations and at their current heights; 2) that the size of the event space shall be limited by the distance that the building code requires the space to be from the existing westernmost chimneys; and 3) that the applicant shall provide revised drawings to staff for review that conditions have been met. For further information please call 955-6605.

Sincerely,

Lisa Roach

Lisa Gavioli Roach
Planner Manager, Historic Preservation Division

NOTE: Applicant can use this action letter to apply for construction permit, but the permit shall not be released until the end of the appeal period which starts on the date of filing of the Findings and Conclusions in the City Clerk's office (SFCC 14-3.17(D)). Your permit will be denied if any changes on plans that were not approved by the HDRB or if conditions of approval are not met. **Please attach copies of this letter to all sets when submitting for construction permits.**

CITY OF SANTA FE, NEW MEXICO

PROJECT DESCRIPTION: Martinez Architecture Studio, agent for Rosewood Inn of the Anasazi, owner, proposes to construct a 3,078 sq. ft. fourth floor addition to a height of 56'0" with a pool and dining area. An exception is requested to exceed the maximum allowable height of 20'1" (Section 14-5.2(D)(9)).

Case number: **2019-001600-HDRB**
Project Type: HDRB

PROJECT LOCATION (S): 113 Washington Avenue

OW – Rosewood Inn of the Anasazi	113 Washington Avenue	Santa Fe, NM 87501
AP – Martinez Architecture Studio PC	P.O. Box 925	Santa Fe, NM 87504

PROJECT DATA:

HISTORIC DISTRICT

Don Gaspar Area ☐ Downtown and Eastside ☑ Historic Review ☐ Transition ☐ Westside-Guadalupe ☐

HISTORIC BUILDING STATUS

Non-Statused ☐ Non-Contributing ☑ Contributing ☐ Significant ☐ Landmark ☐ N/A ☐

PRIMARY ELEVATIONS: North ☐ South ☐ West ☐ East ☐ N/A ☑

PUBLICLY VISIBLE FACADE-EAST Yes ☐ No ☑

PUBLICLY VISIBLE FACADE-NORTH Yes ☑ No ☐

PUBLICLY VISIBLE FACADE-SOUTH Yes ☑ No ☐

PUBLICLY VISIBLE FACADE-WEST Yes ☑ No ☐

HISTORIC DISTRICT INVENTORY NUMBER H3537

YEAR OF CONSTRUCTION post 1945

PROJECT TYPE

Status ☐ Primary Elevations ☐ Remodel ☑ Demolition ☐ New ☐ Other _____

USE, EXISTING Residential ☐ Non-Residential ☑ Vacant ☐

USE, PROPOSED Residential ☐ Non-Residential ☑

HISTORIC BUILDING NAME State Securities Building

City of Santa Fe, New Mexico

memo

DATE: March 10, 2020

TO: Historic Districts Review Board Members

FROM: Lisa Gavioli Roach, Historic Preservation Division Manager

Case # 2020-001600-HDRB
(POSTPONED FROM 2/11/2020)

Address: 113 Washington Ave
Historic Status: Non-contributing
Historic District: Downtown and Eastside

REFERENCE ATTACHMENTS (Sequentially):

CITY SUBMITTALS

____ **District Standards & yard wall & fence standards.**

__x__ **Historic Inventory Form**

__x__ **Zoning Review Sheet**

__x__ **Other**: Height calculation – maximum allowable height calculated to be 20'1"

APPLICANT SUBMITTALS

__x__ **Proposal Letter (original and revised)**

__x__ **Site Plan/Floor Plan (original and revised)**

__x__ **Elevations (original and revised)**

__x__ **Photographs**

__x__ **Other:** digital renderings

STAFF RECOMMENDATION:

Staff finds that the exception criteria have been met and recommends approval of the proposed project and finds that the application complies with Section 14-5.2(D) General Design Standards for all Historic Districts, and 14-5.2(E) Downtown and Eastside Design Standards.

BACKGROUND & SUMMARY:

113 Washington Avenue is a commercial hotel structure that was constructed after 1945 in the Territorial Revival style, when it was known as the State Securities Building. The building was substantially remodeled in 1989 in the Spanish Pueblo Revival style and was adaptively reused as the Inn of the Anasazi. In 2014, the HDRB approved window replacement throughout the structure (Case H-14-025). The building is listed as non-contributing to the Downtown and Eastside.

At the February 11, 2020, hearing of the HDRB, the applicant proposed to construct an addition to the rooftop level of the building, and after discussing several design details, the Board postponed the case, requesting redesign with particular attention to the street-facing west elevation. The applicant submitted revised drawings, reflecting a few modifications to the design, as well as digital renderings which better capture the visual effects of the additions on the streetscape. The project is proposed as follows:

1) Construct an addition and improvements to the rooftop level of the hotel. An exception is requested to exceed the maximum allowable height of 20'1", and exception criteria and responses are provided below. The applicant proposes to build to a height of 56' in the central portion of the existing roof level, and this massing will rise a maximum of 14' above the existing parapet and will be set back from the street-facing façade by more than 70'.

2) At the front (street-facing) third of the space will be an outdoor event space with tile decking, seating, an informal lobby area, elevator overrun, stairwell, and storage space. The seating area will be set back further from the front façade of the building than originally proposed. The applicant redesigned the chimney structures that are prominent on the proposed design, such that the central chimneys have been consolidated, made more massive, and set back further from the front façade, resulting in better integration of the chimneys into the architectural features of the existing building. The side chimneys have also been made more massive and sculptural so as to blend better with the existing hotel. The seating area will feature a 12'8" high tan canopy situated on dark bronze tracks on which the canopy can be extended or retracted depending on weather. The canopy tracks have been redesigned to be seated on top of the three chimney structures at the west end of the seating area, and the space will be framed by 5' high stuccoed walls.

3) The central third of the space will feature an enclosed lounge and bar with required back of the house spaces, including kitchen and restrooms. The stuccoed massing will match the Spanish-Pueblo Revival style of the hotel, and windows will match those that are featured elsewhere on the hotel. As stated above, the height of this massing will rise 14' above the existing parapet, resulting in a total height of 56'. Any rooftop appurtenances and skylights placed on the roof of this addition will not be publicly visible.

4) At the rear third of the space will be a rectangular pool and tile deck, set back approximately 4 feet from the edge of the building. The perimeter of the pool deck will be framed by 4' high stuccoed walls and a retractable tan canopy with dark bronze rails to a

height of 12'8" above the existing parapet. The previously presented wood framed cabana structures have been modified to free-standing fabric structures. In this area, the chimneys have also been moved closer together from the previous design and incorporated into fewer, larger masses rather than having multiple smaller chimneys. At the southeast corner of the pool deck, a stairwell, mechanical and storage spaces will be located, and the northwest corner of the pool deck will feature an outdoor fireplace and seating area.

EXCEPTION CRITERIA AND RESPONSES

Exception to exceed the maximum allowable height, per Section 14-5.2(D)(9):

i) Do not damage the character of the streetscape;

Applicant Response: On this block of Washington Ave (on both sides of the street}, tall institutional and commercial buildings define the streetscape. The hotel adjacent and to the north of the Inn of the Anasazi is about the same height, and the buildings across Washington Avenue are taller than the Inn of the Anasazi. Typically, the buildings rise from the sidewalk up several stories without setting back. This character - tall institution and commercial buildings adjacent to the sidewalks - is unique in many ways to this area of the downtown area. The proposed addition will be set back from the edge of the existing parapet. It will not be visible from the east side of the street and will hardly be noticeable from the west side of the street. As a result, the addition will fit into the existing character of the streetscape, rather than do damage to it. The human scale enjoyed today on this section of the streetscape will not be adversely affected or damaged.

Staff Response: *Staff agrees with this response.*

(i) Prevent a hardship to the applicant or an injury to the public welfare;

Applicant Response: The hardship to the applicant results from the fact that Inn of the Anasazi sits on a lot that already occupies 100% of the lot, and there is no additional area to provide the amenities that are being proposed in the addition. It is in the interest of the public welfare (and the Inn of the Anasazi) for this property to remain economically viable and competitive in the hospitality industry in downtown; the Inn of the Anasazi must be at least as attractive to visitors as other luxury hotels in the downtown area. All of the Inn of the Anasazi's major competitors- La Fonda, the Drury, and the Eldorado Hotel - all provide swimming facilities (all of which are on the roof tops), and opportunities for outdoor and indoor dinning, socializing and event-staging on their rooftops. In order to compete and remain relevant and to avoid eventual obsolescence – and thereby avoid a hardship and harm to the public welfare of the City of Santa Fe – the Inn of the Anasazi must invest in the facilities with the propose addition, but has nowhere to add them except on top of the existing hotel.

Staff Response: *Staff agrees with this response.*

(iii) Strengthen the unique heterogeneous character of the city by providing a full range of design options to ensure that residents can continue to reside within the historic districts;

Applicant Response: This criterion really addresses residential uses in the historic district and a "full range of design options to ensure that residents can continue to reside" and has no applicability to addition of a commercial building. However, the proposed addition will strengthen commercial character of the downtown by adding amenities to a downtown hotel that will allow visitors and patrons a greater range of possibilities to enjoy the unique culture of Santa Fe.

Staff Response: *Staff agrees with this response.*

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

Applicant Response: Inn of the Anasazi sits on a lot that has for decades been occupied by a tall building covering the entire lot, and the applicant did not divide the property to create a lot with a small area of land. Rather, the small lot was created many, many decades ago. The condition of the lot is not the result of the action of the owner.

Staff Response: *Staff agrees with this response.*

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

Applicant Response: The proposed addition and amenities will not have any negative impact on the streetscape or the historic character of the downtown area. The addition will be set back from the edge of the existing parapet so it will reduce its visibility as discussed above and will not add or cast a shadow on to the streets below. In short, it will not exacerbate any of the effects that tall building may have on a streetscape - "canyon effect," shadows, disproportionate scale or massing. So, any potentially negative impacts have been mitigated by the design.

Staff Response: *Staff agrees with this response.*

RELEVANT CODE CITATIONS:

14-5.2(A)(1) General Purpose

In order to promote the economic, cultural, and general welfare of the people of the city and to ensure the harmonious, orderly and efficient growth and development of the city, it is deemed essential by the governing body that the qualities relating to the history of Santa Fe, and a harmonious outward appearance, which preserve property values and attract tourists and residents alike, be preserved, some of these qualities being:

(a) The continued existence and preservation of historical areas and buildings;

(b) The continued construction of buildings in the historic styles; and
(c) A general harmony as to style, form, color, height, proportion, texture and material between buildings of historic design and those of more modern design.

14-5.2(E) Downtown and Eastside Design Standards

(1) Old Santa Fe Style

Old Santa Fe style, characterized by construction with adobe, is defined as including the so-called "pueblo" or "pueblo-Spanish" or "Spanish-Indian" and "territorial" styles and is more specifically described as follows:

(a) With rare exception, buildings are of one story, few have three stories, and the characteristic effect is that the buildings are long and low. Roofs are flat with a slight slope and surrounded on at least three sides by a firewall of the same color and material as the walls or of brick. Roofs are never carried out beyond the line of the walls except to cover an enclosed portal or porch formed by setting back a portion of the wall or to form an exterior portal, the outer edge of the roof being supported by wooden columns. Two-story construction is more common in the territorial than in other sub-styles, and is preferably accompanied by a balcony at the level of the floor of the second story. Façades are flat, varied by inset portales, exterior portales, projecting vigas or roof beams, canales or water-spouts, flanking buttresses and wooden lintels, architraves and cornices, which, as well as doors, are frequently carved and the carving may be picked out with bright colors. Arches are almost never used except for nonfunctional arches, often slightly ogive, over gateways in freestanding walls;
(b) All exterior walls of a building are painted alike. The colors range from a light earth color to a dark earth color. The exception to this rule is the protected space under portales, or in church-derived designs, inset panels in a wall under the roof, in which case the roof overhangs the panel. These spaces may be painted white or a contrasting color, or have mural decorations;
(c) Solid wall space is always greater in any façade than window and door space combined. Single panes of glass larger than thirty (30) inches in any dimension are not permissible except as otherwise provided in this section;
(d) The rule as to flat roofs shall not be construed to prevent the construction of skylights or installation of air conditioning devices, or any other necessary roof structures, but such structures other than chimneys, flues, vents and aerials, shall be so placed as to be concealed by the firewall from the view of anyone standing in the street on which the building fronts;
(e) True old Santa Fe style buildings are made of adobe with mud plaster finish. Construction with masonry blocks, bricks, or other materials with which the adobe effect can be simulated is permissible; provided, that the exterior walls are not less than eight (8) inches thick and that geometrically straight façade lines are avoided. Mud plaster or hard plaster simulating adobe, laid on smoothly, is required; and

(2) Recent Santa Fe Style

Recent Santa Fe style intends to achieve harmony with historic buildings by retention of a similarity of materials, color, proportion, and general detail. The dominating effect is to be that of adobe construction, prescribed as follows:

(a) No building shall be over two stories in height in any façade unless the façade shall include projecting or recessed portales, setbacks or other design elements;

(b) The combined door and window area in any publicly visible façade shall not exceed forty percent of the total area of the façade except for doors or windows located under a portal. No door or window in a publicly visible façade shall be located nearer than three (3) feet from the corner of the façade;

(c) No cantilevers shall be permitted except over projecting vigas, beams, or wood corbels, or as part of the roof treatment described below;

(d) No less than eighty percent of the surface area of any publicly visible façade shall be adobe finish, or stucco simulating adobe finish. The balance of the publicly visible façade, except as above, may be of natural stone, wood, brick, tile, terra cotta, or other material, subject to approval as hereinafter provided for building permits;

(e) The publicly visible façade of any building and of any adjoining walls shall, except as otherwise provided, be of one color, which color shall simulate a light earth or dark earth color, matte or dull finish and of relatively smooth texture. Façade surfaces under portales may be of contrasting or complimentary colors. Windows, doors and portals on publicly visible portions of the building and walls shall be of one of the old Santa Fe styles; except that buildings with portals may have larger plate glass areas for windows under portals only. Deep window recesses are characteristic; and

(f) Flat roofs shall have not more than thirty (30) inches overhang.

14-5.2(D)(9) Height, Pitch, Scale, Massing and Floor Stepbacks

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

(c) Height

(i) Official map of building heights in the historic districts - procedures.

A. The historic districts review board shall recommend the adoption of an official map reflecting building heights in the historic districts to the governing body . This map shall be used for the purpose of regulating building height in the historic districts. The map shall be adopted at a public hearing of the governing body , which hearing shall be advertised in a local newspaper no less than fifteen days prior to the hearing. All affected property owners and owners of lots or of land within one hundred (100) feet, excluding public right-of-way, of the property affected shall be notified of the public hearing by first class mail, mailed at least fifteen days prior to the public hearing. The official map shall be adopted by the governing body by ordinance.

B. The official map of building heights in the historic districts may be amended from time to time. This historic districts review board shall make

recommendations to the governing body for the amendment of the official map, at a public hearing. Such hearing shall be advertised in a local newspaper no less than fifteen days prior to the hearing.

C. The governing body shall hold a public hearing on any amendments to the official map. The official map, inclusive of amendments, is hereby adopted by reference and incorporated as if set out herein. Such public hearing shall be advertised in a local newspaper no less than fifteen days prior to the hearing. All affected property owners and owners of lots or of land within one hundred (100) feet, excluding public right-of-way, of the property affected shall be notified of the public hearing by first class mail, mailed at fifteen days prior to the public hearing.

D. The official map is available in the city planning office and is accessible at all reasonable times for inspection.

(ii) In exercising its authority under this section, the board shall limit the height of structures as set forth in this section. Heights of existing structures shall be as set forth on the official map of building heights in the historic districts.

A. If a proposed building has a parapet, the façade shall not be in excess of two (2) feet of the average of the height of the façades in the streetscape .

B. If the proposed building has a pitched roof, the ridge height of the proposed building shall not be in excess of two (2) feet of the average of the ridge height of the pitched roofs in the streetscape .

C. Yard walls and fences shall be limited to a height that does not exceed the average of the height of other yard walls and fences in the streetscape .

D. Pursuant to Section 14-7.4(C), the height of any other structure shall be limited to the allowable building height within the applicable streetscape , as defined in this section. (Ord. No. 2002-37 § 26)

E. The height and dimension of signage are as set forth in Section 14-8.10(H).

F. The board may increase the allowable height for proposed buildings and additions located on a sloping site where the difference in the natural grade along the structure's foundation exceeds two (2) feet. In no case shall the height of a façade exceed four (4) feet above the allowable height of the applicable streetscape measured from natural or finished grade , whichever is more restrictive. This increase in height shall be constructed only in the form of building stepbacks from the street .

(iii) In historic districts, height shall be the vertical distance measured between the highest part of a structure and the existing grade or finished grade , whichever is more restrictive, at the midpoint of the street facing facade, excluding rooftop appurtenances , the increased height of walls or fences over pedestrian and vehicular openings, and gates (either in opened or closed position). For structures which do not have street frontage, height shall be determined by the facade which contains the tallest vertical distance measured between the highest part of a structure and

the existing grade or finished grade , whichever is more restrictive. The height of walls and fences is measured from the street -facing side of the wall or fence. (Ord. No. 2002-37 § 27)

Attachment B

NEW MEXICO HISTORIC BUILDING INVENTORY FORM

H3537

building threatened? yes	surveyed date 8/3/85 by HMW	county SANTA FE	ID no. 051610424
field map SFHD #1	number 424	UTM reference zone 12 13	easting northing

location description: 113 WASHINGTON

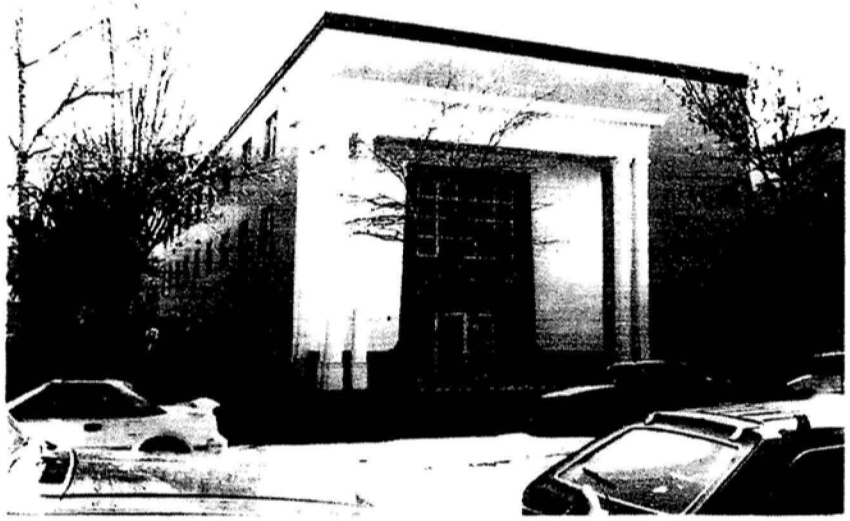
city/town: SANTA FE

land ~~grant~~/reservation

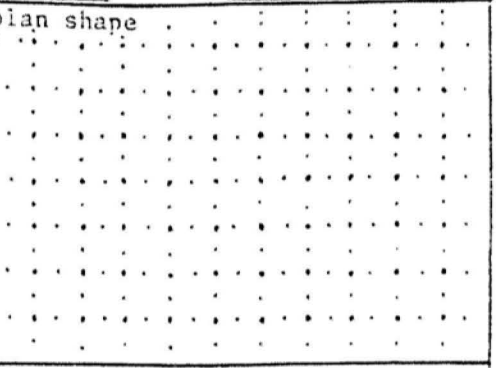
building name: STATE SECURITIES BLDG

legal description: tnsp ___ N S range ___ E W sec ___ ¼ ¼

film roll by HMW no. SFHD 16 | negative nos. 28 | loc. of neg. HPB



plan shape



date of construction: P45 estimate ___ actual

source

use
present: residential
other: ___
historic: residential
other: ___

condition
___ excellent ___ good
___ fair ___ deteriorating

wall material/surface

degree of remodeling
___ minor ___ moderate ___ major
describe:

architectural features

surroundings: COMMERCIAL

relationship to surroundings
___ similar x not similar

district potential
___ yes ___ no

significance
___ eligible ___ of interest x none

if eligible, why?

comments

remodeled 1989 H-89-132
as Spanish-Pueblo Revival
Inn of the Anasazi DR

associated buildings? ___ yes
what type?

if inventoried, list ID nos.

see back? ___ yes

City of Santa Fe, New Mexico

200 Lincoln Avenue, P.O. Box 909, Santa Fe, N.M. 87504-0909
www.santafenm.gov

Alan Webber, Mayor

Councilors:
Signe I. Lindell, Mayor Pro Tem, District 1
Renee Villarreal, District 1
Michael J. Garcia, District 2
Carol Romero-Wirth, District 2
Roman "Tiger" Abeyta, District 3
Chris Rivera, District 3
Jamie Cassutt-Sanchez, District 4
JoAnne Vigil Coppler, District 4

MEMORANDUM

To: **Members of the Governing Body**

From: **Sally A. Paez, Assistant City Attorney**

Via: **Erin K. McSherry, City Attorney**

Re: **Appeal No. 2020-2043-APPL of Case No. 2019-1600-HDRB.** Appeal by Rosewood Hotels of the Historic Districts Review Board's March 10, 2020 decision to impose conditions on its approval of rooftop improvements at the Rosewood Inn of the Anasazi, located at 113 Washington Avenue, including a fifty-six foot (56') high addition, which exceeds the maximum allowable building height and requires an exception to the height limitations in the Historic Districts Ordinance.

Date: **June 15, 2020; for the June 24, 2020 Meeting of the Governing Body**

Owner Rosewood Hotels ("Appellant" or "Rosewood"), through agent Karl Sommer, challenges the Historic Districts Review Board's ("Board") decision to impose conditions on its approval of an exception to the maximum allowable building height, which will allow Rosewood to construct an addition and rooftop improvements at the Rosewood Inn of the Anasazi. The conditions of approval concern the location and design of the chimneys. **[*See* Ex. E, 03/10/20 Staff Report, pp. 83-91 of 138 (drawings of proposed chimneys)]** In this de novo appeal, the Governing Body should independently determine whether to uphold the conditions of approval imposed by the Board.

I. BACKGROUND & PROCEDURAL HISTORY

The commercial building at 113 Washington Avenue was constructed sometime after 1945 in the Territorial Revival style and was originally known as the State Securities Building. **[Ex. E,**

Staff Report, p. 61 of 138] In 1989, the Rosewood Inn of the Anasazi substantially remodeled the building in the Spanish Pueblo Revival style for adaptive reuse as a hotel. **[*Id.*]** The building is located within the Downtown and Eastside Historic District, where it is listed as a noncontributing structure. **[*Id.*]** The existing building is forty-two feet (42') tall, but the maximum allowable height, as calculated pursuant to the City's Historic Districts Ordinance, is twenty feet, one inch (20'1"). **[*Id.*]** *See generally* Santa Fe City Code ("SFCC"), § 14-5.2(D)(9). **[*Id.*]**

On January 15, 2020, Rosewood filed an application with the City's Historic Preservation Division ("HPD"), requesting Board review and approval of a rooftop event space, bar, and swimming pool ("Project"). **[Ex. H, Application, p. 138 of 138]** The Board held two public hearings on the application, on February 11, 2020 and March 10, 2020.

As set forth in the application, Rosewood requested Board approval of the following rooftop improvements at the first public hearing, held February 11, 2020:

> (1) **Event Space:** The front (westernmost) one-third of the space (closest to Washington Avenue) would feature an outdoor event space with tile decking, seating, an informal lobby area, elevator overrun, stairwell, and storage space. The seating area would be set back six feet (6') from the front façade of the building. The seating area would feature a twelve-foot, eight-inch (12'8") tall tan canopy, situated on dark bronze tracks, which could be extended or retracted, depending on weather. The space would be framed by five-foot (5') tall stuccoed walls and chimney extensions.
>
> (2) **Bar and Lounge:** The central one-third of the space would feature an enclosed bar and lounge with required back-of-the-house spaces, including kitchen and restrooms. The height of this stuccoed addition would result in a total height of fifty-six feet (56'), would rise fourteen feet (14') above the existing parapet, and would be set back from the street-facing façade by more than seventy feet (70').
>
> (3) **Pool:** The rear (easternmost) one-third of the space would feature a rectangular pool and tile deck, set back approximately four feet (4') from the edge of the building. The perimeter of the pool deck would be framed by four-foot 4' high stuccoed walls, wood-framed cabana structures, and a retractable tan canopy with dark bronze rails to a height of twelve feet, eight inches (12'8") above the existing parapet. The southeast corner of the pool deck would contain a stairwell and mechanical and storage spaces, and the northwest corner of the pool deck would feature an outdoor fireplace and seating area.

[Ex. G, 02/11/20 Staff Report, p. 109 of 138]

HPD staff reviewed the application and presented a report and recommendation to the Board to facilitate its review. As stated above, Rosewood proposed an addition to a height of fifty-six feet (56'), but under the height limitations in the Historic Districts Ordinance, the maximum allowable height for structures at this location is twenty feet, one inch (20'1"). **[Ex. E, Staff Report, p. 59 of 138]** *See generally* SFCC § 14-5.2(D)(9) (height provisions). If a property owner wants to exceed one of the limitations set forth in the Historic Districts Ordinance, the owner may

request an exception to the applicable SFCC provision. HPD Staff is responsible for determining whether an exception is required for approval of an application. *See* SFCC § 14-5.2(C)(5). The Board then reviews the exception request and decides whether to grant or deny an exception. *See* SFCC § 14-5.2(C)(5)(c).

In this case, HPD staff determined that Rosewood would need an exception to increase the height of the hotel, which is already taller than the maximum allowable height, and Rosewood requested the exception. To grant the height exception, the Board needed to find that Rosewood had conclusively demonstrated that the exception complied with all six exception criteria set forth in SFCC Section 14-5.2(C)(5)(c), as follows:

> (i) Do not damage the character of the streetscape;
> (ii) Prevent a hardship to the applicant or an injury to the public welfare;
> (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;
> (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;
> (v) Are due to special conditions and circumstances which are not a result of the actions of the applicant; and
> (vi) Provide the least negative impact with respect to the purpose of this section as set forth in Subsection 14-5.2(A)(1).

In the staff report, HPD staff recommended that the Board should grant the exception and approve the application because in staff's determination, Rosewood had satisfied the exception criteria, and the Project otherwise complied with the design standards in the Historic Districts Ordinance. **[Ex. G, 02/11/20 Staff Report, p. 108 of 138]**

At the February 11, 2020 hearing, individual Board members expressed concerns about the proposed height of the additions and improvements, and the visibility of the additions from Washington Avenue and other locations in downtown Santa Fe. **[Ex. F, 02/11/20 Minutes, pp. 102-04 of 138]** Board members also expressed concern about the increased height of the chimneys located closest to the street-facing façade and suggested that perhaps the added height should be stepped-back farther from this façade. **[*Id.*]** The Board postponed a decision on the application and asked Rosewood to provide additional information about the proposed additional height and to consider a redesign, based on the Board's input. **[*Id.* at 104-05]**

On March 10, 2020, Appellant returned to the Board with revised drawings, which reflected a few modifications to the Project design, and digital renderings that better captured the visual effects of the additions on the streetscape. **[Ex. E, 03/10/20 Staff Report, p. 61, 84-91 of 138]** The relevant changes to the design included the following:

> (1) **Event Space**: In the revised plans, the seating area would be set back further from the front façade of the building than originally proposed. Rosewood redesigned the chimney structures closest to the street (west end of the space) by

consolidating them into several stuccoed structures, making them more massive, and setting them farther back from the front façade, with the intent of better integrating them into the architectural features of the existing building. The side chimneys were also made more massive and sculptural to blend with the existing hotel. Finally, the tracks for the retractable canopy were redesigned to be seated on top of the three chimney structures located closest to the street.

(2) **Bar and Lounge:** No significant revisions were proposed for the bar and lounge area.

(3) **Pool:** Like the other chimneys, the chimneys in the pool area were moved closer together and incorporated into fewer, larger masses, instead of having multiple smaller chimneys.

[*Id.* at 61-62, 84-91]

The primary issue on appeal is the appearance of the stuccoed chimney massings and associated canopy support structures, and the visibility of these design features from the street. **[*See* Ex. E, 03/10/20 Staff Report, pp. 85-91 of 138 (drawings that depict these design features)]** HPD staff reviewed the revised plans and recommended that the Board grant the height exception and approve the application. **[*Id.* at 60]**

At the March 10, 2020 hearing, Rosewood testified that the chimney design and location had been revised based on the Board's input and that in the redesigned proposal, the chimneys closest to the street had been stepped back to be fourteen feet (14') away from the street-facing façade, along with the supports for the shade canopies. **[Ex. D, 3/10/20 Minutes, p. 49 of 138]** Rosewood also explained that the building code requires chimneys to be at least two feet (2') higher than any structural element within ten feet (10') of the chimney. **[*Id.*]** Some members of the Board expressed concern about the height and massing of the redesigned chimneys closest to the street-facing façade. **[*Id.* at 46-54 of 138]** Other members of the Board thought that the chimneys would not be especially visible from the street and that the revised plans represented a good design solution and were responsive to the input that the Board had provided in February. **[*Id.*]**

At the end of the public hearing, the Board concluded that Appellant had failed to meet the burden of demonstrating that all six exception criteria had been met with regard to the proposed location and height of the three chimney massings closest to the street-facing façade. **[Ex. B, FOF & COL, p. 24 of 138, FOF #8**] Specifically, the Board found "that the proposed location and height of the three front chimney massings would damage the character of the streetscape" and that the "proposed location and height of the three (3) front chimney massings would not provide the least negative impact with respect to the purposes of SFCC Section 14-5.2 [Historic Districts Ordinance], as set forth in SFCC Section 14-5.2(A)(1)." **[*Id.* at p. 25, FOF #9, #14]** The proposes of the Historic Districts Ordinance, as set forth in Subsection 14-5.2(A)(1), are as follows:

(a) The continued existence and preservation of historical areas and buildings;
(b) The continued construction of buildings in the historic styles; and
(c) A general harmony as to style, form, color, height, proportion, texture and material between buildings of historic design and those of more modern design.

The Board further found "that the potential damage to the character of the streetscape and negative impacts with regard to the purposes of SFCC Section 14-5.2 would be minimized by ensuring that the three (3) front chimneys do not exceed the height of the existing chimneys." **[*Id.* at FOF #15]**

Based on these findings, the Board approved the Project, including the requested height exception, with the following conditions (collectively, the "Chimney Conditions"):

- the proposed three (3) front chimney massings shall be eliminated from the design, and the existing chimney stacks at the front west elevation shall remain in their current location and at their current height;
- the size of the event space shall be limited by the distance that the building code requires the space to be from the existing westernmost chimneys; and
- Applicant shall submit new drawings to staff for approval before seeking permits.

[*Id.* at pp. 25-26, COL #2] Four Board members voted in favor of this decision, and one Board member voted against it. **[Ex. D, 3/10/20 Minutes, p. 55 of 138]** The Board adopted written findings of fact and conclusions of law reflecting its decision on April 28, 2020. **[Ex. B, FOF & COL, at pp. 23-26 of 138]** Rosewood timely appealed the decision to the Governing Body. **[Ex. A, Petition, at pp. 14-21 of 138]**

II. GROUNDS FOR APPEAL TO THE GOVERNING BODY

Under the SFCC Section 14-3.17(A)(2), an appeal of a Board decision may be filed for one or more of the following reasons only:

(1) The Board's final action does not comply with SFCC Chapter 14 or the Zoning Enabling Act, NMSA 1978, Sections 3-21-1 to -14;
(2) The Board misapplied SFCC Chapter 14; or
(3) The Board's decision is not supported by substantial evidence.

III. ANALYSIS

Appellant raises the following arguments on appeal:

1. Appellant has been harmed by the imposition of the Chimney Conditions because the Chimney Conditions would put people at the rooftop patio at risk of breathing smoke; would make portions of the patio dangerous, uninviting, or unusable; and would decrease the aesthetic appeal of the design. **[Ex. A, Petition, at p. 19-21 of 138]**
2. The Board exceeded its authority under the Historic Districts Ordinance when it imposed the Chimney Conditions, and Rosewood is entitled to dictate the design of its project. **[*Id.*]**

As stated in Part II above, an appeal of a Board decision must be based on an argument that the decision violated the Land Use Code or state zoning laws, or that the decision was not supported by substantial evidence. Appellant's first argument does not fit squarely into any of these categories. The argument does, however, implicate the building code provision that

prescribes the required height of chimneys. Specifically, "Chimneys shall extend not less than 2 feet (610 mm) higher than any portion of the building within 10 feet (3048 mm), but shall not be less than 3 feet (914 mm) above the highest point where the chimney passes through the roof." 2015 International Building Code (IBC), § 2113.9 (adopted by SFCC § 7-1.1(A)(4)). Although the building code is contained in Chapter 7 of the SFCC and is not a part of the Land Use Code (Chapter 14), the Land Use Code does reflect that most construction projects require construction permits from the City, which must be reviewed by City building officials for compliance with applicable building codes. *See generally* SFCC § 14-3.11(A).

The Board was aware of the building code requirement for chimney height and took it into account when making its decision. At the March hearing, the Board acknowledged that the Chimney Conditions would require Appellant to move the five-foot (5') stuccoed walls back from the parapet, so that they are located at least ten feet (10') away from the chimneys, which would slightly decrease the space available for patio tables. The Board's Chimney Conditions are not inconsistent with the building code requirement and do not violate any provision of Chapter 14 concerning chimney location.

Second, Appellant relies on SFCC Section 14-5.2(A)(4) to argue that the Board lacks authority to place conditions on the Project design, which should be left to the discretion of Appellant. **[Ex. A, Petition, at pp. 20-21 of 138]** SFCC Section 14-5.2(A)(4) provides as follows:

> (4) Design of Buildings
> Full responsibility for the design and development of structures is left to the applicant; however, the file of previously approved applications shall be made available to the applicant.

The language in SFCC Section 14-5.2(A)(4) means that an applicant is responsible for proposing a design in the application that meets the requirements of the City's regulations, and that the applicant is responsible for developing an approved project in accordance with City approvals and regulations. This code provision also means that an applicant cannot rely on City staff or the Board to design or develop a project.

SFCC Section 14-5.2(A)(4) does not, however, mean that the Board lacks authority over project design. Once an applicant submits an application, the Board must review the application to see if it meets the requirements of the Historic Districts Ordinance, and the Board must determine whether to approve the application, with or without conditions, or to deny it. The Ordinance establishes specific design standards, and the Ordinance requires the Board to apply those standards when reviewing proposals.

Relevant here, the Ordinance provides the method for calculating the maximum allowable height of structures and provides that the Board cannot approve excess height unless the applicant conclusively demonstrates that an exception should be granted. *See* SFCC § 14-5.2(D)(9)(a)-(c) (height); § 14-5.2(C)(5)(c) (exceptions). The Board had an obligation to apply these provisions when evaluating Appellant's Project. Additionally, the Ordinance gives the Board authority to "require that upper floor levels be stepped back" to ensure that additional height on a building "is

in harmony with the massing of the applicable streetscape and preservation of the historic and characteristic visual qualities of the streetscape." SFCC § 14-5.2(D)(9)(f).

The primary issue on appeal is whether the Governing Body agrees with the Board that the Chimney Conditions are an appropriate way to reduce the visual impact of the Project's additional height. In the application, Appellant argued that the Project would not damage the character of the streetscape and would not have a negative impact with respect to the purposes of the Historic Districts Ordinance for the following reasons:

> On this block of Washington Ave (on both sides of the street), tall institutional and commercial buildings define the streetscape. The hotel adjacent and to the north of the Inn of the Anasazi is about the same height, and the buildings across Washington Avenue are taller than the Inn of the Anasazi. Typically, the buildings rise from the sidewalk up several stories without setting back. This character - tall institution and commercial buildings adjacent to the sidewalks - is unique in many ways to this area of the downtown area. The proposed addition will be set back from the edge of the existing parapet. It will not be visible from the east side of the street and will hardly be noticeable from the west side of the street. As a result, the addition will fit into the existing character of the streetscape, rather than do damage to it. The human scale enjoyed today on this section of the streetscape will not be adversely affected or damaged.
>
> The proposed addition and amenities will not have any negative impact on the streetscape or the historic character of the downtown area. The addition will be set back from the edge of the existing parapet so it will reduce its visibility as discussed above and will not add or cast a shadow on to the streets below. In short, it will not exacerbate any of the effects that tall building may have on a streetscape - "canyon effect," shadows, disproportionate scale or massing. So, any potentially negative impacts have been mitigated by the design.

[Ex. E, 03/10/20 Staff Report, pp. 62-63 of 138]

Appellant submitted these responses based on the original project design and did not update the responses based on the redesigned chimney structures. When reviewing the revised project design at the March 10, 2020 hearing, the Board acknowledged that the buildings on the west side of Washington Avenue are taller than the Rosewood Inn of the Anasazi but noted that the hotel is already the tallest building on the east side of the street. **[Ex. D, 3/10/20 Minutes, p. 48 of 138]** Individual members of the Board disagreed somewhat about the extent to which the redesigned chimneys and associated canopy support structures would be visible from Washington Avenue and whether those design features would have a negative impact on the streetscape. **[Ex. D, 3/10/20 Minutes, pp. 50-54 of 138]**

A majority of the Board ultimately decided that approving the tall, stuccoed chimney massings and associated canopy support structures near the street-facing façade would have a negative visual impact on the streetscape. In applying the exception criteria to the requested height exception, the Board concluded that the Chimney Conditions were necessary to protect the

character of the streetscape and ensure that the Project would have the least negative impact with respect to the purposes of the Historic Districts Ordinance.

IV. CONCLUSION & MOTIONS OPTIONS

The Board imposed the Chimney Conditions to ensure that the project is harmonious with the streetscape and that the height of the proposed addition does not have a negative visual impact. The City, acting through the Board or the Governing Body, has authority to place conditions of approval on a project to ensure compliance with the Historic Districts Ordinance.

In this appeal, the Governing Body should consider the Board's reasoning and Appellant's arguments to determine whether the Governing Body agrees with the Board's imposition of the Chimney Conditions. In doing so, the Governing Body should independently determine whether the Chimney Conditions are an appropriate way to ensure that the Project does not damage the character of the streetscape and does not have a negative impact with respect to the purposes of the Historic Districts Ordinance.

There are two options for motions in this case. Sample motions are as follows:

Motion 1: *I move to **grant** the appeal and to approve the Project **without** the Chimney Conditions that were imposed by the Board.*

Motion 2: *I move to **deny** the appeal and to approve the Project **with** the Chimney Conditions that were imposed by the Board.*

APPENDIX A:

EXCERPTS FROM HISTORIC DISTRICTS ORDINANCE

General Purpose; § 14-5.2(A)(1)

In order to promote the economic, cultural, and general welfare of the people of the city and to ensure the harmonious, orderly and efficient growth and development of the city, it is deemed essential by the governing body that the qualities relating to the history of Santa Fe, and a harmonious outward appearance, which preserve property values and attract tourists and residents alike, be preserved, some of these qualities being:

(a) The continued existence and preservation of historical areas and buildings;
(b) The continued construction of buildings in the historic styles; and
(c) A general harmony as to style, form, color, height, proportion, texture and material between buildings of historic design and those of more modern design.

Design of Buildings; SFCC § 14-5.2(A)(4):

Full responsibility for the design and development of structures is left to the applicant; however, the file of previously approved applications shall be made available to the applicant.

Exceptions; SFCC § 14-5.2(C)(5)(c):

Staff shall determine whether an exception to this section is required. The historic board may grant an exception to the regulations set forth in this section provided that such exception does not exceed the underlying zoning.

. . . .

The board may grant exceptions and impose conditions thereon to Subsection 14-5.2(D)(9) for height of structures within the historic districts as specified in Subsection 14-5.2(D)(9)(a). The applicant for such exceptions shall conclusively demonstrate and the board shall make a positive finding of fact that such exceptions comply with all the criteria listed as follows:

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

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

(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;

(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;

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

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

General Design Standards for Height, Pitch, Scale, Massing and Floor Stepbacks; SFCC § 14-5.2(D)(9)

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

. . . .

(c) Height

(i) Official map of building heights in the historic districts - procedures.

A. The historic districts review board shall recommend the adoption of an official map reflecting building heights in the historic districts to the governing body. This map shall be used for the purpose of regulating building height in the historic districts. The map shall be adopted at a public hearing of the governing body, which hearing shall be advertised in a local newspaper no less than fifteen days prior to the hearing. All affected property owners and owners of lots or of land within one hundred (100) feet, excluding public right-of-way, of the property affected shall be notified of the public hearing by first class mail, mailed at least fifteen days prior to the public hearing. The official map shall be adopted by the governing body by ordinance.

. . . .

(ii) In exercising its authority under this section, the board shall limit the height of structures as set forth in this section. Heights of existing structures shall be as set forth on the official map of building heights in the historic districts.

A. If a proposed building has a parapet, the façade shall not be in excess of two (2) feet of the average of the height of the façades in the streetscape.

B. If the proposed building has a pitched roof, the ridge height of the proposed building shall not be in excess of two (2) feet of the average of the ridge height of the pitched roofs in the streetscape.

C. Yard walls and fences shall be limited to a height that does not exceed the average of the height of other yard walls and fences in the streetscape.

D. Pursuant to Section 14-7.4(C), the height of any other structure shall be limited to the allowable building height within the applicable streetscape, as defined in this section. (Ord. No. 2002-37 § 26)

E. The height and dimension of signage are as set forth in Section 14-8.10(H).

F. The board may increase the allowable height for proposed buildings and additions located on a sloping site where the difference in the natural grade along the structure's foundation exceeds two (2) feet. In no case shall the height of a façade exceed four (4) feet above the allowable height of the applicable streetscape measured from natural or finished grade, whichever is more restrictive. This increase in height shall be constructed only in the form of building stepbacks from the street.

(iii) In historic districts, height shall be the vertical distance measured between the highest part of a structure and the existing grade or finished grade, whichever is more restrictive, at the midpoint of the street facing facade, excluding rooftop appurtenances, the increased height of walls or fences over pedestrian and vehicular openings, and gates (either in opened or closed position). For structures which do not have street frontage, height shall be determined by the facade which contains the tallest vertical distance measured between the highest part of a structure and the existing grade or finished grade, whichever is more restrictive. The height of walls and fences is measured from the street -facing side of the wall or fence. (Ord. No. 2002-37 § 27)

(e) Scale

The height of a proposed building or addition, its façade length, and its roof form and pitch shall appear to be in proportion to the height, façade length, and roof form and pitch of buildings in the applicable streetscape , or the building on which the addition is proposed.

(f) Massing and Floor Stepbacks

The Board may require that upper floor levels be stepped back, to carry out the intent of this section; provided that the board in making such determinations shall take into account whether the

height of the proposed building, yard wall, fence, or proposed stepback of upper floor levels is in harmony with the massing of the applicable streetscape and preservation of the historic and characteristic visual qualities of the streetscape. The Board shall also require that the publicly visible façades of the structure be in conformance with Subsections 14-5.2(E) through (H), and in meeting those requirements, may require that different floor levels be stepped back.

Definitions; SFCC § 14-12.1:

FAÇADE
One whole exterior face or elevation of a structure from grade up to and including the top of the parapet. An individual façade is defined as including at least an eight-foot width that is offset from an adjacent plane by at least four feet.

NONCONTRIBUTING STRUCTURE
A structure, located in an H[istoric] district, that is less than fifty years old or that does not exhibit sufficient historic integrity to establish and maintain the character of the H[isotric] District.

APPENDIX B:

EXCERPT FROM 2015 INTERNATIONAL BUILDING CODE

2113.9 Termination. Chimneys shall extend not less than 2 feet (610 mm) higher than any portion of the building within 10 feet (3048 mm), but shall not be less than 3 feet (914 mm) above the highest point where the chimney passes through the roof.

Exhibits to City Attorney's Office Memorandum

Appeal No. 2020-2043-APPL of Case No. 2020-1592-HDRB

Appellant Inn of the Anasazi, 113 Washington Avenue

June 24, 2020 Meeting of the Governing Body

A	Verified Appeal Petition	Apr. 29, 2020	pp. 13-21
B	Historic Districts Review Board's Written Findings of Fact (FOF) and Conclusions of Law (COL)	Apr. 28, 2020	pp. 22-26
C	Relevant Excerpts from Board Meeting Minutes (amending 3/10/20 minutes and approving written FOF & COL)	Apr. 28, 2020	pp. 27-36
D	Relevant Excerpts from Board Meeting Minutes (voting to approve the application and to grant a height exception with conditions)	Mar. 10, 2020	pp. 37-57
E	Historic Preservation Division (HPD) Staff Report and Exhibits	Mar. 10, 2020	pp. 58-91
F	Relevant Excerpts from Board Meeting Minutes (postponing the case)	Feb. 11, 2020	pp. 92-105
G	HPD Staff Report and Exhibits	Feb. 11, 2020	pp. 106-136
H	Application	Jan. 15, 2020	pp. 137-38

EXHIBIT A

SOMMER KARNES & ASSOCIATES LLP

Mailing Address
Post Office Box 2476
Santa Fe, New Mexico 87504-2476

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Santa Fe, New Mexico 87501

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Of Counsel

April 29, 2020

VIA HAND DELIVERY

Ms. Lisa Roach
Division Director
Historic Preservation Division
City of Santa Fe
200 Lincoln Ave.
Santa Fe, New Mexico 87501

Re: Property: Inn of the Anasazi
Address: 113 Washington Ave, Santa Fe, NM 87501

Dear Lisa:

Enclosed herewith is the original and two copies of the Verified Petition of Appeal for Inn of the Anasazi. Please endorse one as being filed today and return it it us for our records. Additionally, please let us know when the Findings Fact and Conclusions of Law are adopted by the Board.

Thank you for your attention to this matter.

Sincerely,

Karl H. Sommer

cc: Lutz Arnold
Richard Martinez

LUD Use Only

Time Filed:
Fee paid: $
Receipt attached:)

(date stamp)

APR 29 2020
BY: NCB 4:18PM

VERIFIED APPEAL PETITION

Two originals of this form must be filed. The Land Use Department Director or his/her designee will enter the date and time of receipt and initial both originals. See Section 14-3.17(D) SFCC 2001 for the procedure.

Appellant Information

Name: Rosewood Hotels
Last *First* *M.I.*

Address: 113 Washington Avenue
Street Address *Suite/Unit #*

Santa Fe, New Mexico 87501
City *State* *ZIP Code*

Phone: ( ) E-mail Address: lutz.arnhold@rosewoodhotels.com

Additional Appellant Names:

Correspondence Directed to: ☐ Appellant ☐ Agent ☐ Both

Agent Authorization (if applicable)

I/We: Rosewood Hotels

authorize Sommer Karnes Associates (Karl Sommer) to act as my/our agent to execute this application.

Signed: Date: April 29, 2020

Signed: Date:

Subject of Appeal

Project Name: Inn of the Anasazi Addition

Applicant or Owner Name: Rosewood Hotels

Location of Subject Site: 113 Washington Avenue, Santa Fe NM 87501

Case Number: 2019-001600-HDRB Permit Number (if applicable):

Final Action Appealed:

☐ Issuance of Building Permit ☐ Other Final Determination of LUD Director

Final Action of Board or Commission (specify): ☐ Planning Commission ☐ Board of Adjustment ☐ BCD-DRC ☒ HDRB

Basis of Standing (see Section 14-3.17(B) SFCC 2001):

Basis for Appeal: ☒ The facts were incorrectly determined ☒ Ordinances/laws were violated and/or misrepresented

Description of the final action appealed from, and date on which final action was taken:

Please see attached letter from the City of Santa Fe - Exhibit A

☐ Check here if you have attached a copy of the final action that is being appealed.

Description of Harm

Describe the harm that would result to you from the action appealed from (attach additional pages if necessary):

See attached Exhibit A.

Explain the Basis for Appeal

Please detail the basis for Appeal here (be specific):

See attached Exhibit A

Signature and Verification

The signature/s and notarization below occurred during the COVID-19 Public Health Emergency, when the Governor of the State of New Mexico issued Executive Order 2020-015, allowing notarization of documents to be done remotely through video conferencing during the signature of the signer and scanning or faxing to transmit the signed document/s to the notary. Our signatures below affirm that, both the person seeking notarization and the notary are located in New Mexico during this video conference; that the person who is seeking notarization presented satisfactory evidence of identity (e.g., a valid state-issued photo identification) during the video conference; and that the person whose signature is being notarized transmitted by fax or other electronic means provided a legible copy of the signed document directly to any required witnesses and then to the notary on the same day it was signed.

I hereby certify that the documents submitted for review and consideration by the City of Santa Fe have been prepared to meet the minimum standards outlined in the Land Development Code, Chapter 14 SFCC 2001. Failure to meet these standards may result in the rejection or postponement of my application. I also certify that I have met with the City's Current Planning staff to verify that the attached proposal is in compliance with the City's zoning requirements.

Appellant Signature: _____ Date: 4/29/20

Agent Signature: Karl N. Arnhold Date: 4/29/20

State of New Mexico)
) ss.
County of Santa Fe)

I/We LUTZ ARNHOLD, being first duly sworn, depose and say: I/We have read the foregoing appeal petition and know the contents thereof and that the same are true to my/our own knowledge.

Appellant/s:

_____ _____

Signature GENERAL MANAGER *Signature*

Lutz Arnhold _____

Print Name *Print Name*

Subscribed and sworn to before me this 28th day of April, 2020.

Karl H Sommer

NOTARY PUBLIC

My commission expires:
3-18-23

OFFICIAL SEAL
Karl H. Sommer
NOTARY PUBLIC - STATE OF NEW MEXICO
My Commission Expires: 3-18-23

City of Santa Fe, New Mexico

200 Lincoln Avenue, P.O. Box 909, Santa Fe, N.M. 87504-0909
www.santafenm.gov

Alan Webber, Mayor

Councilors:
Signe I. Lindell, Mayor Pro Tem, District 1
Renee Villarreal, District 1
Michael J. Garcia, District 2
Carol Romero-Wirth, District 2
Roman "Tiger" Abeyta, District 3
Chris Rivera, District 3
Jamie Cassutt-Sanchez, District 4
JoAnne Vigil Coppler, District 4

PROJECT DESCRIPTION: Martinez Architecture Studio, agent for Rosewood Inn of the Anasazi, owner, proposes to construct a 3,078 sq. ft. fourth floor addition to a height of 56'0" with a pool and dining area. An exception is requested to exceed the maximum allowable height of 20'1" (Section 14-5.2(D)(9)).

Case number: **2019-001600-HDRB**
Project Type: HDRB

PROJECT LOCATION (S): 113 Washington Avenue

OW – Rosewood Inn of the Anasazi	113 Washington Avenue	Santa Fe, NM 87501
AP – Martinez Architecture Studio PC	P.O. Box 925	Santa Fe, NM 87504

BOARD ACTION

This is to certify that the Historic Districts Review Board (HDRB) acted on your request at their hearing on March 10, 2020. The decision of the Board was to approve the project, having found that the criteria for a height exception have been met, with the following conditions: 1) that the front (westernmost) three chimney massings shall be eliminated from the design and that the existing westernmost chimney stacks shall remain in their existing locations and at their current heights; 2) that the size of the event space shall be limited by the distance that the building code requires the space to be from the existing westernmost chimneys; and 3) that the applicant shall provide revised drawings to staff for review that conditions have been met. For further information please call 955-6605.

Sincerely,

Lisa Roach

Lisa Gavioli Roach
Planner Manager, Historic Preservation Division

NOTE: Applicant can use this action letter to apply for construction permit, but the permit shall not be released until the end of the appeal period which starts on the date of filing of the Findings and Conclusions in the City Clerk's office (SFCC 14-3.17(D)). Your permit will be denied if any changes on plans that were not approved by the HDRB or if conditions of approval are not met. **Please attach copies of this letter to all sets when submitting for construction permits.**

EXHIBIT A

Exhibit B to Verified Appeal Petition

Describe the harm that would result to you from the action appealed from (attached additional pages if necessary):

Appellants' Response:

I. Brief Summary of Harm.

As explained fully below, the harm that would result is as follows:

1. The imposition of the condition of approval that the chimneys remain low and at the front of the building (defined below as the "Chimney Condition") places the occupants the proposed rooftop patio area ("Patio Area") at the risk of breathing smoke from the fireplaces, and it renders the Patio Area dangerous and uninviting to patrons of the hotel;

2. The imposition of the Chimney Condition will render a significant portion of the Patio Area unusable, and as such, will impose an unnecessary economic burden on the Appellant for improvements in the Patio Area that are not useable; and,

3. The imposition of the Chimney Condition imposes a design limitation that detracts from the continuity of the design of the Patio Area and reduces the overall aesthetic of the project as seen from the public view.

II. Background of Application.

The Appellant (the "Anasazi") applied (the "Application") to add a rooftop addition (the "Addition") to the hotel that includes a the open-air Patio Area (located on approximately the western one-third of the roof facing Washington Avenue), an enclosed structure with lounge, restrooms and "back of house" facilities (located in the center one-third of the roof), and a swimming pool and deck area (located on the eastern one-third of the roof in the rear of the building). The Addition represents a significant commitment on the part of the Anasazi to invest not only in the property *but in the future success of Santa Fe* – in order to maintain the property and downtown Santa Fe as a world-class destination. The Addition will keep the property at least on par with the many other hotel properties that have rooftop amenities that help to distinguish those other downtown properties and enhance the experience of visitors and residents alike, namely the Drury Hotel (with a rooftop pool, bar and patio area), La Fonda Hotel (with rooftop pool, eating and patio areas), and the El Dorado Hotel (newly added rooftop pool facilities, patio and bar area).

The Application for the Addition required approval of an exception to the height limitations applicable to the property under the Historic District Overlay (SFCC 1987 § 14-5.2 et seq.). The property, as is, exceeds the applicable height limitation of nineteen feet (19'). As Staff noted before the Historic Districts Review Board (the "HDRB"), almost all hotel properties and many of the commercial buildings in the Downtown Eastside Historic subdistrict exceed the

applicable height limitations, as the limitations are aimed more at residential (not commercial) development. The existing hotel is forty-two feet (42') above the ground. The Addition will rise fourteen feet (14') above the existing building height. The Application requested a height exception to allow the Addition at the proposed height of fifty-six feet (56').

The HDRB first heard the Application on February 11, at which time the Application was tabled with directions for the Anasazi to redesign the feature where the existing chimneys rise above the rooftop. More specifically, the HDRB directed the Anasazi to move the proposed chimneys at the front of the building back as far away from the front façade as possible. Anasazi followed the direction of the HDRB and redesigned the chimneys by consolidating the chimneys into a single structural element and by moving them fourteen feet (14') from the front façade. On March 10, 2020, the HDRB heard the revised Application and found that (1) the Anasazi met a'l of the Exception Criteria for the height exception under Section 14-5.2.C.5, and (2) met all of the requirements of the styles requirements under Section 14-5.2D for the Downtown and Eastside Historic District standards. On that basis, the HDRB approved the application, but imposed a condition that the chimneys be brought down to their original locations and left at their existing height. This condition results in the chimneys sitting two feet (2') above the rooftop and ***below*** the height of the occupants standing in the Patio Area (the "Chimney Condition").

The Chimney Condition rested solely upon an aesthetic and purely design objection of certain members of the HDRB. The Chimney Condition will result in smoke and fumes from the chimneys blowing into the Patio Area. The Application for the Addition raises the chimneys above the height of the occupants so as to avoid smoke and fumes from blowing into the faces of the occupants of the Patio Area. This will render a good portion of the Patio Area unusable and undesirable for patrons of the hotel – utterly defeating the purpose behind providing an outdoor, open-air rooftop experience for the hotel customers. The obvious harm to the Anasazi is that:

1. The imposition of the Chimney Condition places the occupants of the proposed rooftop Patio Area at the risk of breathing smoke and fumes from the fireplaces, rendering the Patio Area dangerous and uninviting;

2. The imposition of the Chimney Condition will render a significant portion of Patio Area unusable, and as such, will impose an unnecessary economic burden on the Appellant for improvements in the Patio Area that are not useable; and,

3. The imposition of the Chimney Condition creates a purely design-driven element that detracts from the continuity of the design of the Patio Area and reduces the overall aesthetic of the project as seen from the public view.

Please detail the basis for the Appeal here (be specific):

The Anasazi appeals the imposition of the Chimney Condition on the basis that it exceeds the authority of the HDRB under the Historic District Ordinance (SFCC 1987 § 5.2 et seq.) (the "Historic Ordinance"). The Historic Ordinance grants the HDRB's very broad authority in considering applications brought before it. Indeed, the Historic District Ordinance has as one of

its main purposes the promotion of "[a] general harmony as to style, form, color, height, proportion, texture and material between buildings of historic design and those of more modern design." Many of the HDRB's decisions rest upon the harmonious or disharmonious nature of the proposed buildings, modifications and additions that are heard by the HDRB. At the same time, the Historic Districts Ordinance leaves the design of a project to the applicant; it is not the HDRB's role to design or impose its own design considerations upon the applicant. The Ordinance is specific on the design responsibility of the HDRB when it states "[f]ull responsibility for the design and development of structures is ***left to the applicant*** . . . ." SFCC 1987 § 5.2(A)(4). (emphasis added).

Importantly, the HDRB did *not* find that the Addition was disharmonious with the streetscape and did *not* deny the Application on that basis. The opposite is true: the HDRB found that all of the exception criteria and the design criteria in the Ordinance had been met. The record is clear that the certain members of the HDRB did not prefer *the design* solution for the chimneys that the Applicant proposed and required that Addition be re-designed to meet the their preferred aesthetic.

For this reason, the Anasazi appeals the approval because it imposes the Chimney Condition in violation of the provisions of SFCC 1987 § 5.2(A)(4) which leaves the responsibility for design with the applicant.

EXHIBIT B

ITEM # 20-0218

City of Santa Fe
Historic Districts Review Board
Findings of Fact and Conclusions of Law

Case # 2020-1600-HDRB
Address – 113 Washington Avenue
Agent's Name – Martinez Architecture Studio PC
Owner/Applicant's Name – Rosewood Inn of the Anasazi

THIS MATTER came before the Historic Districts Review Board ("Board") for hearing on March 10, 2020.

BACKGROUND

113 Washington Avenue is a commercial hotel structure constructed after 1945 in the Territorial Revival style, when it was known as the State Securities Building. The building was substantially remodeled in 1989 in the Spanish Pueblo Revival style and was adaptively reused as the Inn of the Anasazi. In 2014, the Board approved window replacement throughout the structure (Case #H-14-025). The building is listed as non-contributing to the Downtown and Eastside Historic District. At the February 11, 2020, hearing of the Board, the applicant proposed to construct an addition to the rooftop level of the building, and after discussing several design details, the Board postponed the case, requesting redesign with particular attention to the street-facing west elevation.

The Applicant has now submitted revised drawings that reflect a few modifications to the design, as well as digital renderings, which capture the visual effects of the additions on the streetscape. The project is proposed as follows:

(1) Construct an addition and improvements to the rooftop level of the hotel. The Applicant requests an exception to exceed the maximum allowable height of 20'1", and exception criteria and responses were provided in the staff report. The Applicant proposes to build to a height of 56' in the central portion of the existing roof level. This massing will rise a maximum of 14' above the existing parapet and will be set back from the street-facing façade by more than 70'.

(2) The front (street-facing) third of the space will be used as an outdoor event space with tile decking, seating, an informal lobby area, elevator overrun, stairwell, and storage space. The seating area will be set back further from the front façade of the building than originally proposed. The Applicant redesigned the chimney structures that are prominent on the proposed design, such that the central chimneys have been consolidated, made more massive, and set back further from the front façade, resulting in better integration of the chimneys into the architectural features of the existing building. The side chimneys have also been made more massive and sculptural so as to blend better with the existing hotel. The seating area will feature a 12'8" high tan canopy situated on dark bronze tracks on which the canopy can be extended or retracted depending on weather. The canopy tracks have been redesigned to be seated on top of the three chimney structures at the west end of the seating area, and the space will be framed by 5' high stuccoed walls.

(3) The central third of the space will feature an enclosed lounge and bar with required back-of-the-house spaces, including kitchen and restrooms. The stuccoed massing will match the

Spanish-Pueblo Revival style of the hotel, and windows will match those that are featured elsewhere on the hotel. As stated above, the height of this massing will rise 14' above the existing parapet, resulting in a total height of 56'. Any rooftop appurtenances and skylights placed on the roof of this addition will not be publicly visible.

(4) The rear third of the space will include a rectangular pool and tile deck, set back approximately 4' from the edge of the building. The perimeter of the pool deck will be framed by 4' high stuccoed walls and a retractable tan canopy with dark bronze rails to a height of 12'8" above the existing parapet. The previously presented wood framed cabana structures have been modified to free-standing fabric structures. In this area, the chimneys have also been moved closer together from the previous design and incorporated into fewer, larger masses rather than having multiple smaller chimneys. A stairwell and mechanical and storage spaces will be located at the southeast corner of the pool deck, and the northwest corner of the pool deck will feature an outdoor fireplace and seating area.

FINDINGS OF FACT

After conducting a public hearing and having heard from the Applicant and all interested persons, the Board hereby FINDS, as follows:

1. Land Use Department Staff conducted a preliminary zoning review (PZR) and determined that the Application appears to meet the underlying zoning standards set forth in the Santa Fe City Code (SFCC).
2. Historic Preservation Division City staff reviewed the Application and related materials and information submitted by the Applicant for conformity with applicable SFCC requirements and provided the Board with a written report of its findings (Staff Report), which evaluates the factors relevant to the Application.
3. Historic Preservation Division Staff Recommendation: Staff found that the Applicant met the exception criteria and recommended approval of the proposed project because the application complies with SFCC Sections 14-5.2(D), General Design Standards for all Historic Districts; and 14-5.2(E), Downtown and Eastside Design Standards.
4. The project is subject to requirements of the following sections of the SFCC:
    - Section 14-5.2(D)(9), General Design Standards, Height Pitch Scale and Massing (of any structure);
    - Section 14-5.2(D), General Design Standards; and
    - Section 14-5.2(C), Regulation of Significant and Contributing Structures.
5. The property is located in the Downtown and Eastside Historic District and subject to the Section 14-5.2(E) of the SFCC.
6. Staff calculated the maximum allowable height to be 20'1", and the Applicant proposes to exceed this maximum allowable height.
7. Staff determined that an exception would be required for approval of the proposed height, and the Applicant requested an exception.
8. The Board finds that the Applicant has failed to demonstrate that all of the exception criteria have been met with regard to the proposed height of the three (3) front chimneys massings.

9. Pursuant to SFCC Section 14-5.2(C)(5)(c)(i), the Board finds that the proposed location and height of the three (3) front chimney massings would damage the character of the streetscape.
10. Pursuant to SFCC Section 14-5.2(C)(5)(c)(ii), the Board adopts staff's finding that a height exception is required to present a hardship to the applicant.
11. Pursuant to SFCC Section 14-5.2(C)(5)(c)(iii), the Board adopts staff's finding that a height exception is required to 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.
12. Pursuant to SFCC Section 14-5.2(C)(5)(c)(iv), the Board adopts staff's finding that a height exception is required 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.
13. Pursuant to SFCC Section 14-5.2(C)(5)(c)(v), the Board adopts staff's finding that a height exception is required due to special conditions and circumstances that are not a result of the actions of the Applicant.
14. Pursuant to SFCC Section 14-5.2(C)(5)(c)(vi), the Board finds that approving the proposed location and height of the three (3) front chimney massings would not provide the least negative impact with respect to the purposes of SFCC Section 14-5.2, as set forth in SFCC Section 14-5.2(A)(1).
15. The Board finds that the potential damage to the character of the streetscape and negative impacts with regard to the purposes of SFCC Section 14-5.2 would be minimized by ensuring that the three (3) front chimneys do not exceed the height of the existing chimneys.
16. Under SFCC Sections 14-2.6(C), 14-2.7(C)(2), 14-5.2(A)(1), 14-5.2(C)(2)(a-d & f), 14-5.2(C)(3)(a-b), and 14-5.2(D), the Board has authority to review, approve, with or without conditions, or deny, all or some of the Applicant's proposed design to assure overall compliance with applicable design standards.
17. Under SFCC Section 14-5.2(C)(3)(b), the Board has the authority to approve an application for alteration or new construction on the condition that changes relating to exterior appearance recommended by the Board be made in the proposed work, and no permit is to issue until new exhibits, satisfactory to the Board, have been submitted.
18. The information contained in the Application, and provided in testimony and evidence establishes that all applicable requirements for Board review as herein described have been met.
19. The information contained in the Application and provided in testimony and evidence establishes that all applicable design criteria have been met.

CONCLUSIONS OF LAW

Under the circumstances and given the evidence and testimony submitted during the hearing, the Board acted upon the Application as follows:

1. The Board has the authority to review and approve the Application.
2. The Board approves the Application and grants the requested height exception with the following conditions:

- the proposed three (3) front chimney massings shall be eliminated from the design, and the existing chimney stacks at the front west elevation shall remain in their current location and at their current height;
- the size of the event space shall be limited by the distance that the building code requires the space to be from the existing westernmost chimneys;
- Applicant shall submit new drawings to staff for approval before seeking permits.

IT IS SO ORDERED ON THIS 28th DAY OF April, 2020, BY THE HISTORIC DISTRICTS REVIEW BOARD OF THE CITY OF SANTA FE.

Cecilia Rios
Chairperson

5/8/20
Date:

FILED:

Yolanda Y. Vigil
City Clerk

5/8/20
Date:

APPROVED AS TO FORM:

Sally A. Paez
Assistant City Attorney

May 6, 2020
Date:

EXHIBIT C

City of Santa Fe

Agenda

HISTORIC DISTRICTS REVIEW BOARD FIELD TRIP

*****FIELD TRIP CANCELLED*****

HISTORIC DISTRICTS REVIEW BOARD HEARING

TUESDAY, April 28, 2020 at 5:30 P.M.

*****AMENDED*****

ATTEND VIRTUALLY

SPECIAL PROCEDURES FOR VIRTUAL ATTENDANCE AND PUBLIC COMMENT:

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CALL TO ORDER

A. ROLL CALL

B. APPROVAL OF AGENDA

C. APPROVAL OF MINUTES:

1. **HDRB Field Trip minutes from February 11, 2020, February 25, 2020 and March 10, 2020**
2. **HDRB Hearing minutes March 10, 2020**

D. FINDINGS OF FACT & CONCLUSIONS OF LAW

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Case #2020-001737-HDRB. 325 Paseo de Peralta
Case #2020-001663-HDRB. 908 Old Santa Fe Trail.
Case #2020-001734-HDRB. 225 W. San Francisco St.
Case #2020-001731-HDRB. 492, 494, 496 W. Water St.
Case #2020-001781-HDRB. 868, 868½ E. Alameda St.

E. BUSINESS FROM THE FLOOR
F. COMMUNICATIONS
G. ACTION ITEMS

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H. MATTERS FROM THE BOARD

1. **2020 Santa Fe Heritage Preservation Awards – Selection of Winners**

I. ADJOURNMENT

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City of Santa Fe

Agenda

HISTORIC DISTRICTS REVIEW BOARD FIELD TRIP

*****FIELD TRIP CANCELLED*****

HISTORIC DISTRICTS REVIEW BOARD HEARING

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TIME: 9:48 AM

SUMMARY INDEX
HISTORIC DISTRICTS REVIEW BOARD
April 28, 2020

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Call to Order	5:30 pm	1
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B. Approval of Agenda	Approved as Amended	1
C. Approval of Minutes		
Field Trip Minutes	Approved	2
March 10, 2020 Hearing	Approved as Amended	2
D. Findings of Fact & Conclusions of Law	Approved	2-3
E. Business from the Floor	Comments	3
F. Communications	None	3
G. Action Items		
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2. Case #2019-001553-HDRB 1292 Lejano Lane	Approved with Condition	7-12
3. Case #2020-001732-HDRB 868 and 868 ½ East Alameda Street	Denied in Part; Approved in Part	13-23
4. Case #2020-001664-HDRB 1204 Canyon Road	Approved with Conditions	23-30
5. Case #2020-001784-HDRB 339 and 341 Plaza Balentine	Postponed	30-34
6. Case #2020-001823-HDRB 339 and 341 Plaza Balentine	Postponed	34-35
7. Case #2020-001856-HDRB 328 Otero Street	Approved	35-36

8. Case #2020-001817-HDRB 328 Otero Street	Approved	36-38
9. Case #2020-001820-HDRB 1027 Camino San Acacio	Approved	38-42
10. Case #2020-001910-HDRB 448 Camino Monte Vista	Approved with Conditions	42-52
11. Case #2020-001900-HDRB 410 South Guadalupe Street	Approved	52-54
H. Matters from the Board	Comments	54-55
I. Adjournment	Adjourned at 10:50 p.m.	55

MINUTES OF THE CITY OF SANTA FE
HISTORIC DISTRICTS REVIEW BOARD
APRIL 28, 2020
VIRTUAL HEARING

CALL TO ORDER

A regular meeting of the City of Santa Fe Historic Districts Review Board was called to order by Cecilia Rios, Chair, on the above date at approximately 5:30 p.m. at a virtual meeting held at https://www.youtube.com/user/cityofsantafe.

A. ROLL CALL

Roll Call indicated the presence of a quorum as follows:

MEMBERS PRESENT:
Ms. Cecilia Rios, Chairwoman
Mr. Frank Katz, Vice Chair
Ms. Jennifer Biedscheid
Mr. John Bienvenu
Mr. Anthony Guida
Ms. Flynn G. Larson
Mr. Buddy Roybal

MEMBERS EXCUSED:

OTHERS PRESENT:
Ms. Lisa Roach, Planner Manager
Mr. Daniel Schwab, Senior Planner
Ms. Sally Paez, Assistant City Attorney
Ms. Melissa Byers, Stenographer

NOTE: **All items in the Committee packet for all agenda items are incorporated herewith by reference. The original Committee packet is on file in the Historic Preservation Office and available on the City of Santa Fe Website.**

B. APPROVAL OF AGENDA

MOTION: Member Roybal moved, seconded by Member Katz to approve the agenda.

VOTE: The motion passed by unanimous (6-0) roll call vote with Members Biedscheid, Bienvenu, Katz, Guida, Larson and Roybal voting in favor and none voting against.

C. APPROVAL OF MINUTES:

1. HDRB Field Trip minutes from February 11, 2020, February 25, 2020 and March 10, 2020

MOTION: Member Biedscheid moved, seconded by Member Larson, to approve the HDRB Field Trip minutes from February 11, 2020, February 25, 2020 and March 10, 2020.

VOTE: The motion passed by unanimous (6-0) roll call vote with Members Biedscheid, Bienvenu, Katz, Guida, Larson and Roybal voting in favor and none voting against.

2. HDRB Hearing minutes March 10, 2020

Member Biedscheid requested that the following changes be made:

- On page 12, 3rd paragraph, replace "and" with "instead of" to read: "if the post was freestanding instead of attached to the chimney…"
- On page 20, last paragraph, 4th sentence, in the sentence, "She also thought a window replacement exception was granted in a previous case" insert *"*with itself*"* at the end to read: "because it would remain in harmony with itself".
- On page 33, 5th paragraph, 3rd line "reestablished and was…" replace "and was" with "if" to read: "reestablished if done by a different applicant."
- On page 38, 2nd paragraph, 2nd sentence, should read… "the lot is not severely sloped".
- On page 40, 2nd paragraph, 4th sentence, "She thought the slope of the land was" should read: "She thought…slope of the land was *not* a compelling reason."

MOTION: Member Katz moved, seconded by Member Biedschied, to approve the HDRB Hearing Minutes of March 10, 2020 as amended.

VOTE: The motion passed by majority (5-0) roll call vote with Members Biedscheid, Katz, Guida, Larson and Roybal voting in favor and none voting against. Member Bienvenu abstained.

D. FINDINGS OF FACT AND CONCLUSIONS OF LAW

Case #2020-001553-HDRB. 1292 Lejano Road
Case #2020-001734-HDRB. 225 W. San Francisco St.
Case #2020-001600-HDRB. 113 Washington Avenue
Case #2020-001731-HDRB. 492, 494, 496 W. Water St
Case #2020-001736-HDRB. 824 Canyon Road
Case #2020-001781-HDRB. 868, 868½ E. Alameda St.
Case #2020-001737-HDRB. 325 Paseo de Peralta

Case #2020-001663-HDRB. 908 Old Santa Fe Trail.

MOTION: Member Roybal moved, seconded by Member Katz, to approve the Findings of Fact and Conclusions of Law.

VOTE: The motion passed by majority (5-0) roll call vote with Members Biedscheid, Katz, Guida, Larson and Roybal voting in favor and none voting against. Member Bienvenu abstained.

E. BUSINESS FROM THE FLOOR

Stefanie Beninato said she was somewhat disappointed that since they are using Zoom the members are not also using video. She thought the visual part important in feeling like they are connecting to people.

She appreciated that the portal without a permit at 616 Galisteo came down but it was confusing because they did not know who the owner is, and then the portal comes down. Or, that 604 Galisteo was replaced in kind, but it wasn't. It is distressing to get conflicting information about different projects.

She also wanted to bring to their attention the greenhouse in the Railyard District behind REI. The greenhouse has been there several years, and it is obvious, it is plastic with iron supports. She wondered about that if they left that greenhouse but told the people on Canyon Road, they couldn't have one. She said that looks like discriminatory enforcement.

F. COMMUNICATIONS

None

G. ACTION ITEMS

Chair Rios said there are 11 cases on the agenda. She reminded applicants if they disagree with the Board's decision, they have the option to appeal to City Council, within 15 days after the Findings of Fact and Conclusions of Law have been approved.

She limited public comment to two minutes and said that Ms. Paez would assist with timing.

1. **Case #2020-1663-HDRB. 512 Agua Fria Street.** Westside Guadalupe Historic District. Joel Miller, agent for George Wright and Grace Witking-Wright, owners, proposes to demolish a contributing accessory structure. An exception is requested,

EXHIBIT D

City of Santa Fe

Agenda

HISTORIC DISTRICTS REVIEW BOARD FIELD TRIP

TUESDAY, March 10, 2020 at 12:00 NOON

HISTORIC PRESERVATION DIVISION, 1st FLOOR CITY HALL

HISTORIC DISTRICTS REVIEW BOARD HEARING

TUESDAY, March 10, 2020 at 5:30 P.M.

CITY COUNCIL CHAMBERS

****AMENDED****

CALL TO ORDER

A. ROLL CALL
B. APPROVAL OF AGENDA
C. APPROVAL OF MINUTES: February 25, 2020
D. FINDINGS OF FACT & CONCLUSIONS OF LAW

Case #2020-001601-HDRB. 100 East Water Street.
Case #2020-001695-HDRB. 828 Camino Atalaya.
Case #2020-001660-HDRB. 121 Lorenzo Road.
Case #2020-1662-HDRB. 829 El Caminito.
Case #2019-001514-HDRB. 127 East Santa Fe Avenue.
Case #2020-001544-HDRB. 828 Camino Atalaya.
Case #2020-1669-HDRB. 1204 Canyon Road.
Appeal #2020-001644-APPL. 509 Camino Lejo

E. BUSINESS FROM THE FLOOR
F. COMMUNICATIONS
G. ACTION ITEMS

1. **Case #2020-001600-HDRB. 113 Washington Avenue. Downtown & Eastside Historic District. Martinez Architecture Studio, agent for Rosewood Inn of the Anasazi, owner, proposes to construct a 3,078 sq. ft. fourth floor addition to a height of 56'0" with a pool and dining area. An exception is requested to exceed the maximum allowable height of 20'1" (Section 14-5.2(D)(9)). (Lisa Roach, lxroach@santafenm.gov, 955-6657) (POSTPONED FROM 2/25/2020)**

2. **Case #2019-001553-HDRB. 1292 Lejano Lane. Downtown and Eastside Historic District. Thomas Hughes, agent for Linda Carey, owner, proposes to construct a new single-family residence on a vacant lot. (Daniel Schwab, dnschwab@santafenm.gov, 955-6660) (POSTPONED FROM 1/28/2020)**

3. **Case #2020-001781-HDRB. 868 and 868 ½ East Alameda Street. Downtown and Eastside Historic District. Liaison Planning Services, agent for Christina Halaburka, owner, requests a status review for the street-facing yard wall at a contributing residential structure. (Daniel Schwab)**

4. **Case #2020-001732-HDRB. 868 and 868 ½ East Alameda Street. Downtown and Eastside Historic District. Liaison Planning Services, agent for Christina Halaburka, owner, requests to partially demolish a yard wall and to construct a 5 ft. high coyote yardwall and gate at a contributing residential structure. (Daniel Schwab)**

5. **Case #2020-001736-HDRB. 824 Canyon Road. Downtown and Eastside Historic District. Architectural Alliance Inc., agent for Igor Choromanski, owner, proposes to construct a new 6 ft high yard wall and a 204 sq. ft. new free-standing garage and pergola adjacent to a significant residential structure. (Daniel Schwab)**

6. **Case #2020-001737-HDRB. 325 Paseo de Peralta. Downtown and Eastside Historic District. Architectural Allliance Inc., agent for Montgomery Andrew Co., owner, proposes to install new doors and to repair stucco at a non-contributing residential structure. (Daniel Schwab)**

7. **Case #2020-001740-HDRB. 212 Barela Street. Downtown and Eastside Historic District. Joe Simmons and Wendy Waites, owners, propose to construct three new attached residential units. (Daniel Schwab)**

8. Case #2020-001731-HDRB. 492, 494, and 496 West Water Street. Downtown and Eastside Historic District. Perez-Daple Architects, agent for The Orchard LLC, owner, proposes to construct a new mulit-unit commercial structure on a vacant lot. Preliminary design review is requested, along with an exception to exceed the maximum allowable building height, per Section 14-5.2(D)(9)(C)(ii). (Lisa Roach)

9. Case #2020-001663-HDRB. 908 Old Santa Fe Trail. Downtown & Eastside Historic District. Woods Design Builders, Inc., agent for Christy and JC Butler, owners, requests an exception to exceed the maximum allowable wall / fence height, per Section 14-5.2(D)(9)(c)(ii). (Lisa Roach)

10. Case #2020-001734-HDRB. 200 Block of West San Francisco Street (next to 225). Downtown and Eastside Historic District. Sommer, Karnes & Associates, LLP, agent for G. E. Senlic, LLC, owner, requests to demolish a parking kiosk and stairwell and to construct a new four-story commercial hotel structure with two-level underground parking. Exceptions are requested to exceed the maximum allowable building height, per Section14-5.2(D)(9)(c)(ii); to construct a pitched roof where fewer than 50% of the structures in the applicable streetscape have pitched roofs, per Section 14-5.2(D)(9)(d); and to deviate from the district design standards, per Section 14-5.2(E). (Lisa Roach)

H. MATTERS FROM THE BOARD

I. ADJOURNMENT

Cases on this agenda may be postponed to a later date by the Historic Districts Review Board at the noticed meeting. Please contact the Historic Preservation Division at 955-6605 or check https://www.santafenm.gov/historic_districts_review_board for more information regarding cases on this agenda. Persons with disabilities in need of accommodations, contact the Historic Preservation Division office at (505) 955-6605 five (5) working days prior to the meeting date.

RECEIVED AT THE CITY CLERK'S OFFICE
DATE: March 4, 2020
TIME: 11:30 AM

MINUTES OF THE CITY OF SANTA FE
HISTORIC DISTRICTS REVIEW BOARD
FIELD TRIP

Date: 3/10/2020

Time: Approximately 12:00 noon

Place: Historic Districts within the City of Santa Fe

Members Present:

	Present	Absent
Cecelia Rios, Chair	✓	
Frank Katz, Vice Chair	✓	
Jennifer Biedscheid	✓	
Anthony Guida	✓	
Flynn G. Larson		✓
Buddy Roybal		✓
(Vacant)	—	—

Business Conducted:

The Board conducted site visits for the property addresses listed on the agenda for this evening's public hearing, scheduled to begin at 5:30 p.m. The Board conducted the site visits for the sole purpose of making factual observations. The Board did not take any action or make any decisions, and no votes were taken.

Time Adjourned: 1:45pm

Approved by:

Cecilia Rios
Board Chair or Designee

Submitted by:

Risa Roach
Historic Preservation Division Staff

SUMMARY INDEX
HISTORIC DISTRICTS REVIEW BOARD
March 10, 2020

ITEM	ACTION TAKEN	PAGE(S)
Call to Order	5:30 pm	1
A. Roll Call	Quorum Present	1
B. Approval of Agenda	Approved as Amended	1
C. Approval of Minutes February 25, 2020 Hearing	Approved as Amended	2
D. Findings of Fact & Conclusions of Law	Approved	2
E. Business from the Floor	Comments	3
F. Communications	Comments	3
G. Action Items		
1. Case #2020-001600-HDRB 13 Washington Avenue	Approved with Conditions	3-14
2. Case #2019-001553-HDRB 1292 Lejano Lane.	Approved with Condition	14-23
3. Case #2020-001781-HDRB 868 and 868 ½ East Alameda Street	Designated as Contributing	23-25
4. Case #2020-001732-HDRB 868 and 868 ½ East Alameda Street	Postponed	25-26
5. Case #2020-001736-HDRB 824 Canyon Road. Downtown and Eastside Historic District	Approved with Conditions	26-30
6. Case #2020-001737-HDRB 325 Paseo de Peralta	Approved with Conditions	30-31
7. Case #2020-001740-HDRB 212 Barela Street	Postponed	31-40

8. Case #2020-001731-HDRB 492, 494, and 496 West Water Street.	Approved with Condition	40-43
9. Case #2020-001663-HDRB 908 Old Santa Fe Trail	Approved with Condition	43-47
10. Case #2020-001734-HDRB 200 Block of West San Francisco Street (next to 225)	Approved with Conditions	47-55
H. Matters from the Board	None	31
I. Adjournment	Adjourned at 11:25 p.m.	31

MINUTES OF THE CITY OF SANTA FE
HISTORIC DISTRICTS REVIEW BOARD
March 10, 2020

CALL TO ORDER

A regular meeting of the City of Santa Fe Historic Districts Review Board was called to order by Ceceilia Rios, Chair, on the above date at approximately 5:30 p.m. in the City Council Chambers, 200 Lincoln Avenue, Santa Fe, New Mexico.

A. ROLL CALL

Roll Call indicated the presence of a quorum as follows:

MEMBERS PRESENT:
Ms. Cecilia Rios, Chairwoman
Mr. Frank Katz, Vice Chair
Ms. Jennifer Biedscheid
Mr. Anthony Guida
Ms. Flynn G. Larson
Mr. Buddy Roybal

MEMBERS EXCUSED:
One Vacancy

OTHERS PRESENT:
Ms. Lisa Roach, Planner Manager
Mr. Daniel Schwab, Senior Planner
Ms. Sally Paez, Assistant City Attorney
Ms. Melissa Byers, Stenographer

NOTE: **All items in the Committee packet for all agenda items are incorporated herewith by reference. The original Committee packet is on file in the Historic Preservation Office and available on the City of Santa Fe Website.**

B. APPROVAL OF AGENDA

MOTION: Member Roybal moved, seconded by Member Katz to approve the agenda.

VOTE: The motion passed by unanimous (5-0) voice vote with Members Biedscheid, Katz, Guida, Larson and Roybal voting in favor and none voting against.

E. BUSINESS FROM THE FLOOR

Stephanie Beninato pointed out some inconsistencies for IPRAs. She said that at 108/110 E. Santa Fe Avenue, walls were built without a permit, she was told it was covered under 607 Don Gaspar.

She said the application for 604 Galisteo Street was for an adobe brick wall to be replaced. Their insurance company paid entirely for this and Ms. Roach said it was fine to do the brick wall. Public records showed no request to change the project. Also, she wondered how two windows on the southside, and the door were not damaged by the impact and were also replaced under the idea of replacing in kind the west/east wall. She wonders what *replacing in kind* really means.

Ms. Roach commented she could justify any of the decisions she made in the Galisteo case. She is under the impression the walls for Santa Fe Ave. and Don Gaspar have a permit.

F. COMMUNICATIONS

Ms. Roach said the date has been set for the Santa Fe Heritage Preservation Rewards on Thursday, May 14, 2020 at 5:30 PM at the San Miguel Chapel.

Ms. Paez noted that Gabe Smith, Assistant City Attorney, left the City and she will be the only one covering hearings. The City is in the process of hiring another Assistant City Attorney.

G. ACTION ITEMS

Chair Rios said there are ten action items on the agenda. She reminded applicants if they disagree with the Board decision, they can appeal to City Council, within 15 days of when the Findings of Fact and Conclusions of Law are approved.

1. **Case #2020-001600-HDRB. 113 Washington Avenue.** Downtown & Eastside Historic District. Martinez Architecture Studio, agent for Rosewood Inn of the Anasazi, owner, proposes to construct a 3,078 sq. ft. fourth floor addition to a height of 56'0" with a pool and dining area. An exception is requested to exceed the maximum allowable height of 20'1" (Section 14-5.2(D)(9)). (Lisa Roach, lxroach@santafenm.gov, 955-6657) (POSTPONED FROM 2/25/2020)

Related to this case, two photographs were submitted and are attached as Exhibit "1" and Exhibit "2".

Ms. Roach presented the staff report as follows:

STAFF REPORT:

113 Washington Avenue is a commercial hotel structure that was constructed after 1945 in the Territorial Revival style, when it was known as the State Securities Building. The building was substantially remodeled in 1989 in the Spanish Pueblo Revival style and was adaptively reused as the Inn of the Anasazi. In 2014, the HDRB approved window replacement throughout the structure (Case H-14-025). The building is listed as non-contributing to the Downtown and Eastside.

At the February 11, 2020, hearing of the HDRB, the applicant proposed to construct an addition to the rooftop level of the building, and after discussing several design details, the Board postponed the case, requesting redesign with particular attention to the street-facing west elevation. The applicant submitted revised drawings, reflecting a few modifications to the design, as well as digital renderings which better capture the visual effects of the additions on the streetscape. The project is proposed as follows:

1) Construct an addition and improvements to the rooftop level of the hotel. An exception is requested to exceed the maximum allowable height of 20'1", and exception criteria and responses are provided in the packet. The applicant proposes to build to a height of 56' in the central portion of the existing roof level, and this massing will rise a maximum of 14' above the existing parapet and will be set back from the street-facing façade by more than 70'.

2) At the front (street-facing) third of the space will be an outdoor event space with tile decking, seating, an informal lobby area, elevator overrun, stairwell, and storage space. The seating area will be set back further from the front façade of the building than originally proposed. The applicant redesigned the chimney structures that are prominent on the proposed design, such that the central chimneys have been consolidated, made more massive, and set back further from the front façade, resulting in better integration of the chimneys into the architectural features of the existing building. The side chimneys have also been made more massive and sculptural so as to blend better with the existing hotel. The seating area will feature a 12'8" high tan canopy situated on dark bronze tracks on which the canopy can be extended or retracted depending on weather. The canopy tracks have been redesigned to be seated on top of the three chimney structures at the west end of the seating area, and the space will be framed by 5' high stuccoed walls.

3) The central third of the space will feature an enclosed lounge and bar with required back of the house spaces, including kitchen and restrooms. The stuccoed massing will match the Spanish-Pueblo Revival style of the hotel, and windows will match those that are featured elsewhere on the hotel. As stated above, the height of this massing will rise 14' above the existing parapet, resulting in a total height of 56'. Any rooftop appurtenances and skylights placed on the roof of this addition will not be publicly visible.

4) At the rear third of the space will be a rectangular pool and tile deck, set back approximately 4 feet from the edge of the building. The perimeter of the pool deck will be framed by 4' high stuccoed walls and a retractable tan canopy with dark bronze rails to a height of 12'8" above

the existing parapet. The previously presented wood framed cabana structures have been modified to free-standing fabric structures. In this area, the chimneys have also been moved closer together from the previous design and incorporated into fewer, larger masses rather than having multiple smaller chimneys. At the southeast corner of the pool deck, a stairwell, mechanical and storage spaces will be located, and the northwest corner of the pool deck will feature an outdoor fireplace and seating area.

STAFF RECOMMENDATION:

Staff finds that the exception criteria have been met and recommends approval of the proposed project and finds that the application complies with Section 14-5.2(D) General Design Standards for all Historic Districts, and 14-5.2(E) Downtown and Eastside Design Standards.

QUESTIONS FOR STAFF

Member Roybal asked, from the street view, would anyone notice the south, north or west chimneys. He looked at it from across the street and it is set back a lot on the west side.

Ms. Roach explained when standing right in front of the hotel you may not notice the additional massing and the west side is set back a lot. There are no dimensions on the drawings, and they are not a standard scale. They could ask the applicant how far back the two chimneys will be from the street façade.

Member Roybal asked how high La Fonda is in height. Ms. Roach did not know.

Chair Rios asked how many of the existing chimneys will be changed.

Ms. Roach said the reason for the chimney extensions is because of Building Code requirements. The chimneys already exist and have to be extended for the proper draft so people can occupy the space below. They have been consolidated in the new design and four chimneys are within the front event space on the west end of the rooftop level. The chimneys at the rear have been consolidated to three or four different chimneys. The applicant could be asked to provide more clarification.

Chair Rios asked if it is correct that the maximum allowable height is 20 feet, 1 inch.

Ms. Roach explained that is the calculation based on methodology in the Code. The downtown area calculations are tricky because the Code requires doing height calculations without considering noncontributing structures over 16 feet in height.

Chair Rios asked what else is excluded in the height calculation.

Ms. Roach offered to read the Code; noncontributing structures over 16 feet in height; institutional structures.

Ms. Roach said in 14-5.2(D)(9)(c)(ii)(A) it states: "*If a proposed building has a parapet, the façade shall not be in excess of two (2) feet of the average of the height of the façades in the streetscape .*" They then have to go back to how streetscape is defined to determine which façades are included and applicable. Ms. Roach said she couldn't find the exact language in Code but for a long time the procedure was to look at the applicable streetscape, defined by Code, eliminate noncontributing buildings 16 feet or over and any institutional buildings, hotels.

Member Biedscheid noted the height section B and C prior to that on streetscape standards discusses the determination of streetscape and refers to height and structures that should be eliminated.

Chair Rios thought it was important to consider that the building is in harmony with the streetscape.

Ms. Roach said Member Biedscheid was correct. Under Streetscape Standards in 14-5.2(D)(9)(b)(ii): "When determining streetscape, the following structure types shall be excluded: institutional, buildings originally constructed to house a hotel, residential multiple unit, buildings with non-historic multiple stories, non-historic pitched roof, auxiliary outbuildings such as sheds, existing structures approved by way of variance or exception, and yardwalls or fences whose height is inconsistent with the predominant height of yardwalls and fences on an applicable streetscape."

Member Roybal asked when looking at the commercial if they should take into account the height existing in the surrounding structures like the La Fonda, the Cathedral in the calculation.

Ms. Roach thought the predominant height of buildings in the streetscape should be a consideration in the downtown area beyond the exclusions. It would be worth considering a different methodology for calculation for downtown at some point.

Member Roybal agreed.

Chair Rios noted the application was divided into three parts. She asked how far back the seating area and tables start after entering the building.

Ms. Roach did not know the exact distance from the front façade. She suggested they ask the applicant.

Chair Rios confirmed the massing with a bar and lounge, kitchen, and restrooms would be in the second space. She noted massing in that portion is about 70 feet back. She asked to confirm that the third portion would be the area for the swimming pool.

Ms. Roach agreed.

Member Katz said with regard to the height issue, there is confusion of what it is or should be but also a concern there is a height increase. He thought if the Board continued to allow

exceptions for height it would bleed from the downtown district. His concern is the hotel is on Washington Street. The buildings on the west side may not be considered in height calculation but are considerably taller than this. And on the east side they quickly move into the residential area. The east side moves into the residential area and this building on the east side is already the tallest building on that side and is asking for another story. He asked if that wouldn't trigger concern about leap frogging, making things taller and taller and a special concern about having height on the edge of town.

Ms. Roach thought the Board is able to discern when a height exception is appropriate when taking into account the rest of the streetscape around the building. She did not believe there is fear allowing another story to a building already nonconforming hotel structure similar in height to other hotels downtown, or that it would have an impact on the heights of residential properties adjacent or beyond the business district.

Member Katz asked Ms. Roach when she stated the Code requirement could not be too close to a low chimney, what is too close.

Ms. Roach thought the seating area has to be 10 feet from the chimney.

Member Biedscheid asked on staff interpretation of Code on the stucco massing in the center of the building they believed to be a significant step back. She asked how they looked at the chimneys, which are also stuccoed structures, that are not significantly stepped back.

Ms. Roach replied Code specifies that additional height in stories be stepped back to be made the same height. Throughout the design and space, the chimney structures have been consolidated and made more massive. At the west facing façade, the chimney structures are stepped back, but she didn't know the distance from the front. Code does not specify how deep a step back is required to be considered a step back. She thought the Board has to evaluate and that it is a matter of scale and visual impact.

Member Biedscheid asked how staff considered fabric is historic in terms of material such as the awnings proposed.

Ms. Roach noted fabric awnings are throughout the downtown area and generally are regulated in color palette and compatibility predominantly in the streetscape.

Member Biedscheid asked if the awnings are considered temporary structures.

Ms. Roach said the awnings can be extended or retracted as needed, and because the rails they are mounted on are permanent, she thought the canopies would also be considered permanent. Usually awnings over entrances are permitted as permanent structures, opposed to tenting or vestibules around seasonal openings.

APPLICANT'S PRESENTATION

Lutz Arnhold, 2861 Cliff Palace, was sworn. He wanted to point out how important the project is for those in the hotel business and downtown area, and to him personally. He thanked the Board for their comments. He heard their comments and moved the chimney back 14 feet on the front street façade. Secondly, he wanted the renderings to show the Board how great the step back was of the front chimney façade. He not only took the Board's comments seriously and did what was asked but thanks them. He thought their comments had improved the project significantly.

Richard Martinez, 1524 Paseo de Peralta, was sworn.

Chair Rios thanked Mr. Martinez for the digital color visualization.

Mr. Martinez responded to questions. He said the La Fonda is 65 feet tall and the applicant is asking for 52 feet. There are 58 rooms, each with a fireplace and there is a fireplace in the lobby and bar. Chimneys are required to be 2 feet above anything within 10 feet and have been lowered as much as possible. He took advantage of the floor space, which is 6 feet above the existing roof deck. They angled the chimney 45 degrees and moved the chimney mass back. The front façade of the building has a steel structure with another steel structure every 16 feet. The beam across the front of the building holds up the awning and is back 16 feet. The chimneys going up from the hotel must be in front of that beam, so the front of the mass is 14 feet back from the front façade. The smaller wall surrounds the deck area and the area called the event space and is six feet back from the front façade. The chimneys and structures for the canopies are 14 feet back from the front façade. The chimneys were moved back to the deck area with a reconfiguration of the tables. The two end chimneys are moved back as far as possible and integrated and the hotel façade is buttressed. All the other chimneys were grouped together and moved back to be more integrated into the façade.

QUESTIONS FOR THE APPLICANT

Member Katz asked Mr. Martinez to confirm that the chimneys in front on the west façade were moved back to the east and back from the façade.

Mr. Martinez explained they are now 14 feet back from the façade and directly behind the parapet. He confirmed there is a vertical space of the wall and then the chimney and the vertical space is the existing façade. He explained when he said 14 feet, he meant the front of the stucco from the façade, not the chimney itself.

Member Katz asked how far back from the front of the stucco the chimney is currently. He was told about 18 inches to a foot and half.

Member Katz said they did a great job on the redesign of the chimneys, but he was not happy that from Washington Street you could see the three stucco mass chimneys and the beam across. He did not think they needed tall chimneys in front if more than 10 feet from the outdoor space. He noted Mr. Martinez has mentioned it is 18 inches from the front of the façade and the chimneys are 14 feet back, and if the chimneys were left low up front as they are, it would allow the same space. Member Katz said but the three tall chimneys in the front would not be seen.

Mr. Martinez replied that was not true. He explained the wall at the edge of the roof deck above the parapet is within ten feet. He presented they would have to go above that parapet at the last meeting. The chimney currently sticks up above the existing parapet and would have to be 2 feet higher if positioned as Member Katz stated. It is only six feet back but is 14 feet back behind the wall.

Member Katz asked why the wall couldn't be where the chimney is now, with the low chimneys in front.

Chair Rios asked if that was possible.

Mr. Martinez said that was not what the Board asked for at the last meeting.

Member Katz said the Board was quite clear they did not want to see the chimney from Washington Street. It could be seen very clearly and is more massive.

Karl Sommer, PO Box 2476, was sworn. He thought there was confusion. He asked what the Code standard required for the height of the chimney.

Mr. Martinez replied Code is that the chimney has to be 2 feet higher than anything within 10 feet of it.

Mr. Sommer asked why is that the height for anything within 10 feet, design wise.

Mr. Martinez explained it is two feet higher than the beam.

Member Katz said looking at the photograph there is what looks like a parapet line of the current building. Several feet back from that is the wall of the decking upstairs. He thought the current chimney is behind the lower parapet - east to west.

Mr. Martinez explained the current chimney is directly behind the existing parapet.

Ms. Roach asked if it would be helpful to look at the existing roof plan.

Member Katz noted the plan shows that the chimney is directly behind the front parapet. If you drop down to the other one, it is moved 6, 8, 10 feet back.

Mr. Martinez replied it is fourteen feet back from the front parapet.

Member Katz thought the edge of the deck could be moved 10 feet back from the current location of the chimney and it would meet Code. Then the front chimneys would not have to be taller.

Mr. Martinez thought that would be unattractive to have a main chimney for the log fireplace that burns 300 days a year, spew smoke below.

Member Katz suggested on days they have a big event on the roof they could choose not to have a fire. The Board has to look at this for 365 days a year and there is no need to do what is proposed. There should be a compromise to preserve the view from Washington Street.

Member Roybal asked how many changes were made by the applicant to comply with the Board's requests. He noted Mr. Martinez redrew the plan trying to work around the requests previously made.

Mr. Martinez replied he had, and the chimneys were moved back 14 feet. He wanted to take advantage of the space to angle the chimneys back from the front façade. He also integrated the chimneys on the sides of the building, above the parapets. He used that angle to group the chimneys together instead of standing individually, to have fewer and be more mass. He also worked to integrate them with the structure that holds the awning, which is necessary. He used it to move the chimneys back and around the structure. He removed the roof of the cabanas that originally were in the back of his proposal because the owner said it wasn't necessary to have a solid roof.

Member Larson thanked Mr. Martinez for taking the Board's comments to heart. She thought the design creative and liked the integration of the structures and thought it would function nicely. She agreed with Member Katz that something could possibly be done with the chimneys, but it was not a huge visual issue to her.

Member Katz said looking at the roof plat, at the right end of the chimney on the bottom, he could see a vertical line that cuts the two left most tables in half. He guessed that was the edge of the canopy and the beam above it. That is more than 10 feet, it was 14 feet back from the chimney. The only thing he thought would be lost if the tall chimneys were not in front is a small piece of territory that includes half of two tables.

Mr. Martinez explained there are seated areas in front of that and a bar area and seating area with bar stools.

Member Katz said that could be moved back about 7 feet.

Chair Rios asked the height of the chimneys on the west façade.

Mr. Martinez said they are 56 feet, the same height as the building behind it.

Chair Rios asked if that was measured from where they start.

Mr. Martinez clarified it was from the floor to the top.

Ms. Roach said the proposed height would be 14 feet higher than the existing parapet.

Mr. Martinez said it is fourteen feet. He explained the parapet dips and is not all the same height, and 14 feet is the highest.

Chair Rios confirmed that the two beams were moved 14 feet from the existing parapet and 14 feet from that base.

Mr. Sommer asked to add he didn't want Member Katz to think they ignored his comment about keeping the chimney low, but at the last meeting they discussed how they could move it back. There were several comments about redesigning it and looking at it differently. The original design had a straight up, very tall singular element in the middle of the building.

The applicant has done his best from a structural and construction standpoint to take that back and integrate what was there to add more massing. They did not intentionally ignore. And if the Board's comment was to remove the chimney, the applicant misunderstood. The applicant tried to address what they thought the Board had suggested and is their thinking behind the design and the proposal.

Member Biedscheid said she was trying to understand why the chimneys are 14 feet above the deck. She asked if solely because of the canopy railing that is attached.

Mr. Martinez replied yes.

Member Biedscheid asked if he had considered the use of umbrellas or something that would allow a reduction of the chimney height.

Mr. Martinez explained the canopy is retractable and a more high-end, elegant solution. They don't want something unattractive. They wanted the entire addition on the roof to look like it is part of the hotel. He intends to face the beam at the front with wood, so it appears to be a wood beam. Also, the canopy has to go over certain elements like the egress stairs and elevators, etc. and determines the height of the canopy. The canopy is not free standing, it is attached to the solid building in the middle.

Member Biedscheid asked if rather than attaching the beam to the chimney it is attached to the end to reduce the chimney height. She asked if redesigned as freestanding, the chimney could be lower and 10 feet away.

Mr. Martinez said no, they are not 10 feet away and that is the problem. They would be as high as they are now but standing as free elements instead of integrated into the frame of the canopy. The façade has two big elements going to the top. He pointed on the drawing, to the chimneys in the structure for the canopy. Behind that is the elevator, egress stairs, etc. and they were sticking straight up, and he moved those together and used the angles to get the chimneys to that area.

Member Biedscheid asked if the front chimneys could be lower if the post was freestanding and attached to a chimney.

Mr. Martinez replied no. They would still be within 10 feet of the canopy structure or the elevator as he indicated on the plan.

Member Biedscheid asked the options to reduce the front chimneys.

Member Katz asked "what was wrong with Frank's options that would do exactly that?"

Mr. Martinez pointed to the drawing and the place they could stop the deck and reduce the middle chimney, but not the entrance. That is stepped back from the sides.

Member Guida asked if the two chimneys on the end were angled back 45 degrees as the one from the lobby.

Mr. Martinez stated they are angled back but are not exactly behind the front façade. He wasn't sure how far back they were, all of them were not shown.

Ms. Roach said there is only one in question - the front center chimney.

Member Katz said they don't show any on the plan but that does not mean they don't exist. They could angle west instead of east.

Member Guida pointed out they were discussing two schemes. The one presented by the applicant is an admirable design adjustment of what the Board reviewed last time. It is a clear incorporation of the Board's direction and comments. He recalled discussing the last time that the overall massing of the four-story proposal was fine and clear. Their reaction was to the Washington Avenue façade and the presence of the middle of that as a façade point. This design changes that and pushes the point back 14 feet and changes the massing of the chimneys.

Mr. Martinez added it also makes it wider so he can line up the chimneys.

Member Guida said for him that's a good reaction and it did not sacrifice a lot of real estate.

Mr. Martinez said they lost 75 square feet.

Member Guida thought it an elegant design solution. What the Board is discussing now is whether they want to see three chimneys from the street, or at all. They are set back from the façade and to him, looking at line of sight from Washington Avenue upward he would not see them at all. Only the view from across the street shows a glimpse of the chimneys. The renderings did a good job of showing the worst-case scenario - the view from across the street. This is the full exposure in both cases.

He thought the other scenario was to eliminate the three chimneys visually by keeping them above the existing roof and pulling them back about 10 feet or more from the façade. That would obviously cause a loss in square footage. And there is the question of what would support the canopy at that point, and if they should bring it back to the second row of chimneys, or to posts. He thought the second scheme more conservative, but personally agreed that a chimney that emits smoke in an occupied space is less than optimal, even when it meets the letter of Code. He thought the plan did not infringe much on the streetscape.

Chair Rios asked the width of the chimneys that faced Washington.

Mr. Martinez said he tapered the chimneys as they go up and at the least is 2 feet deep. They are as wide as needed to accommodate the chimney at about 8 to 10 feet wide.

PUBLIC HEARING.

John Eddy 227 E. Palace, Suite D, was sworn. He said the spirit of advice given at the last meeting was very clear. The existing building on the west façade is at a height consistent with the surrounding buildings, despite that it is the tallest building. The applicant in trying to redesign, pushed the chimneys back. They tried to decrease the massing fronting on the west side but only to a certain degree. What they see is very visible massing that is disruptive to the streetscape. That is driven by the program the applicant wants on the rooftop to use as much of the area as possible. Looking at the building in thirds from east to west, the middle third is the major massing. Taking everything back at least 25% from the original façade and eliminating rooftop use would eliminate 80% of the visual obstruction on the streetscape.

Stephanie Beninato was sworn. She agreed with Mr. Eddy. She thought this has a huge impact on the streetscape, especially from the Plaza in the northeast corner. They should get rid of the wood burning fireplaces which adds to carbon foot printing. Possibly they could have a smaller opening with gas burning fireplaces. Also, there will be a very visible awning that will impact the streetscape and although allowed, it is a mistake and looks tacky. There is no hardship, it is about making money and using space. they should get rid of the first third and allow the back

third. Also, the applicant should reconsider the pool. She asked if another rooftop pool is needed when they are in a drought. They could advertise the hotel as sustainable, and the awning and pool area could possibly be seen from the streetscape. The scale should be done to standard scale and the drawing should have all of the details. The applicant should be made to make drawings to scale.

BOARD DISCUSSION

Member Katz said he understood the comments from the public but was in no way trying to eliminate the outdoor event space on the roof. The applicant would possibly lose seven feet and two tables but could still have a bar looking west, and it would be nice if the awning did not come all the way across. They might want to discuss that because you could see the underside of the awning. It would be nice if that was not visible.

MOTION: In Case #2020-001600-HDRB, 113 Washington Avenue, Member Katz moved to approve the application as submitted with the condition that the three front chimney massing be eliminated, and the three chimney groupings be at the front of the façade at the current height, and that the rest of the back be the required 10-14 feet from the chimneys and be the front of the event area, and that the applicant submit drawings to show that. Member Biedscheid seconded the motion and added a friendly amendment that the conditions in the motion meet the exception criteria for criteria #5.

VOTE: The motion passed by majority (4-1) voice vote with Members Biedscheid, Guida, Katz and Larson voting in favor and Member Roybal voting against.

2. **Case #2019-001553-HDRB. 1292 Lejano Lane.** Downtown and Eastside Historic District. Thomas Hughes, agent for Linda Carey, owner, proposes to construct a new single-family residence on a vacant lot. (Daniel Schwab, dnschwab@santafenm.gov, 955-6660) (POSTPONED FROM 1/28/2020)

Related to this case, two photographs were submitted and are attached as Exhibit "3".

Mr. Schwab presented the Staff report as follows:

STAFF REPORT:

1292 Lejano Lane is currently an unbuilt residential site in the Downtown and Eastside Historic District. The site has a steep grade and sits at the corner of Lejano Lane and Lorenzo Road. It has public visibility from both roads.

tabbies
EXHIBIT
/
56

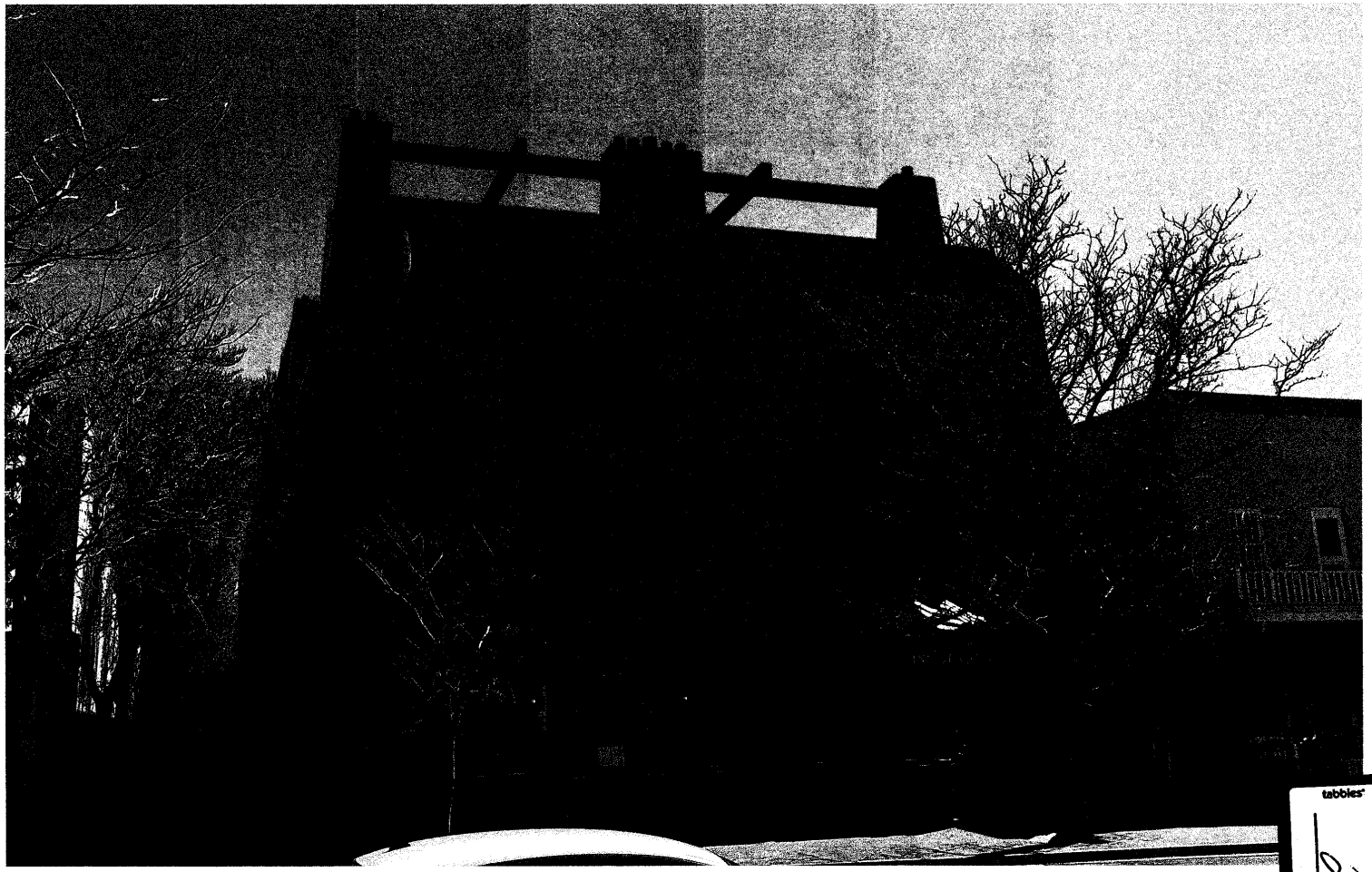

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EXHIBIT
2

EXHIBIT E

CITY OF SANTA FE, NEW MEXICO

PROJECT DESCRIPTION: Martinez Architecture Studio, agent for Rosewood Inn of the Anasazi, owner, proposes to construct a 3,078 sq. ft. fourth floor addition to a height of 56'0" with a pool and dining area. An exception is requested to exceed the maximum allowable height of 20'1" (Section 14-5.2(D)(9)).

Case number: **2019-001600-HDRB**
Project Type: HDRB

PROJECT LOCATION (S): **113 Washington Avenue**

OW – Rosewood Inn of the Anasazi	113 Washington Avenue	Santa Fe, NM 87501
AP – Martinez Architecture Studio PC	P.O. Box 925	Santa Fe, NM 87504

PROJECT DATA:

HISTORIC DISTRICT

Don Gaspar Area ☐ Downtown and Eastside ☑ Historic Review ☐ Transition ☐ Westside-Guadalupe ☐

HISTORIC BUILDING STATUS

Non-Statused ☐ Non-Contributing ☑ Contributing ☐ Significant ☐ Landmark ☐ N/A ☐

PRIMARY ELEVATIONS: North ☐ South ☐ West ☐ East ☐ N/A ☑

PUBLICLY VISIBLE FACADE-EAST Yes ☐ No ☑

PUBLICLY VISIBLE FACADE-NORTH Yes ☑ No ☐

PUBLICLY VISIBLE FACADE-SOUTH Yes ☑ No ☐

PUBLICLY VISIBLE FACADE-WEST Yes ☑ No ☐

HISTORIC DISTRICT INVENTORY NUMBER H3537

YEAR OF CONSTRUCTION post 1945

PROJECT TYPE

Status ☐ Primary Elevations ☐ Remodel ☑ Demolition ☐ New ☐ Other _____

USE, EXISTING Residential ☐ Non-Residential ☑ Vacant ☐

USE, PROPOSED Residential ☐ Non-Residential ☑

HISTORIC BUILDING NAME State Securities Building

City of Santa Fe, New Mexico

memo

DATE: March 10, 2020

TO: Historic Districts Review Board Members

FROM: Lisa Gavioli Roach, Historic Preservation Division Manager

Case # 2020-001600-HDRB
(POSTPONED FROM 2/11/2020)

Address: 113 Washington Ave
Historic Status: Non-contributing
Historic District: Downtown and Eastside

REFERENCE ATTACHMENTS (Sequentially):

CITY SUBMITTALS

____ **District Standards & yard wall & fence standards.**

__x__ **Historic Inventory Form**

__x__ **Zoning Review Sheet**

__x__ **Other**: Height calculation – maximum allowable height calculated to be 20'1"

APPLICANT SUBMITTALS

__x__ **Proposal Letter (original and revised)**

__x__ **Site Plan/Floor Plan (original and revised)**

__x__ **Elevations (original and revised)**

__x__ **Photographs**

__x__ **Other:** digital renderings

STAFF RECOMMENDATION:

Staff finds that the exception criteria have been met and recommends approval of the proposed project and finds that the application complies with Section 14-5.2(D) General Design Standards for all Historic Districts, and 14-5.2(E) Downtown and Eastside Design Standards.

BACKGROUND & SUMMARY:

113 Washington Avenue is a commercial hotel structure that was constructed after 1945 in the Territorial Revival style, when it was known as the State Securities Building. The building was substantially remodeled in 1989 in the Spanish Pueblo Revival style and was adaptively reused as the Inn of the Anasazi. In 2014, the HDRB approved window replacement throughout the structure (Case H-14-025). The building is listed as non-contributing to the Downtown and Eastside.

At the February 11, 2020, hearing of the HDRB, the applicant proposed to construct an addition to the rooftop level of the building, and after discussing several design details, the Board postponed the case, requesting redesign with particular attention to the street-facing west elevation. The applicant submitted revised drawings, reflecting a few modifications to the design, as well as digital renderings which better capture the visual effects of the additions on the streetscape. The project is proposed as follows:

1) Construct an addition and improvements to the rooftop level of the hotel. An exception is requested to exceed the maximum allowable height of 20'1", and exception criteria and responses are provided below. The applicant proposes to build to a height of 56' in the central portion of the existing roof level, and this massing will rise a maximum of 14' above the existing parapet and will be set back from the street-facing façade by more than 70'.

2) At the front (street-facing) third of the space will be an outdoor event space with tile decking, seating, an informal lobby area, elevator overrun, stairwell, and storage space. The seating area will be set back further from the front façade of the building than originally proposed. The applicant redesigned the chimney structures that are prominent on the proposed design, such that the central chimneys have been consolidated, made more massive, and set back further from the front façade, resulting in better integration of the chimneys into the architectural features of the existing building. The side chimneys have also been made more massive and sculptural so as to blend better with the existing hotel. The seating area will feature a 12'8" high tan canopy situated on dark bronze tracks on which the canopy can be extended or retracted depending on weather. The canopy tracks have been redesigned to be seated on top of the three chimney structures at the west end of the seating area, and the space will be framed by 5' high stuccoed walls.

3) The central third of the space will feature an enclosed lounge and bar with required back of the house spaces, including kitchen and restrooms. The stuccoed massing will match the Spanish-Pueblo Revival style of the hotel, and windows will match those that are featured elsewhere on the hotel. As stated above, the height of this massing will rise 14' above the existing parapet, resulting in a total height of 56'. Any rooftop appurtenances and skylights placed on the roof of this addition will not be publicly visible.

4) At the rear third of the space will be a rectangular pool and tile deck, set back approximately 4 feet from the edge of the building. The perimeter of the pool deck will be framed by 4' high stuccoed walls and a retractable tan canopy with dark bronze rails to a

height of 12'8" above the existing parapet. The previously presented wood framed cabana structures have been modified to free-standing fabric structures. In this area, the chimneys have also been moved closer together from the previous design and incorporated into fewer, larger masses rather than having multiple smaller chimneys. At the southeast corner of the pool deck, a stairwell, mechanical and storage spaces will be located, and the northwest corner of the pool deck will feature an outdoor fireplace and seating area.

EXCEPTION CRITERIA AND RESPONSES

Exception to exceed the maximum allowable height, per Section 14-5.2(D)(9):

i) Do not damage the character of the streetscape;

Applicant Response: On this block of Washington Ave (on both sides of the street}, tall institutional and commercial buildings define the streetscape. The hotel adjacent and to the north of the Inn of the Anasazi is about the same height, and the buildings across Washington Avenue are taller than the Inn of the Anasazi. Typically, the buildings rise from the sidewalk up several stories without setting back. This character - tall institution and commercial buildings adjacent to the sidewalks - is unique in many ways to this area of the downtown area. The proposed addition will be set back from the edge of the existing parapet. It will not be visible from the east side of the street and will hardly be noticeable from the west side of the street. As a result, the addition will fit into the existing character of the streetscape, rather than do damage to it. The human scale enjoyed today on this section of the streetscape will not be adversely affected or damaged.

Staff Response: *Staff agrees with this response.*

(i) Prevent a hardship to the applicant or an injury to the public welfare;

Applicant Response: The hardship to the applicant results from the fact that Inn of the Anasazi sits on a lot that already occupies 100% of the lot, and there is no additional area to provide the amenities that are being proposed in the addition. It is in the interest of the public welfare (and the Inn of the Anasazi) for this property to remain economically viable and competitive in the hospitality industry in downtown; the Inn of the Anasazi must be at least as attractive to visitors as other luxury hotels in the downtown area. All of the Inn of the Anasazi's major competitors- La Fonda, the Drury, and the Eldorado Hotel - all provide swimming facilities (all of which are on the roof tops), and opportunities for outdoor and indoor dinning, socializing and event-staging on their rooftops. In order to compete and remain relevant and to avoid eventual obsolescence – and thereby avoid a hardship and harm to the public welfare of the City of Santa Fe – the Inn of the Anasazi must invest in the facilities with the propose addition, but has nowhere to add them except on top of the existing hotel.

Staff Response: *Staff agrees with this response.*

(iii) Strengthen the unique heterogeneous character of the city by providing a full range of design options to ensure that residents can continue to reside within the historic districts;

Applicant Response: This criterion really addresses residential uses in the historic district and a "full range of design options to ensure that residents can continue to reside" and has no applicability to addition of a commercial building. However, the proposed addition will strengthen commercial character of the downtown by adding amenities to a downtown hotel that will allow visitors and patrons a greater range of possibilities to enjoy the unique culture of Santa Fe.

Staff Response: *Staff agrees with this response.*

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

Applicant Response: Inn of the Anasazi sits on a lot that has for decades been occupied by a tall building covering the entire lot, and the applicant did not divide the property to create a lot with a small area of land. Rather, the small lot was created many, many decades ago. The condition of the lot is not the result of the action of the owner.

Staff Response: *Staff agrees with this response.*

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

Applicant Response: The proposed addition and amenities will not have any negative impact on the streetscape or the historic character of the downtown area. The addition will be set back from the edge of the existing parapet so it will reduce its visibility as discussed above and will not add or cast a shadow on to the streets below. In short, it will not exacerbate any of the effects that tall building may have on a streetscape - "canyon effect," shadows, disproportionate scale or massing. So, any potentially negative impacts have been mitigated by the design.

Staff Response: *Staff agrees with this response.*

RELEVANT CODE CITATIONS:

14-5.2(A)(1) General Purpose

In order to promote the economic, cultural, and general welfare of the people of the city and to ensure the harmonious, orderly and efficient growth and development of the city, it is deemed essential by the governing body that the qualities relating to the history of Santa Fe, and a harmonious outward appearance, which preserve property values and attract tourists and residents alike, be preserved, some of these qualities being:

(a) The continued existence and preservation of historical areas and buildings;

(b) The continued construction of buildings in the historic styles; and
(c) A general harmony as to style, form, color, height, proportion, texture and material between buildings of historic design and those of more modern design.

14-5.2(E) Downtown and Eastside Design Standards

(1) Old Santa Fe Style

Old Santa Fe style, characterized by construction with adobe, is defined as including the so-called "pueblo" or "pueblo-Spanish" or "Spanish-Indian" and "territorial" styles and is more specifically described as follows:

(a) With rare exception, buildings are of one story, few have three stories, and the characteristic effect is that the buildings are long and low. Roofs are flat with a slight slope and surrounded on at least three sides by a firewall of the same color and material as the walls or of brick. Roofs are never carried out beyond the line of the walls except to cover an enclosed portal or porch formed by setting back a portion of the wall or to form an exterior portal, the outer edge of the roof being supported by wooden columns. Two-story construction is more common in the territorial than in other sub-styles, and is preferably accompanied by a balcony at the level of the floor of the second story. Façades are flat, varied by inset portales, exterior portales, projecting vigas or roof beams, canales or water-spouts, flanking buttresses and wooden lintels, architraves and cornices, which, as well as doors, are frequently carved and the carving may be picked out with bright colors. Arches are almost never used except for nonfunctional arches, often slightly ogive, over gateways in freestanding walls;
(b) All exterior walls of a building are painted alike. The colors range from a light earth color to a dark earth color. The exception to this rule is the protected space under portales, or in church-derived designs, inset panels in a wall under the roof, in which case the roof overhangs the panel. These spaces may be painted white or a contrasting color, or have mural decorations;
(c) Solid wall space is always greater in any façade than window and door space combined. Single panes of glass larger than thirty (30) inches in any dimension are not permissible except as otherwise provided in this section;
(d) The rule as to flat roofs shall not be construed to prevent the construction of skylights or installation of air conditioning devices, or any other necessary roof structures, but such structures other than chimneys, flues, vents and aerials, shall be so placed as to be concealed by the firewall from the view of anyone standing in the street on which the building fronts;
(e) True old Santa Fe style buildings are made of adobe with mud plaster finish. Construction with masonry blocks, bricks, or other materials with which the adobe effect can be simulated is permissible; provided, that the exterior walls are not less than eight (8) inches thick and that geometrically straight façade lines are avoided. Mud plaster or hard plaster simulating adobe, laid on smoothly, is required; and

(2) Recent Santa Fe Style

Recent Santa Fe style intends to achieve harmony with historic buildings by retention of a similarity of materials, color, proportion, and general detail. The dominating effect is to be that of adobe construction, prescribed as follows:

(a) No building shall be over two stories in height in any façade unless the façade shall include projecting or recessed portales, setbacks or other design elements;

(b) The combined door and window area in any publicly visible façade shall not exceed forty percent of the total area of the façade except for doors or windows located under a portal. No door or window in a publicly visible façade shall be located nearer than three (3) feet from the corner of the façade;

(c) No cantilevers shall be permitted except over projecting vigas, beams, or wood corbels, or as part of the roof treatment described below;

(d) No less than eighty percent of the surface area of any publicly visible façade shall be adobe finish, or stucco simulating adobe finish. The balance of the publicly visible façade, except as above, may be of natural stone, wood, brick, tile, terra cotta, or other material, subject to approval as hereinafter provided for building permits;

(e) The publicly visible façade of any building and of any adjoining walls shall, except as otherwise provided, be of one color, which color shall simulate a light earth or dark earth color, matte or dull finish and of relatively smooth texture. Façade surfaces under portales may be of contrasting or complimentary colors. Windows, doors and portals on publicly visible portions of the building and walls shall be of one of the old Santa Fe styles; except that buildings with portals may have larger plate glass areas for windows under portals only. Deep window recesses are characteristic; and

(f) Flat roofs shall have not more than thirty (30) inches overhang.

14-5.2(D)(9) Height, Pitch, Scale, Massing and Floor Stepbacks

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

(c) Height

(i) Official map of building heights in the historic districts - procedures.

A. The historic districts review board shall recommend the adoption of an official map reflecting building heights in the historic districts to the governing body . This map shall be used for the purpose of regulating building height in the historic districts. The map shall be adopted at a public hearing of the governing body , which hearing shall be advertised in a local newspaper no less than fifteen days prior to the hearing. All affected property owners and owners of lots or of land within one hundred (100) feet, excluding public right-of-way, of the property affected shall be notified of the public hearing by first class mail, mailed at least fifteen days prior to the public hearing. The official map shall be adopted by the governing body by ordinance.

B. The official map of building heights in the historic districts may be amended from time to time. This historic districts review board shall make

recommendations to the governing body for the amendment of the official map, at a public hearing. Such hearing shall be advertised in a local newspaper no less than fifteen days prior to the hearing.

C. The governing body shall hold a public hearing on any amendments to the official map. The official map, inclusive of amendments, is hereby adopted by reference and incorporated as if set out herein. Such public hearing shall be advertised in a local newspaper no less than fifteen days prior to the hearing. All affected property owners and owners of lots or of land within one hundred (100) feet, excluding public right-of-way, of the property affected shall be notified of the public hearing by first class mail, mailed at fifteen days prior to the public hearing.

D. The official map is available in the city planning office and is accessible at all reasonable times for inspection.

(ii) In exercising its authority under this section, the board shall limit the height of structures as set forth in this section. Heights of existing structures shall be as set forth on the official map of building heights in the historic districts.

A. If a proposed building has a parapet, the façade shall not be in excess of two (2) feet of the average of the height of the façades in the streetscape .

B. If the proposed building has a pitched roof, the ridge height of the proposed building shall not be in excess of two (2) feet of the average of the ridge height of the pitched roofs in the streetscape .

C. Yard walls and fences shall be limited to a height that does not exceed the average of the height of other yard walls and fences in the streetscape .

D. Pursuant to Section 14-7.4(C), the height of any other structure shall be limited to the allowable building height within the applicable streetscape , as defined in this section. (Ord. No. 2002-37 § 26)

E. The height and dimension of signage are as set forth in Section 14-8.10(H).

F. The board may increase the allowable height for proposed buildings and additions located on a sloping site where the difference in the natural grade along the structure's foundation exceeds two (2) feet. In no case shall the height of a façade exceed four (4) feet above the allowable height of the applicable streetscape measured from natural or finished grade , whichever is more restrictive. This increase in height shall be constructed only in the form of building stepbacks from the street .

(iii) In historic districts, height shall be the vertical distance measured between the highest part of a structure and the existing grade or finished grade , whichever is more restrictive, at the midpoint of the street facing facade, excluding rooftop appurtenances , the increased height of walls or fences over pedestrian and vehicular openings, and gates (either in opened or closed position). For structures which do not have street frontage, height shall be determined by the facade which contains the tallest vertical distance measured between the highest part of a structure and

the existing grade or finished grade , whichever is more restrictive. The height of walls and fences is measured from the street -facing side of the wall or fence. (Ord. No. 2002-37 § 27)

Attachment B

NEW MEXICO HISTORIC BUILDING INVENTORY FORM

H3537

building threatened? yes	surveyed date 5/3/85 by HMW	county SANTA FE	ID no. 051610424
field map SFHD #1	number 424	UTM reference zone 12 13 easting	northing

location description: 113 WASHINGTON

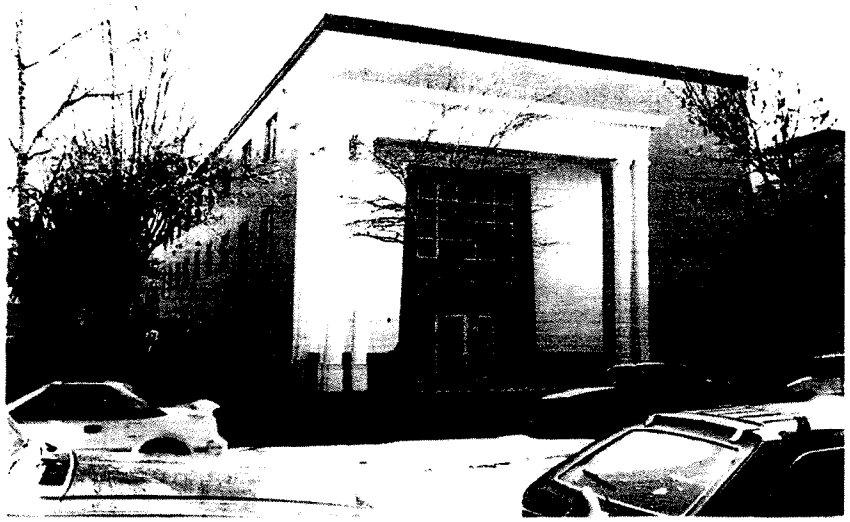
city/town: SANTA FE

land ~~grant~~/reservation

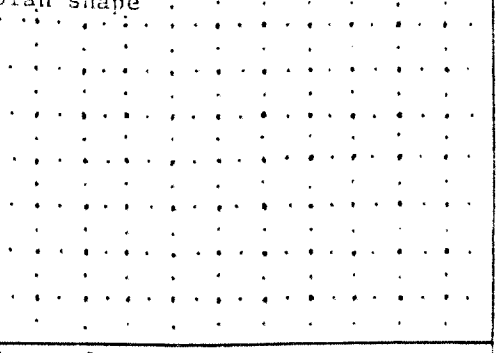
building name: STATE SECURITIES BLDG

legal description: tnsp ___ N S range ___ E W sec ___ ¼ ___ ¼

film roll by HMW no. SFHD 16	negative nos. 28	Loc. of neg. HPB



plan shape



date of construction: P45 estimate _____ actual

source

use
present: residential
other: _____
historic: residential
other: _____

condition
___excellent ___good
___fair ___deteriorating

wall material/surface

degree of remodeling
___minor ___moderate ___major
describe:

architectural features

surroundings: COMMERCIAL

relationship to surroundings
___similar x not similar

district potential
___yes ___no

significance
___eligible ___of interest x none

if eligible, why?

comments

remodeled 1989 H-89-132
as Spanish-Pueblo Revival
Inn of the Anasazi OR

associated buildings? ___yes
what type?

if inventoried, list ID nos.

see back? ___yes

Preliminary Zoning Review Worksheet

City of Santa Fe Land Use Department

To Be Completed By Applicant	Site Address:
Date Submitted: January 13, 2020	113 Washington Ave
Property Owner of Record: Rosewood Inns of the Anasazi	Proposed Construction Description: Rooftop event space, bar & swimming pool
Applicant/Agent Name: Martinez Architecture Studio	
Contact Person Phone Number: 505 989-4958	TOTAL ROOF AREA: 13,640

Zoning District: BCD-MAR

Overlay: ☐ Escarpment ☐ Flood Zone* ☐ Other: N/A

Submittals Reviewed with PZR:
☒ Legal Lot of Record ☐ Development Plan ☒ Building Plans
☒ Existing Site Plan ☒ Proposed Site Plan ☒ Elevations

Supplemental Zoning Submittals Required for Building Permit:
☐ Zero Lot Line Affidavit

Access and Visibility: ☐ Arterial or Collector** ☐ Visibility Triangle Required

Use of Structure: ☐ Residential ☒ Commercial Type of Use: Hotel

Terrain: ☐ 30% slope*

* Requires additional review conducted by the Historic Districts Division
** Requires additional review conducted by the Public Works Division

Lot Coverage: 78.6 %
☐ Open Space Required: ____

Setbacks:
Proposed Front: 2'-9" Minimum: 2'-9"
2nd Front? –
Proposed Rear: 0'-6" Minimum: 0
Proposed Sides: L: 2'-1" R: 1'-6" Minimum: 0

Height: Proposed 56'
Maximum Height: 42' or
☒ Regulated by Historic Districts Ordinance
☐ Regulated by Escarpment District

Parking Spaces:
Proposed 49 Accessible 0
Minimum: –

Bicycle Parking:**
Proposed: 0 Minimum: 0
** Commercial Requirements

THIS REVIEW DOES NOT GRANT ZONING APPROVAL FOR BUILDING PERMIT. FINAL ZONING REVIEW WILL BE PERFORMED AT THE TIME OF BUILDING PERMIT APPLICATION.

Richard Martinez (☐OWNER ☐APPLICANT ☒AGENT)
PRINT NAME

hereby certifies that the information provided for preliminary zoning review is accurate and will not be modified without consulting Land Use Department staff prior to submittal for Historic Districts Review Board review.

Rich Martin 1-13-20
SIGNATURE DATE

To Be Completed By City Staff:

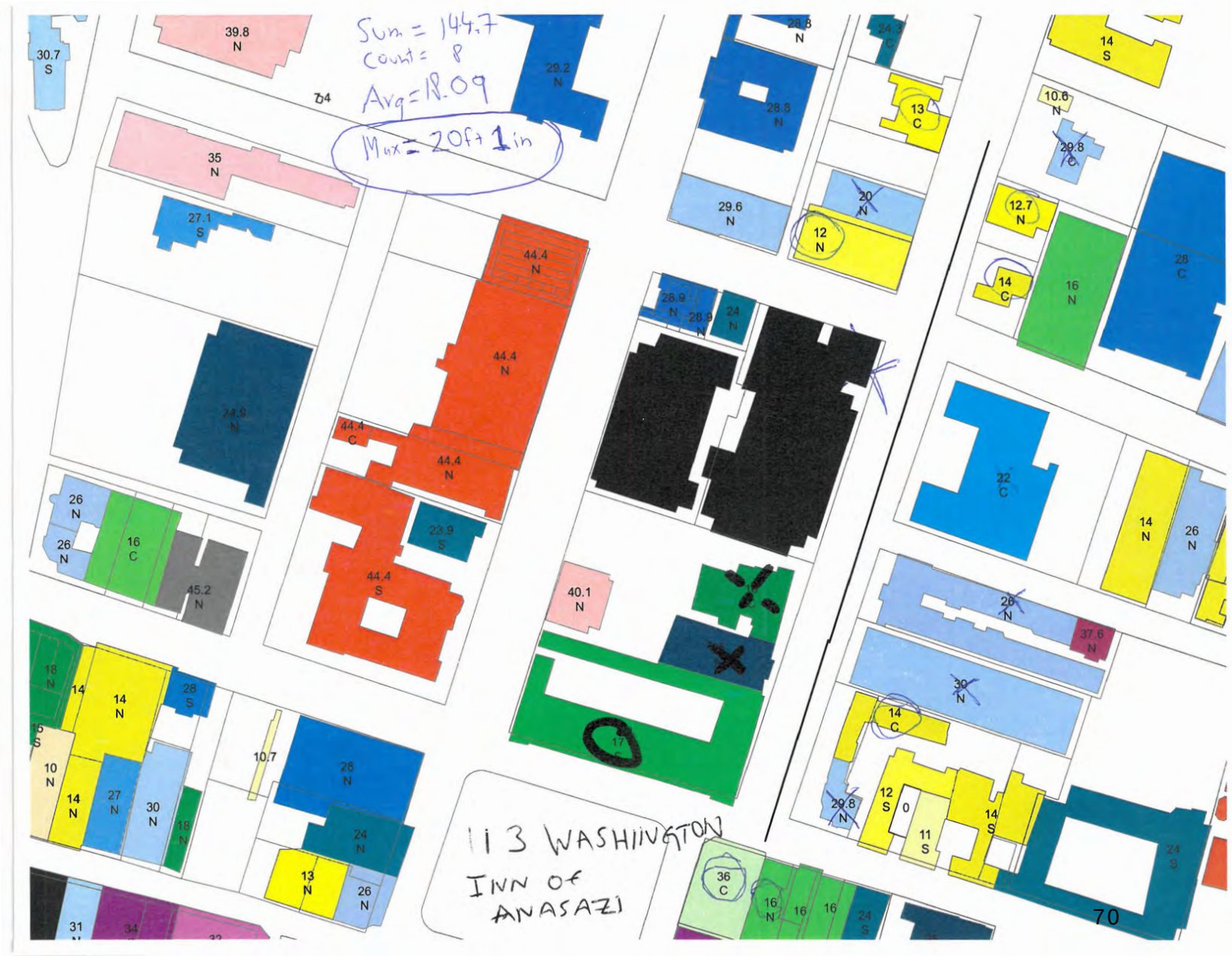
Additional Agency Review if Applicable:
☐ Escarpment Approval by _____ Date: __/__/__
☐ Flood Plain Approval by _____ Date: __/__/__
☐ Traffic Engineering Approval by _____ Date: __/__/__
Notes: _____

Zoning Approval:
☒ Preliminary Approval ☒ with conditions ☐ Rejected
Comments/Conditions: Building exceeds BCD-MAR zoning Height of 42'. The applicant shall apply for a variance before the Board of Adjustment prior to submitting a building permit.

REVIEWER: _____ DATE: 1/13/20

Original color form must be submitted with Historic Districts Review Board (HDRB) application packet.

Revised


Sum = 144.7
Count = 8
Avg = 18.09
Max = 20ft 1in
113 WASHINGTON
INN OF
ANASAZI
39.8 N
30.7 S
29.2 N
35 N
27.1 S
44.4 N
44.4 C
44.4 S
23.9 S
24.9 N
26 N
16 C
45.2 N
40.1 N
17
28.8 N
24.3 C
28.8 N
13 C
29.6 N
20 N
12 N
28.9 N
24 N
14 S
10.6 N
29.8 C
12.7 N
14 C
16 N
28 C
22 C
14 N
26 N
26 N
37.6 N
30 N
14 C
29.8 N
12 S
0
11 S
14 S
24 S
36 C
16 N
16
16
24 S
18 N
14
14 N
28 S
15 S
10 N
14 N
27 N
30 N
18 N
10.7
28 N
24 N
13 N
26 N
31
34

MARTINEZ ARCHITECTURE STUDIO PC

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1524 PASEO DE PERALTA —— STUDIO@MARTINEZARCH.COM

PROPOSAL TO ADD ROOFTOP PROJECT
THE ROSEWOOD INN OF THE ANASAZI – 113 WASHINGTON AVE.

Downtown/Eastside Historic District – Non-Contributing

January 13, 2020

EXISTING CONDITIONS:

The Inn of the Anasazi was built in 1990. It incorporated the structural system of the office building that previously occupied the site. The Owner's of the hotel wish to give their guests the experience of staying in a building that reflects the beauty of Santa Fe. The rooftop project is not intended to feel like an addition, but rather an intregal part of the hotel. The hotel has a restaurant and a bar now and the Owner's wish to add a pool and an event space. Current hotel trends have shown that guests want these options when choosing where to stay.

PROPOSED CONSTRUCTION:

The changes asked for are on the roof and for the most part involve elements not seen by the public. There will be no changes to the existing facades which give this building its character. The roof is now unused, valuable space in the downtown area (see attached letter photos "A").

We will extend the existing elevators and exit stairs to access a new floor on the roof of the building which will consist of a deck 6'-0" above the existing roof deck in order to accommodate the pool and the structure to support that pool that will be required.

In the middle of the roof will be an enclosed lounge space and bar with its required back of house spaces (kitchens, etc.) and restrooms.

Proposed bar, back of house, restrooms: 4,654 sq.ft.
Height of proposed bar, back of house, restrooms: 56'-0" (14'-0" from existing parapet)
Materials: stucco, wood windows to match existing

In the front of the space will be an open deck recessed 6'-0" from the street facade to accommodate special events and outdoor seating that would sometimes be partially covered by a canopy (see attached letter photos "B").

Proposed special event space: 3,078 sq.ft.
Height of proposed special event space: 5'-0" stuccoed walls, 12'-8" canopy
Materials: stucco, tile decking, stained wood beam, dark bronze tracks, tan canopy

The back third of the rooftop will be a pool and deck recessed from the exterior walls. The deck will have a fireplace, cabanas and chaise lounges, again with a canopy.

Proposed pool area: 3,716 sq.ft.
Height of proposed: 4'-0" stuccoed walls, 12'-8" canopy
Materials: stucco, tile decking, stained wood beam, dark bronze tracks, tan canopy

The stucco, stained wood and trim colors will match the existing building. The exisiting fireplaces in the rooms below which have flues on the current roof, will be raised with stuccoed chimneys. There will be appurtenances and skylights on the roof of the addition which will not be publicly visible.

Richard Martinez

Inn of Anasazi Applicant's responses to the applicable Exception Criteria:

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

On this block of Washington Ave (on both sides of the street), tall institutional and commercial buildings define the streetscape. The hotel adjacent and to the north of the Inn of the Anasazi is about the same height, and the buildings across Washington Avenue are taller than the Inn of the Anasazi. Typically, the buildings rise from the sidewalk up several stories without setting back. This character – tall institution and commercial buildings adjacent to the sidewalks – is unique in many ways to this area of the downtown area. The proposed addition will be set back from the edge of the existing parapet. It will not be visible from the east side of the street and will hardly be noticeable from the west side of the street. As a result, the addition will fit into the existing character of the streetscape, rather than do damage to it. The human scale enjoyed today on this section of the streetscape will not be adversely affected or damaged.

(i) Prevent a hardship to the applicant or an injury to the public welfare;

The hardship to the applicant results from the fact that Inn of the Anasazi sits a lot that already occupies 100% of the lot, and there is no additional area to provide the amenities that are being proposed in the addition. It is in the interest of the public welfare (and the Inn of the Anasazi) for this property to remain economically viable and competitive in the hospitality industry in downtown; the Inn of the Anasazi must be at least as attractive to visitors as other luxury hotels in the downtown area. All of the Inn of the Anasazi's major competitors – La Fonda, the Drury, and the Eldorado Hotel – all provide swimming facilities (all of which are on the roof tops), and opportunities for outdoor and indoor dinning, socializing and event-staging on their rooftops. In order to compete and remain relevant and to avoid eventual obsolescence – and thereby avoid a hardship and harm to the public welfare of the City of Santa Fe -- the Inn of the Anasazi must invest in the facilities with the propose addition, but has nowhere to add them except on top of the existing hotel.

(ii) 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;

This criterion really addresses residential uses in the historic district and a "full range of design options to ensure that residents can continue to reside" and has no applicability to addition of a commercial building. However, the proposed addition will strengthen commercial character of the downtown by adding amenities to a downtown hotel that will allow visitors and patrons a greater range of possibilities to enjoy the unique culture of Santa Fe.

(iii) 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 exception is requested purely due to the small size of the lot, as discussed above, and the fact that it is completely covered with the existing hotel. Most other lots within the applicable streetscape are not tall hotel properties and have the ability to add height without an exception.

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

Inn of the Anasazi sits on a lot that has for decades been occupied by a tall building covering the entire lot, and the applicant did not divide the property to create a lot with a small area of land. Rather, the small lot was created many, many decades ago. The condition of the lot is not result of the action of the owner.

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

The proposed addition and amenities will not have any negative impact on the streetscape or the historic character of the downtown area. The addition will be set back from the edge of the existing parapet so it will reduce its visibility as discussed above and will not add or cast a shadow on to the streets below. In short, it will not exacerbate any of the effects that tall building may have on a streetscape – "canyon effect," shadows, disproportionate scale or massing. So, any potentially negative impacts have been mitigated by the design.

LOOKING EAST

LOOKING WEST

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INN OF THE ANASAZI
113 WASHINGTON AVENUE
SANTA FE, NEW MEXICO

JANUARY 13, 2020
LETTER PHOTO "A"

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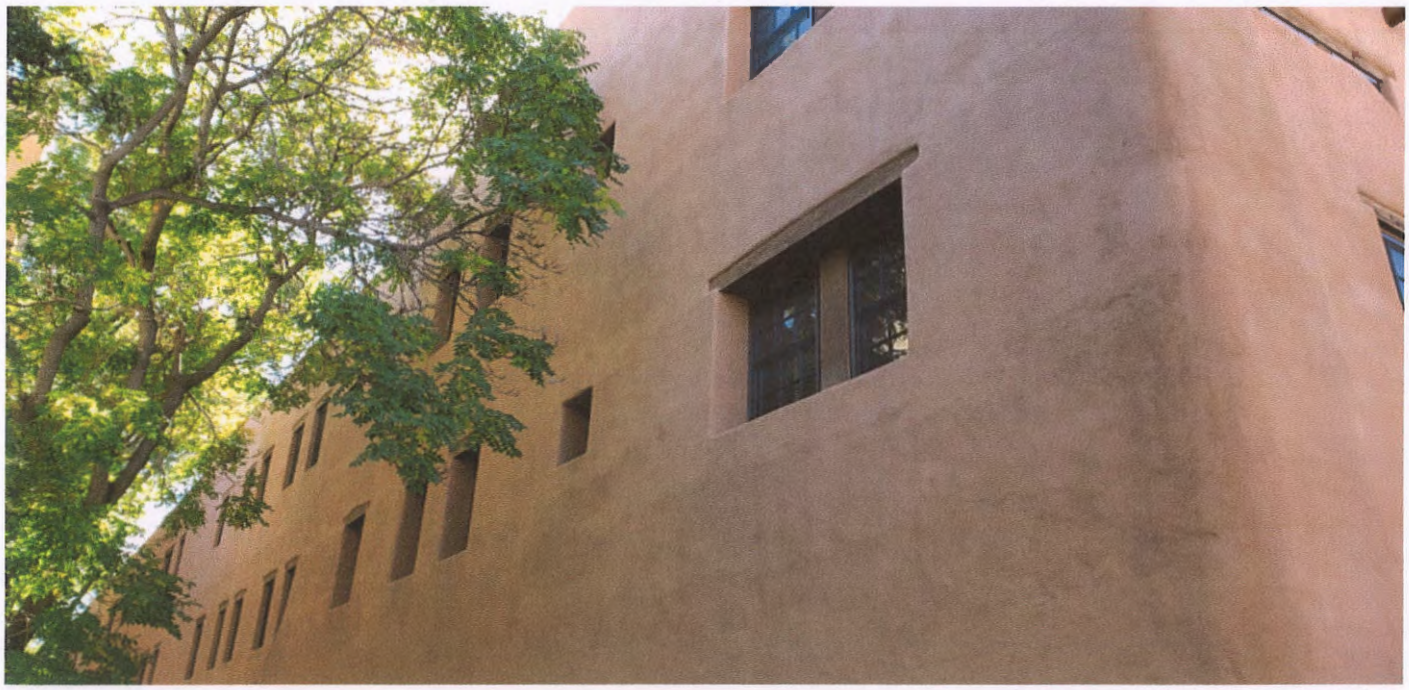
INN OF THE ANASAZI
113 WASHINGTON AVENUE
SANTA FE, NEW MEXICO

JANUARY 13, 2020
LETTER PHOTO "B"

NORTH ELEVATION



NORTH ELEVATION

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113 WASHINGTON AVENUE
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JANUARY 13, 2020

NORTH ELEVATION

NORTH ELEVATION

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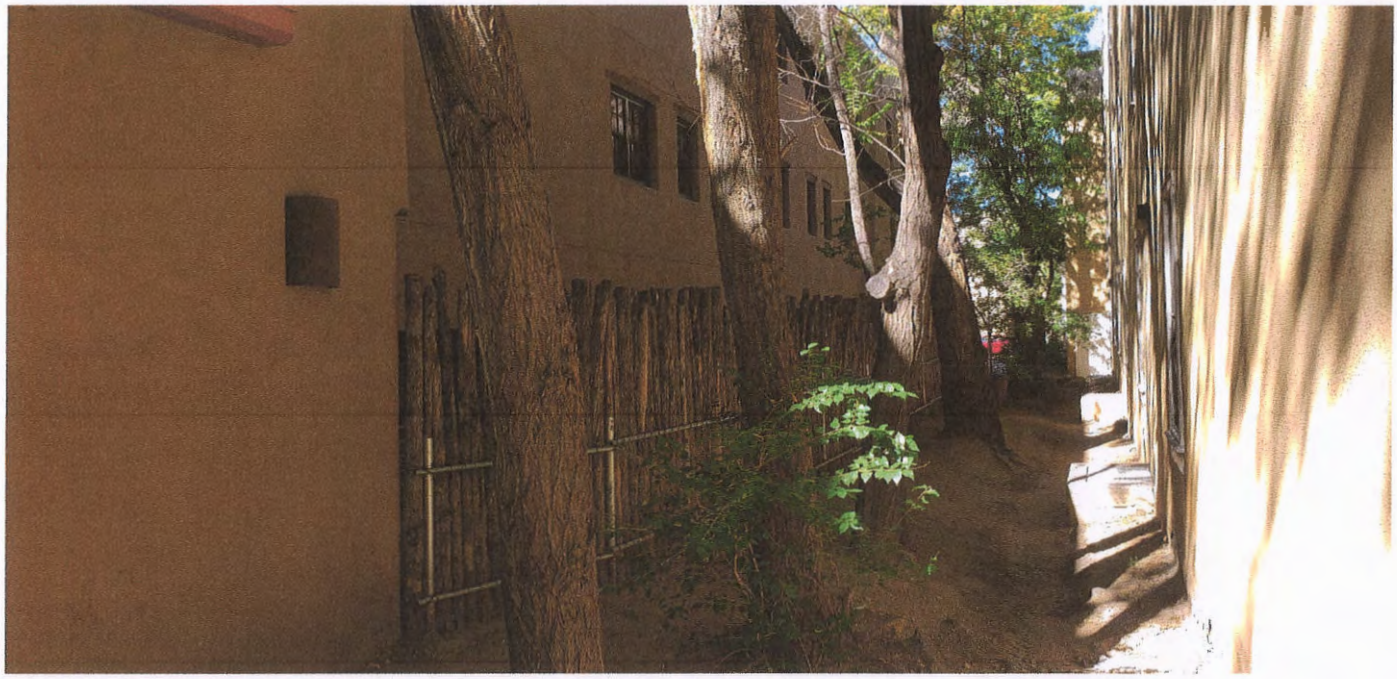
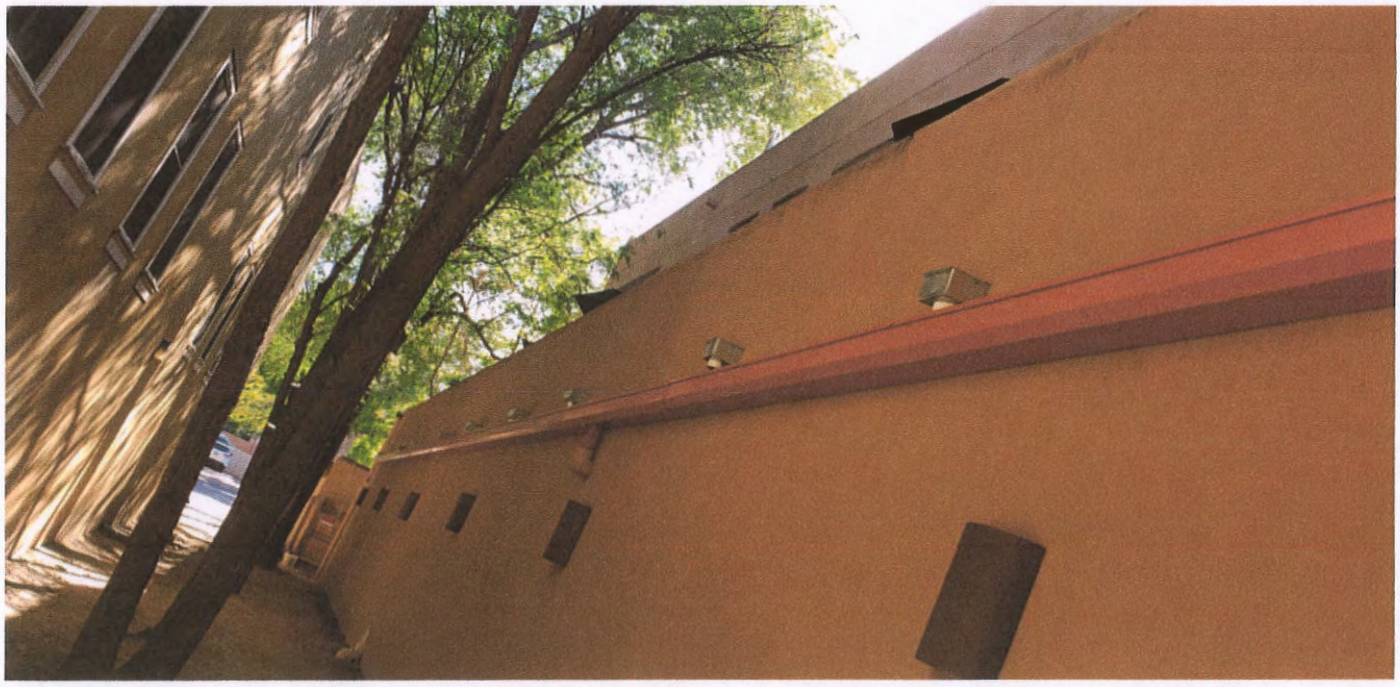
INN OF THE ANASAZI
113 WASHINGTON AVENUE
SANTA FE, NEW MEXICO

JANUARY 13, 2020



NORTH ELEVATION



NORTH ELEVATION

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INN OF THE ANASAZI
113 WASHINGTON AVENUE
SANTA FE, NEW MEXICO

JANUARY 13, 2020

EAST ELEVATION

EAST ELEVATION

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INN OF THE ANASAZI
113 WASHINGTON AVENUE
SANTA FE, NEW MEXICO

JANUARY 13, 2020

SOUTH ELEVATION

SOUTH ELEVATION

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INN OF THE ANASAZI
113 WASHINGTON AVENUE
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JANUARY 13, 2020

SOUTH ELEVATION

SOUTH ELEVATION

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INN OF THE ANASAZI
113 WASHINGTON AVENUE
SANTA FE, NEW MEXICO

JANUARY 13, 2020

WEST ELEVATION

WEST ELEVATION

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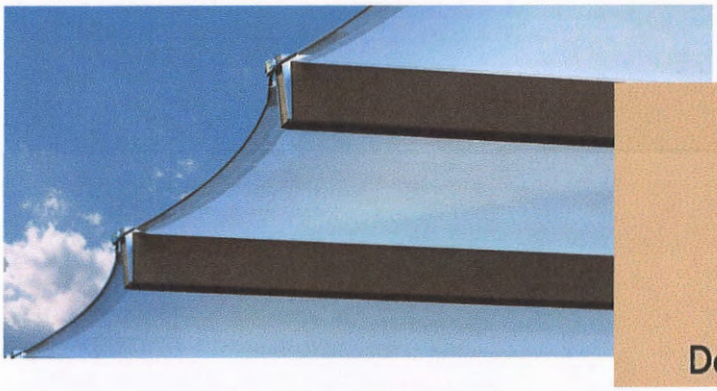
INN OF THE ANASAZI
113 WASHINGTON AVENUE
SANTA FE, NEW MEXICO

JANUARY 13, 2020

Inn of the Anasazi Exterior Finish Selections

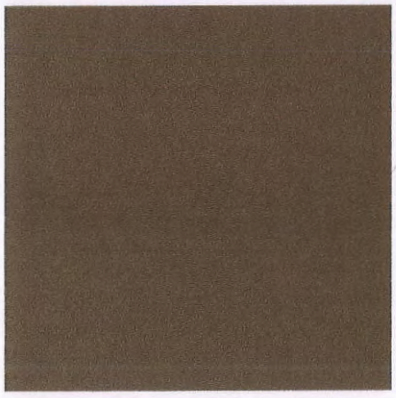


Dark Bronze Anodized Finish

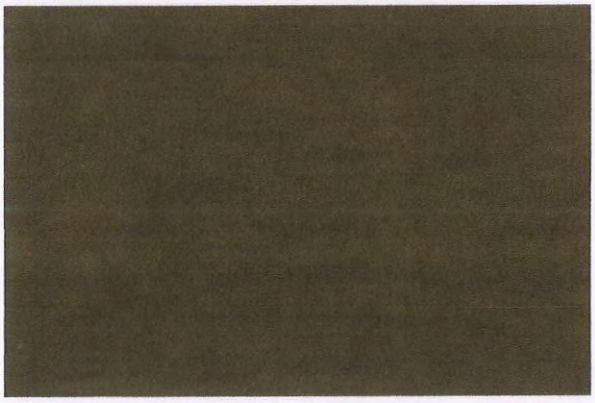
Tan T40 Fabric utilized with the Future Shade Structure

Porcelain Tile with Texture for Pool Deck and Outdoor Patio Area | Comes with Pool Cooping | Aequa Castor 12X48, Arizona Tile

Adobe #116 Stucco Color from El Rey to Match Existing Stucco Finish



Lodge Brown SW3007 Woodscapes Solid Color Stain To Match Existing Wood Stain for the Vigas, Doors and Exposed Lintels



Hawthorne SW3518 Stain Color for the Future Window to Match Existing Windows

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PROPOSAL TO ADD ROOFTOP PROJECT
THE ROSEWOOD INN OF THE ANASAZI – 113 WASHINGTON AVE.

Downtown/Eastside Historic District – Non-Contributing
March 4, 2020

We have appeared before the board on this case and have revised the design based on some comments and concerns of the members of the board. The design has changed in the following ways.

- The center chimney has been pushed back from the front fascade and made wider to appear more like a buttress than a tall skinny chimney. This has reduced the size of the event space by 75 square feet. The height of this chimney is shown by poles on the roof of the Inn of the Anasazi.
- The supports for the retractable awning have been incorporated into the chimneys at the sides of the building to look more like buttresses than chimneys.
- The chimneys at the back of the building have been moved closer together and incorporated into fewer larger masses rather than being multiple smaller chimneys.
- The cabanas have been changed to freestanding fabric structures.

Richard Martinez

RECEIVED
MAR - 2 2020
BY:_____

RECEIVED
MAR - 2 2020
BY:_____

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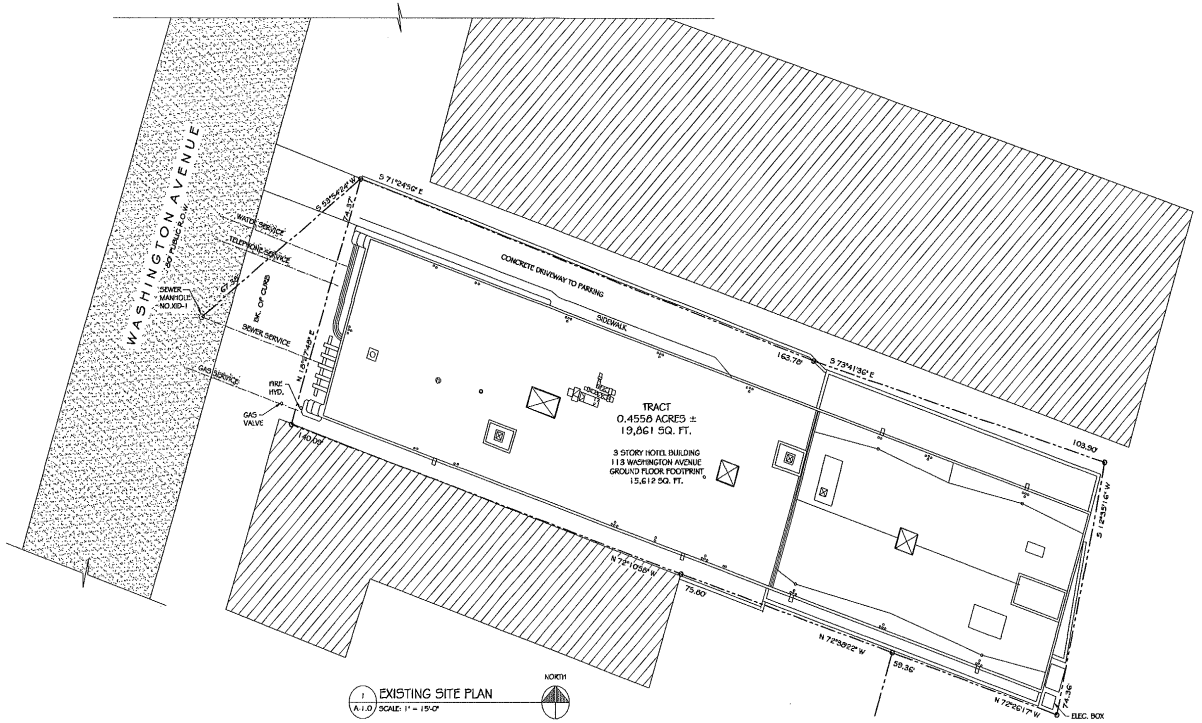
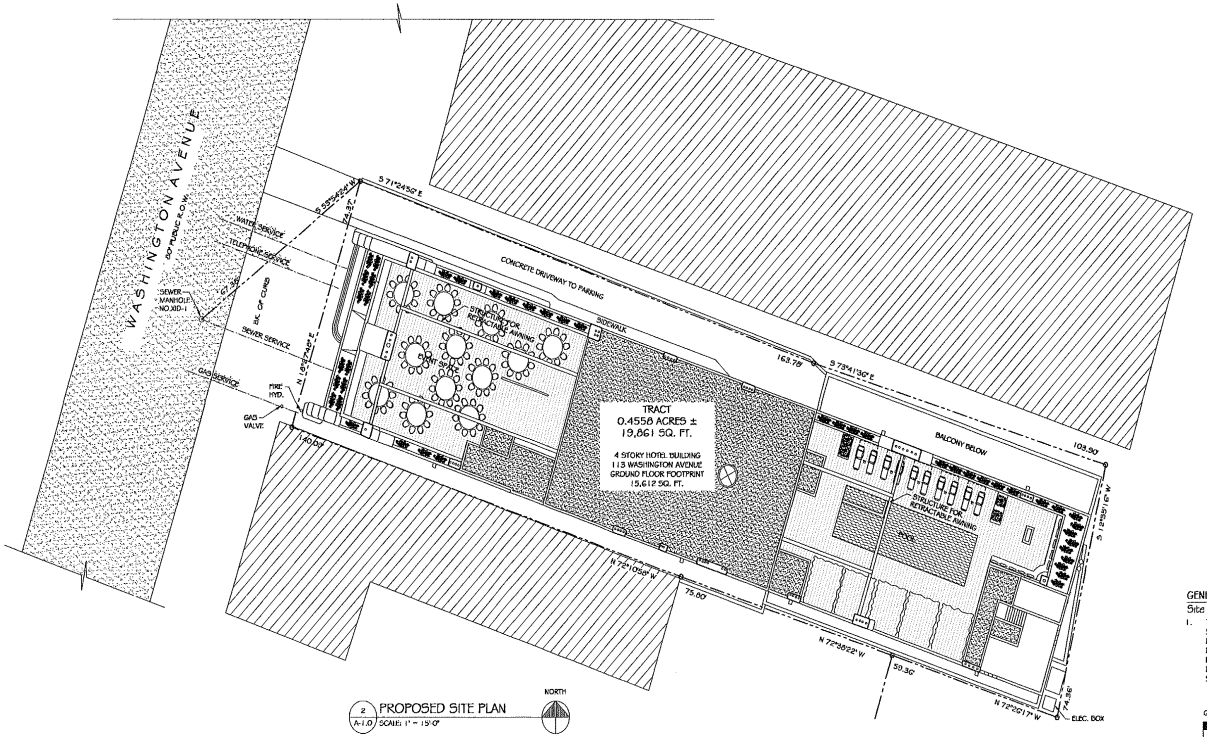
MAR - 2 2020
BY:



1 EXISTING SITE PLAN
A-1.0 SCALE: 1" = 15'-0"



2 PROPOSED SITE PLAN
A-1.0 SCALE: 1" = 15'-0"

GENERAL NOTES:
Site Plan
1. THE SITE SURVEY INFORMATION ON THIS SITE PLAN WAS TAKEN FROM A PLAT PREPARED JULY 18, 2005 BY: PHILLIP B. WIDGET, N.M.P.S. #9756 DEL RIO SURVEYS, INC. PO BOX 22773 SANTA FE, NEW MEXICO 87505

GRAPHIC SCALE: 1" = 15'-0"
0 15' 30' 45'

MARTINEZ ARCHITECTURE STUDIO PC
1474 PASEO DE PERALTA, SUITE F
SANTA FE, NM 87501
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INN OF THE ANASAZI
113 WASHINGTON AVENUE
SANTA FE, NEW MEXICO

MARCH 2, 2020

EXISTING & PROPOSED SITE PLANS

A 1.0

SET #

1904 - ANASAZI

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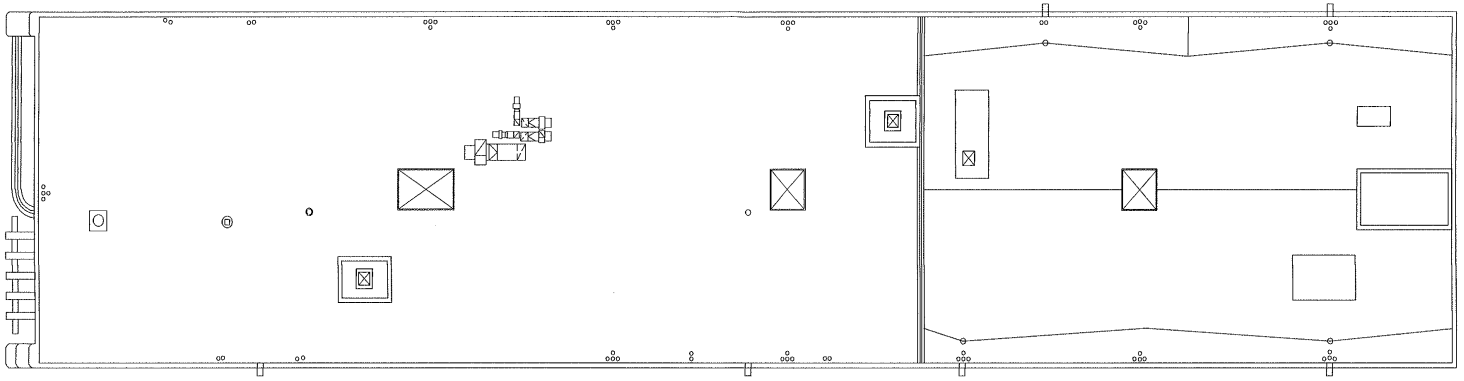
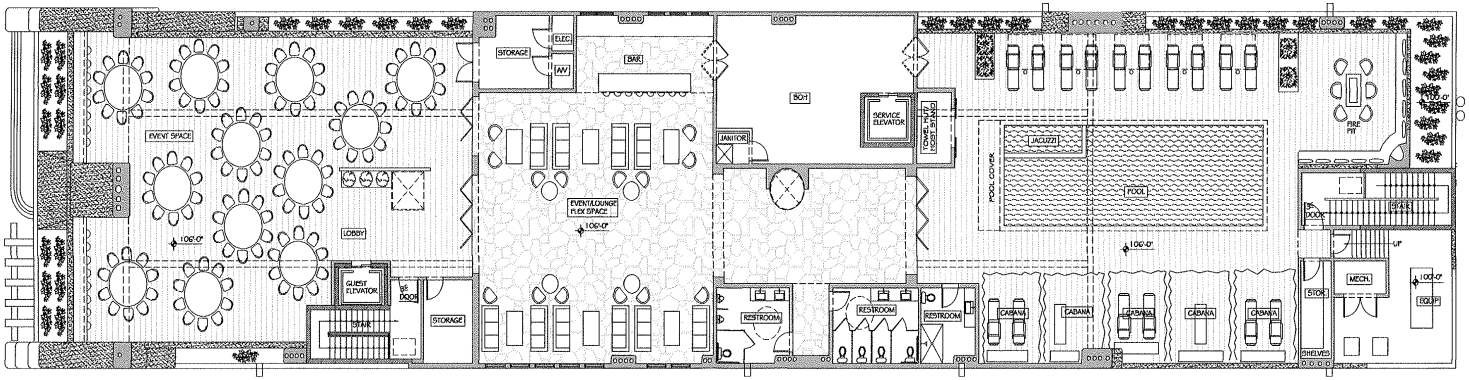
BY:



1 EXISTING ROOF PLAN
A-2.0 SCALE: 1/8" = 1'-0"

NORTH



1 PROPOSED FLOOR PLAN
A-2.0 SCALE: 1/8" = 1'-0"

NORTH

GRAPHIC SCALE: 1/8" = 1'-0"
0' 4' 8' 16' 24'

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INN OF THE ANASAZI
113 WASHINGTON AVENUE
SANTA FE, NEW MEXICO

MARCH 2, 2020

EXISTING ROOF PLAN & PROPOSED FLOOR PLAN

A 2.0

SET #

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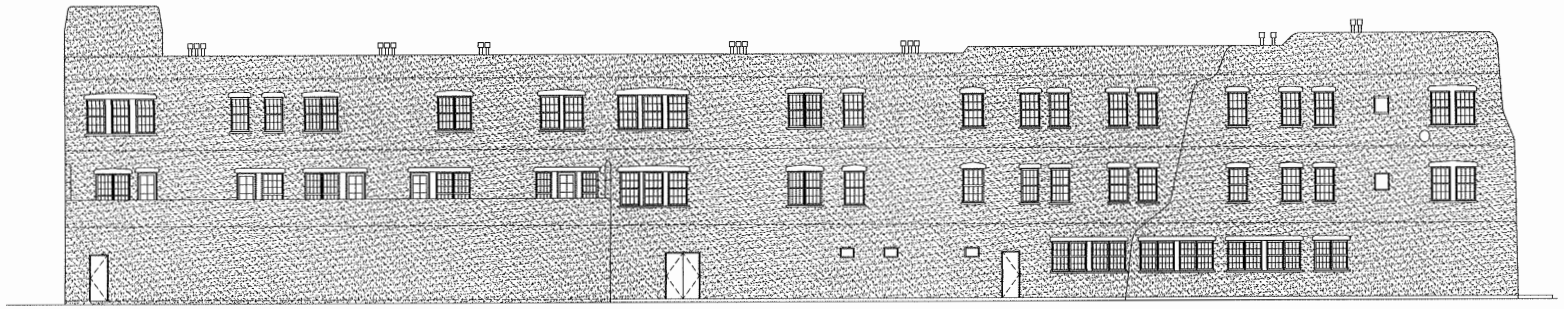
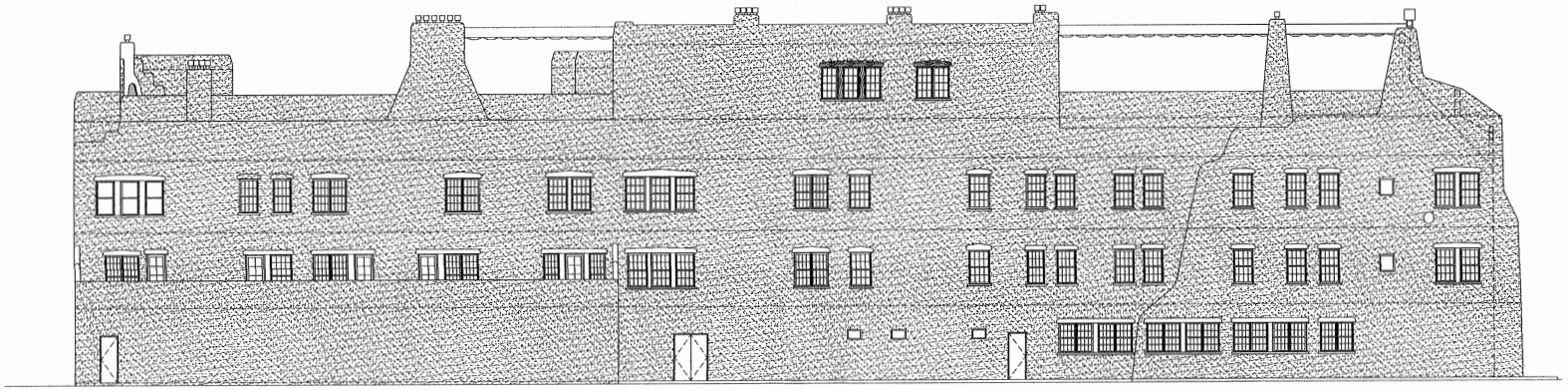


1 A-3.0 EXISTING NORTH ELEVATION
SCALE: 1/8" = 1'-0"



1 A-3.0 PROPOSED NORTH ELEVATION
SCALE: 1/8" = 1'-0"

GRAPHIC SCALE: 1/8" = 1'-0"
0' 4' 8' 16' 24'

MARTINEZ ARCHITECTURE STUDIO PC
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INN OF THE ANASAZI
113 WASHINGTON AVENUE
SANTA FE, NEW MEXICO

MARCH 2, 2020

PROPOSED NORTH ELEVATION

A 3.0

SET #

1904 - ANASAZI

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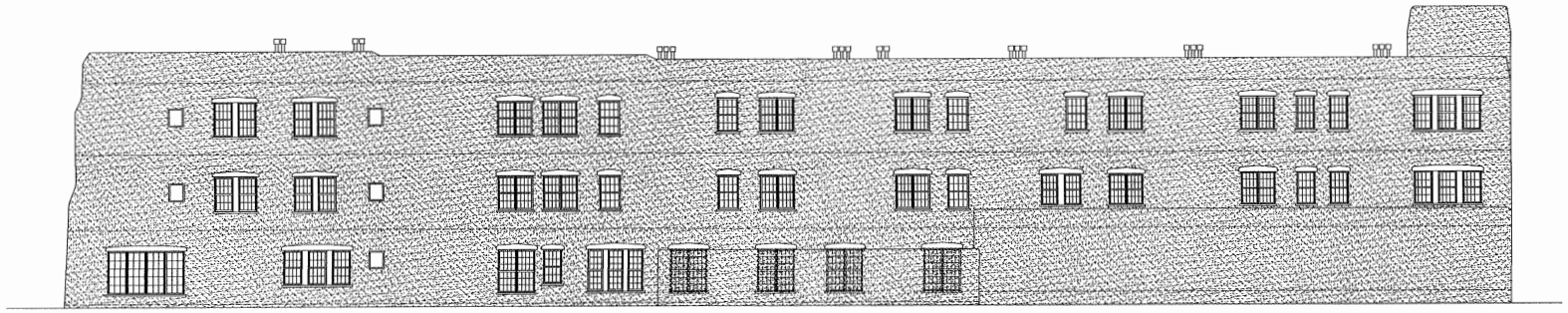
MAR - 2 2020
BY:



1 A-3.2 EXISTING SOUTH ELEVATION
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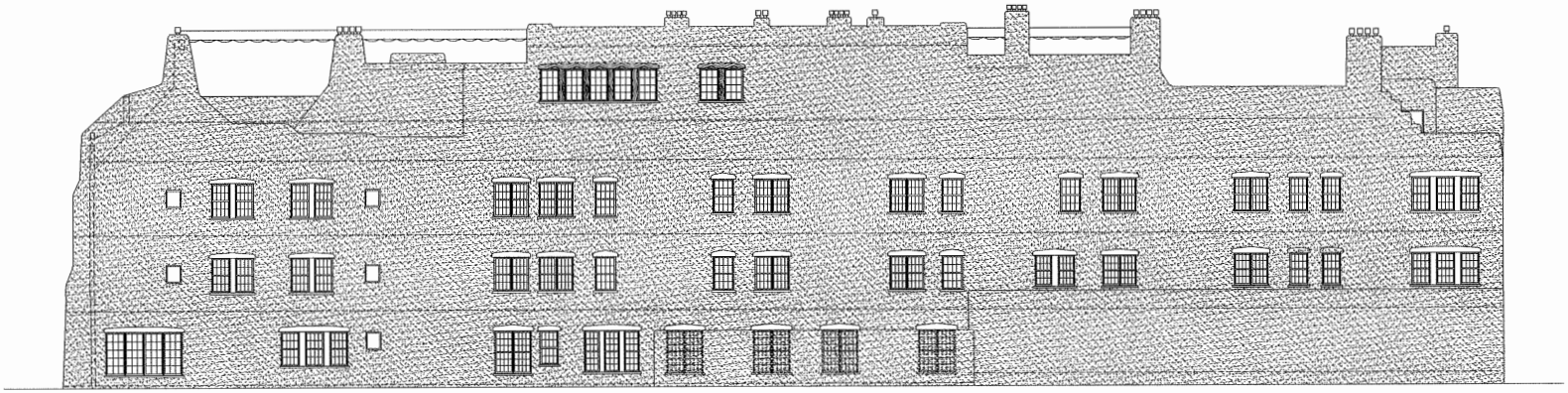

2 A-3.2 PROPOSED SOUTH ELEVATION
SCALE: 1/8" = 1'-0"

GRAPHIC SCALE: 1/8" = 1'-0"
0 4' 8' 16' 24'

MARTINEZ ARCHITECTURE STUDIO PC
1824 PASEO DE PERALTA SANTA FE
505.989.4959 studio@martinezarch.com

INN OF THE ANASAZI
113 WASHINGTON AVENUE
SANTA FE, NEW MEXICO

MARCH 2, 2020

EXISTING & PROPOSED SOUTH ELEVATION

A 3.2

SET #

1904 - ANASAZI

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RECEIVED
MAR - 2 2020
BY:

1 A-3.3 EXISTING WEST ELEVATION
SCALE: 1/4" = 1'-0"

2 A-3.3 PROPOSED WEST ELEVATION
SCALE: 1/4" = 1'-0"

GRAPHIC SCALE: 1/4" = 1'-0"
0' 2' 4' 8' 12'

MARTINEZ
ARCHITECTURE
STUDIO PC
1524 PASEO DE PERALTA SANTA FE
505.989.4958 studio@martinezarch.com

INN OF THE ANASAZI
113 WASHINGTON AVENUE
SANTA FE, NEW MEXICO

MARCH 2, 2020

PROPOSED WEST ELEVATION

A 3.3

SET #
1904 - ANASAZI

EXHIBIT F

City of Santa Fe

Agenda

HISTORIC DISTRICTS REVIEW BOARD FIELD TRIP

TUESDAY, February 11, 2020 at 12:00 NOON

HISTORIC PRESERVATION DIVISION, 1st FLOOR CITY HALL

HISTORIC DISTRICTS REVIEW BOARD HEARING

TUESDAY, February 11, 2020 at 5:30 P.M.

CITY COUNCIL CHAMBERS

*****SECOND AMENDED*****

CALL TO ORDER

A. ROLL CALL

B. APPROVAL OF AGENDA

C. APPROVAL OF MINUTES: January 28, 2020 (HDRB Hearing and HDRB Field Trip)

D. FINDINGS OF FACT & CONCLUSIONS OF LAW

Case #2019-001203-HDRB. 125 Romero Street.
Case #2019-001094-HDRB. 110 South Armio Lane.
Case #2019-001214-HDRB. 303 East Alameda Street.
Case #2019-001551-HDRB. 506 San Antonio Street.
Case #2019-001302-HDRB. 523 East Alameda Street.
Case #2019-001488-HDRB. 1404 Cerro Gordo Road Unit E.
Case #2019-001524-HDRB. 340 Delgado Street.
Case #2019-001091-HDRB. 110 South Armijo Lane.
Case #2019-001406-HDRB. 1598 Cerro Gordo Road.
Case #2019-001516-HDRB. 330 Otero Street.
Case #2019-001332-HDRB. 540 Garcia Street.

E. BUSINESS FROM THE FLOOR

F. COMMUNICATIONS

1. Nominations open for the 2020 Santa Fe Heritage Preservation Awards.

G. ACTION ITEMS

1. Case #2020-001601-HDRB. 100 East Water Street. Downtown & Eastside Historic District. Lloyd and Associates Architects, agent for the City of Santa Fe, owner, proposes to amend a previous application to demolish a non-contributing structure and construct a 1,400 sq. ft. structure to a height of 16'. (Lisa Roach, lxroach@santafenm.gov, 955-6657)

2. Case #2020-001581-HDRB. 534½ Hillside Avenue. Downtown & Eastside Historic District. Michael Sandrin, owner, requests a historic status review with primary elevation(s) designation, if applicable, of a non-contributing residential structure. (Daniel Schwab, dnschwab@santafenm.gov, 955-6660)

3. Case #2019-001552-HDRB. 534½ Hillside Avenue. Downtown & Eastside Historic District. Michael Sandrin, owner, proposes to replace windows and doors, reconstruct a portal, repair roofing, and stucco a non-contributing residential structure. (Daniel Schwab)

4. Case #2020-001603-HDRB. 807 Abeyta Street. Downtown & Eastside Historic District. Jay Jay Shapiro, owner, requests a historic status review with primary elevation(s) designation, if applicable, for a contributing residential structure. (Daniel Schwab)

5. Case #2020-001602-HDRB. 807 Abeyta Street. Downtown & Eastside Historic District. Jay Jay Shapiro, owner, proposes to replace windows and doors, infill a window, construct a chimney, and stucco a contributing residential structure. (Daniel Schwab)

6. Case #2020-001599-HDRB. 620 Martinez Lane Unit B. Downtown & Eastside Historic District. Antoine El-Khoury, agent for Andrew Eisman, owner, proposes to construct a carport and portal on a contributing residential structure. (Daniel Schwab)

7. **Case #2020-001615-HDRB. 650 Canyon Road. Downtown & Eastside Historic District. D. Maahs Construction, agent for Patrick Rayes, owner, requests primary elevation(s) designation for a contributing residential structure. (Lisa Roach)**

8. **Case #2020-001614-HDRB. 650 Canyon Road. Downtown & Eastside Historic District. D. Maahs Construction, agent for Patrick Rayes, owner, proposes to alter the roof line and replace the roof, construct a portal, remove chimneys, replace windows and doors including the stained glass window, install a gate, stucco, and hardscape a contributing residential property. (Lisa Roach)**

9. **Case #2020-001600-HDRB. 113 Washington Avenue. Downtown & Eastside Historic District. Martinez Architecture Studio, agent for Rosewood Inn of the Anasazi, owner, proposes to construct a 3,078 sq. ft. fourth floor addition to a height of 56'0" with a pool and dining area. An exception is requested to exceed the maximum allowable height of 20'1" (Section 14-5.2(D)(9)). (Lisa Roach)**

H. MATTERS FROM THE BOARD

I. ADJOURNMENT

Cases on this agenda may be postponed to a later date by the Historic Districts Review Board at the noticed meeting. Please contact the Historic Preservation Division at 955-6605 or check https://www.santafenm.gov/historic_districts_review_board for more information regarding cases on this agenda. Persons with disabilities in need of accommodations, contact the Historic Preservation Division office at (505) 955-6605 five (5) working days prior to the meeting date.

RECEIVED AT THE CITY CLERK'S OFFICE
DATE: February 5, 2020
TIME: 2:22 PM

MINUTES OF THE CITY OF SANTA FE
HISTORIC DISTRICTS REVIEW BOARD
FIELD TRIP

Date: 2/11/2020

Time: Approximately 12:00 noon

Place: Historic Districts within the City of Santa Fe

Members Present:

	Present	Absent
Cecelia Rios, Chair		✓
Frank Katz, Vice Chair	✓	
Jennifer Biedscheid	✓	
Anthony Guida		✓
Flynn G. Larson	✓	
Buddy Roybal		✓
(Vacant)	—	—

Business Conducted:

The Board conducted site visits for the property addresses listed on the agenda for this evening's public hearing, scheduled to begin at 5:30 p.m. The Board conducted the site visits for the sole purpose of making factual observations. The Board did not take any action or make any decisions, and no votes were taken.

Time Adjourned: 1:06 pm

Approved by:

Board Chair or Designee (Frank Katz)

Submitted by:

Historic Preservation Division Staff

SUMMARY INDEX
HISTORIC DISTRICTS REVIEW BOARD
February 11, 2020

ITEM	ACTION TAKEN	PAGE(S)
Call to Order	5:30 pm	1
A. Roll Call	Quorum Present	1
B. Approval of Agenda	Approved as Amended	1-2
C. Approval of Minutes		
January 28, 2020 Hearing	Approved as Amended	2
January 28, 2020 Field Trip	Approved	2
D. Findings of Fact & Conclusions of Law	Approved	2-3
E. Business from the Floor	Comments	3
F. Communications	Comments about Nominations for 2020 Historic Preservation Awards	3
G. Action Items		
1. Case #2020-001601-HDRB 100 East Water Street	Approved with Conditions	3-7
2. Case #2020-001581-HDRB 534½ Hillside Avenue.	Designate as Noncontributing Except for Stonewall	7-9
3. Case #2019-001552-HDRB 534½ Hillside Avenue.	Approved	10-12
4. Case #2020-001603-HDRB 807 Abeyta Street	Designated Facades 1 and 2	12-13
5. Case #2020-001602-HDRB 807 Abeyta Street.	Approved with Conditions	13-16
6. Case #2020-001599-HDRB 620 Martinez Lane Unit B	Approved	16-18

7. Case #2020-001615-HDRB 650 Canyon Road	Designated North and East Facades	19-21
8. Case #2020-001614-HDRB 650 Canyon Road.	Approved with Conditions	21-25
9. Case #2020-001600-HDRB 113 Washington Avenue	Postponed	25-31
H. Matters from the Board	None	31
I. Adjournment	Adjourned at 8:05 p.m.	31

MINUTES OF THE CITY OF SANTA FE
HISTORIC DISTRICTS REVIEW BOARD
FEBRUARY 11, 2020

CALL TO ORDER

A regular meeting of the City of Santa Fe Historic Districts Review Board was called to order by Frank Katz, Acting Chair, on the above date at approximately 5:30 p.m. in the City Council Chambers, 200 Lincoln Avenue, Santa Fe, New Mexico.

A. ROLL CALL

Roll Call indicated the presence of a quorum as follows:

MEMBERS PRESENT:
Mr. Frank Katz, Vice Chair
Ms. Jennifer Biedscheid
Mr. Anthony Guida
Ms. Flynn G. Larson

MEMBERS EXCUSED:
Ms. Cecilia Rios, Chairwoman
Mr. Buddy Roybal
One Vacancy

OTHERS PRESENT:
Ms. Lisa Roach, Planner Manager
Mr. Daniel Schwab
Mr, Gabe Smith, Assistant City Attorney
Ms. Melissa Byers, Stenographer

NOTE: **All items in the Committee packet for all agenda items are incorporated herewith by reference. The original Committee packet is on file in the Historic Preservation Office and available on the City of Santa Fe Website.**

B. APPROVAL OF AGENDA

Ms. Roach said on Item 3 it should be 2020, Item 4 will be a designation of primary facades, not a status review and on Item 6 the historic status is non-contributing, not contributing.

Member Guida accepted.

VOTE: The motion passed by unanimous (3-0) voice vote with Members Biedscheid, Guida and Larson voting in favor and none voting against.

Ms. Roach asked for clarification of the last condition. That the trim be white, and the stucco more closely match.

Member Biedscheid said that was correct.

9. **Case #2020-001600-HDRB. 113 Washington Avenue**. Downtown & Eastside Historic District. Martinez Architecture Studio, agent for Rosewood Inn of the Anasazi, owner, proposes to construct a 3,078 sq. ft. fourth floor addition to a height of 56'0" with a pool and dining area. An exception is requested to exceed the maximum allowable height of 20'1" (Section 14-5.2(D)(9)). (Lisa Roach)

Ms. Roach presented the staff report as follows:

STAFF REPORT

113 Washington Avenue is a commercial hotel structure that was constructed after 1945 in the Territorial Revival style, when it was known as the State Securities Building. The building was substantially remodeled in 1989 in the Spanish Pueblo Revival style and was adaptively reused as the Inn of the Anasazi. In 2014, the HDRB approved window replacement throughout the structure (Case H-14-025). The building is listed as non-contributing to the Downtown and Eastside.

Now, the applicant proposes to construct an addition to the rooftop level of the building, for which an exception is requested to exceed the maximum allowable height of 20'1". Exception criteria and responses are provided in the packet. The applicant proposes to build to a height of 56' in the central portion of the existing roof level, and this massing will rise a maximum of 14' above the existing parapet and will be set back from the street-facing façade by more than 70'. The proposed improvements to the rooftop level of the hotel include the following:

1) At the front (street-facing) third of the space will be an outdoor event space with tile decking, seating, an informal lobby area, elevator overrun, stairwell, and storage space. The seating area will be set back 6' from the front façade of the building. The seating area will feature a 12'8" high tan canopy situated on dark bronze tracks on which the canopy can be extended or retracted depending on weather. The space will be framed by 5' high stuccoed walls and chimney extensions.
2) The central third of the space will feature an enclosed lounge and bar with required back of the house spaces, including kitchen and restrooms. The stuccoed massing will match the Spanish-Pueblo Revival style of the hotel, and windows will match those that are featured elsewhere on the hotel. As stated above, the height of this massing will rise 14' above the

existing parapet, resulting in a total height of 56'. Any rooftop appurtenances and skylights placed on the roof of this addition will not be publicly visible.

3) At the rear third of the space will be a rectangular pool and tile deck, set back approximately 4 feet from the edge of the building. The perimeter of the pool deck will be framed by 4' high stuccoed walls, wood-framed cabana structures, and a retractable tan canopy with dark bronze rails to a height of 12'8" above the existing parapet. At the southeast corner of the pool deck, a stairwell, mechanical and storage spaces will be located, and the northwest corner of the pool deck will feature an outdoor fireplace and seating area.

STAFF RECOMMENDATION

Staff finds that the exception criteria have been met and recommends approval of the proposed project and finds that the application complies with Section 14-5.2(D) General Design Standards for all Historic Districts, and 14-5.2(E) Downtown and Eastside Design Standards.

QUESTIONS FOR STAFF

Chair Katz asked Ms. Roach if that's an elevator that would be used to get up to the roof level or if it is just the elevator overrun which is shown on the west end of the Washington Avenue end.

Ms. Roach said it's the top of the elevator. She referred to the westside of the floor plan, where there is a stairwell coming up and an elevator.

APPLICANT'S PRESENTATION

Karl Sommer, P.O. Box 2476, Santa Fe, NM, was sworn. He said he, Richard Martinez, the architect and Lutz Arnhold, general manager of the Inn of the Anasazi were present on behalf of the applicant, Rosewood Inn. This application represents an investment and the addition of amenities to help this facility maintain its standing with the other properties in the Downtown area that have similar amenities. It speaks to the success of the Downtown area in that there are property owners who want to continue to invest in Downtown Santa Fe and maintain it as a high-quality destination that people want to come and visit. The Inn of Anasazi is one of the premier properties in the Downtown area. This is an effort to keep it competitive and to keep it part of an important experience for people who come to Santa Fe from all over the world to be able to stay in a luxury hotel that has similar amenities that are shared by other properties in the Downtown. He said Mr. Martinez will go through the architectural elements of the application and Mr. Arnhold is available to answer questions as well.

Richard Martinez, 1524 Paseo de Peralta, was sworn. Mr. Martinez asked staff to project the plan on the screen. He said they plan to extend the two elevators that exist on the site, to the roof. One is the guest elevator and one is the service elevator. The elevator that will be used by the guests is toward the street façade, in the event area. That elevator is backed by an egress stairway that will also be extended to the roof. The other egress stairway, at the rear of the property, will also be extended up to the roof.

He said three areas will be added to the roof. The central part will be the bar and lounge area with back of the house spaces, including kitchen and restrooms. He referred to the north façade which reflects the three areas. The center part of the building will have the new enclosed area. On either side of it will be deck area, which is a setback from the existing parapets. On the Washington Avenue façade, will be an event area, which will be surrounded by a wall that in some places is 5' tall and some places 3½' tall. This will be covered by a canopy that is set back from the street façade of the building itself. In the rear will also be a deck area which will have the pool. This is set back from the edges and will be surrounded on two sides by a 3½' wall to create that deck area. There will be canales on the southside of the pool, those are going up 9' to the top of the roof, above the deck. It also has a canopy that covers about one third of the deck area and the pool area, again set back from the rear façade. All of this on the roof is intended to feel as if it's part of the hotel and has always been a part of the hotel. They are planning to match the stucco color, the window details, the finishes on the inside and thick walls.

There will be some equipment on the roof that will be placed on the southeast corner. There will also be some equipment on top of the roof of the addition, at the center of the building, that will be behind parapets, not visible to the public.

Mr. Martinez stood for questions.

PUBLIC HEARING.

Mr. Eddy, previously sworn, said he gets flabbergasted when a submission like this comes before the Board. He asked what the average height restriction is on this block, per City Code.

Ms. Roach said the calculated maximum allowable height is 20'1". The existing structure is 42' high. The way staff is instructed to calculate maximum allowable height, per the regulations, which were adopted in the early 1990s, is to average any structure that is noncontributing at 16' or lower. The way that the height regulations require staff to calculate height is based on a residential building pattern. It is not based on the Downtown building pattern. Almost any building in the Downtown is going to exceed the maximum allowable height. Any improvements or additions, especially vertical, to any building Downtown is going to require a height exception. That's a function of the City's height regulations.

Mr. Eddy said this building is already taller than most of the other buildings. On that block is the First Interstate building which is probably taller than this proposal. He thinks the Burrito Company looks about six feet lower than a parapet of the existing Anasazi. The adjacent building, which has the Low Rider bar, may be comparable in height. The buildings across the street, which are more historic in nature, the Palace of the Governors, which goes back to the founding of the city; the old library building; the Fray Angelico building as well, those buildings are much lower than the existing Anasazi Building. When impacting the streetscape is discussed, this project is egregious, if it were to be allowed. There's a term in the submission about the "canyon effect".

He also noticed in the submission that the primary façade of the building is only on the west and no other facades are primary.

Ms. Roach said this is a non-contributing building, none of the facades are primary.

Mr. Eddy said he noticed that on the first page, the west side is checked off, the north side is not.

Ms. Roach said that referred to public visibility.

Mr. Eddy said the north side of the building is publicly visible and that's where the "canyon effect" is seen. He's disturbed by the project and perplexed that staff recommended approval.

Chair Katz closed the public hearing.

BOARD DISCUSSION

Chair Katz said he felt conflicted. He applauded the goal of the hotel and if the Board can, he thinks the hotel needs to be provided with the amenity. Yet, he looks at the proposal, and his jaw drops when he sees how the proposal looks from Washington Avenue. The building is very visible, it's seen from the Plaza and by Cathedral Park.

He stated that staff is correct; the height ordinance is developed for residential not the Downtown commercial area. There are taller buildings in the area, but he didn't think they were relevant. There are a couple of buildings downtown, that many of them regret very much; one being the El Dorado Hotel, how tall it is and how it blocks the view west when standing on Palace Avenue, in front of Palace of the Governors. On the east side of Washington Avenue, this is already as tall as any other building and with an extra floor, it will be taller than anything else there. He would like to see some way of mitigating that, particularly from the Plaza view. He asked how the additional height can be moved off the Washington Avenue street front. He's not clear what the story is with those chimneys because that exacerbates things. He was curious to hear discussion from the Board and some of the strictures the architect is facing.

Member Larson said she's having trouble visualizing this because there were no story poles. She thought there would be something visual, like a model. It's difficult for her to make a judgement because the building already is very tall. On the field trip, they viewed the hotel from several angles. She wasn't sure that it would make a huge difference from the Plaza view and the streetscape. It's tough to visualize what the actual construction would look like.

Member Guida said it's a surprising project. He said there is a lot about the design that attempts to mitigate the effect how the building mass is detailed. He said as you go around the site, this building, as tall as it is, does largely disappear because it's obscured mostly by its

neighbors. He wished there were story poles. He knows this would be visible from elsewhere in the downtown district. The space would be an incredible addition to city.

Regarding the hardship criteria, he said the applicant's responses are quite thoughtful, particularly the economic hardship response. This is in the interest of this business and there's an argument being made that this business is in the interest of the city. He thinks that all businesses doing well is in the interest of the city. What is seen here is a substantial investment in terms of space. This is a noncontributing structure in the Downtown district. There are buildings much taller than this in the Downtown district. This is a case of how we grow intensity in Downtown Santa Fe in a way that doesn't significantly detract from its neighbors. In terms of the specifics of the project it could be discussed whether the covered open-air portion that faces Washington could be pulled back. The thing that bothers him the most is the chimney that's sticking up in the middle. He asked Mr. Martinez if it's the building right now.

Mr. Martinez said the chimneys that are sticking up, already exist.

Chair Katz asked why the chimneys have to be that high

Mr. Martinez said so they are above anything within 10 feet of them.

Chair Katz referred to the chimney in the lobby. He asked if the seating area was set back more than 10 feet, if the chimney would have to be that high

Mr. Martinez said the fireplace flu is already set back from the front façade, about 10 feet. He said the fireplace flue is in the deck, even though its set back from the front façade six feet.

Chair Katz was looking at floor plan and the roof. He said that front chimney is in the middle.

Mr. Martinez said that was correct.

Chair Katz asked if the seating area was set back 10 feet further east from that, could that chimney be lower.

Mr. Martinez said "no", because the flue is already set back from the front façade. The flue is not right on the front of the building.

Ms. Roach said Chair Katz is suggesting that the entire deck be moved back beyond the flue, by at least 10 feet to allow that chimney to remain low.

Chair Katz said the pool is fine, the interior space is fine, but the exterior space on the west side needs to not be entirely deck which would allow the flue not to stick up prominently, right on

the street. He's hopeful that the applicant can think about that. He suggested that the application be postponed for redesign of that front portion to minimize the impact and so the Board can see story poles. He was very leery of approving another too high building. He said he wants to be able to approve most of the project.

Member Biedscheid said she agrees with Chair Katz and Member Guida. In addition, she wants to bring it down a little bit, so it doesn't look like they're just putting stuff on the roof in that sensitive spot. She appreciates the way they've pushed things back but maybe a little bit more of that would be in order.

Mr. Sommer said he thinks what would be helpful is how this proposal would look like in poles so there is some visualization of what they are talking about. That would give less speculation of how it's going to look. In the interim, maybe they can talk about redesign. He appreciated the comments and recognition of the importance of this kind of investment in the town.

Member Guida said he would be open to looking at different solutions for that chimney. This discussion has yielded that visibility from the ground matters. He said an aerial view is not going to help because he's not typically in a helicopter in Downtown Santa Fe. He knows the Board cares about what it's going to look like, and story poles will help with that.

Mr. Martinez mentioned that he has stepped the chimney back from the front façade so it follows the buttresses on each side of the building; but he will look at other options as well.

Member Guida said it might have a different massing that could word too. In terms of the hotel and the drawings, pulling this off is an incredible slide of hand. This is a great start, and it's heading in the right direction.

Ms. Roach requested that if there's a requirement in the motion about the placement of story poles, that it state where the poles are to be placed. She asked if the request is being postponed for redesign and story poles.

Chair Katz said he would hope that they would think about redesign. He said the whole front thing needs to be quite a bit further back. In some ways it limits the size of the reception possible on the west side roof, but maybe that's what needs to be done to get approval for the rest of it. He hopes they think about that and do the story poles. He's hoping this can be done two meetings away.

MOTION: In Case #2020-001600-HDRB, 113 Washington Avenue, Member Guida moved to postpone the case for redesign and placement of story poles as follows: to describe the central volume of the proposal; at least the outboard piers for the canopy and cabana at the rear; the mechanical volume at the back; and the three western most chimneys. Member Biedscheid seconded the motion.

VOTE: The motion passed by unanimous (3-0) voice vote with Members Biedscheid, Guida and Larson voting in favor and none voting against.

Chair Katz asked when this is postponed too.

Ms. Roach said the Board would only need to postpone to a date certain, if it's two weeks from the decision. If there is going to be a redesign, they would need new drawings submitted for the March 10, 2020 meeting.

Mr. Martinez said he could come back to the next meeting with new sketches.

Ms. Roach said that meeting agenda is already full. But if they want to be placed on the March 10th agenda, they could do that.

H. MATTERS FROM THE BOARD

None

I. ADJOURNMENT

Chair Rios adjourned the meeting at 8:05 p.m.

Approved by:

Frank Katz, Vice-Chair

Submitted by:

Melissa D. Byers, Stenographer
For Byers Organizational Support Services

EXHIBIT G

CITY OF SANTA FE, NEW MEXICO

PROJECT DESCRIPTION: Martinez Architecture Studio, agent for Rosewood Inn of the Anasazi, owner, proposes to construct a 3,078 sq. ft. fourth floor addition to a height of 56'0" with a pool and dining area. An exception is requested to exceed the maximum allowable height of 20'1" (Section 14-5.2(D)(9)).

Case number: **2019-001600-HDRB**
Project Type: HDRB

PROJECT LOCATION (S): **113 Washington Avenue**

OW – Rosewood Inn of the Anasazi	113 Washington Avenue	Santa Fe, NM 87501
AP – Martinez Architecture Studio PC	P.O. Box 925	Santa Fe, NM 87504

PROJECT DATA:

HISTORIC DISTRICT

Don Gaspar Area ☐ Downtown and Eastside ☑ Historic Review ☐ Transition ☐ Westside-Guadalupe ☐

HISTORIC BUILDING STATUS

Non-Statused ☐ Non-Contributing ☑ Contributing ☐ Significant ☐ Landmark ☐ N/A ☐

PRIMARY ELEVATIONS: North ☐ South ☐ West ☐ East ☐ N/A ☑

PUBLICLY VISIBLE FACADE-EAST Yes ☐ No ☐

PUBLICLY VISIBLE FACADE-NORTH Yes ☐ No ☐

PUBLICLY VISIBLE FACADE-SOUTH Yes ☐ No ☐

PUBLICLY VISIBLE FACADE-WEST Yes ☑ No ☐

HISTORIC DISTRICT INVENTORY NUMBER H3537

YEAR OF CONSTRUCTION _____

PROJECT TYPE

Status ☐ Primary Elevations ☐ Remodel ☑ Demolition ☐ New ☐ Other _____

USE, EXISTING Residential ☐ Non-Residential ☑ Vacant ☐

USE, PROPOSED Residential ☐ Non-Residential ☑

HISTORIC BUILDING NAME _____

City of Santa Fe, New Mexico

memo

DATE: February 11, 2020

TO: Historic Districts Review Board Members

FROM: Lisa Roach, Historic Preservation Division Manager

Case # 2020-001600-HDRB

Address: 113 Washington Ave
Historic Status: Non-contributing
Historic District: Downtown and Eastside

REFERENCE ATTACHMENTS (Sequentially):

CITY SUBMITTALS

____ **District Standards & yard wall & fence standards.**

__x__ **Historic Inventory Form**

__x__ **Zoning Review Sheet**

__x__ **Other:** Height calculation – maximum allowable height calculated to be 20'1"

APPLICANT SUBMITTALS

__x__ **Proposal Letter**

__x__ **Site Plan/Floor Plan**

__x__ **Elevations**

__x__ **Photographs**

____ **Other:**

STAFF RECOMMENDATION:

Staff finds that the exception criteria have been met and recommends approval of the proposed project and finds that the application complies with Section 14-5.2(D) General Design Standards for all Historic Districts, and 14-5.2(E) Downtown and Eastside Design Standards.

BACKGROUND & SUMMARY:

113 Washington Avenue is a commercial hotel structure that was constructed after 1945 in the Territorial Revival style, when it was known as the State Securities Building. The building was substantially remodeled in 1989 in the Spanish Pueblo Revival style and was adaptively reused as the Inn of the Anasazi. In 2014, the HDRB approved window replacement throughout the structure (Case H-14-025). The building is listed as non-contributing to the Downtown and Eastside.

Now, the applicant proposes to construct an addition to the rooftop level of the building, for which an exception is requested to exceed the maximum allowable height of 20'1". Exception criteria and responses are provided below. The applicant proposes to build to a height of 56' in the central portion of the existing roof level, and this massing will rise a maximum of 14' above the existing parapet and will be set back from the street-facing façade by more than 70'. The proposed improvements to the rooftop level of the hotel include the following:

1) At the front (street-facing) third of the space will be an outdoor event space with tile decking, seating, an informal lobby area, elevator overrun, stairwell, and storage space. The seating area will be set back 6' from the front façade of the building. The seating area will feature a 12'8" high tan canopy situated on dark bronze tracks on which the canopy can be extended or retracted depending on weather. The space will be framed by 5' high stuccoed walls and chimney extensions.

2) The central third of the space will feature an enclosed lounge and bar with required back of the house spaces, including kitchen and restrooms. The stuccoed massing will match the Spanish-Pueblo Revival style of the hotel, and windows will match those that are featured elsewhere on the hotel. As stated above, the height of this massing will rise 14' above the existing parapet, resulting in a total height of 56'. Any rooftop appurtenances and skylights placed on the roof of this addition will not be publicly visible.

3) At the rear third of the space will be a rectangular pool and tile deck, set back approximately 4 feet from the edge of the building. The perimeter of the pool deck will be framed by 4' high stuccoed walls, wood-framed cabana structures, and a retractable tan canopy with dark bronze rails to a height of 12'8" above the existing parapet. At the southeast corner of the pool deck, a stairwell, mechanical and storage spaces will be located, and the northwest corner of the pool deck will feature an outdoor fireplace and seating area.

EXCEPTION CRITERIA AND RESPONSES

Exception to exceed the maximum allowable height, per Section 14-5.2(D)(9):

i) Do not damage the character of the streetscape;

Applicant Response: On this block of Washington Ave (on both sides of the street}, tall institutional and commercial buildings define the streetscape. The hotel adjacent and to the north of the Inn of the Anasazi is about the same height, and the buildings across Washington Avenue are taller than the Inn of the Anasazi. Typically, the buildings rise from the sidewalk up several stories without setting back. This character - tall institution and commercial buildings adjacent to the sidewalks - is unique in many ways to this area of the downtown area. The proposed addition will be set back from the edge of the existing parapet. It will not be visible from the east side of the street and will hardly be noticeable from the west side of the street. As a result, the addition will fit into the existing character of the streetscape, rather than do damage to it. The human scale enjoyed today on this section of the streetscape will not be adversely affected or damaged.

Staff Response: *Staff agrees with this response.*

(i) Prevent a hardship to the applicant or an injury to the public welfare;

Applicant Response: The hardship to the applicant results from the fact that Inn of the Anasazi sits on a lot that already occupies 100% of the lot, and there is no additional area to provide the amenities that are being proposed in the addition. It is in the interest of the public welfare (and the Inn of the Anasazi) for this property to remain economically viable and competitive in the hospitality industry in downtown; the Inn of the Anasazi must be at least as attractive to visitors as other luxury hotels in the downtown area. All of the Inn of the Anasazi's major competitors- La Fonda, the Drury, and the Eldorado Hotel - all provide swimming facilities (all of which are on the roof tops), and opportunities for outdoor and indoor dinning, socializing and event-staging on their rooftops. In order to compete and remain relevant and to avoid eventual obsolescence – and thereby avoid a hardship and harm to the public welfare of the City of Santa Fe – the Inn of the Anasazi must invest in the facilities with the propose addition, but has nowhere to add them except on top of the existing hotel.

Staff Response: *Staff agrees with this response.*

(iii) Strengthen the unique heterogeneous character of the city by providing a full range of design options to ensure that residents can continue to reside within the historic districts;

Applicant Response: This criterion really addresses residential uses in the historic district and a "full range of design options to ensure that residents can continue to reside" and has no applicability to addition of a commercial building. However, the proposed addition will strengthen commercial character of the downtown by adding amenities to a downtown hotel

that will allow visitors and patrons a greater range of possibilities to enjoy the unique culture of Santa Fe.

Staff Response: *Staff agrees with this response.*

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

Applicant Response: Inn of the Anasazi sits on a lot that has for decades been occupied by a tall building covering the entire lot, and the applicant did not divide the property to create a lot with a small area of land. Rather, the small lot was created many, many decades ago. The condition of the lot is not the result of the action of the owner.

Staff Response: *Staff agrees with this response.*

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

Applicant Response: The proposed addition and amenities will not have any negative impact on the streetscape or the historic character of the downtown area. The addition will be set back from the edge of the existing parapet so it will reduce its visibility as discussed above and will not add or cast a shadow on to the streets below. In short, it will not exacerbate any of the effects that tall building may have on a streetscape - "canyon effect," shadows, disproportionate scale or massing. So, any potentially negative impacts have been mitigated by the design.

Staff Response: *Staff agrees with this response.*

RELEVANT CODE CITATIONS:

14-5.2(A)(1) General Purpose

In order to promote the economic, cultural, and general welfare of the people of the city and to ensure the harmonious, orderly and efficient growth and development of the city, it is deemed essential by the governing body that the qualities relating to the history of Santa Fe, and a harmonious outward appearance, which preserve property values and attract tourists and residents alike, be preserved, some of these qualities being:

(a) The continued existence and preservation of historical areas and buildings;
(b) The continued construction of buildings in the historic styles; and
(c) A general harmony as to style, form, color, height, proportion, texture and material between buildings of historic design and those of more modern design.

14-5.2(E) Downtown and Eastside Design Standards

(1) Old Santa Fe Style

Old Santa Fe style, characterized by construction with adobe, is defined as including the so-called "pueblo" or "pueblo-Spanish" or "Spanish-Indian" and "territorial" styles and is more specifically described as follows:

(a) With rare exception, buildings are of one story, few have three stories, and the characteristic effect is that the buildings are long and low. Roofs are flat with a slight slope and surrounded on at least three sides by a firewall of the same color and material as the walls or of brick. Roofs are never carried out beyond the line of the walls except to cover an enclosed portal or porch formed by setting back a portion of the wall or to form an exterior portal, the outer edge of the roof being supported by wooden columns. Two-story construction is more common in the territorial than in other sub-styles, and is preferably accompanied by a balcony at the level of the floor of the second story. Façades are flat, varied by inset portales, exterior portales, projecting vigas or roof beams, canales or water-spouts, flanking buttresses and wooden lintels, architraves and cornices, which, as well as doors, are frequently carved and the carving may be picked out with bright colors. Arches are almost never used except for nonfunctional arches, often slightly ogive, over gateways in freestanding walls;
(b) All exterior walls of a building are painted alike. The colors range from a light earth color to a dark earth color. The exception to this rule is the protected space under portales, or in church-derived designs, inset panels in a wall under the roof, in which case the roof overhangs the panel. These spaces may be painted white or a contrasting color, or have mural decorations;
(c) Solid wall space is always greater in any façade than window and door space combined. Single panes of glass larger than thirty (30) inches in any dimension are not permissible except as otherwise provided in this section;
(d) The rule as to flat roofs shall not be construed to prevent the construction of skylights or installation of air conditioning devices, or any other necessary roof structures, but such structures other than chimneys, flues, vents and aerials, shall be so placed as to

be concealed by the firewall from the view of anyone standing in the street on which the building fronts;

(e) True old Santa Fe style buildings are made of adobe with mud plaster finish. Construction with masonry blocks, bricks, or other materials with which the adobe effect can be simulated is permissible; provided, that the exterior walls are not less than eight (8) inches thick and that geometrically straight façade lines are avoided. Mud plaster or hard plaster simulating adobe, laid on smoothly, is required; and

(2) Recent Santa Fe Style

Recent Santa Fe style intends to achieve harmony with historic buildings by retention of a similarity of materials, color, proportion, and general detail. The dominating effect is to be that of adobe construction, prescribed as follows:

(a) No building shall be over two stories in height in any façade unless the façade shall include projecting or recessed portales, setbacks or other design elements;

(b) The combined door and window area in any publicly visible façade shall not exceed forty percent of the total area of the façade except for doors or windows located under a portal. No door or window in a publicly visible façade shall be located nearer than three (3) feet from the corner of the façade;

(c) No cantilevers shall be permitted except over projecting vigas, beams, or wood corbels, or as part of the roof treatment described below;

(d) No less than eighty percent of the surface area of any publicly visible façade shall be adobe finish, or stucco simulating adobe finish. The balance of the publicly visible façade, except as above, may be of natural stone, wood, brick, tile, terra cotta, or other material, subject to approval as hereinafter provided for building permits;

(e) The publicly visible façade of any building and of any adjoining walls shall, except as otherwise provided, be of one color, which color shall simulate a light earth or dark earth color, matte or dull finish and of relatively smooth texture. Façade surfaces under portales may be of contrasting or complimentary colors. Windows, doors and portals on publicly visible portions of the building and walls shall be of one of the old Santa Fe styles; except that buildings with portals may have larger plate glass areas for windows under portals only. Deep window recesses are characteristic; and

(f) Flat roofs shall have not more than thirty (30) inches overhang.

Attachment B

NEW MEXICO HISTORIC BUILDING INVENTORY FORM

H3537

building threatened? yes	surveyed date 5/3/85 by HMW	county SANTA FE	ID no. 051610424
field map SFHD #1	number 424	UTM reference zone 12 13	easting northing

location description: 113 WASHINGTON

city/town: SANTA FE

land grant/reservation: ~~land grant/reservation~~

building name: STATE SECURITIES BLDG

legal description: tnsp ___ N S range ___ E W sec ___ ¼ ___ ¼

film roll: by HMW no. SFHD 16 | negative nos.: 28 | loc. of neg.: HPB

plan shape:

date of construction: P45 estimate _____ actual

source

use: present residential; other _____; historic residential; other _____

condition: ___excellent ___good ___fair ___deteriorating

wall material/surface

degree of remodeling: ___minor ___moderate ___major

describe:

architectural features

surroundings: COMMERCIAL

relationship to surroundings: ___similar _x_ not similar

district potential: ___yes ___no

significance: ___eligible ___of interest _x_ none

if eligible, why?

comments:

remodeled 1989 H-89-132
as Spanish-Pueblo Revival
Inn of the Anasazi NR

associated buildings? ___yes

what type?

if inventoried, list ID nos.

see back? ___yes

Preliminary Zoning Review Worksheet

City of Santa Fe Land Use Department

To Be Completed By Applicant:

Date Submitted: January 13, 2020

Property Owner of Record: Rosewood Inn of the Anasazi

Applicant/Agent Name: Martinez Architecture Studio

Contact Person Phone Number: 505 989-4958

Site Address: 113 Washington Ave

Proposed Construction Description: Rooftop event space, bar & swimming pool

TOTAL ROOF AREA: 15,000

Zoning District: BCD-MAR

Overlay: NA
- □ Escarpment
- □ Flood Zone*
- □ Other:

Submittals Reviewed with PZR:
- ☒ Legal Lot of Record □ Development Plan ☒ Building Plans
- ☒ Existing Site Plan ☒ Proposed Site Plan ☒ Elevations

Supplemental Zoning Submittals Required for Building Permit:
- □ Zero Lot Line Affidavit

Access and Visibility: □ Arterial or Collector**
- □ Visibility Triangle Required

Use of Structure: □ Residential
- ☒ Commercial Type of Use: Hotel

Terrain: □ 30% slopes

* Requires an additional review conducted by Technical Review Division
** Requires an additional review conducted by the Traffic Engineering Division

Lot Coverage: 78.16 %
- □ Open Space Required:

Setbacks:
Proposed Front: 2'-9" Minimum: 2'-9"
2nd Front? –
Proposed Rear: 0'-6" Minimum: 0
Proposed Sides: L 1'-2" R 16" Minimum: 0

Height: Proposed 516'
Maximum Height: 42' or
- ☒ Regulated by Historic Districts Ordinance
- □ Regulated by Escarpment District

Parking Spaces:
Proposed 49 Accessible 0
Minimum: –

Bicycle Parking:**
Proposed: 0 Minimum: 0
** Commercial Requirement

THIS REVIEW DOES NOT GRANT ZONING APPROVAL FOR BUILDING PERMIT. FINAL ZONING REVIEW WILL BE PERFORMED AT THE TIME OF BUILDING PERMIT APPLICATION.

Richard Martinez [□OWNER □APPLICANT ☒AGENT]
PRINT NAME

hereby certifies that the information provided for preliminary zoning review is accurate and will not be modified without consulting Land Use Department staff prior to submittal for Historic Districts Review Board review.

Richard Martinez 1.13.20
SIGNATURE **DATE**

To Be Completed By City Staff:

Additional Agency Review if Applicable:
- □ Escarpment Approval by _____ Date: __/__/__
- □ Flood Plain Approval by _____ Date: __/__/__
- □ Traffic Engineering Approval by _____ Date: __/__/__

Notes: _____

Zoning Approval:

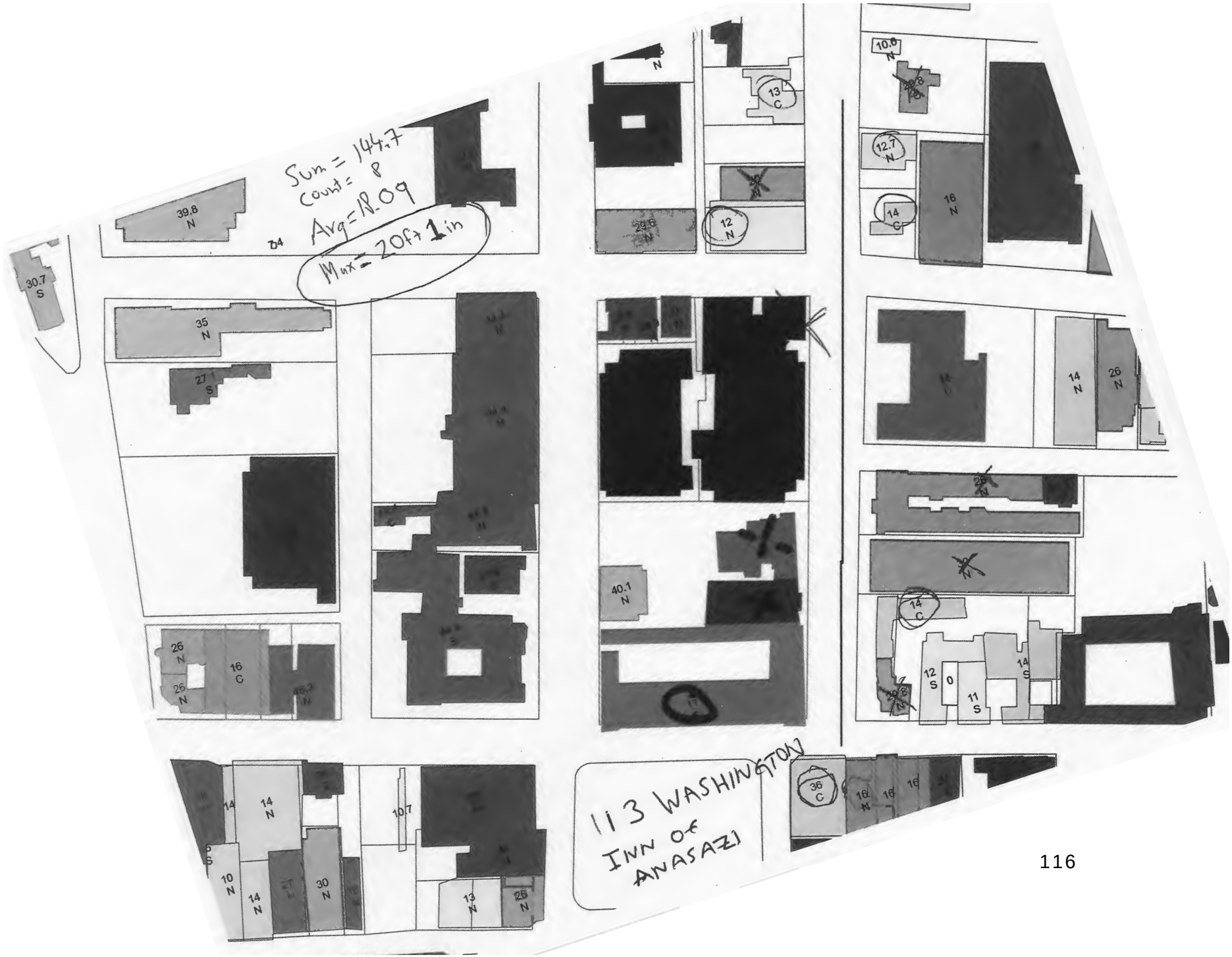
☒ **Preliminary Approval** ☒ **with conditions** □ **Rejected**

Comments/Conditions: Building exceeds BCD MAR zoning Height of 42'. The applicant shall apply for a variance before the Board of Adjustment prior to submitting a building permit.

REVIEWER: _____ **DATE:** 1/13/20

Original color form must be submitted with Historic Districts Review Board (HDRB) application packet.

Revised 11/17/13


Sum = 144.7
count = 8
Avg = 18.09
Max = 20 ft 1 in
113 WASHINGTON
INN OF
ANASAZI

MARTINEZ
ARCHITECTURE
STUDIO PC

TEL (505) 989-4958 MAIL: P O BOX 925 SANTA FE NM 87504
1524 PASEO DE PERALTA —— STUDIO@MARTINEZARCH.COM

PROPOSAL TO ADD ROOFTOP PROJECT
THE ROSEWOOD INN OF THE ANASAZI – 113 WASHINGTON AVE.

Downtown/Eastside Historic District – Non-Contributing

January 13, 2020

EXISTING CONDITIONS:

The Inn of the Anasazi was built in 1990. It incorporated the structural system of the office building that previously occupied the site. The Owner's of the hotel wish to give their guests the experience of staying in a building that reflects the beauty of Santa Fe. The rooftop project is not intended to feel like an addition, but rather an intregal part of the hotel. The hotel has a restaurant and a bar now and the Owner's wish to add a pool and an event space. Current hotel trends have shown that guests want these options when choosing where to stay.

PROPOSED CONSTRUCTION:

The changes asked for are on the roof and for the most part involve elements not seen by the public. There will be no changes to the existing facades which give this building its character. The roof is now unused, valuable space in the downtown area (see attached letter photos "A").

We will extend the existing elevators and exit stairs to access a new floor on the roof of the building which will consist of a deck 6'-0" above the existing roof deck in order to accommodate the pool and the structure to support that pool that will be required.

In the middle of the roof will be an enclosed lounge space and bar with its required back of house spaces (kitchens, etc.) and restrooms.

Proposed bar, back of house, restrooms: 4,654 sq.ft.
Height of proposed bar, back of house, restrooms: 56'-0" (14'-0" from existing parapet)
Materials: stucco, wood windows to match existing

In the front of the space will be an open deck recessed 6'-0" from the street facade to accommodate special events and outdoor seating that would sometimes be partially covered by a canopy (see attached letter photos "B").

Proposed special event space: 3,078 sq.ft.
Height of proposed special event space: 5'-0" stuccoed walls, 12'-8" canopy
Materials: stucco, tile decking, stained wood beam, dark bronze tracks, tan canopy

The back third of the rooftop will be a pool and deck recessed from the exterior walls. The deck will have a fireplace, cabanas and chaise lounges, again with a canopy.

Proposed pool area: 3,716 sq.ft.
Height of proposed: 4'-0" stuccoed walls, 12'-8" canopy
Materials: stucco, tile decking, stained wood beam, dark bronze tracks, tan canopy

The stucco, stained wood and trim colors will match the existing building. The exisiting fireplaces in the rooms below which have flues on the current roof, will be raised with stuccoed chimneys. There will be appurtenances and skylights on the roof of the addition which will not be publicly visible.

Richard Martinez

Inn of Anasazi Applicant's responses to the applicable Exception Criteria:

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

On this block of Washington Ave (on both sides of the street), tall institutional and commercial buildings define the streetscape. The hotel adjacent and to the north of the Inn of the Anasazi is about the same height, and the buildings across Washington Avenue are taller than the Inn of the Anasazi. Typically, the buildings rise from the sidewalk up several stories without setting back. This character – tall institution and commercial buildings adjacent to the sidewalks – is unique in many ways to this area of the downtown area. The proposed addition will be set back from the edge of the existing parapet. It will not be visible from the east side of the street and will hardly be noticeable from the west side of the street. As a result, the addition will fit into the existing character of the streetscape, rather than do damage to it. The human scale enjoyed today on this section of the streetscape will not be adversely affected or damaged.

(i) Prevent a hardship to the applicant or an injury to the public welfare;

The hardship to the applicant results from the fact that Inn of the Anasazi sits a lot that already occupies 100% of the lot, and there is no additional area to provide the amenities that are being proposed in the addition. It is in the interest of the public welfare (and the Inn of the Anasazi) for this property to remain economically viable and competitive in the hospitality industry in downtown; the Inn of the Anasazi must be at least as attractive to visitors as other luxury hotels in the downtown area. All of the Inn of the Anasazi's major competitors – La Fonda, the Drury, and the Eldorado Hotel – all provide swimming facilities (all of which are on the roof tops), and opportunities for outdoor and indoor dinning, socializing and event-staging on their rooftops. In order to compete and remain relevant and to avoid eventual obsolescence – and thereby avoid a hardship and harm to the public welfare of the City of Santa Fe -- the Inn of the Anasazi must invest in the facilities with the propose addition, but has nowhere to add them except on top of the existing hotel.

(ii) 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;

This criterion really addresses residential uses in the historic district and a "full range of design options to ensure that residents can continue to reside" and has no applicability to addition of a commercial building. However, the proposed addition will strengthen commercial character of the downtown by adding amenities to a downtown hotel that will allow visitors and patrons a greater range of possibilities to enjoy the unique culture of Santa Fe.

(iii) 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 exception is requested purely due to the small size of the lot, as discussed above, and the fact that it is completely covered with the existing hotel. Most other lots within the applicable streetscape are not tall hotel properties and have the ability to add height without an exception.

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

Inn of the Anasazi sits on a lot that has for decades been occupied by a tall building covering the entire lot, and the applicant did not divide the property to create a lot with a small area of land. Rather, the small lot was created many, many decades ago. The condition of the lot is not result of the action of the owner.

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

The proposed addition and amenities will not have any negative impact on the streetscape or the historic character of the downtown area. The addition will be set back from the edge of the existing parapet so it will reduce its visibility as discussed above and will not add or cast a shadow on to the streets below. In short, it will not exacerbate any of the effects that tall building may have on a streetscape – "canyon effect," shadows, disproportionate scale or massing. So, any potentially negative impacts have been mitigated by the design.

LOOKING EAST

LOOKING WEST

MARTINEZ
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INN OF THE ANASAZI
113 WASHINGTON AVENUE
SANTA FE, NEW MEXICO

JANUARY 13, 2020
LETTER PHOTO "A"

MARTINEZ
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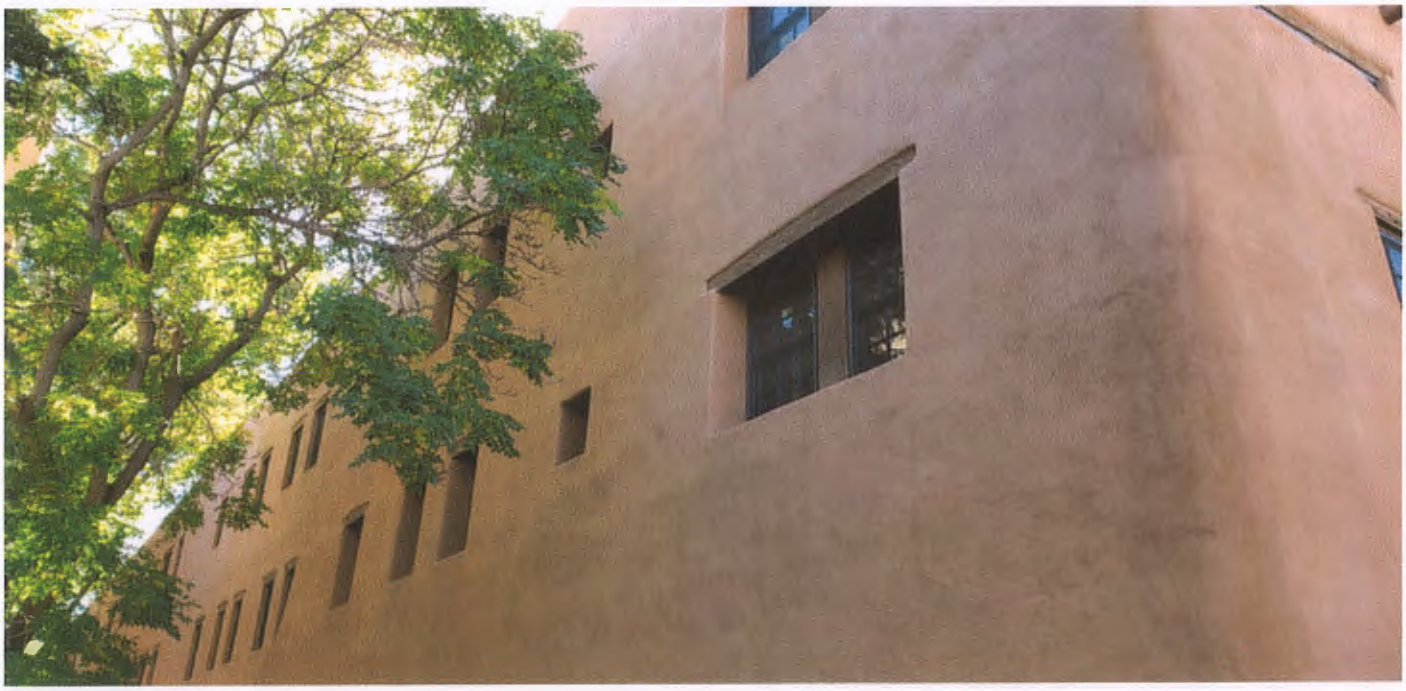
STUDIO PC
1524 PASEO DE PERALTA SANTA FE
505-989-4958 studio@martinezarch.com

INN OF THE ANASAZI
113 WASHINGTON AVENUE
SANTA FE, NEW MEXICO

JANUARY 13, 2020
LETTER PHOTO "B"

NORTH ELEVATION



NORTH ELEVATION

MARTINEZ
ARCHITECTURE
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1624 PASEO DE PERALTA SANTA FE
505-989-4958 studio@martinezarch.com

INN OF THE ANASAZI
113 WASHINGTON AVENUE
SANTA FE, NEW MEXICO

JANUARY 13, 2020

NORTH ELEVATION

NORTH ELEVATION

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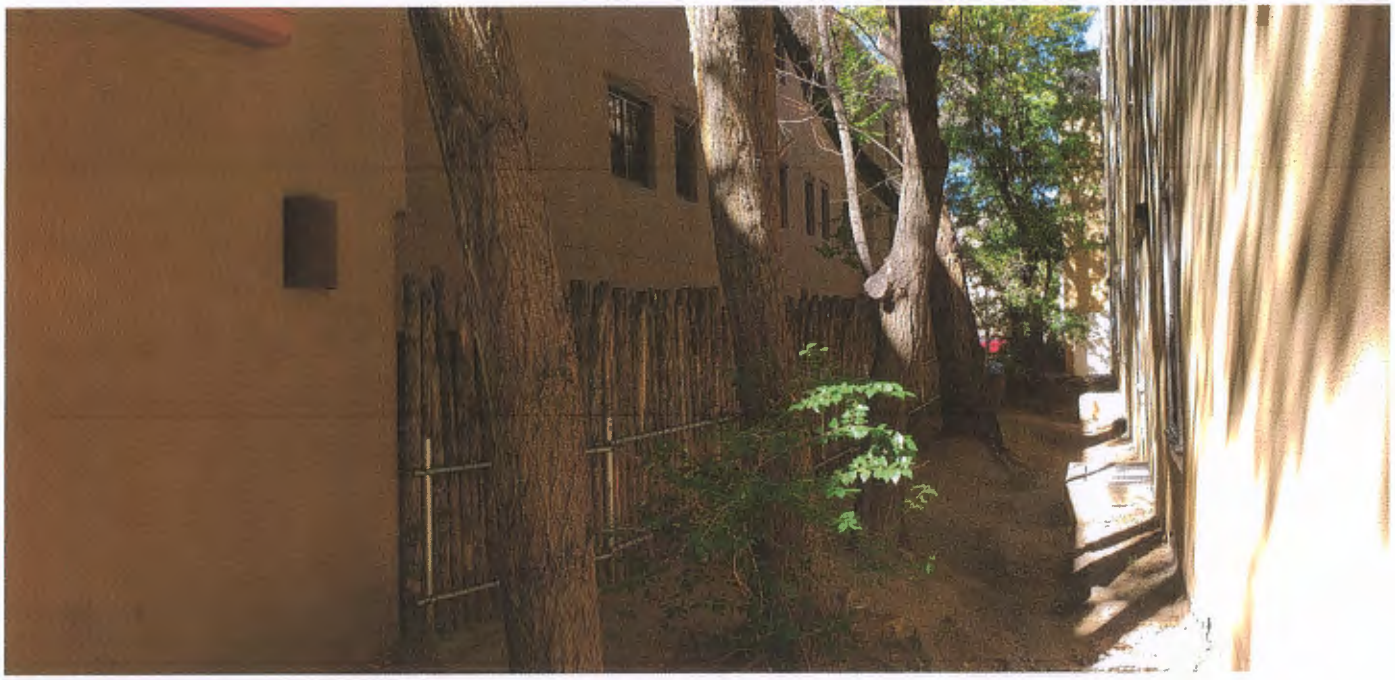
INN OF THE ANASAZI
113 WASHINGTON AVENUE
SANTA FE, NEW MEXICO

JANUARY 13, 2020



NORTH ELEVATION

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INN OF THE ANASAZI
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SANTA FE, NEW MEXICO

JANUARY 13, 2020

EAST ELEVATION

EAST ELEVATION

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INN OF THE ANASAZI
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JANUARY 13, 2020

SOUTH ELEVATION

SOUTH ELEVATION

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SOUTH ELEVATION

SOUTH ELEVATION

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INN OF THE ANASAZI
113 WASHINGTON AVENUE
SANTA FE, NEW MEXICO

JANUARY 13, 2020

WEST ELEVATION

WEST ELEVATION

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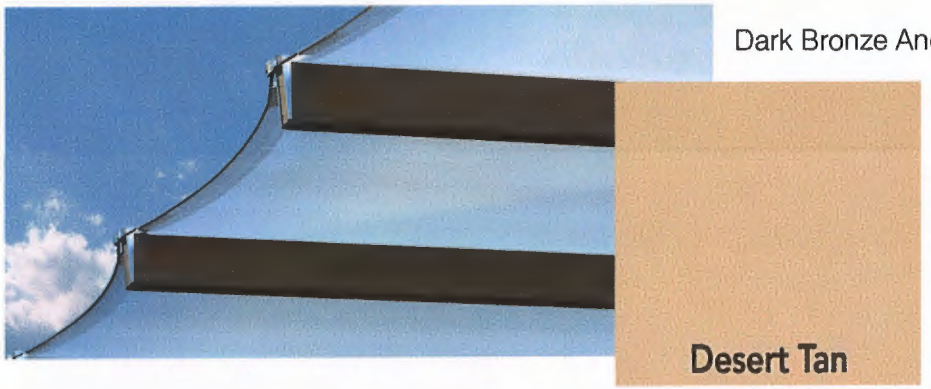
INN OF THE ANASAZI
113 WASHINGTON AVENUE
SANTA FE, NEW MEXICO

JANUARY 13, 2020

Inn of the Anasazi Exterior Finish Selections

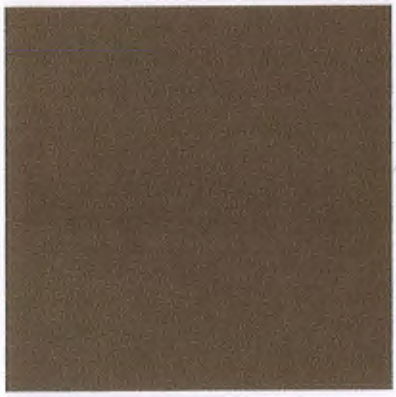


Dark Bronze Anodized Finish

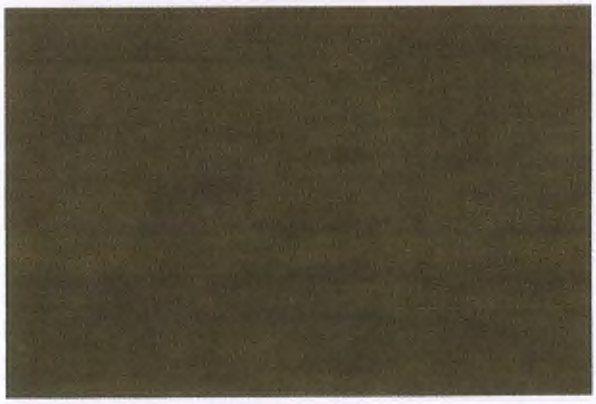
Tan T40 Fabric utilized with the Future Shade Structure

Porcelain Tile with Texture for Pool Deck and Outdoor Patio Area |Comes with Pool Cooping | Aequa Castor 12X48, Arizona Tile

Adobe #116 Stucco Color from El Rey to Match Existing Stucco Finish



Lodge Brown SW3007 Woodscapes Solid Color Stain To Match Existing Wood Stain for the Vigas, Doors and Exposed Lintels



Hawthorne SW3518 Stain Color for the Future Window to Match Existing Windows

INN OF THE ANASAZI ROOFTOP PROJECT

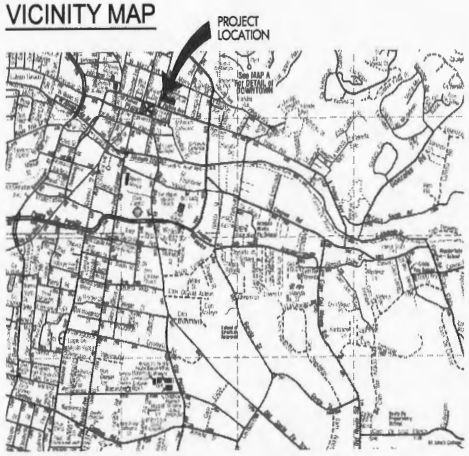
113 WASHINGTON AVENUE
SANTA FE NEW MEXICO 87505

MARTINEZ ARCHITECTURE STUDIO P.C.

1524 PASEO DE PERALTA

RECEIVED
JAN 15 2020
BY:

VICINITY MAP



DIRECTIONS TO SITE:

FROM 200 LINCOLN AVE. HEAD SOUTH ON LINCOLN AVE. TOWARD W. MARCY ST.
TURN LEFT ONTO W. MARCY ST. TURN RIGHT ONTO WASHINGTON AVE.
DESTINATION WILL BE ON THE LEFT @ 113 WASHINGTON AVE.

PROJECT DATA

SCOPE OF WORK: NEW ROOFTOP EVENT SPACE, BAR & SWIMMING POOL

BUILDING TYPE: HOTEL

CONSTRUCTION TYPE: V-B
(IBC SECTION 602)

NET AREAS (EXISTING):

SUB-BASEMENT	7,576 S.F.
BASEMENT	2,738 S.F.
LOWER LEVEL PARKING	7,576 S.F.
1ST FLOOR	15,612 S.F.
2ND FLOOR	15,640 S.F.
3RD FLOOR	14,300 S.F.
EXISTING ROOFED AREA	15,640 S.F.

NET AREAS (PROPOSED)

4TH FLOOR (HEATED)	4,654 S.F.
4TH FLOOR (UNHEATED)	7,368 S.F.

NO NEW ROOFED AREA PROPOSED

LOT AREA: 19,656 S.F.

LOT COVERAGE: EXISTING = 78.6%
PROPOSED = 78.6%

ZONING: BCD-MAR

HISTORIC DISTRICT: DOWNTOWN & EASTSIDE

HISTORIC STATUS: NON-CONTRIBUTING

DRAWING INDEX

A-0.1	COVER SHEET & PROJECT DATA
A-1.0	EXISTING & PROPOSED SITE PLAN
A-2.0	EXISTING ROOF PLAN & PROPOSED FLOOR PLAN
A-3.1	EXISTING & PROPOSED NORTH ELEVATION
A-3.1	EXISTING & PROPOSED EAST ELEVATIONS
A-3.2	EXISTING & PROPOSED SOUTH ELEVATION
A-3.3	EXISTING & PROPOSED WEST ELEVATION

GENERAL NOTES

1. THE CONTRACTOR SHALL CHECK AND VERIFY ALL DIMENSIONS AND REPORT DISCREPANCIES TO THE ARCHITECT BEFORE PROCEEDING WITH THE WORK.

2. UNLESS NOTED OTHERWISE, ALL WORK AND MATERIALS SHALL BE PROVIDED AND INSTALLED BY THE CONTRACTOR.

3. ALL CONSTRUCTION SHALL COMPLY WITH THE MOST RECENTLY ADOPTED APPLICABLE CODES: 2015 NM COMMERCIAL BUILDING CODE (IBC AS AMENDED), 2015 NM RESIDENTIAL CODE (IRC AS AMENDED), 2015 NM EXISTING BUILDING CODE (IEBC AS AMENDED), 2012 NM PLUMBING CODE (UPC AS AMENDED), 2012 NM MECHANICAL CODE (UMC AS AMENDED), 2017 NM ELECTRICAL CODE (NEC AS AMENDED), 2012 NM ELECTRICAL SAFETY CODE (NESC AS AMENDED), 2015 NM HISTORIC EARTHEN BUILDINGS CODE, 2015 NM EARTHEN BUILDING MATERIALS CODE, 2009 NM NON-LOAD BEARING BALED STRAW CONSTRUCTION BUILDING CODE, 2009 NM ENERGY CONSERVATION CODE (IECC AS AMENDED), 2012 NM SWIMMING POOL, SPA AND HOT TUB CODE PHASE III (USPSHTC AS AMENDED), 2012 NM SOLAR ENERGY CODE (USEC AS AMENDED), 2009 INTERNATIONAL FIRE CODE AND CITY OF SANTA FE IFC AMENDMENTS. CODE COMPLIANCE SHALL BE THE RESPONSIBILITY OF THE GENERAL CONTRACTOR.

4. ALL DRAWINGS ARE THE PROPERTY OF MARTINEZ ARCHITECTURE STUDIO P.C. AND MUST BE RETURNED AT THE COMPLETION OF WORK. THEY SHALL NOT BE REPRODUCED, MODIFIED OR REVISED IN ANY WAY WITHOUT THE WRITTEN CONSENT FROM, AND PROPER COMPENSATION TO THE ARCHITECT. THE ARCHITECT SHALL PROTECT HIS RIGHT AND BE REIMBURSED FOR ALL LEGAL AND COURT COST ETC., FOR ANY NECESSARY PROTECTION OF THE DRAWINGS. SUBMISSION OF THESE DRAWINGS TO ANY PUBLIC BODY FOR ANY USE DOES NOT RELEASE IN ANY WAY THE COPYRIGHT AND OWNERSHIP OF DRAWINGS/SPECIFICATIONS PROVISIONS LISTED HEREIN.

DESIGN PROFESSIONALS

ARCHITECT
Richard Martinez
MARTINEZ ARCHITECTURE STUDIO P.C.
P.O. Box 925 Santa Fe, NM 87504
(505) 989-4956, Fax (505) 989-8933

MARTINEZ ARCHITECTURE STUDIO PC
1524 PASEO DE PERALTA SANTA FE
505-989-4956 studio@martinezarch.com

INN OF THE ANASAZI
113 WASHINGTON AVENUE
SANTA FE, NEW MEXICO

JANUARY 13, 2020

1-13-20

COVER SHEET & PROJECT DATA

A 0.1

SET #

1904 - ANASAZI

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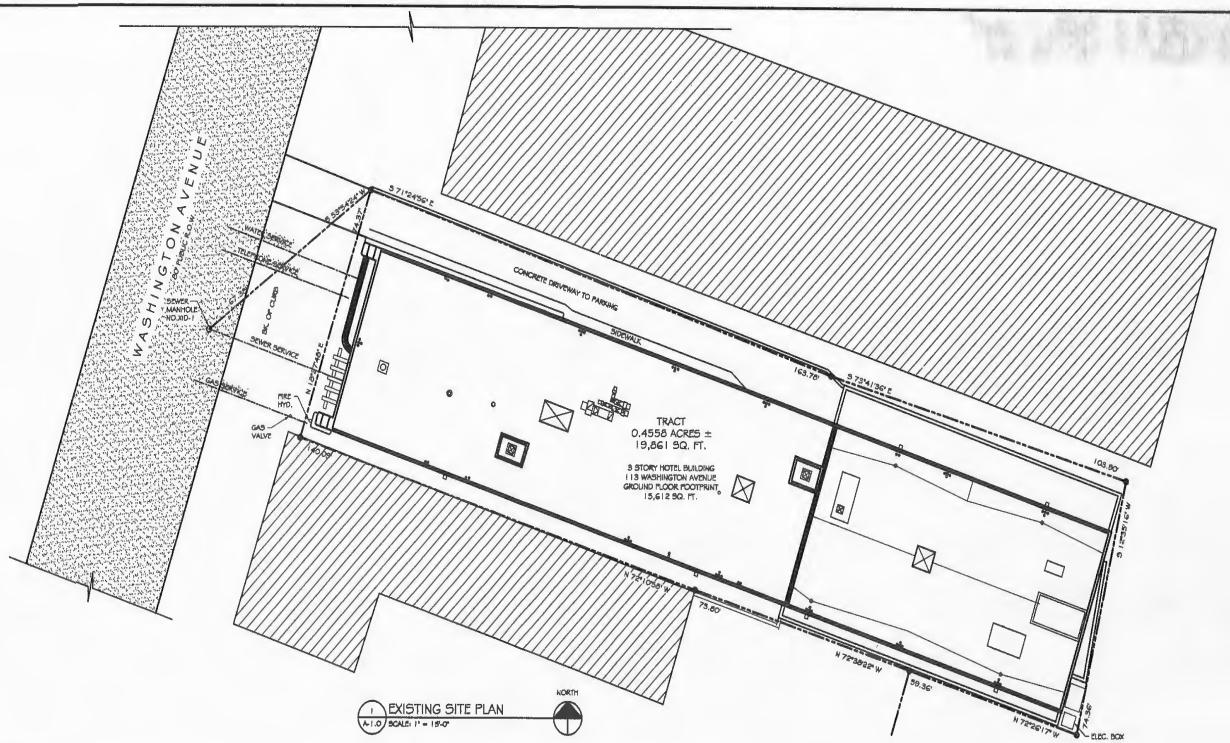
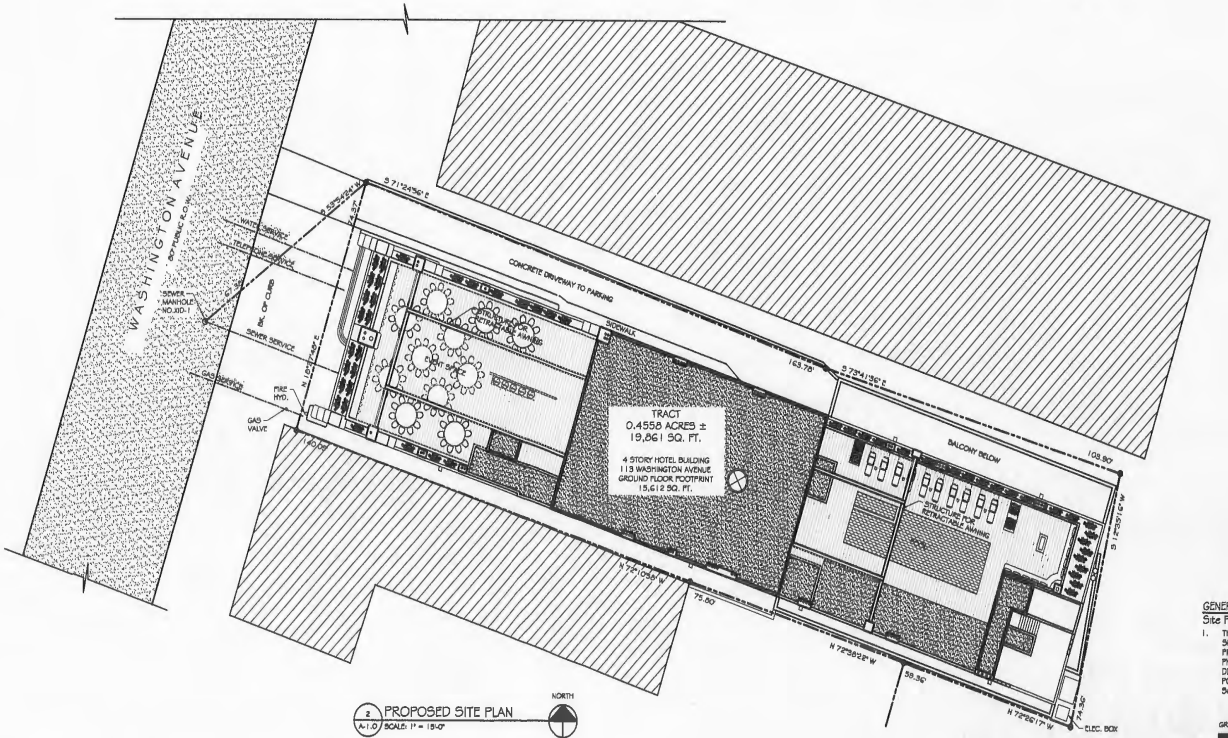
JAN 15 2020
BY:



1 EXISTING SITE PLAN
A-1.0 SCALE: 1" = 15'-0"



2 PROPOSED SITE PLAN
A-1.0 SCALE: 1" = 15'-0"

GENERAL NOTES:
Site Plan

1. THE SITE SURVEY INFORMATION ON THIS SITE PLAN WAS TAKEN FROM A PLAT PREPARED JULY 18, 2005 BY: PHILIP D. WIGEL N.M.P.S. #9758 DEL RIO SURVEYS, INC. PO BOX 22773 SANTA FE, NEW MEXICO 87505

GRAPHIC SCALE: 1" = 15'-0"
0 15' 30' 45'

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1524 PASEO DE PERALTA SANTA FE
505-989-4998 studio@martinezarch.com

INN OF THE ANASAZI
113 WASHINGTON AVENUE
SANTA FE, NEW MEXICO

JANUARY 13, 2020

1-13-20

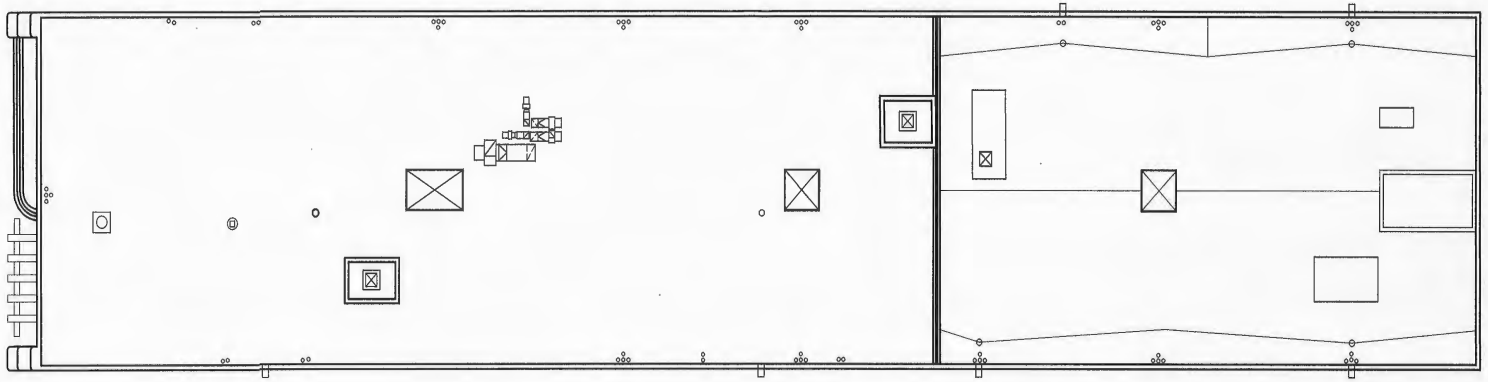
EXISTING & PROPOSED SITE PLANS

A 1.0

SET #

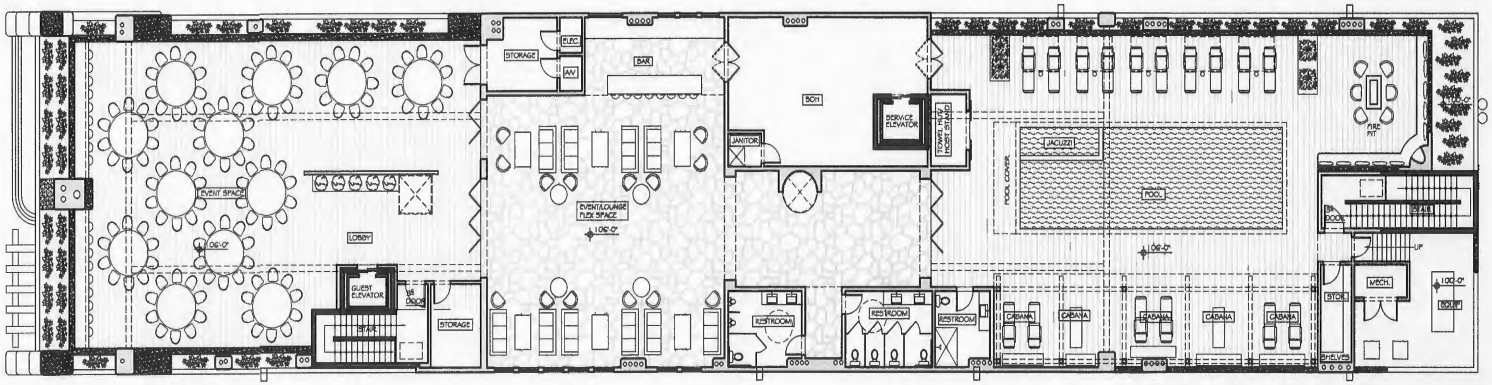
1904 - ANASAZI

RECEIVED
JAN 15 2020
BY:



1 EXISTING ROOF PLAN
A-2.0 SCALE: 1/8" = 1'-0"

NORTH



1 PROPOSED FLOOR PLAN
A-2.0 SCALE: 1/8" = 1'-0"

NORTH

GRAPHIC SCALE: 1/8" = 1'-0"
0' 4' 8' 16' 24'

MARTINEZ ARCHITECTURE STUDIO PC
1524 PASEO DE PERALTA SANTA FE
505-989-4858 studio@martinezarch.com

INN OF THE ANASAZI
113 WASHINGTON AVENUE
SANTA FE, NEW MEXICO

JANUARY 13, 2020

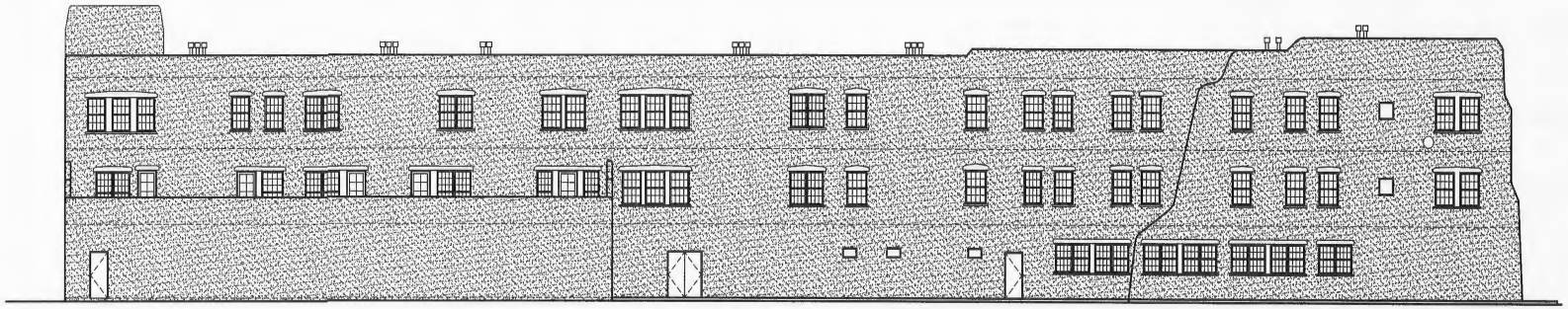
1-13-20

EXISTING ROOF PLAN & PROPOSED FLOOR PLAN

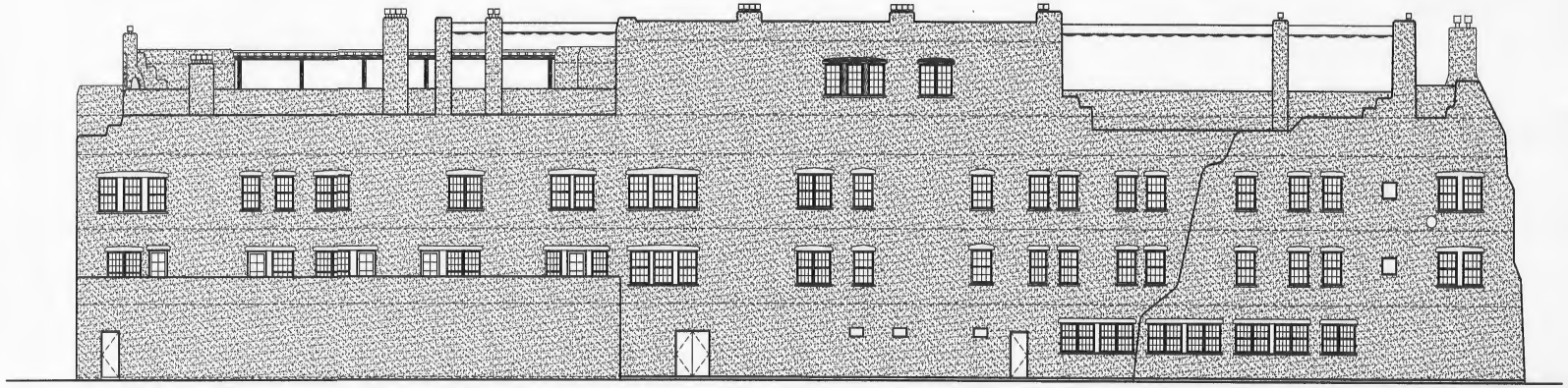
A 2.0

SET #
1904 - ANASAZI

RECEIVED
JAN 15 2020
BY:



1 A-3.0 EXISTING NORTH ELEVATION
SCALE: 1/8" = 1'-0"



1 A-3.0 PROPOSED NORTH ELEVATION
SCALE: 1/8" = 1'-0"

GRAPHIC SCALE: 1/8" = 1'-0"
0' 4' 8' 16' 24'

MARTINEZ ARCHITECTURE STUDIO PC
1524 PASEO DE PERALTA SANTA FE
505-988-4958 studio@martinezarch.com

INN OF THE ANASAZI
113 WASHINGTON AVENUE
SANTA FE, NEW MEXICO

JANUARY 13, 2020

1-13-20

EXISTING & PROPOSED NORTH ELEVATION

A 3.0

SET # 133

1904 - ANASAZI

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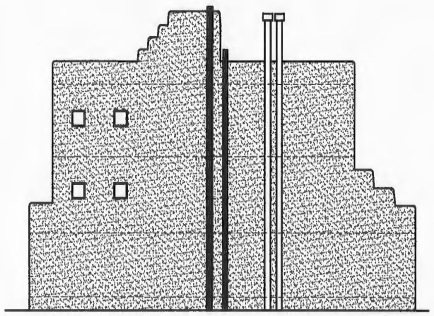
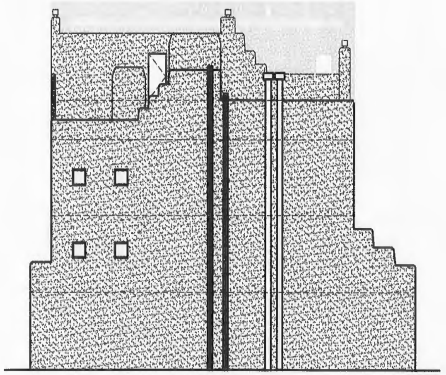


1 / A-3.1 EXISTING EAST ELEVATION
SCALE: 1/8" = 1'-0"



2 / A-3.1 PROPOSED EAST ELEVATION
SCALE: 1/8" = 1'-0"

GRAPHIC SCALE: 1/8" = 1'-0"
0' 4' 8' 16' 24'

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1524 PASEO DE PERALTA SANTA FE
505-989-4958 studio@martinezarch.com

INN OF THE ANASAZI
113 WASHINGTON AVENUE
SANTA FE, NEW MEXICO

JANUARY 13, 2020

1-13-20

EXISTING & PROPOSED EAST ELEVATION

A 3.1

SET #

1904 - ANASAZI

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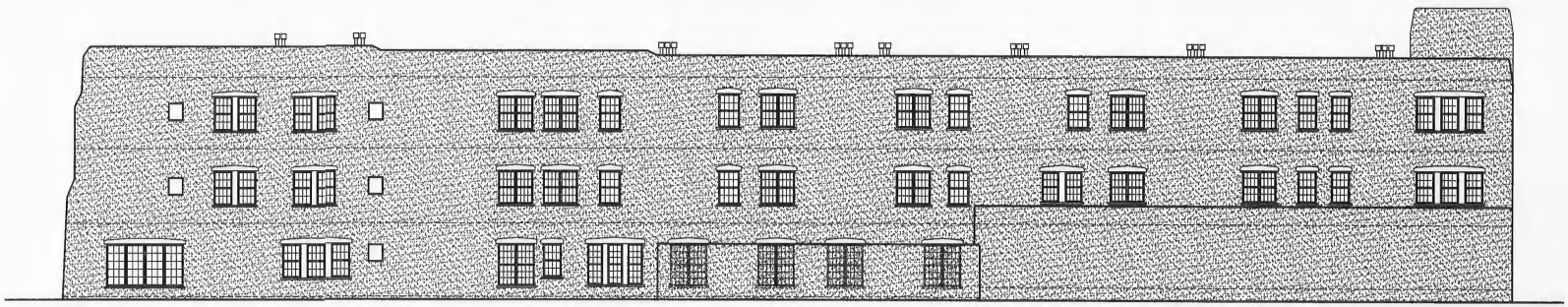
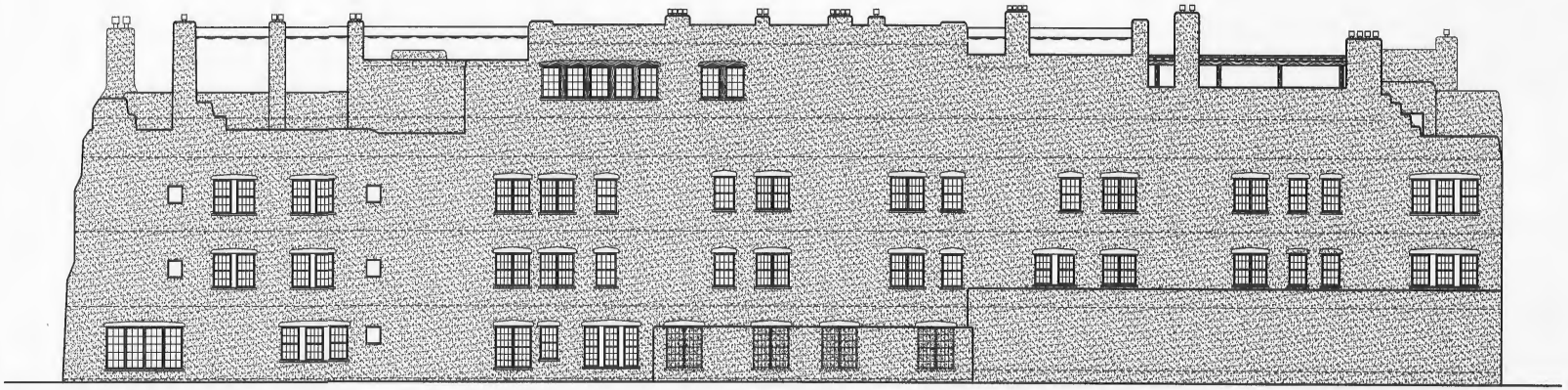
JAN 15 2020
BY:



1 A-3.2 EXISTING SOUTH ELEVATION
SCALE: 1/8" = 1'-0"



2 A-3.2 PROPOSED SOUTH ELEVATION
SCALE: 1/8" = 1'-0"

GRAPHIC SCALE: 1/8" = 1'-0"
0' 4' 8' 16' 24'

MARTINEZ ARCHITECTURE STUDIO PC
1524 PASEO DE PERALTA SANTA FE
505-989-4988 studio@martinezarch.com

INN OF THE ANASAZI
113 WASHINGTON AVENUE
SANTA FE, NEW MEXICO

JANUARY 13, 2020

1-13-20

EXISTING & PROPOSED SOUTH ELEVATION

A 3.2

SET # 135

1904 - ANASAZI

RECEIVED
JAN 15 2020
BY:

3 A-3.1 EXISTING WEST ELEVATION
SCALE: 1/8" = 1'-0"

4 A-3.1 PROPOSED WEST ELEVATION
SCALE: 1/8" = 1'-0"

GRAPHIC SCALE: 1/8" = 1'-0"
0' 4' 8' 16' 24'

MARTINEZ ARCHITECTURE STUDIO PC
1574 PASEO DE PERALTA, SANTA FE
505-988-4558 STUDIO@MARTINEZARCHITECTURE.COM

INN OF THE ANASAZI
113 WASHINGTON AVENUE
SANTA FE, NEW MEXICO

JANUARY 13, 2020

1-13-20

EXISTING & PROPOSED WEST ELEVATIONS

A 3.3

SET #
1804 - ANASAZI

EXHIBIT H

HISTORIC DISTRICTS REVIEW BOARD APPLICATION

PROJECT LOCATION: 113 Washington

HISTORIC DISTRICT: Downtown & Eastside [✓] Don Gaspar Area [ ] Westside-Guadalupe [ ]
(from attached map) Historic Transition [ ] Historic Review [ ] Landmark (outside of historic districts) [ ]

PROJECT PROPOSAL: Rooftop event space, bar and swimming pool

CONSTRUCTION COST: $ 4M

BASE FEE: $ 2000 + **EXCEPTION:** $ 350 + **POSTER:** $ 25 = **TOTAL:** $ 2375

(base fee = ½ of 1% of construction cost, not to exceed $2,000 and not less than $250)

(each exception has an additional fee of $350) **($25 per poster with one (1) poster per street frontage)**

OWNER: Rosewood Inn of the Anasazi **PHONE #:**

OWNER MAILING ADDRESS: 113 Washington Avenue

CITY, STATE, ZIP CODE: Santa Fe, NM 87501

EMAIL:

AGENT: Martinez Architecture Studio PC **PHONE #:** 505 989 4958

MAILING ADDRESS: PO Box 925

CITY, STATE, ZIP CODE: Santa Fe, NM 87504

EMAIL: Studio @ martinezarch.com

PREAPPLICATION MEETING: Date: 12/10/2019 Case Planner: Lisa Roach

---

AFFIDAVIT TO AUTHORIZE SOLE AGENT

I am,/We are the owner(s) and record title holder(s) of the property located at: 113 Washington Ave

I/We authorize Martinez Architecture Studio to act as my/our agent to execute this application.

Signed: [signature] Date: 1/15/20

Printed Name: Lutz Arnhold

I/We shall act as my/our own agent to execute this application.

Signed: _____ Date: _____

Printed Name: _____

AFFIDAVIT TO AUTHORIZE SOLE AGENT must be signed to be accepted.

Original form must be submitted with Historic Districts Review Board Application packet.

All documents submitted to the Historic Preservation Division are public record. HPD does not return documents.

Rosewood – Inn of the Anasazi

I. Witness List

a. Richard Martinez. Project Architect. Mr. Martinez will address the design process undertaken, modifications made to the plans at the request of the Historic District Board, the reasons for the modifications and the design solutions. Mr. Martinez will address the general aspects of the design and how the project meets the standards for the Downtown & Eastside Historic District requirement.

b. Karl H. Sommer. Project Attorney. Mr. Sommer will address the legal issues related to the appeal. Namely, Mr. Sommer will address the criteria for the exceptions, how they were met, and the bases for the appeal. More specifically, Mr. Sommer will address the impermissible design activity of the Board in relation to the proposal.

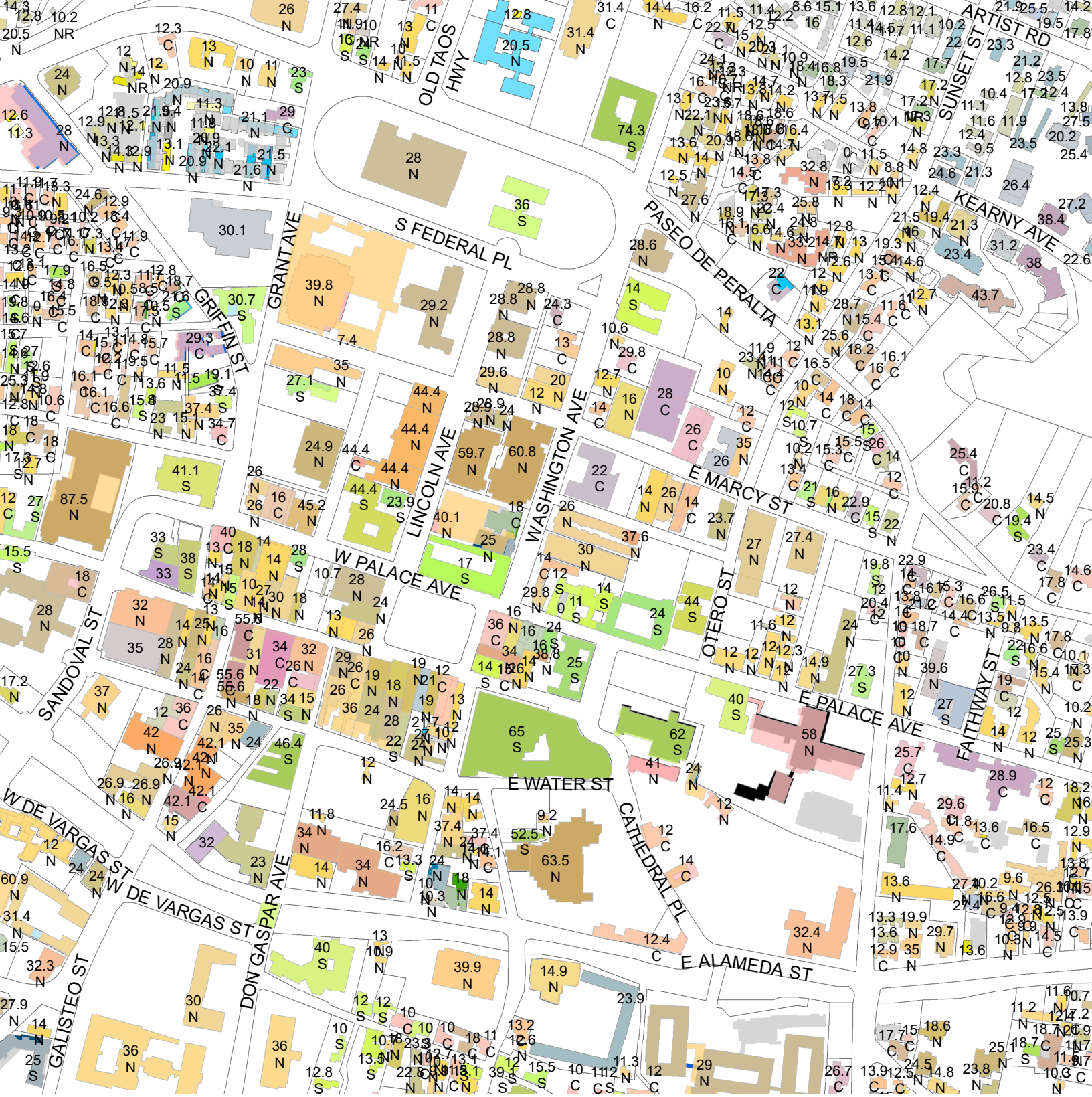
c. Lutz Aarnhold. Mr. Aarnhold is the General Manager of the Inn of the Anasazi. He will address the general nature of the project, the reasons for the project, and the nature of the investment in the Inn of the Anasazi and the downtown by the ownership.

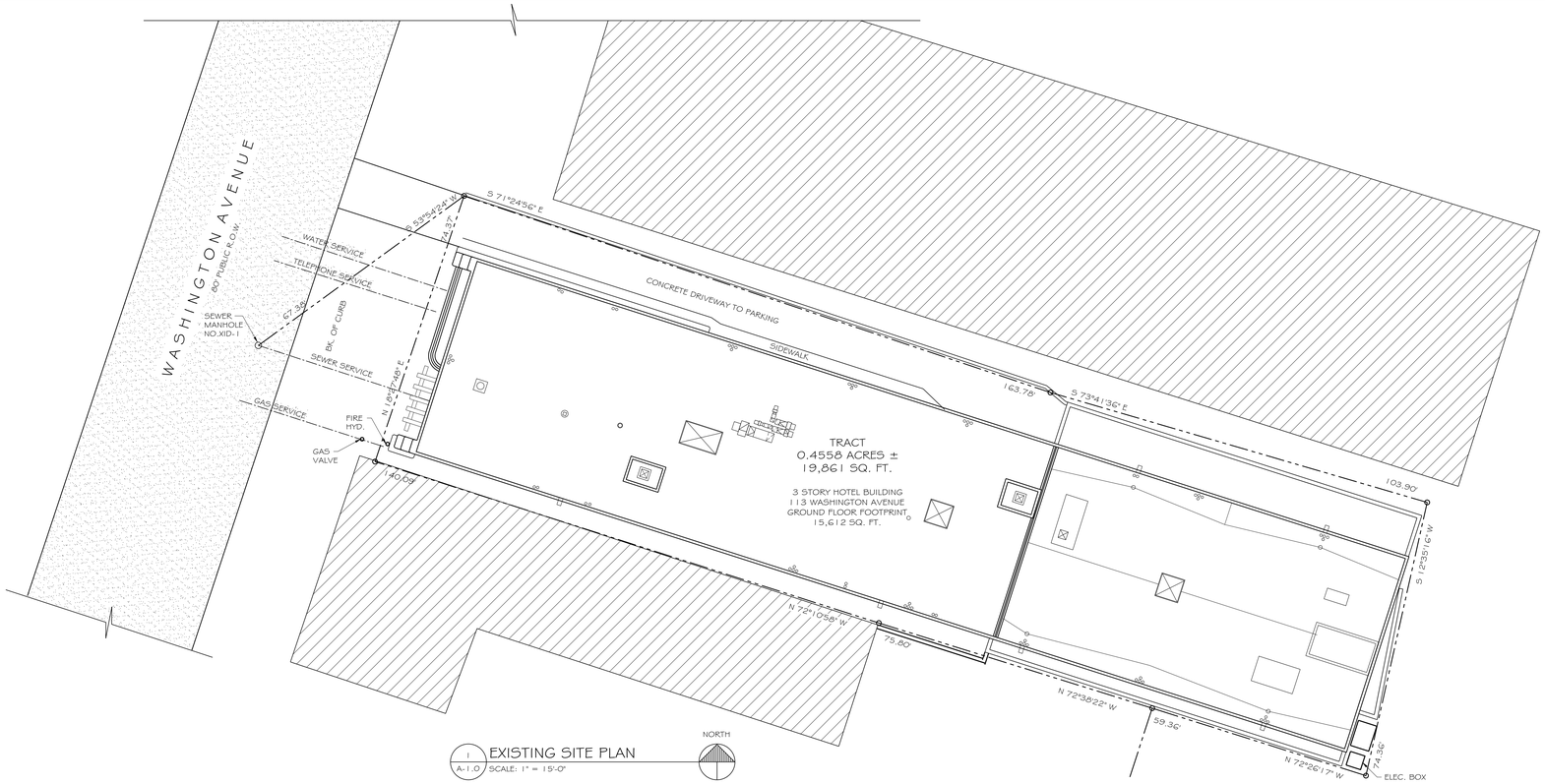
II. Exhibits – Attached.

a. Map of Downtown Heights

b. Plans of the Project

c. Photos of Project and Streetscape.


S FEDERAL PL
GRANT AVE
GRIFFIN ST
OLD TAOS HWY
LINCOLN AVE
WASHINGTON AVE
PASEO DE PERALTA
KEARNY AVE
SUNSET ST
ARTIST RD
E MARCY ST
W PALACE AVE
E PALACE AVE
OTERO ST
SANDOVAL ST
FAITHWAY ST
E WATER ST
CATHEDRAL PL
W DE VARGAS ST
DON GASPAR AVE
GALISTEO ST
E ALAMEDA ST



GENERAL NOTES:

Site Plan

1. THE SITE SURVEY INFORMATION ON THIS SITE PLAN WAS TAKEN FROM A PLAT PREPARED JULY 18, 2005 BY: PHILLIP B. WIEGEL N.M.P.S. #9758 DEL RIO SURVEYS, INC. PO BOX 22773 SANTA FE, NEW MEXICO 87505

GRAPHIC SCALE: 1" = 15'-0"

0' 15' 30' 45'

MARTINEZ ARCHITECTURE STUDIO PC
1524 PASEO DE PERALTA SANTA FE
505-989-4958 studio@martinezarch.com

INN OF THE ANASAZI
113 WASHINGTON AVENUE
SANTA FE, NEW MEXICO

MARCH 2, 2020

EXISTING & PROPOSED SITE PLANS

A 1.0

SET #

1904 - ANASAZI

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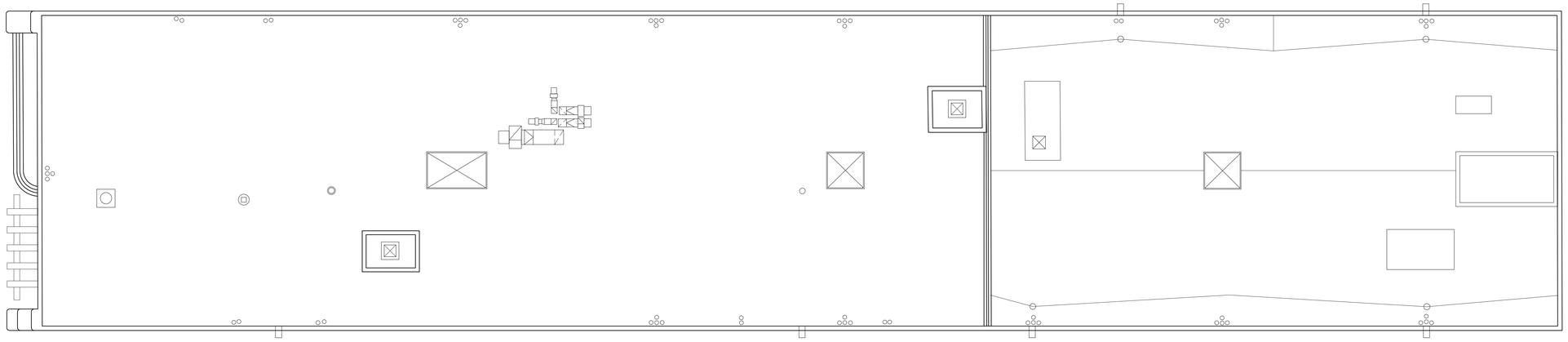
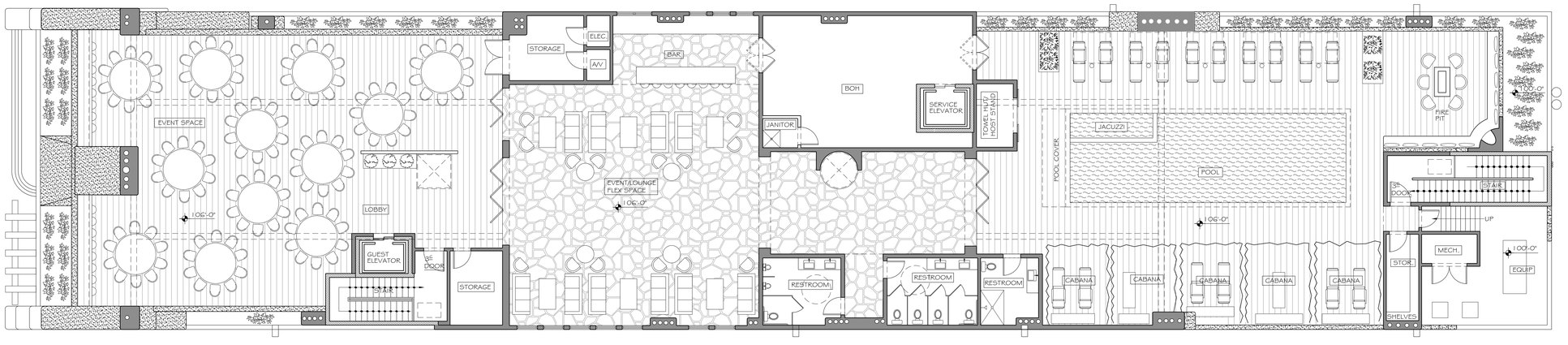


1 A-2.0 EXISTING ROOF PLAN
SCALE: 1/8" = 1'-0"

NORTH



1 A-2.0 PROPOSED FLOOR PLAN
SCALE: 1/8" = 1'-0"

NORTH

GRAPHIC SCALE: 1/8" = 1'-0"
0' 4' 8' 16' 24'

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1524 PASEO DE PERALTA SANTA FE
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INN OF THE ANASAZI
113 WASHINGTON AVENUE
SANTA FE, NEW MEXICO

MARCH 2, 2020

EXISTING ROOF PLAN & PROPOSED FLOOR PLAN

A 2.0

SET #

1904 - ANASAZI

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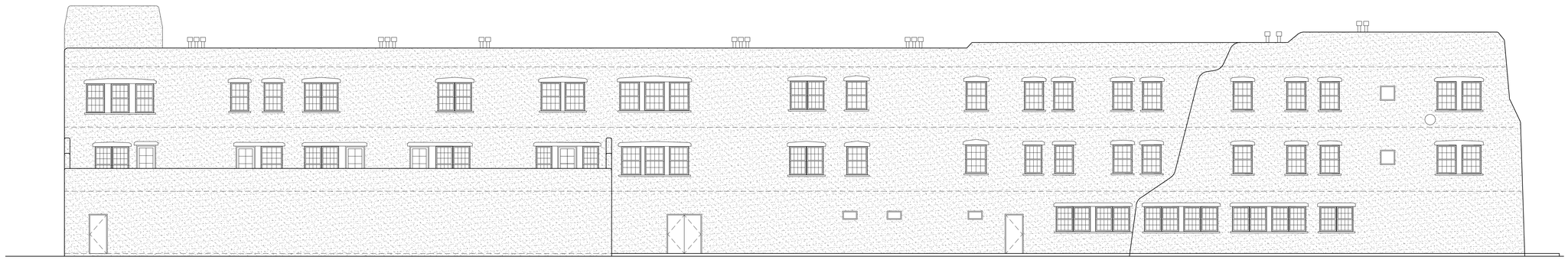

1 A-3.0 EXISTING NORTH ELEVATION
SCALE: 1/8" = 1'-0"

1 A-3.0 PROPOSED NORTH ELEVATION
SCALE: 1/8" = 1'-0"

GRAPHIC SCALE: 1/8" = 1'-0"
0' 4' 8' 16' 24'

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INN OF THE ANASAZI
113 WASHINGTON AVENUE
SANTA FE, NEW MEXICO

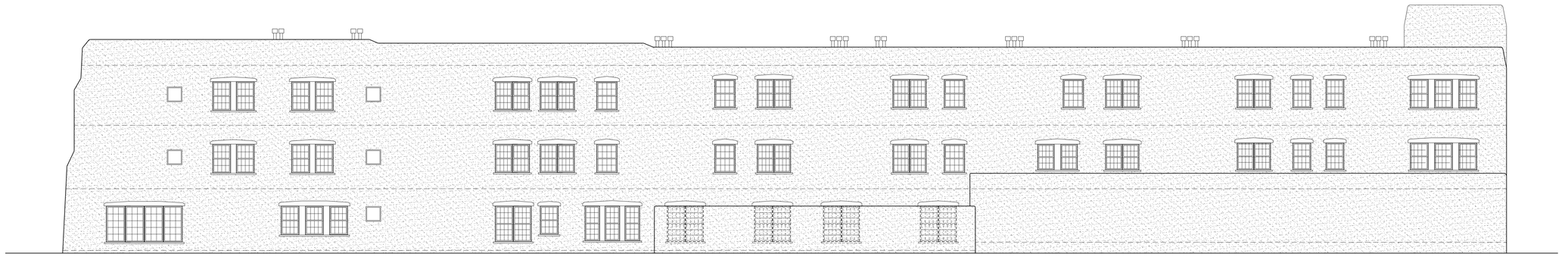
MARCH 2, 2020

PROPOSED NORTH ELEVATION

A 3.0

SET #
1904 - ANASAZI

Z:\1904-Inn of the Anasazi\Current Drawings\1904 - Inn of the Anasazi_Base_200302.dwg, 3/2/2020 1:18:17 PM, DWG To PDF.pc3



1 A-3.2 EXISTING SOUTH ELEVATION
SCALE: 1/8" = 1'-0"

2 A-3.2 PROPOSED SOUTH ELEVATION
SCALE: 1/8" = 1'-0"

GRAPHIC SCALE: 1/8" = 1'-0"
0' 4' 8' 16' 24'

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INN OF THE ANASAZI
113 WASHINGTON AVENUE
SANTA FE, NEW MEXICO

MARCH 2, 2020

EXISTING & PROPOSED SOUTH ELEVATION

A
3.2

SET #
1904 - ANASAZI

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1 A-3.3 EXISTING WEST ELEVATION
SCALE: 1/4" = 1'-0"

2 A-3.3 PROPOSED WEST ELEVATION
SCALE: 1/4" = 1'-0"

GRAPHIC SCALE: 1/4" = 1'-0"
0' 2' 4' 8' 12'

MARTINEZ
ARCHITECTURE
STUDIO PC
1524 PASEO DE PERALTA SANTA FE
505-989-4958 studio@martinezarch.com

INN OF THE ANASAZI
113 WASHINGTON AVENUE
SANTA FE, NEW MEXICO

MARCH 2, 2020

PROPOSED WEST ELEVATION

A 3.3

SET #

1904 - ANASAZI

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Mountain Mist
The Water Man
473-2047
NO PARKING ANY TIME

NO
PARKING
ANY
TIME

INN OF THE ANA
NOTICE

CITY OF SANTA FE, NEW MEXICO

PROJECT DESCRIPTION: Martinez Architectural Studio, agent for Rosewood Inn of the Anasazi, present alterations to the design of rooftop additiona on a non-contributing, non-residiential structure, in order to comply with the conditions of the previous partial approval by the HDRB.

Case number: **2020-002548-HDRB**
Project Type: HDRB

PROJECT LOCATION (S): 113 Washington Avenue

OW – Rosewood Inn of the Anasazi 113 Washington Avenue, Santa Fe, NM 87501

AP – Martinez Architecture Studio PC P.O. Box 925, Santa Fe, NM 87504 studio@martinezarch.com

PROJECT DATA:

HISTORIC DISTRICT

Don Gaspar Area ☐ Downtown and Eastside ☑ Historic Review ☐ Transition ☐ Westside-Guadalupe ☐

HISTORIC BUILDING STATUS

Non-Statused ☐ Non-Contributing ☑ Contributing ☐ Significant ☐ Landmark ☐ N/A ☐

PRIMARY ELEVATIONS: **North ☐ South ☐ West ☐ East ☐ N/A ☐**

PUBLICLY VISIBLE FACADE-EAST Yes ☐ No ☑

PUBLICLY VISIBLE FACADE-NORTH Yes ☑ No ☐

PUBLICLY VISIBLE FACADE-SOUTH Yes ☑ No ☐

PUBLICLY VISIBLE FACADE-WEST Yes ☑ No ☐

HISTORIC DISTRICT INVENTORY NUMBER #3537

YEAR OF CONSTRUCTION p.1945

PROJECT TYPE

Status ☐ Primary Elevations ☐ Remodel ☑ Demolition ☐ New ☐ Other Revisions to previous design

USE, EXISTING **Residential ☐ Non-Residential ☑ Vacant ☐**

USE, PROPOSED **Residential ☐ Non-Residential ☑**

HISTORIC BUILDING NAME "State Securities Building"

City of Santa Fe, New Mexico

memo

DATE: September 22, 2020

TO: Historic Districts Review Board Members

FROM: Lisa Gavioli Roach, Historic Preservation Division Manager LR

Case # 2020-002548-HDRB

Address: 113 Washington Avenue
Historic Status: Non-contributing
Historic District: Downtown and Eastside

REFERENCE ATTACHMENTS (Sequentially):

CITY SUBMITTALS

____ **District Standards & yard wall & fence standards.**

__x__ **Historic Inventory Form**

__x__ **Zoning Review Sheet**

__x__ **Other**: Findings of Fact and Conclusions of Law from Case 2020-001600-HDRB and 2020-002043-APPL

APPLICANT SUBMITTALS

__x__ **Proposal Letter**

__x__ **Site Plan/Floor Plan**

__x__ **Elevations**

__x__ **Photographs**

__x__ **Other:** 1) HDRB Action Letter from 2020-001600-HDRB; and 2) Design Options for Roof of Shade Structure

STAFF RECOMMENDATION:

Staff defers to the Board as to whether the application meets the conditions of approval from the previous case (2020-001600-HDRB), in compliance with Section 14-5.2(D) General Design Standards for all Historic Districts, and 14-5.2(E) Downtown and Eastside Design Standards.

BACKGROUND & SUMMARY:

113 Washington Avenue is a commercial hotel structure that was constructed after 1945 in the Territorial Revival style, when it was known as the "State Securities Building." The building was substantially remodeled in 1989 in the Spanish Pueblo Revival style and was adaptively reused as the Inn of the Anasazi. In 2014, the HDRB approved window replacement throughout the structure (Case H-14-025). The building is listed as non-contributing to the Downtown and Eastside.

In March of 2020, the applicant came before the Board with a proposal to construct an addition to the rooftop level of the building to a height of 56', for which an exception was requested to exceed the maximum allowable height of 20'1". At the front third of the proposed rooftop addition, the design included an outdoor event space with tile decking, seating, retractable tan canopy on dark bronze rails, an informal lobby area, elevator overrun, stairwell, and storage space. The middle third of the proposal included an enclosed lounge and bar with kitchen and restroom spaces, designed at the exterior in Spanish Pueblo Revival style to match the existing structure. The rear third of the proposed addition space included a rectangular pool and tile deck, framed by 4' high stuccoed walls, wood-framed cabana structures, a retractable tan canopy with dark bronze rails, a stairwell, mechanical and storage spaces, and an outdoor fireplace and seating area.

The board found that the criteria for a height exception had been met and approved the application with the following conditions: 1) that the three front chimney massings shall be eliminated from the design and the existing chimney stacks at the west elevation shall remain in their current locations; 2) that the size of the event space shall be limited by the distance that the building code requires the space to be from the westernmost chimneys; and 3) that the applicant shall submit new drawings to staff for approval before seeking permits. The applicant subsequently appealed this decision to the Governing Body, who ultimately upheld the Board's decision to impose conditions on the approval.

Now the applicant returns with a revised design with the intent of complying with the conditions of approval specified by the Board in its previous review of the proposal. The revised design was presented to staff for review; however, staff felt that the revisions were sufficiently different from the previous design as to require additional Board review.

The applicant proposes the following modifications to the original design in order to comply with conditions of approval:

1) The westernmost chimneys are labeled on the plans in their existing location, where they will remain. Other chimneys in the front third of the rooftop design had to be consolidated into new chimney massings for practical reasons.

2) The middle bar/lounge massing has been moved east to create a usable event space at the front, resulting in the reduction of the pool area in the rear. The floorplan of the

bar/lounge has been revised to accommodate the altered layout of the rooftop additions. The windows in the bar/lounge have also been relocated and their size altered to avoid existing flues.

3) The retractable canopies over the pool area and the event space have been removed. Movable cabanas will be utilized as furniture in the pool area instead of the canopy. At the front event space, a new shade structure is proposed. It is designed as an open ramada/trellis made of dark bronze colored metal posts and beams, natural stained wood lattices with rust colored cut metal panels between the wood lattice sections.

RELEVANT CODE CITATIONS:

14-5.2(A)(1) General Purpose

In order to promote the economic, cultural, and general welfare of the people of the city and to ensure the harmonious, orderly and efficient growth and development of the city, it is deemed essential by the governing body that the qualities relating to the history of Santa Fe, and a harmonious outward appearance, which preserve property values and attract tourists and residents alike, be preserved, some of these qualities being:

(a) The continued existence and preservation of historical areas and buildings;
(b) The continued construction of buildings in the historic styles; and
(c) A general harmony as to style, form, color, height, proportion, texture and material between buildings of historic design and those of more modern design.

14-5.2(E) Downtown and Eastside Design Standards

(1) Old Santa Fe Style

Old Santa Fe style, characterized by construction with adobe, is defined as including the so-called "pueblo" or "pueblo-Spanish" or "Spanish-Indian" and "territorial" styles and is more specifically described as follows:

(a) With rare exception, buildings are of one story, few have three stories, and the characteristic effect is that the buildings are long and low. Roofs are flat with a slight slope and surrounded on at least three sides by a firewall of the same color and material as the walls or of brick. Roofs are never carried out beyond the line of the walls except to cover an enclosed portal or porch formed by setting back a portion of the wall or to form an exterior portal, the outer edge of the roof being supported by wooden columns. Two-story construction is more common in the territorial than in other sub-styles, and is preferably accompanied by a balcony at the level of the floor of the second story. Façades are flat, varied by inset portales, exterior portales, projecting vigas or roof beams, canales or water-spouts, flanking buttresses and wooden lintels, architraves and cornices, which, as well as doors, are frequently carved and the carving may be picked out with bright colors. Arches are almost never used except for nonfunctional arches, often slightly ogive, over gateways in freestanding walls;
(b) All exterior walls of a building are painted alike. The colors range from a light earth color to a dark earth color. The exception to this rule is the protected space under

portales, or in church-derived designs, inset panels in a wall under the roof, in which case the roof overhangs the panel. These spaces may be painted white or a contrasting color, or have mural decorations;

(c) Solid wall space is always greater in any façade than window and door space combined. Single panes of glass larger than thirty (30) inches in any dimension are not permissible except as otherwise provided in this section;

(d) The rule as to flat roofs shall not be construed to prevent the construction of skylights or installation of air conditioning devices, or any other necessary roof structures, but such structures other than chimneys, flues, vents and aerials, shall be so placed as to be concealed by the firewall from the view of anyone standing in the street on which the building fronts;

(e) True old Santa Fe style buildings are made of adobe with mud plaster finish. Construction with masonry blocks, bricks, or other materials with which the adobe effect can be simulated is permissible; provided, that the exterior walls are not less than eight (8) inches thick and that geometrically straight façade lines are avoided. Mud plaster or hard plaster simulating adobe, laid on smoothly, is required; and

(2) Recent Santa Fe Style

Recent Santa Fe style intends to achieve harmony with historic buildings by retention of a similarity of materials, color, proportion, and general detail. The dominating effect is to be that of adobe construction, prescribed as follows:

(a) No building shall be over two stories in height in any façade unless the façade shall include projecting or recessed portales, setbacks or other design elements;

(b) The combined door and window area in any publicly visible façade shall not exceed forty percent of the total area of the façade except for doors or windows located under a portal. No door or window in a publicly visible façade shall be located nearer than three (3) feet from the corner of the façade;

(c) No cantilevers shall be permitted except over projecting vigas, beams, or wood corbels, or as part of the roof treatment described below;

(d) No less than eighty percent of the surface area of any publicly visible façade shall be adobe finish, or stucco simulating adobe finish. The balance of the publicly visible façade, except as above, may be of natural stone, wood, brick, tile, terra cotta, or other material, subject to approval as hereinafter provided for building permits;

(e) The publicly visible façade of any building and of any adjoining walls shall, except as otherwise provided, be of one color, which color shall simulate a light earth or dark earth color, matte or dull finish and of relatively smooth texture. Façade surfaces under portales may be of contrasting or complimentary colors. Windows, doors and portals on publicly visible portions of the building and walls shall be of one of the old Santa Fe styles; except that buildings with portals may have larger plate glass areas for windows under portals only. Deep window recesses are characteristic; and

(f) Flat roofs shall have not more than thirty (30) inches overhang.

Attachment B

NEW MEXICO HISTORIC BUILDING INVENTORY FORM

13537

building threatened? yes	surveyed date 5/3/85 by HMW	county SANTA FE	ID no. 051610424
field map SFHD #1	number 424	UTM reference zone 12 13 easting	northing

location description: 113 WASHINGTON

city/town: SANTA FE

land grant/reservation: ~~land grant/reservation~~

building name: STATE SECURITIES BLDG

legal description: tnsp ___ N S range ___ E W sec ___ ¼ ___ ¼

film roll by HMW no. SFHD 16 | negative nos. 28 | loc. of neg. HPB

plan shape

date of construction: P45 estimate ___ actual

source

use: present residential; other ___; historic residential; other ___

condition: ___ excellent ___ good ___ fair ___ deteriorating

wall material/surface

degree of remodeling: ___ minor ___ moderate ___ major

describe:

architectural features

surroundings: COMMERCIAL

relationship to surroundings: ___ similar x not similar

district potential: ___ yes ___ no

significance: ___ eligible ___ of interest x none

if eligible, why?

comments:

remodeled 1989 H-89-132
as Spanish-Pueblo Revival
Inn of the Anasazi DR

associated buildings? ___ yes

what type?

if inventoried, list ID nos.

see back? ___ yes

Preliminary Zoning Review Worksheet

City of Santa Fe Land Use Department

THIS REVIEW DOES NOT GRANT ZONING APPROVAL FOR BUILDING PERMIT. FINAL ZONING REVIEW WILL BE PERFORMED AT THE TIME OF BUILDING PERMIT APPLICATION.

Richard Martinez (OWNER) (APPLICANT) (AGENT)

I hereby certify that the information provided for preliminary zoning review is accurate and will not be modified without consulting Land Use Department staff prior to submittal for Historic Districts Review Board review.

SIGNATURE 1.15.20 DATE

To Be Completed By City Staff:

Additional Agency Review if Applicable:

- ☐ Escarpment Approval by _____ Date: __/__/__
- ☐ Flood Plain Approval by _____ Date: __/__/__
- ☐ Traffic Engineering Approval by _____ Date: __/__/__

Notes: _____

Zoning Approval:

☒ Preliminary Approval ☒ with conditions ☐ Rejected

Comments/Conditions: Building exceeds 24.0 max. Zoning Height of 42'-6" to ridge of the proposed building. Must be reduced prior to submittal of Final Zoning Review.

REVIEWER: _____ DATE: 1/15/20

Original color form must be submitted with Historic Districts Review Board (HDRB) application packet.

Revised

ITEM # 20-0218

City of Santa Fe
Historic Districts Review Board
Findings of Fact and Conclusions of Law

Case # 2020-1600-HDRB
Address – 113 Washington Avenue
Agent's Name – Martinez Architecture Studio PC
Owner/Applicant's Name – Rosewood Inn of the Anasazi

THIS MATTER came before the Historic Districts Review Board ("Board") for hearing on March 10, 2020.

BACKGROUND

113 Washington Avenue is a commercial hotel structure constructed after 1945 in the Territorial Revival style, when it was known as the State Securities Building. The building was substantially remodeled in 1989 in the Spanish Pueblo Revival style and was adaptively reused as the Inn of the Anasazi. In 2014, the Board approved window replacement throughout the structure (Case #H-14-025). The building is listed as non-contributing to the Downtown and Eastside Historic District. At the February 11, 2020, hearing of the Board, the applicant proposed to construct an addition to the rooftop level of the building, and after discussing several design details, the Board postponed the case, requesting redesign with particular attention to the street-facing west elevation.

The Applicant has now submitted revised drawings that reflect a few modifications to the design, as well as digital renderings, which capture the visual effects of the additions on the streetscape. The project is proposed as follows:

(1) Construct an addition and improvements to the rooftop level of the hotel. The Applicant requests an exception to exceed the maximum allowable height of 20'1", and exception criteria and responses were provided in the staff report. The Applicant proposes to build to a height of 56' in the central portion of the existing roof level. This massing will rise a maximum of 14' above the existing parapet and will be set back from the street-facing façade by more than 70'.

(2) The front (street-facing) third of the space will be used as an outdoor event space with tile decking, seating, an informal lobby area, elevator overrun, stairwell, and storage space. The seating area will be set back further from the front façade of the building than originally proposed. The Applicant redesigned the chimney structures that are prominent on the proposed design, such that the central chimneys have been consolidated, made more massive, and set back further from the front façade, resulting in better integration of the chimneys into the architectural features of the existing building. The side chimneys have also been made more massive and sculptural so as to blend better with the existing hotel. The seating area will feature a 12'8" high tan canopy situated on dark bronze tracks on which the canopy can be extended or retracted depending on weather. The canopy tracks have been redesigned to be seated on top of the three chimney structures at the west end of the seating area, and the space will be framed by 5' high stuccoed walls.

(3) The central third of the space will feature an enclosed lounge and bar with required back-of-the-house spaces, including kitchen and restrooms. The stuccoed massing will match the

Spanish-Pueblo Revival style of the hotel, and windows will match those that are featured elsewhere on the hotel. As stated above, the height of this massing will rise 14' above the existing parapet, resulting in a total height of 56'. Any rooftop appurtenances and skylights placed on the roof of this addition will not be publicly visible.

(4) The rear third of the space will include a rectangular pool and tile deck, set back approximately 4' from the edge of the building. The perimeter of the pool deck will be framed by 4' high stuccoed walls and a retractable tan canopy with dark bronze rails to a height of 12'8" above the existing parapet. The previously presented wood framed cabana structures have been modified to free-standing fabric structures. In this area, the chimneys have also been moved closer together from the previous design and incorporated into fewer, larger masses rather than having multiple smaller chimneys. A stairwell and mechanical and storage spaces will be located at the southeast corner of the pool deck, and the northwest corner of the pool deck will feature an outdoor fireplace and seating area.

FINDINGS OF FACT

After conducting a public hearing and having heard from the Applicant and all interested persons, the Board hereby FINDS, as follows:

1. Land Use Department Staff conducted a preliminary zoning review (PZR) and determined that the Application appears to meet the underlying zoning standards set forth in the Santa Fe City Code (SFCC).
2. Historic Preservation Division City staff reviewed the Application and related materials and information submitted by the Applicant for conformity with applicable SFCC requirements and provided the Board with a written report of its findings (Staff Report), which evaluates the factors relevant to the Application.
3. Historic Preservation Division Staff Recommendation: Staff found that the Applicant met the exception criteria and recommended approval of the proposed project because the application complies with SFCC Sections 14-5.2(D), General Design Standards for all Historic Districts; and 14-5.2(E), Downtown and Eastside Design Standards.
4. The project is subject to requirements of the following sections of the SFCC:
    - Section 14-5.2(D)(9), General Design Standards, Height Pitch Scale and Massing (of any structure);
    - Section 14-5.2(D), General Design Standards; and
    - Section 14-5.2(C), Regulation of Significant and Contributing Structures.
5. The property is located in the Downtown and Eastside Historic District and subject to the Section 14-5.2(E) of the SFCC.
6. Staff calculated the maximum allowable height to be 20'1", and the Applicant proposes to exceed this maximum allowable height.
7. Staff determined that an exception would be required for approval of the proposed height, and the Applicant requested an exception.
8. The Board finds that the Applicant has failed to demonstrate that all of the exception criteria have been met with regard to the proposed height of the three (3) front chimneys massings.

9. Pursuant to SFCC Section 14-5.2(C)(5)(c)(i), the Board finds that the proposed location and height of the three (3) front chimney massings would damage the character of the streetscape.
10. Pursuant to SFCC Section 14-5.2(C)(5)(c)(ii), the Board adopts staff's finding that a height exception is required to present a hardship to the applicant.
11. Pursuant to SFCC Section 14-5.2(C)(5)(c)(iii), the Board adopts staff's finding that a height exception is required to 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.
12. Pursuant to SFCC Section 14-5.2(C)(5)(c)(iv), the Board adopts staff's finding that a height exception is required 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.
13. Pursuant to SFCC Section 14-5.2(C)(5)(c)(v), the Board adopts staff's finding that a height exception is required due to special conditions and circumstances that are not a result of the actions of the Applicant.
14. Pursuant to SFCC Section 14-5.2(C)(5)(c)(vi), the Board finds that approving the proposed location and height of the three (3) front chimney massings would not provide the least negative impact with respect to the purposes of SFCC Section 14-5.2, as set forth in SFCC Section 14-5.2(A)(1).
15. The Board finds that the potential damage to the character of the streetscape and negative impacts with regard to the purposes of SFCC Section 14-5.2 would be minimized by ensuring that the three (3) front chimneys do not exceed the height of the existing chimneys.
16. Under SFCC Sections 14-2.6(C), 14-2.7(C)(2), 14-5.2(A)(1), 14-5.2(C)(2)(a-d & f), 14-5.2(C)(3)(a-b), and 14-5.2(D), the Board has authority to review, approve, with or without conditions, or deny, all or some of the Applicant's proposed design to assure overall compliance with applicable design standards.
17. Under SFCC Section 14-5.2(C)(3)(b), the Board has the authority to approve an application for alteration or new construction on the condition that changes relating to exterior appearance recommended by the Board be made in the proposed work, and no permit is to issue until new exhibits, satisfactory to the Board, have been submitted.
18. The information contained in the Application, and provided in testimony and evidence establishes that all applicable requirements for Board review as herein described have been met.
19. The information contained in the Application and provided in testimony and evidence establishes that all applicable design criteria have been met.

CONCLUSIONS OF LAW

Under the circumstances and given the evidence and testimony submitted during the hearing, the Board acted upon the Application as follows:

1. The Board has the authority to review and approve the Application.
2. The Board approves the Application and grants the requested height exception with the following conditions:

- the proposed three (3) front chimney massings shall be eliminated from the design, and the existing chimney stacks at the front west elevation shall remain in their current location and at their current height;
- the size of the event space shall be limited by the distance that the building code requires the space to be from the existing westernmost chimneys;
- Applicant shall submit new drawings to staff for approval before seeking permits.

IT IS SO ORDERED ON THIS 28th DAY OF April, 2020, BY THE HISTORIC DISTRICTS REVIEW BOARD OF THE CITY OF SANTA FE.

Cecilia Rios
Chairperson

5/8/20
Date:

FILED:

Yolanda Y. Vigil
City Clerk

5/8/20
Date:

APPROVED AS TO FORM:

Sally A. Paez
Assistant City Attorney

May 6, 2020
Date:

City of Santa Fe ITEM# _____
Governing Body
Findings of Fact and Conclusions of Law

Appeal No. 2020-2043-APPL
Appellant's Name – Rosewood Hotels
Address – 113 Washington Avenue

THIS MATTER came before the City of Santa Fe (City) Governing Body (Governing Body) for a public hearing on June 24, 2020 (Hearing) to consider the appeal (Appeal) of Rosewood Hotels (Appellant) from the written decision of the City's Historic Districts Review Board (Board) in Case No. 2019-1600-HDRB. In that decision, the Board imposed conditions on its approval of rooftop improvements at the Rosewood Inn of the Anasazi, located at 113 Washington Avenue, including a fifty-six foot (56') high addition, which exceeds the maximum allowable building height and would require an exception to the height limitations in the City's Historic Districts Ordinance. Appellant requested that the Governing Body remove the conditions of approval imposed by the Board, which concern the location and design of the proposed stuccoed chimney massings closest to the street-facing façade.

The record on appeal (Record) includes the following documents:

1. Memorandum dated June 15, 2020, for the June 24, 2020 Meeting of the Governing Body to the Members of the Governing Body from Sally A. Paez, Assistant City Attorney, regarding the Appellant's appeal from the Board's decision in Case No. 2019-1600-Board (Memorandum);
2. Exhibit A, Verified Appeal Petition (Petition) filed April 29, 2020;
3. Exhibit B, Board Findings of Fact and Conclusions of Law issued April 28, 2020 and filed by the City Clerk with the records of the City as Item #20-0218;
4. Exhibit C, relevant excerpts from the minutes of the April 28, 2020 Board meeting;
5. Exhibit D, relevant excerpts from the minutes of the March 10, 2020 Board meeting;
6. Exhibit E, Historic Preservation Division (HPD) Staff Report and Exhibits from the March 10, 2020 Board meeting;
7. Exhibit F, relevant excerpts from the minutes of the February 11, 2020 Board meeting;
8. Exhibit G, HPD Staff Report and Exhibits from the February 11, 2020 Board meeting;
9. Exhibit H, Application filed with the City Land Use Department (LUD) on January 15, 2020;
10. Appellant's Hearing Materials for the June 24, 2020 Hearing (totaling 12 pages).

After conducting a public hearing, the Governing Body hereby FINDS, as follows:

FINDINGS OF FACT

Background

1. The commercial building at 113 Washington Avenue was constructed sometime after 1945 in the Territorial Revival style and was originally known as the State Securities Building.
2. In 1989, the Rosewood Inn of the Anasazi substantially remodeled the building in the Spanish Pueblo Revival style for adaptive reuse as a hotel.
3. The building is located within the Downtown and Eastside Historic District and is listed as a "noncontributing structure."
4. SFCC Section 14-12.1 defines a "noncontributing structure" as a "structure, located in an H[istoric] district, that is less than fifty years old or that does not exhibit sufficient historic integrity to establish and maintain the character of the H[istoric] District."
5. The maximum allowable height at 113 Washington Avenue, as calculated pursuant to the City's Historic Districts Ordinance, is twenty feet, one inch (20'1"). *See generally* Santa Fe City Code (SFCC) § 14-5.2(D)(9) (height calculation).
6. The existing building height is forty-two feet (42').

Procedural History

7. On January 15, 2020, Appellant filed an Application with the HPD, requesting Board review and approval of a rooftop event space, bar, and swimming pool (Project).
8. The Project includes three main components: (1) an outdoor event space at the front one-third of the rooftop space (closest to Washington Avenue); (2) an enclosed bar and lounge addition in the middle one-third of the space; and (3) a pool and deck area at the rear one-third of the rooftop space.
9. The Project would include a rooftop addition built to a height of fifty-six feet (56').
10. LUD Staff conducted a preliminary zoning review (PZR) and determined that the Application appeared to meet the underlying zoning standards set forth in the SFCC.
11. HPD staff reviewed the Application and related materials and information submitted by the Applicant for conformity with applicable SFCC requirements and provided the Board with a written report of its findings (Staff Report), which evaluated the factors relevant to the Application.
12. Under SFCC Section 14-5.2(C)(5)(c), HPD staff is responsible for determining whether an exception is required for approval of an application.
13. HPD staff determined that approval of the Project would require an exception to exceed the maximum allowable height of 20'1".
14. Applicant requested a height exception in the Application.
15. To obtain a height exception, Appellant needed to conclusively demonstrate that all six of the exception criteria set forth in SFCC Section 14-5.2(C)(5)(c)(i)-(vi) had been met.
16. In the Staff Report, HPD staff recommended that the Board should grant the exception and approve the Project.

Board Decision

17. The Board held two public hearings on the application, on February 11, 2020 and March 10, 2020.
18. At the February 11, 2020 hearing, Board members expressed concerns about the proposed height and visibility of the rooftop additions, especially the increased height of the chimneys located closest to the street-facing façade, and suggested that the added height should be stepped-back farther from this façade.
19. SFCC Section 14-5.2(D)(9)(f) grants the Board authority to "require that upper floor levels be steeped back" to ensure that additional height on a building "is in harmony with the massing of the applicable streetscape and preservation of the historic and characteristic visual qualities of the streetscape."
20. At the February 11, 2020 hearing, the Board postponed a decision on the application and asked Appellant to provide additional information about the proposed additional height and to consider a redesign, based on the Board's input.
21. At the March 10, 2020 hearing, Appellant returned to the Board with revised drawings, which reflected a few modifications to the Project design, and digital renderings that better captured the visual effects of the additions on the streetscape.
22. At the March 10, 2020 hearing, the Board concluded that Appellant had failed to demonstrate that all six exception criteria set forth in SFCC Section 14-5.2(C)(5)(c) had been met with regard to the proposed location and height of the three chimney massings closest to the street-facing façade.
23. Specifically, the Board found "that the proposed location and height of the three front chimney massings would damage the character of the streetscape," *see* SFCC § 14-5.2(C)(5)(c)(i), and that the "proposed location and height of the three (3) front chimney massings would not provide the least negative impact with respect to the purposes of SFCC Section 14-5.2 [Historic Districts Ordinance], as set forth in SFCC Section 14-5.2(A)(1)," *see* SFCC § 14-5.2(C)(5)(c)(vi).
24. At the March 10, 2020 hearing, the Board granted the height exception and approved the Project subject to conditions of approval concerning the location and appearance of the chimneys (Chimney Conditions) as follows: (1) the proposed three front chimney massings shall be eliminated from the design, and the existing chimney stacks at the front west elevation shall remain in their current location and at their current height; (2) the size of the event space shall be limited by the distance that the building code requires the space to be from the existing westernmost chimneys; and (3) Appellant shall submit new drawings to staff for approval before seeking permits.
25. On April 28, 2020, the Board adopted written findings of fact and conclusions of law reflecting its decision, which are filed with the records of the City Clerk as Item #20-0218.
26. The Board approved the vast majority of the Project, including the enclosed bar and lounge, pool, and deck; and the Chimney Conditions will impact only a portion of the proposed event space.
27. The Board was aware of the building code requirements for the location and height of chimneys and took those requirements into account when imposing the Chimney Conditions.

Appeal to Governing Body

1. Under SFCC Section 14-3.17(A)(1)(b), final actions of a Land Use Board include a written decision made after a public hearing.
2. On April 29, 2020, Appellant timely filed a verified appeal petition, asking the Governing Body to remove the Chimney Conditions from the Project approval.
3. The Appellant provided notice of the Hearing in accordance with the notice provisions of SFCC Section 14-3.1(H)(4).
4. Under SFCC Section 14-3.17(H)(4), Appellant has the burden of proof on appeal.
5. Under SFCC Section 14-2.2(F), the Governing Body hears and decides appeals of final actions of any Land Use Board de novo.
6. At the Hearing, the Governing Body reviewed the Record and heard the report of City staff and the presentations made by Appellant's representatives and interested members of the public.
7. SFCC Section 14-3.17(A)(2) sets forth the valid grounds for an appeal of a Board decision and provides that an appeal may be filed for one or more of the following reasons only: (1) the Board's final action does not comply with SFCC Chapter 14 or the Zoning Enabling Act, NMSA 1978, Sections 3-21-1 to -14; (2) the Board misapplied SFCC Chapter 14; or (3) the Board's decision is not supported by substantial evidence.
8. In this case, Appellant raised two issues on appeal: (1) the Chimney Conditions would put people on the rooftop patio at risk of breathing smoke; would make portions of the patio dangerous, uninviting, or unusable; and would decrease the aesthetic appeal of the design; and (2) the Board exceeded its authority under the Historic Districts Ordinance when it imposed the Chimney Conditions.

CONCLUSIONS OF LAW

Under the circumstances and based upon the record and the evidence and testimony submitted at the hearing, the Governing Body CONCLUDES as follows:

1. The Governing Body has the power and authority to hear and decide the matter that is the subject of the Appeal.
2. The Board decision issued April 28, 2020 is a final action subject to appeal.
3. Appellant timely appealed the Board's decision to the Governing Body.
4. The first issue Appellant raised on appeal, that the Chimney Conditions would put people on the rooftop patio at risk of breathing smoke; would make portions of the patio dangerous, uninviting, or unusable; and would decrease the aesthetic appeal of the design, fails to identify a valid basis for appeal under SFCC Section 14-3.17(A)(2).
5. The second issue Appellant raised on appeal, that the Board lacked authority to impose the Chimney Conditions, lacks merit because Board had authority under the SFCC to approve, with or without conditions, or to deny part or all of the proposed design to assure compliance with applicable design standards, including the exception criteria.
6. Under SFCC Section 14-5.2(C)(3)(b), the Board had the authority to approve the Application on the condition that changes relating to exterior appearance be made in the proposed work.

7. On appeal, Appellant failed to carry the burden of conclusively demonstrating that the proposed design of the three front chimney massings met the exception criteria set forth in SFCC Section 14-5.2(C)(5)(c)(i) (does not damage the character of the streetscape) and (vi) (provides the least negative impact with respect to the purposes of the Historic Districts Ordinance).
8. The Governing Body voted to deny the appeal and to affirm the Board's final action, with a vote of six (6) in the affirmative and three (3) in the negative, with Mayor Alan Webber, Councilor Roman Abeyta, and Councilor JoAnne Vigil Coppler voting in favor of Appellant.

WHEREFORE, IT IS ORDERED ON THE 8TH OF JULY, 2020 BY THE GOVERNING BODY OF THE CITY OF SANTA FE:

Considering the foregoing findings and conclusions, the Governing Body denies the appeal and approves the Project, subject to the conditions of approval imposed by the Board.

_____ _____
Alan M. Webber Date
Mayor

FILED WITH THE CITY CLERK:

_____ _____
Yolanda Y. Vigil Date
City Clerk

APPROVED AS TO FORM:

_____ Jun 30, 2020
Erin K. McSherry Date
City Attorney

ARCHITECTURE
MARTINEZ STUDIO PC
TEL (505) 989-4958 MAIL: P O BOX 925 SANTA FE NM 87504
1524 PASEO DE PERALTA —— STUDIO@MARTINEZARCH.COM

September 1, 2020

RE: 113 Washington Avenue
Case # 2019-001600, Case #2020-002548-HDRB

The application from MASPC was approved with conditions on March 10, 2020 (the letter from the HDRB regarding the meeting of March 10, 2020 is attached.) We are now submitting changes to the approved drawings dated March 2, 2020. The new drawings are dated September 1, 2020.

We have revised the design to comply with the following conditions of approval:

> "1) ***That the front (westernmost) three chimney massing shall be eliminated from the design and that the existing westernmost chimney stacks shall remain their existing locations and at their current heights;"***

The existing westernmost chimneys are labeled on the floor plan. The smaller chimneys near the front parapet are from the existing rooms and the bar below, and the larger chimney in middle of roof deck is from the fireplace in the lobby.

> ***"2) That the size of the event space shall be limited by the distance that the building code requires the space to be from the existing westernmost chimneys;"***

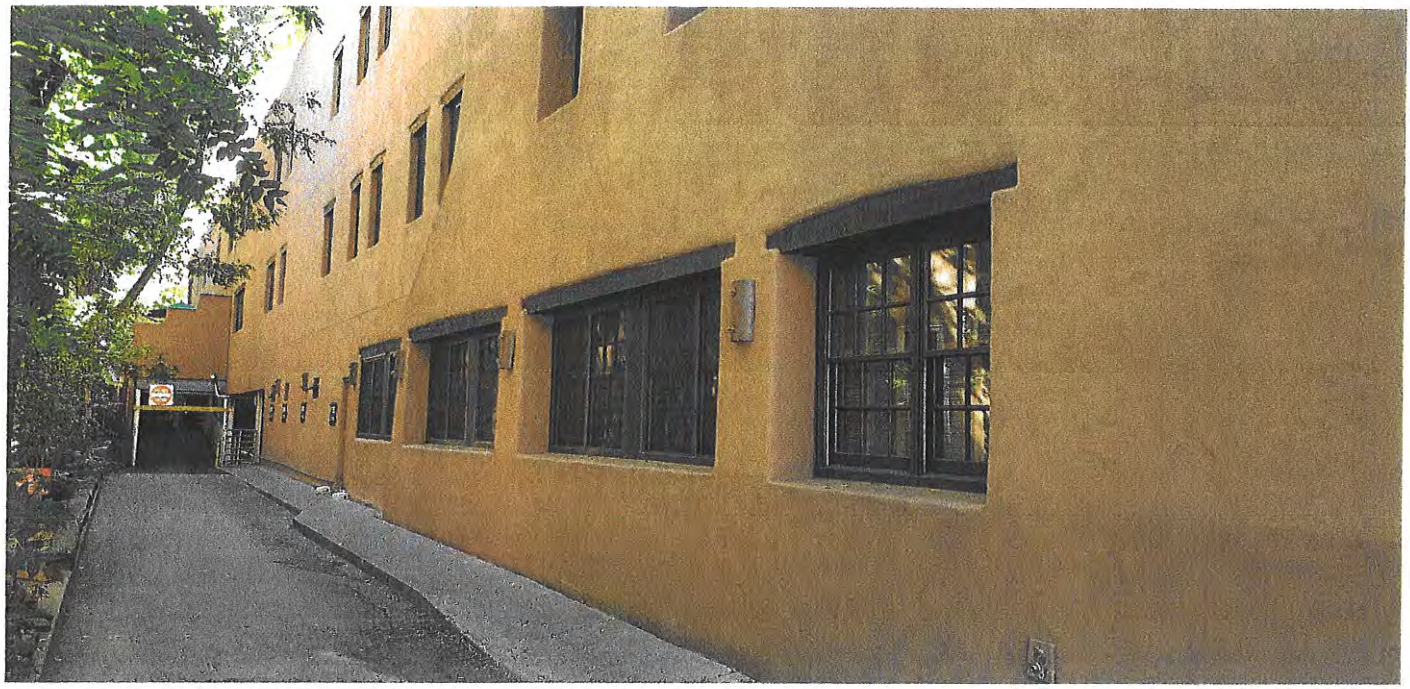
We have moved the event space deck back to accommodate the existing flues. The event space deck has been moved back by 10 feet at the sides, and back 16 feet at the center of the roof deck near the existing lobby chimney flue, and we added a fireplace to block the resulting view of the lobby flue.
The event space must accommodate 120 people, so we moved the Bar/Lounge mass back one column bay, making the pool deck area 16 feet shorter. That meant we needed to make the pool smaller. Because certain elements on the existing roof did not move (elevators, flues, access stairs, etc.), we had to make the following changes:
The windows of the Bar/Lounge are relocated to avoid existing flues and are lengthened and given railings so they match the existing windows on the street (west facade). The moveable canopy and its structure over the pool is eliminated. The moveable canopy and its structure over the event area is eliminated and replaced with an open trellis made of dark bronze colored metal posts and beams, natural stained wood lattices with rust colored cut metal panels between the wood lattice sections. (See attachments A & B).
We also don't show any permanent roof structure over the cabanas because they will no longer have any, they are only furniture.

> ***"3) That the applicant shall provide revised drawings to staff for review that conditions have been met."***

These drawings now submitted, show that we have met all the conditions required by the HDRB. Please note that the west facade looks very similar to the old drawings, because it consists of some of the same elements to the same heights, they are simply moved further back which doesn't show in this elevation.

Richard Martinez

RECEIVED
SEP - 2 2020
BY:



NORTH ELEVATION

NORTH ELEVATION

MARTINEZ
ARCHITECTURE
STUDIO PC
1524 PASEO DE PERALTA SANTA FE
505-989-4958 studio@martinezarch.com

INN OF THE ANASAZI
113 WASHINGTON AVENUE
SANTA FE, NEW MEXICO

JANUARY 13, 2020

NORTH ELEVATION

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NORTH ELEVATION

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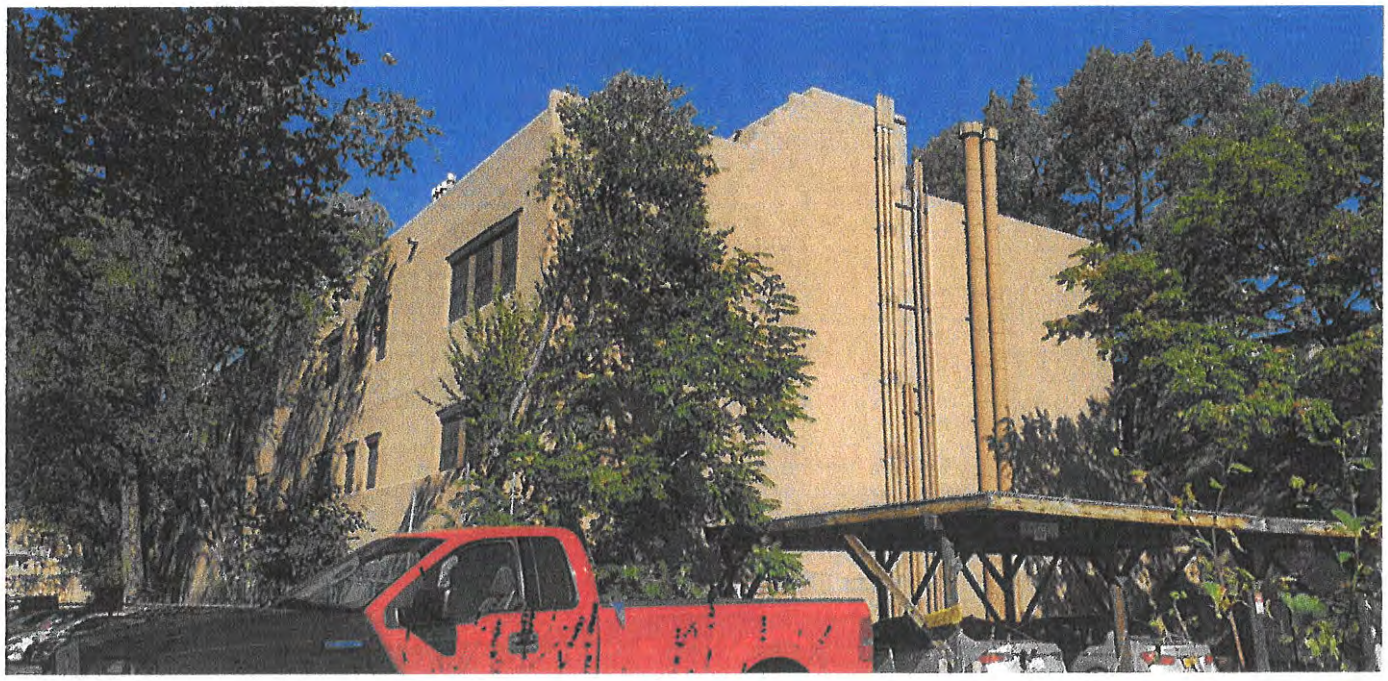
SANTA FE, NEW MEXICO

JANUARY 13, 2020

EAST ELEVATION

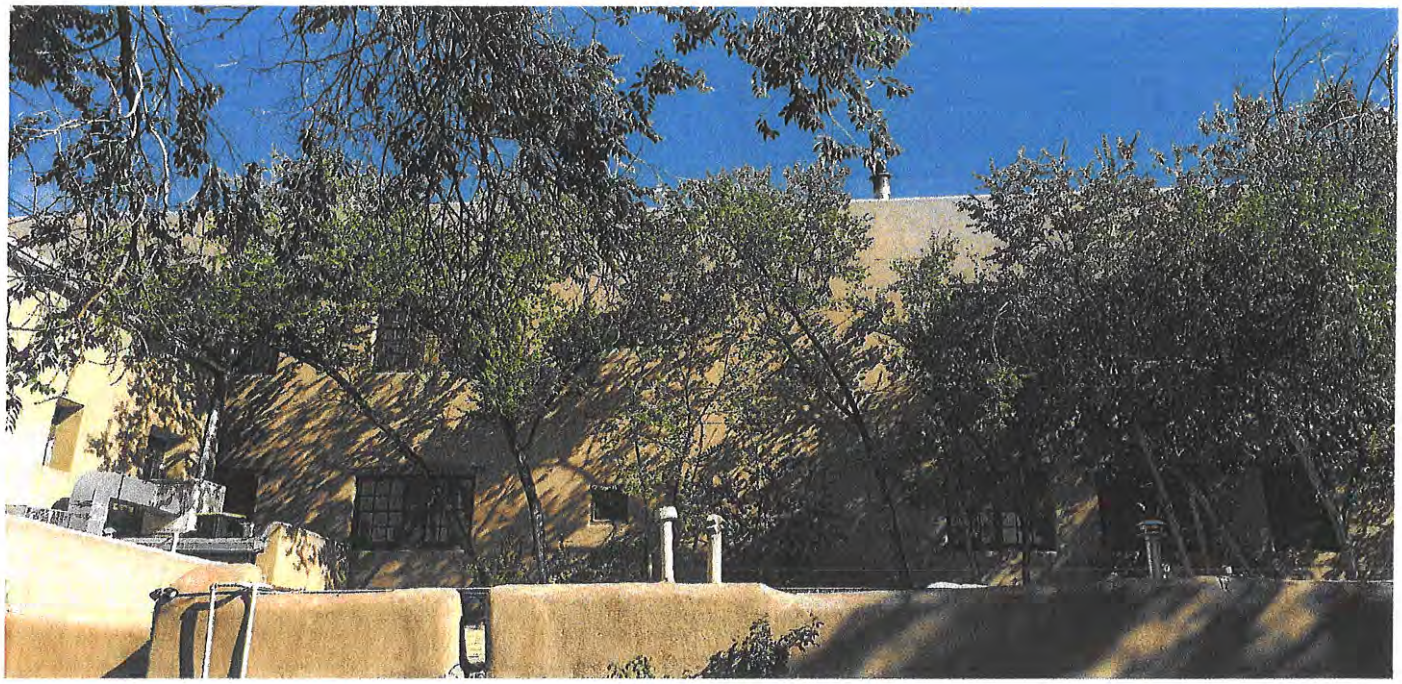


EAST ELEVATION

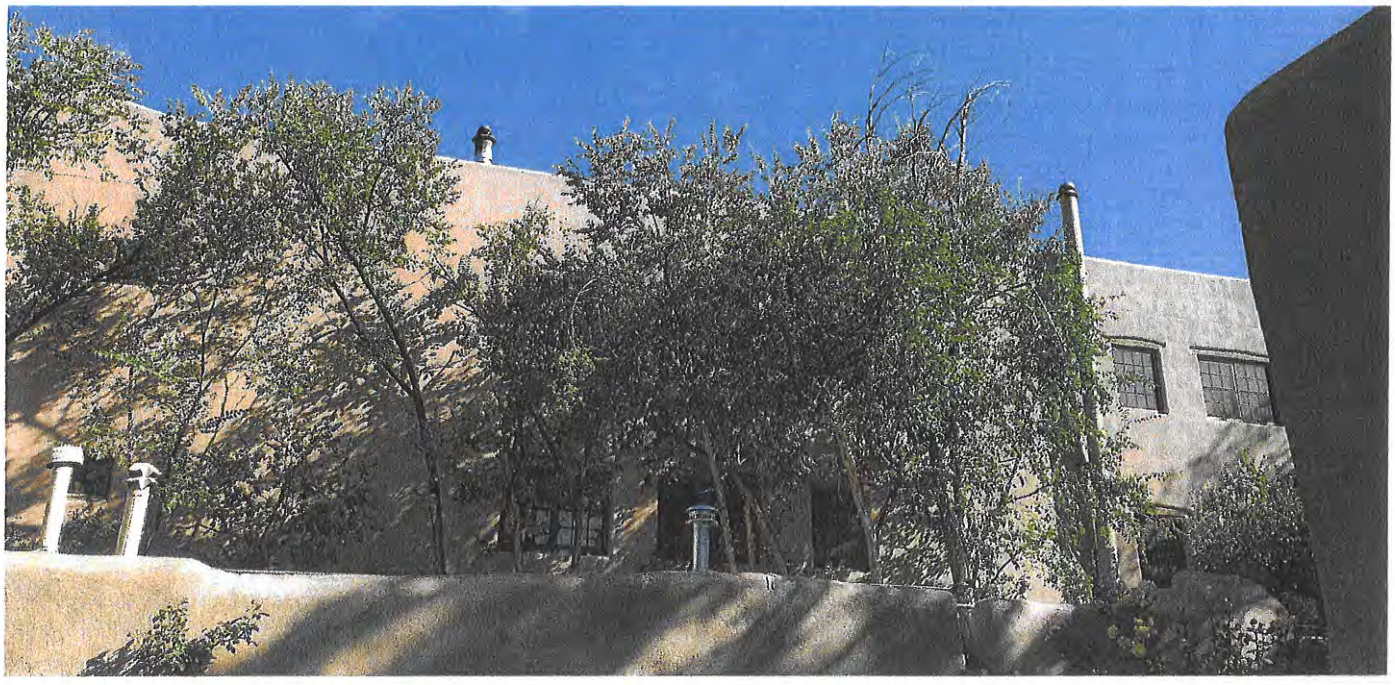
MARTINEZ
ARCHITECTURE
STUDIO PC
1524 PASEO DE PERALTA SANTA FE
505-989-4958 studio@martinezarch.com

INN OF THE ANASAZI
113 WASHINGTON AVENUE
SANTA FE, NEW MEXICO

JANUARY 13, 2020



SOUTH ELEVATION



SOUTH ELEVATION

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1524 PASEO DE PERALTA SANTA FE
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INN OF THE ANASAZI
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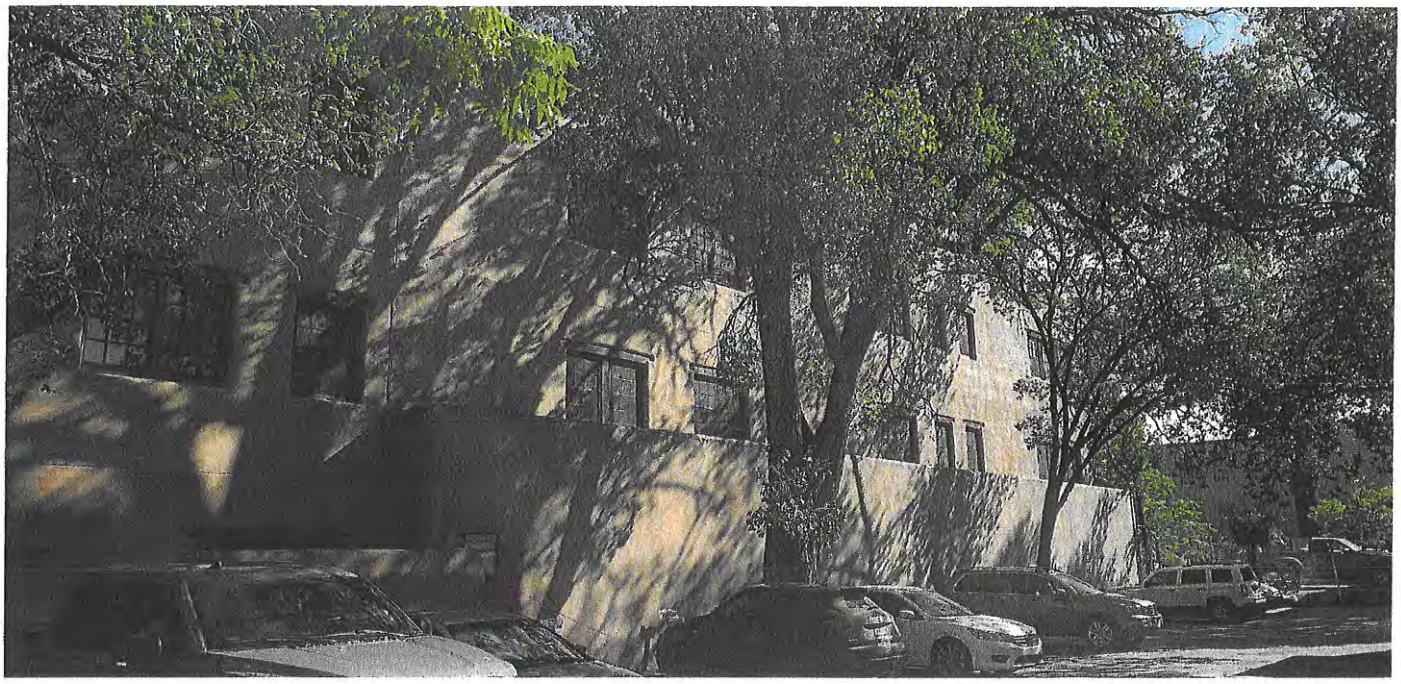
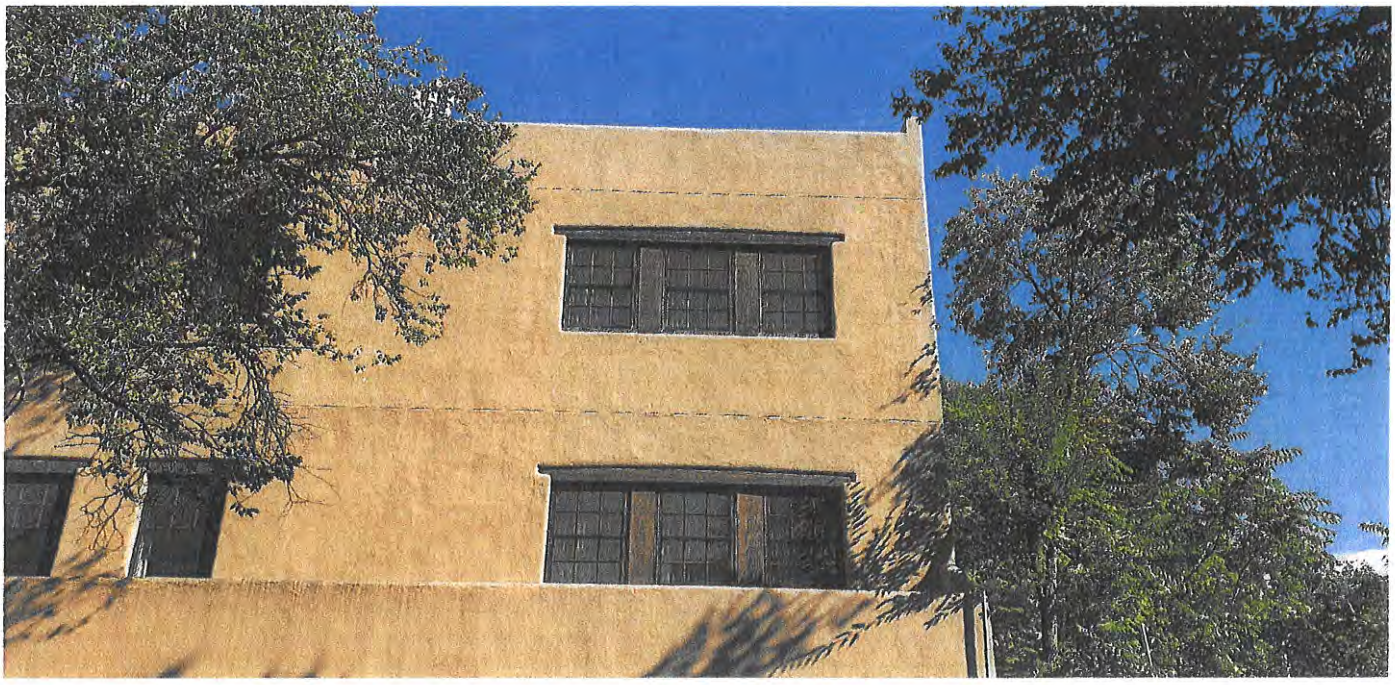
JANUARY 13, 2020



SOUTH ELEVATION



SOUTH ELEVATION

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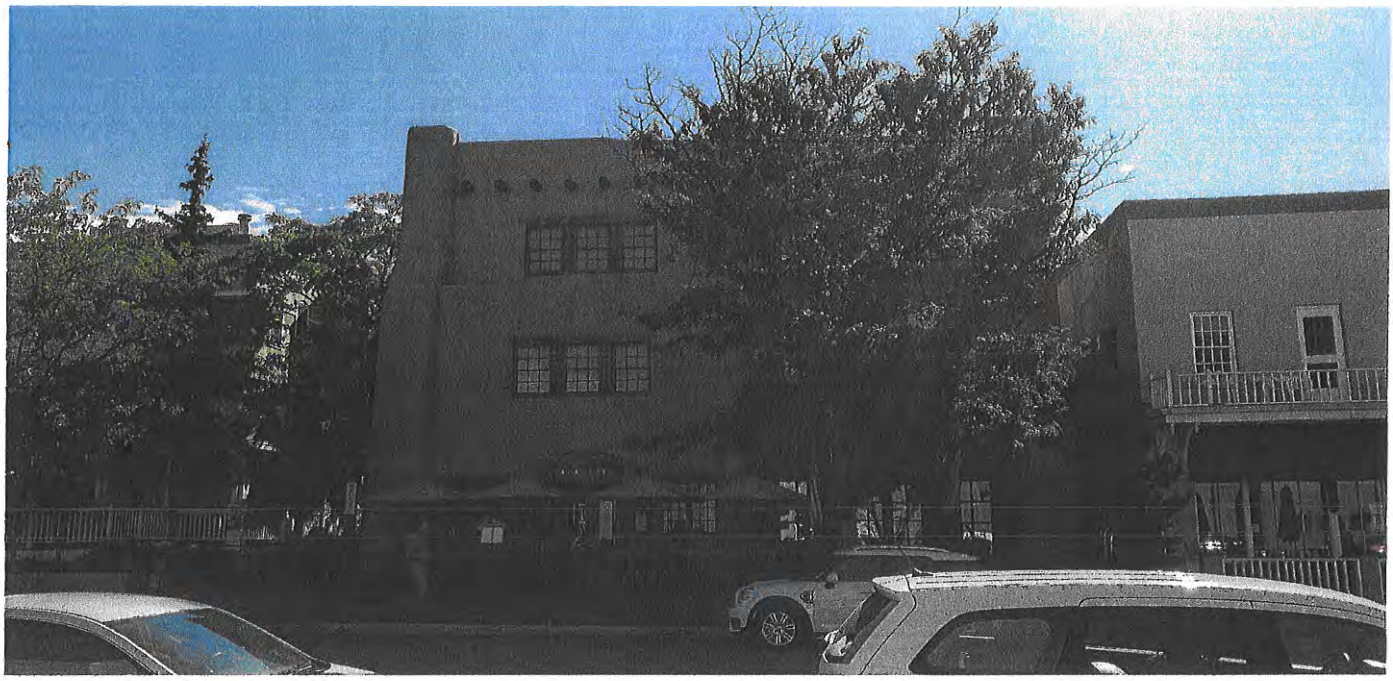
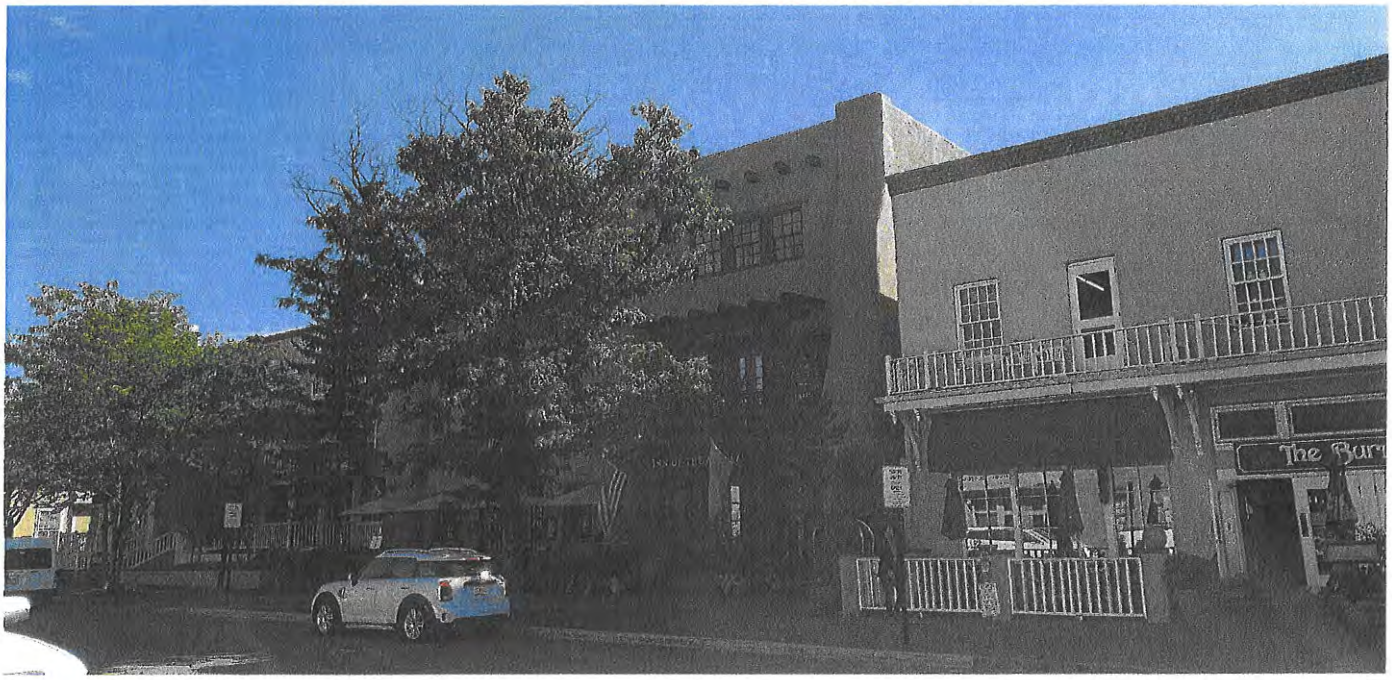
SANTA FE, NEW MEXICO

JANUARY 13, 2020



WEST ELEVATION



WEST ELEVATION

MARTINEZ
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1524 PASEO DE PERALTA SANTA FE
505-989-4958 studio@martinezarch.com

INN OF THE ANASAZI
113 WASHINGTON AVENUE
SANTA FE, NEW MEXICO

JANUARY 13, 2020

City of Santa Fe, New Mexico

200 Lincoln Avenue, P.O. Box 909, Santa Fe, N.M. 87504-0909
www.santafenm.gov

Alan Webber, Mayor

Councilors:
Signe I. Lindell, Mayor Pro Tem, District 1
Renee Villarreal, District 1
Michael J. Garcia, District 2
Carol Romero-Wirth, District 2
Roman "Tiger" Abeyta, District 3
Chris Rivera, District 3
Jamie Cassutt-Sanchez, District 4
JoAnne Vigil Coppler, District 4

PROJECT DESCRIPTION: Martinez Architecture Studio, agent for Rosewood Inn of the Anasazi, owner, proposes to construct a 3,078 sq. ft. fourth floor addition to a height of 56'0" with a pool and dining area. An exception is requested to exceed the maximum allowable height of 20'1" (Section 14-5.2(D)(9)).

Case number: **2019-001600-HDRB**
Project Type: HDRB

PROJECT LOCATION (S): 113 Washington Avenue

OW – Rosewood Inn of the Anasazi	113 Washington Avenue	Santa Fe, NM 87501
AP – Martinez Architecture Studio PC	P.O. Box 925	Santa Fe, NM 87504

BOARD ACTION

This is to certify that the Historic Districts Review Board (HDRB) acted on your request at their hearing on March 10, 2020. The decision of the Board was to approve the project, having found that the criteria for a height exception have been met, with the following conditions: 1) that the front (westernmost) three chimney massings shall be eliminated from the design and that the existing westernmost chimney stacks shall remain in their existing locations and at their current heights; 2) that the size of the event space shall be limited by the distance that the building code requires the space to be from the existing westernmost chimneys; and 3) that the applicant shall provide revised drawings to staff for review that conditions have been met. For further information please call 955-6605.

Sincerely,

Lisa Roach

Lisa Gavioli Roach
Planner Manager, Historic Preservation Division

NOTE: Applicant can use this action letter to apply for construction permit, but the permit shall not be released until the end of the appeal period which starts on the date of filing of the Findings and Conclusions in the City Clerk's office (SFCC 14-3.17(D)). Your permit will be denied if any changes on plans that were not approved by the HDRB or if conditions of approval are not met. **Please attach copies of this letter to all sets when submitting for construction permits.**

ATTACHMENT "A"

ATTACHMENT "B"

MARTINEZ
ARCHITECTURE
STUDIO PC
1524 PASEO DE PERALTA SANTA FE
505-989-4958 studio@martinezarch.com

INN OF THE ANASAZI
113 WASHINGTON AVENUE
SANTA FE, NEW MEXICO

SEPTEMBER 1, 2020
ATTACHEMENTS "A" & "B"

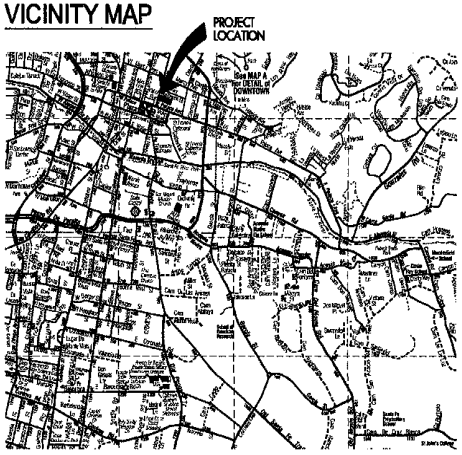
INN OF THE ANASAZI ROOFTOP PROJECT

113 WASHINGTON AVENUE
SANTA FE NEW MEXICO 87505

MARTINEZ ARCHITECTURE STUDIO P.C.

1524 PASEO DE PERALTA

VICINITY MAP



DIRECTIONS TO SITE:

FROM 200 LINCOLN AVE. HEAD SOUTH ON LINCOLN AVE. TOWARD W. MARCY ST.
TURN LEFT ONTO W. MARCY ST. TURN RIGHT ONTO WASHINGTON AVE.
DESTINATION WILL BE ON THE LEFT @ 113 WASHINGTON AVE.

PROJECT DATA

SCOPE OF WORK:	NEW ROOFTOP EVENT SPACE, BAR & SWIMMING POOL
BUILDING TYPE:	HOTEL
CONSTRUCTION TYPE: (IBC SECTION 602)	V-B

NET AREAS (EXISTING):

SUB-BASEMENT	7,576 S.F.
BASEMENT	2,738 S.F.
LOWER LEVEL PARKING	7,576 S.F.
1ST FLOOR	15,612 S.F.
2ND FLOOR	15,640 S.F.
3RD FLOOR	14,300 S.F.
EXISTING ROOFED AREA	15,640 S.F.

NET AREAS (PROPOSED)

4TH FLOOR (HEATED)	4,892 S.F.
4TH FLOOR (UNHEATED)	6,591 S.F.

NO NEW ROOFED AREA PROPOSED

LOT AREA:	19,655 S.F.
LOT COVERAGE:	EXISTING = 78.6% PROPOSED = 78.6%
ZONING:	BCD-MAR
HISTORIC DISTRICT:	DOWNTOWN & EASTSIDE
HISTORIC STATUS:	NON-CONTRIBUTING

DRAWING INDEX

A-0.1	COVER SHEET & PROJECT DATA
A-1.0	APPROVED & PROPOSED SITE PLAN
A-2.0	APPROVED & PROPOSED FLOOR PLAN
A-3.1	APPROVED & PROPOSED NORTH ELEVATION
A-3.1	APPROVED & PROPOSED EAST ELEVATIONS
A-3.2	APPROVED & PROPOSED SOUTH ELEVATION
A-3.3	APPROVED & PROPOSED WEST ELEVATION

GENERAL NOTES

1. THE CONTRACTOR SHALL CHECK AND VERIFY ALL DIMENSIONS AND REPORT DISCREPANCIES TO THE ARCHITECT BEFORE PROCEEDING WITH THE WORK.

2. UNLESS NOTED OTHERWISE, ALL WORK AND MATERIALS SHALL BE PROVIDED AND INSTALLED BY THE CONTRACTOR.

3. ALL CONSTRUCTION SHALL COMPLY WITH THE MOST RECENTLY ADOPTED APPLICABLE CODES: 2015 NM COMMERCIAL BUILDING CODE (IBC AS AMENDED), 2015 NM RESIDENTIAL CODE (IRC AS AMENDED), 2015 NM EXISTING BUILDING CODE (IEBC AS AMENDED), 2012 NM PLUMBING CODE (UPC AS AMENDED), 2012 NM MECHANICAL CODE (UMC AS AMENDED), 2017 NM ELECTRICAL CODE (NEC AS AMENDED), 2012 NM ELECTRICAL SAFETY CODE (NESC AS AMENDED), 2015 NM HISTORIC EARTHEN BUILDINGS CODE, 2015 NM EARTHEN BUILDING MATERIALS CODE, 2009 NM NON-LOAD BEARING BALED STRAW CONSTRUCTION BUILDING CODE, 2009 NM ENERGY CONSERVATION CODE (ECC AS AMENDED), 2012 NM SWIMMING POOL, SPA AND HOT TUB CODE PHASE III (USPSHTC AS AMENDED), 2012 NM SOLAR ENERGY CODE (USEC AS AMENDED), 2009 INTERNATIONAL FIRE CODE AND CITY OF SANTA FE IFC AMENDMENTS. CODE COMPLIANCE SHALL BE THE RESPONSIBILITY OF THE GENERAL CONTRACTOR.

4. ALL DRAWINGS ARE THE PROPERTY OF MARTINEZ ARCHITECTURE STUDIO P.C. AND MUST BE RETURNED AT THE COMPLETION OF WORK. THEY SHALL NOT BE REPRODUCED, MODIFIED OR REVISED IN ANY WAY WITHOUT THE WRITTEN CONSENT FROM, AND PROPER COMPENSATION TO THE ARCHITECT. THE ARCHITECT SHALL PROTECT HIS RIGHT AND BE REIMBURSED FOR ALL LEGAL AND COURT COST ETC., FOR ANY NECESSARY PROTECTION OF THE DRAWINGS. SUBMISSION OF THESE DRAWINGS TO ANY PUBLIC BODY FOR ANY USE DOES NOT RELEASE IN ANY WAY THE COPYRIGHT AND OWNERSHIP OF DRAWINGS/SPECIFICATIONS PROVISIONS LISTED HEREIN.

DESIGN PROFESSIONALS

ARCHITECT
Richard Martinez
MARTINEZ ARCHITECTURE STUDIO P.C.
P.O. Box 925 Santa Fe, NM 87504
(505) 989-4958, Fax (505) 989-8833

MARTINEZ ARCHITECTURE STUDIO PC
1524 PASEO DE PERALTA, SANTA FE
505.989.4958 STUDIO@MARTINEZARCH.COM

INN OF THE ANASAZI
113 WASHINGTON AVENUE
SANTA FE, NEW MEXICO

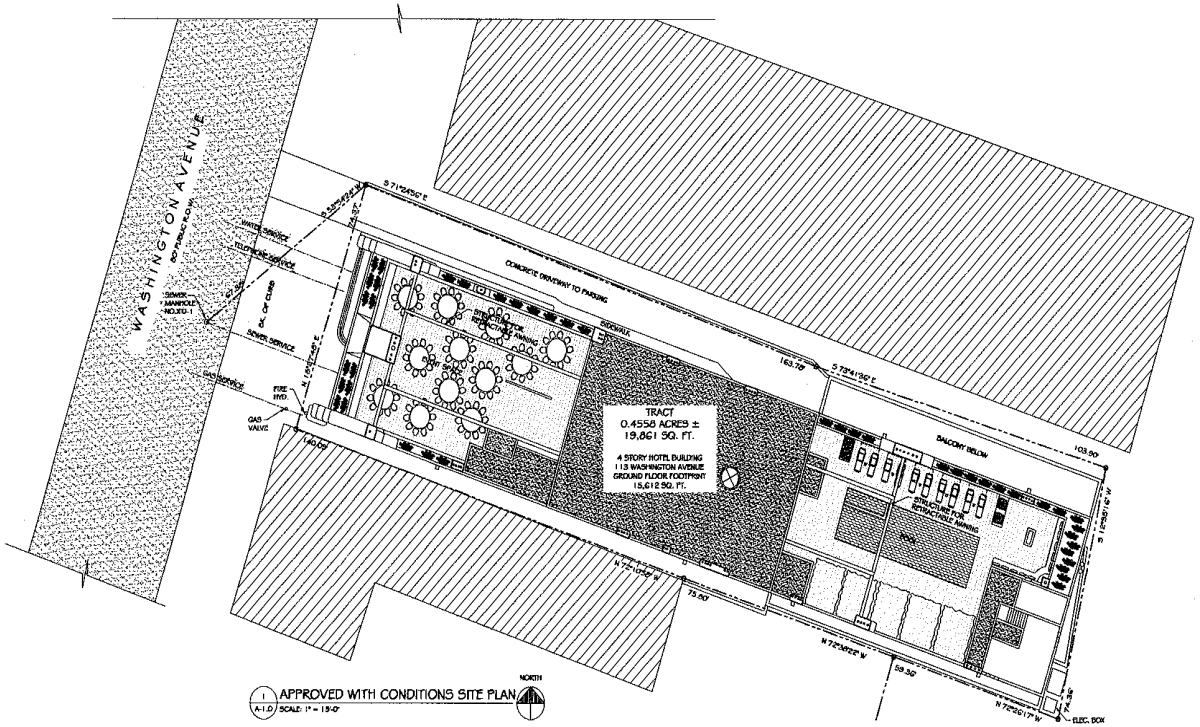
SEPTEMBER 1, 2020

COVER SHEET & PROJECT DATA

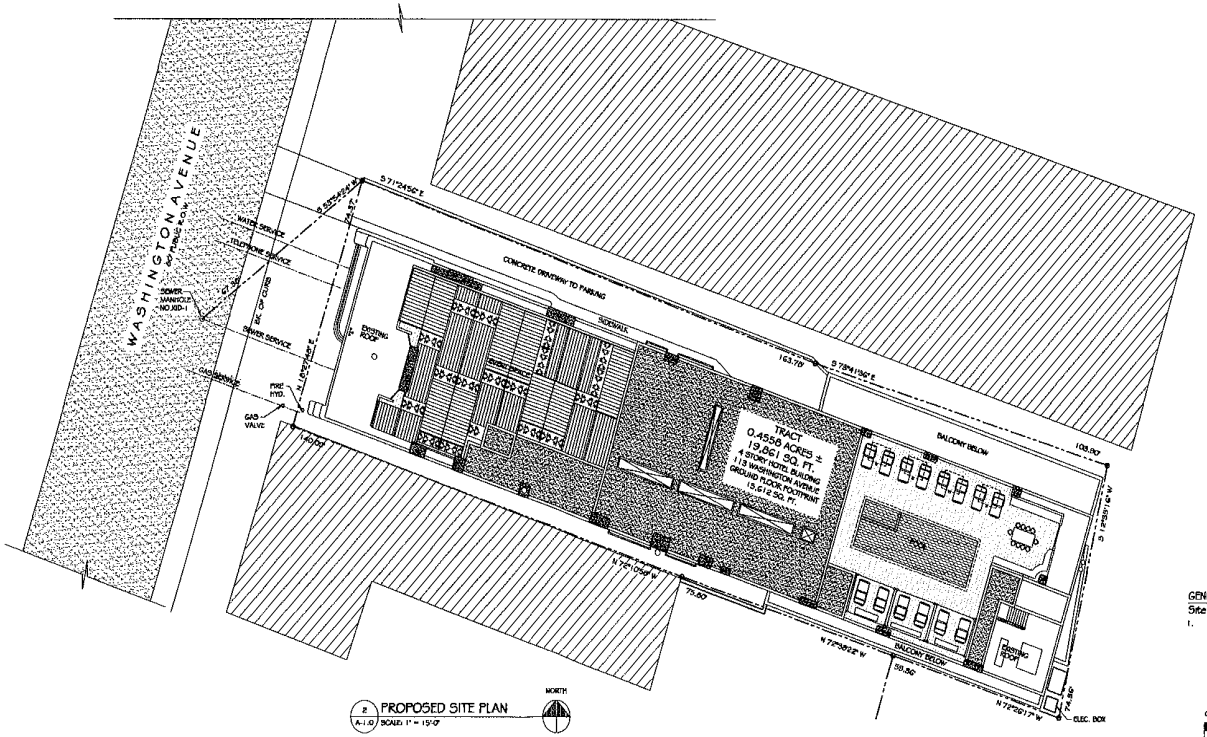
A 0.1

SET #

1804 - ANASAZI



1 APPROVED WITH CONDITIONS SITE PLAN
A-1.0 SCALE: 1" = 15'-0"



2 PROPOSED SITE PLAN
A-1.0 SCALE: 1" = 15'-0"

GENERAL NOTES:

Site Plan

1. THE SITE SURVEY INFORMATION ON THIS SITE PLAN WAS TAKEN FROM A PLAT PREPARED JULY 18, 2005 BY: PHILLIP B. WEGGE, N.M.P.S. #9750 DBS RID SURVEYS, INC. PO BOX 22773 SANTA FE, NEW MEXICO 87505

GRAPHIC SCALE: 1" = 15'-0"

0' 15' 30' 45'

MARTINEZ ARCHITECTURE STUDIO PC
1424 PASEO DE PERALTA, SANTA FE
505-988-4868 STUDIO@MARTINEZARCH.COM

INN OF THE ANASAZI
113 WASHINGTON AVENUE
SANTA FE, NEW MEXICO

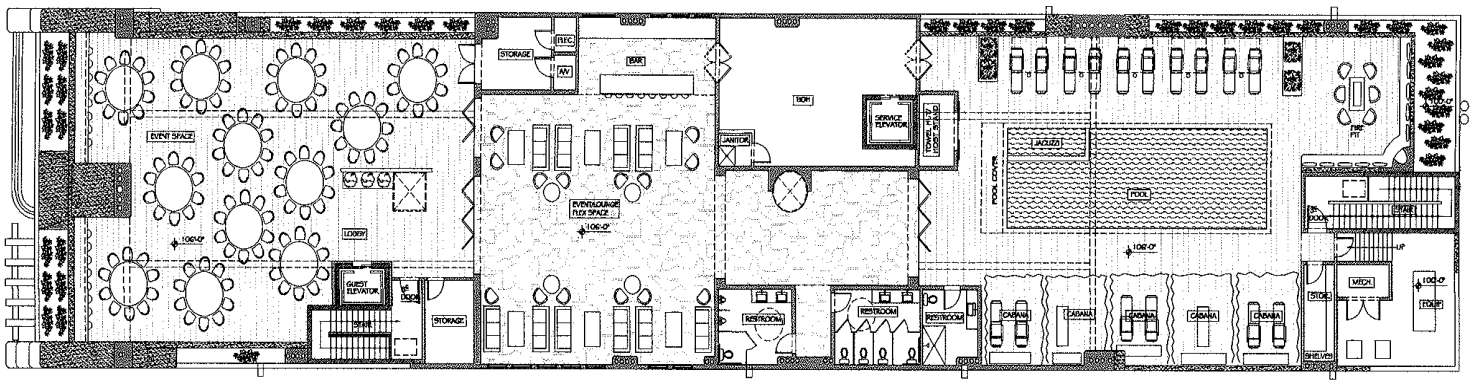
SEPTEMBER 1, 2020

APPROVED & PROPOSED SITE PLANS

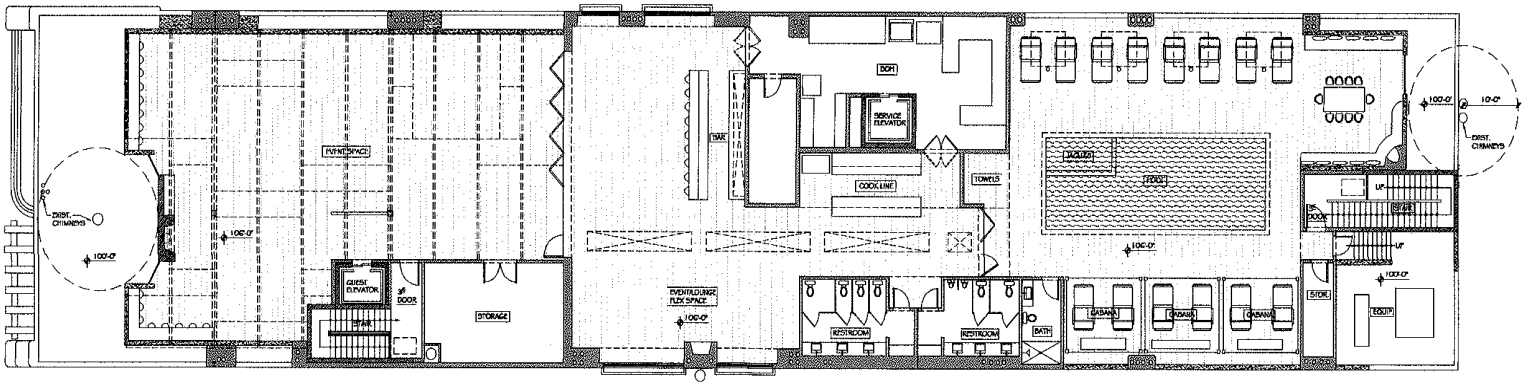
A 1.0

SET #

1904 - ANASAZI



1 A-2.0 APPROVED WITH CONDITIONS FLOOR PLAN
SCALE: 1/8" = 1'-0"



1 A-2.0 PROPOSED FLOOR PLAN
SCALE: 1/8" = 1'-0"

GRAPHIC SCALE: 1/8" = 1'-0"
0' 4' 8' 16' 24'

MARTINEZ ARCHITECTURE STUDIO PC
1824 PASEO DE PERALTA, UNIT A-1E
505-988-4668 STUDIO@MARTINEZARCH.COM

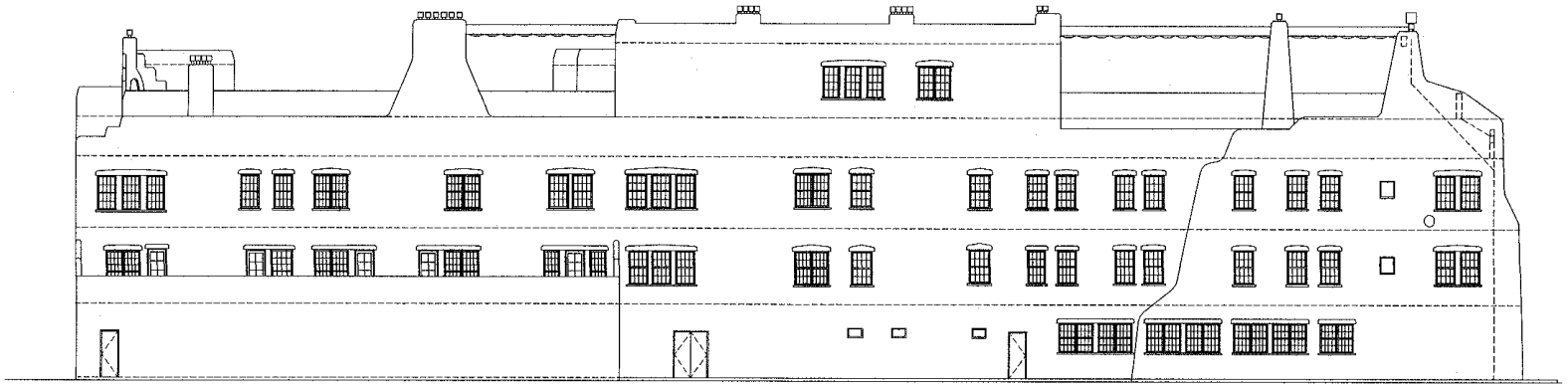
INN OF THE ANASAZI
113 WASHINGTON AVENUE
SANTA FE, NEW MEXICO

SEPTEMBER 1, 2020

APPROVED & PROPOSED FLOOR PLAN

A 2.0

SET #
1904 - ANASAZI



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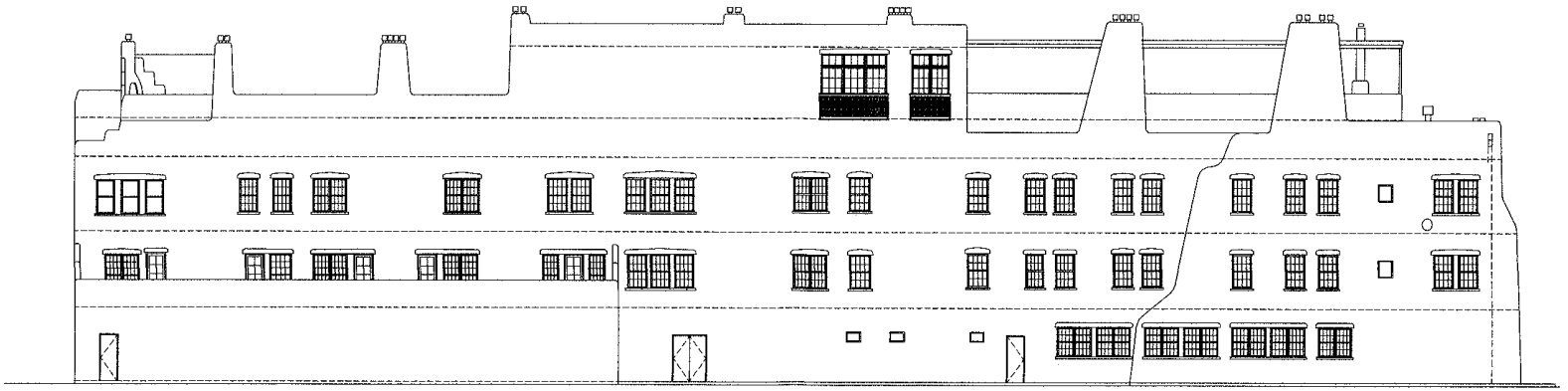


2 / A-3.0 PROPOSED NORTH ELEVATION
SCALE: 1/8" = 1'-0"

GRAPHIC SCALE: 1/8" = 1'-0"
0 4' 8' 16' 24'

MARTINEZ ARCHITECTURE STUDIO PC
1524 PASEO DE PERALTA, SANTA FE
505.982.8828 STUDIO@MARTINEZARCH.COM

INN OF THE ANASAZI
113 WASHINGTON AVENUE
SANTA FE, NEW MEXICO

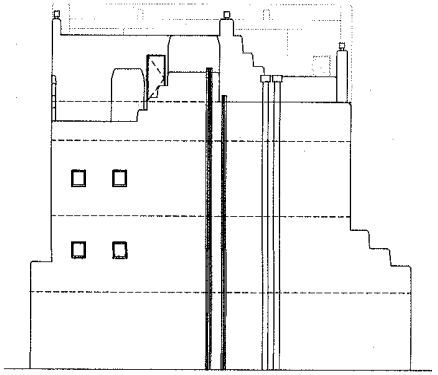
SEPTEMBER 1, 2020

APPROVED & PROPOSED NORTH ELEVATION

A
3.0

SET #

1904 - ANASAZI



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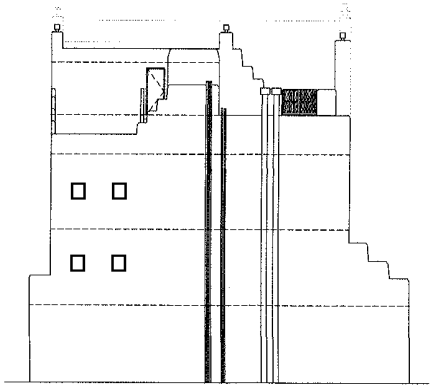
SCALE: 1/8" = 1'-0"



2 / A-3.1 PROPOSED EAST ELEVATION
SCALE: 1/8" = 1'-0"

GRAPHIC SCALE: 1/8" = 1'-0"
0' 4' 8' 16' 24'

MARTINEZ ARCHITECTURE STUDIO PC
1924 PASEO DE PERALTA SANTA FE
505.983.4888 STUDIO@MARTINEZARCH.COM

INN OF THE ANASAZI
113 WASHINGTON AVENUE
SANTA FE, NEW MEXICO

SEPTEMBER 1, 2020

APPROVED & PROPOSED EAST ELEVATION

A 3.1

SET #

1904 - ANASAZI

1 A-3.2 APPROVED WITH CONDITIONS SOUTH ELEVATION
SCALE: 1/8" = 1'-0"

2 A-3.2 PROPOSED SOUTH ELEVATION
SCALE: 1/8" = 1'-0"

GRAPHIC SCALE: 1/8" = 1'-0"
0' 4' 8' 16' 24'

MARTINEZ ARCHITECTURE STUDIO PC
1824 PASEO DE PERALTA SANTA FE
505-983-9868 STUDIO@MARTINEZARCH.COM

INN OF THE ANASAZI
113 WASHINGTON AVENUE
SANTA FE, NEW MEXICO

SEPTEMBER 1, 2020

APPROVED & PROPOSED SOUTH ELEVATION

A 3.2

SET #

1904 - ANASAZI

1 / A-3.3 APPROVED WITH CONDITIONS WEST ELEVATION
SCALE: 1/8" = 1'-0"

2 / A-3.3 PROPOSED WEST ELEVATION
SCALE: 1/8" = 1'-0"

GRAPHIC SCALE: 1/4" = 1'-0"
0' 2' 4' 8' 12'

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1824 PASEO DE PERALTA SANTA FE
505-988-9868 STUDIO@MARTINEZARCH.COM

INN OF THE ANASAZI
113 WASHINGTON AVENUE
SANTA FE, NEW MEXICO

SEPTEMBER 1, 2020

APPROVED & PROPOSED WEST ELEVATION

A
3.3

SET #

1904 - ANASAZI

October 20, 2020
Board Of Adjustment
Case #2020-2494 & 2020-2638
113 Washington Avenue
Variances

EXHIBIT

G

Applicant Material

LIAISON Planning Services Inc.

P.O. Box 1835 Santa Fe, NM 87504 (505) 920-6839 liaisonplanning@gmail.com

August 17, 2020

Mr. Daniel Esquibel, Senior Planner
City of Santa Fe, Land Use Department.
909 Lincoln Avenue
Santa Fe, NM 87501

Re: Board of Adjustment Application
Height and Setback Variances for the Inn of the Anasazi
113 Washington Avenue, Santa Fe NM

Dear Mr. Esquibel,

The property owners for the above referenced address, are requesting approval for height and setback variances. The height requested has been approved by the Historic Review District Board and the City County pursuant to a "Height Exception" request in Case No. _____. The underlying zoning in the BCD limits the height of structures to 42 feet. This building already exceeds that height as a legally non-conforming use. In order to avoid becoming obsolete as a luxury hotel in downtown Santa Fe, the owner proposes to add roof top amenities that exist on all other luxury hotels in the downtown area, i.e., La Fonda Hotel, The Drury, and the El Dorado Hotel. Without a variance, no additions to the rooftop can be made.

The applicant is proposing an increase in height from existing 42' to 56'. The request is to allow a rooftop swimming pool/ event space/ bar/ covered retractable canopy/ restrooms/ janitor storage rooms/ guest elevator and stairs. The property is zoned BCD-MAR and is approximately 19,861 sq. ft. Please see enclosed site plan that delineates what is proposed.

The variance criteria are as follows:

(C) Approval Criteria Subsections 14-3.16(C)(1) through (5) and, if applicable, Subsection 14-3.15(C)(6), are required to grant a variance.

(1) One or more of the following special circumstances applies:

(a) unusual physical characteristics exist that distinguish the land or structure from others in the vicinity that are subject to the same relevant provisions of Chapter 14, characteristics that existed at the time of the adoption of the regulation from which the variance is sought, or that were created by natural forces or by government action for which no compensation was paid;

The variance is requested due to the small size of the lot, and the fact that it is completely covered with an existing structure that exceeds the allowable height. Most other lots within the vicinity do not exceed the allowable zoning height of 42 feet, and thus are able to make improvements without the need for a variance.

(b) the parcel is a legal nonconforming lot created prior to the adoption of the regulation from which the variance is sought, or that was created by government action for which no compensation was paid;

The Inn of the Anasazi sits on a lot that has for decades, been occupied by a tall building covering the entire lot and the applicant did not divide the property to create a lot with a small area of land. Rather, the small lot was created many, many decades ago. The condition of the lot is not a result of the action of the owner.

(2) The special circumstances make it infeasible, for reasons other than financial cost, to develop the property in compliance with the standards of Chapter 14.

Due to the lot size and existing lot coverage, the Anasazi cannot expand anywhere but up to provide the same type of amenities allowed to competitors within the downtown area.

(3) The intensity of development shall not exceed that which is allowed on other properties in the vicinity that are subject to the same relevant provisions of Chapter 14.

The Anasazi already occupies 100% of the lot and there is no additional area to provide amenities that are being proposed for in this addition. All of the of the Anasazi's main competitors in the vicinity provide rooftop swimming facilities and outdoor and indoor dining, socializing and event staging on their rooftops which are subject to the same relevant provisions of Chapter 14.

(4) The variance is the minimum variance that will make possible the reasonable use of the land or structure. The following factors shall be considered:

(a) whether the property has been or could be used without variances for a different category or lesser intensity of use;

The property has not been nor would be used for other than a hotel. Regardless, expansion to the structure for any use could not be increased without the variances.

(b) consistency with the purpose and intent of Chapter 14, with the purpose and intent of the articles and sections from which the variance is granted and with the applicable goals and policies of the general plan.

This request is consistent with the intent of Chapter 14. The addition would be setback from the edge of the existing parapet so it will reduce its visibility and will not add or cast a shadow on the street below. The use (hotel) will remain which is consistent with the general plan's goals and policies.

(5) The variance is not contrary to the public interest.

This request is not contrary to public interest. In fact, it will support public interest by providing amenities that will serve the general public. It is in the interest of the public welfare for this property to remain economically viable and competitive in the hospitality industry and in downtown.

(6) There may be additional requirements and supplemental or special findings required by other provisions of Chapter 14.

Attached, please find a vicinity map and site plan outlining the project area. If you have any questions or comments, please contact Liaison Planning Services Inc., (505) 920-6839.

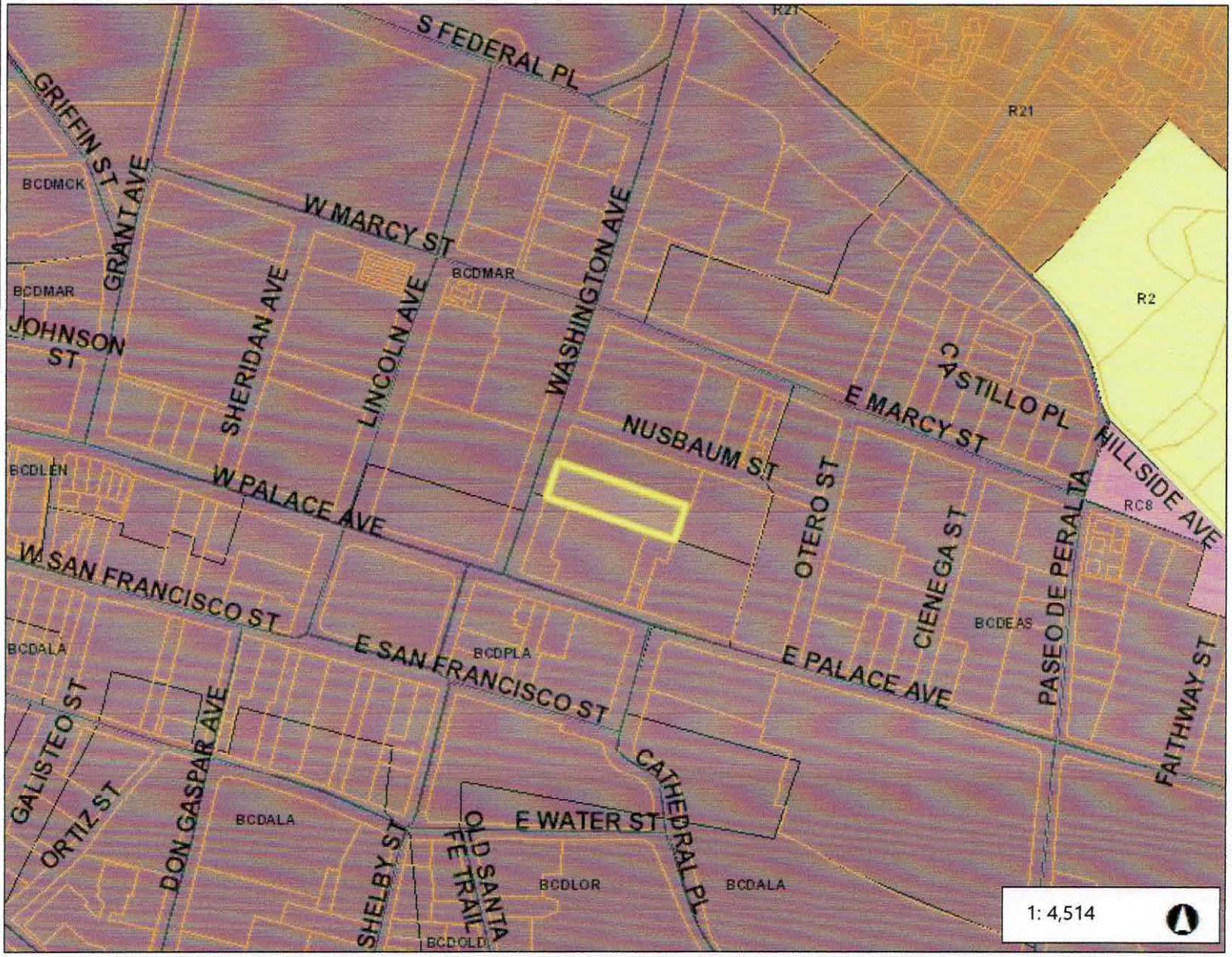
Sincerely,

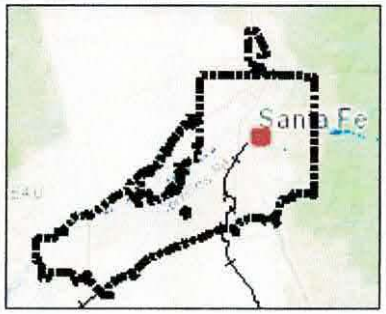
Dolores I. Vigil

Attachments: Vicinity Map
Site Plan
Elevations
Legal Lot of Record

Santa Fe
Mapping the City Different

113 Washington Avenue





Legend

- City Limits
- Address Points
- Roads
- Major Roads
- Santa Fe County Parcels
- Zoning
  - RR Rural Residential
  - R1, (PUD) Single- Family 1du/ac.
  - R2, (DT), (PUD),(AC) Single - Fami
  - R3, (PUD) Single - Family 3du/ac
  - R4 Single - Family 4du/ac
  - R5, (DT), (PUD), (AC), R6, (PUD) S
  - R7, (I), (PUD), R8 Single - Family 7
  - RC5, RC5AC Compound 5du/ac
  - RC8, RC8AC Compound 8du/ac
  - R10, (PUD) Multiple - Family 10du/
  - R12, (PUD) Multiple - Family 12du/
  - R21, (PUD) Multiple - Family 21du/
  - R29, (PUD),(AC) Multiple - Family
  - RAC Residential Arts & Crafts
  - MHP Mobile Home Park
  - C1, (PUD) Office and Related Com
  - C2, (PUD) General Commercial
  - C4 Limited Office and Retail
  - HZ Hospital Zone
  - BCD Business Capital District

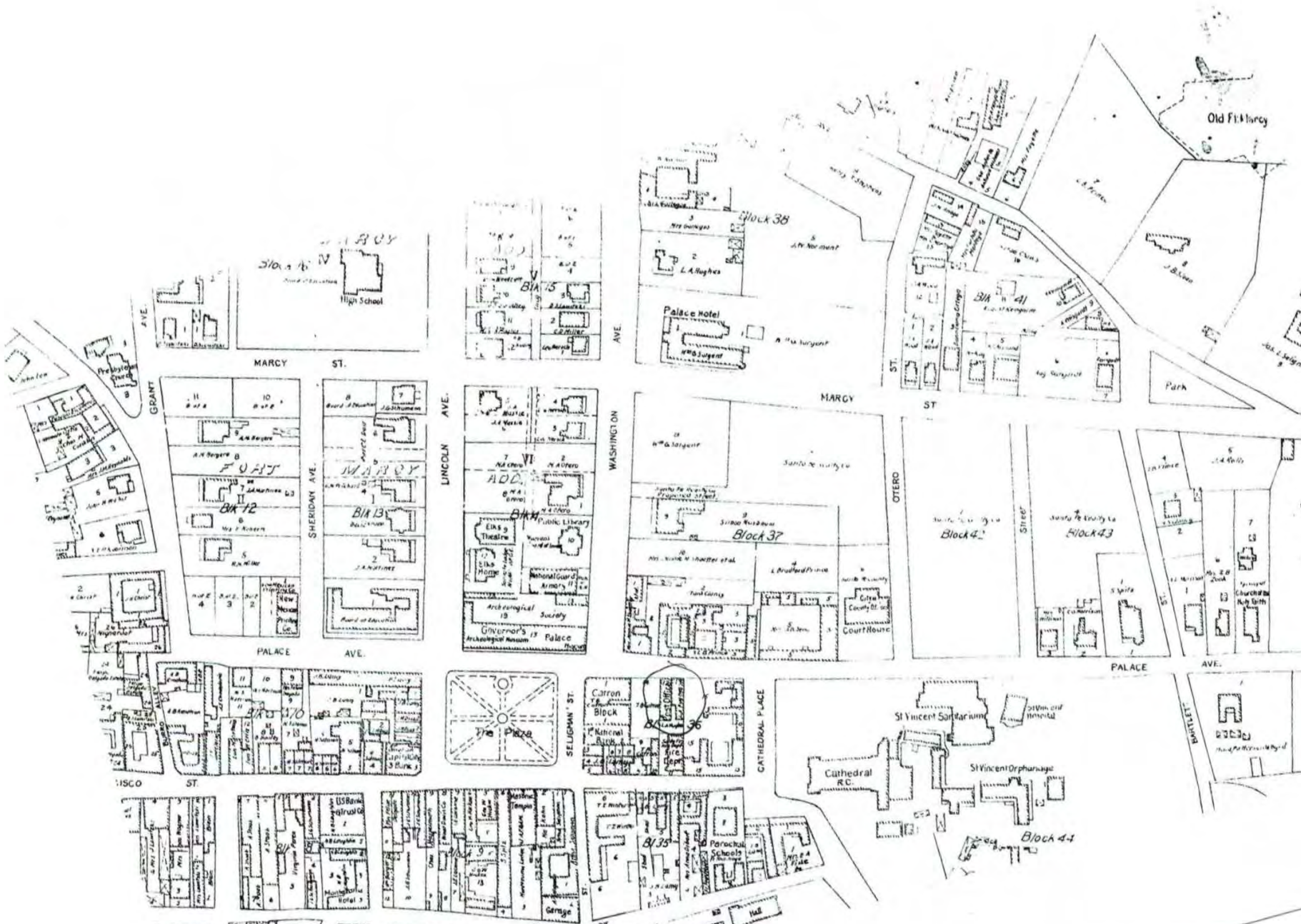
Notes

Inn of The Anasazi

752.3 0 376.17 752.3 Feet

WGS_1984_Web_Mercator_Auxiliary_Sphere

This map is a user generated static output from an Internet mapping site and is for reference only. Data layers that appear on this map may or may not be accurate, current, or otherwise reliable.
THIS MAP IS NOT TO BE USED FOR NAVIGATION


Old Fish Hatchery
Block 38
Palace Hotel
BLK 41
Park
MARCY ST.
MARCY ST
GRANT AVE.
SHERIDAN AVE.
LINCOLN AVE.
WASHINGTON AVE.
OTERO
BLK 12
BLK 13
BLK 14
BLK 15
Public Library
Elks Theatre
Elks Home
National Guard Armory
Archeological Society
Governor's Palace
Block 37
Block 42
Block 43
Santa Fe County Court House
PALACE AVE.
PALACE AVE.
BLK 10
BLK 36
BLK 35
The Plaza
Carron Block
First National Bank
Fire Dept.
SELIGMAN ST.
CATHEDRAL PLACE
St Vincent Sanitarium
St Vincent Hospital
Cathedral R.C.
St Vincent Orphanage
Block 44
BARTLETT
Parochial Schools
Masonic Temple
US Bank
Montezuma Hotel
Garage
Hall

LIAISON Planning Services Inc.

P.O. Box 1835 Santa Fe, NM 87504 (505) 920-6839 liaisonplanning@gmail.com

August 17, 2020

Mr. Daniel Esquibel, Senior Planner
City of Santa Fe, Land Use Department.
909 Lincoln Avenue
Santa Fe, NM 87501

Re: Board of Adjustment Application
Setback Variance for the Inn of the Anasazi
113 Washington Avenue, Santa Fe NM

Dear Mr. Esquibel,

The property owners for the above referenced address, are requesting approval for a setback variance to Section 14-7.4 (A)-1 Table of Dimension Requirements for Townscape Districts. The underlying zoning in the BCDMAR requires a 1' horizontal setback and 1" vertical above 24' in height. This building already exceeds that height as a legally non-conforming use. In order to avoid becoming obsolete as a luxury hotel in downtown Santa Fe, the owner proposes to add roof top amenities that exist on all other luxury hotels in the downtown area, i.e., La Fonda Hotel, The Drury, and the El Dorado Hotel. Without a variance, no additions to the rooftop are limited.

The applicant is proposing an increase in height from existing 42' to 56'. The request is to allow a rooftop swimming pool/ event space/ bar/ covered retractable canopy/ restrooms/ janitor storage rooms/ guest elevator and stairs. The property is zoned BCD-MAR and is approximately 19,861 sq. ft. Please see enclosed site plan that delineates what is proposed.

The variance criteria are as follows:

(C) Approval Criteria Subsections 14-3.16(C)(1) through (5) and, if applicable, Subsection 14-3.15(C)(6), are required to grant a variance.

(1) One or more of the following special circumstances applies:

(a) unusual physical characteristics exist that distinguish the land or structure from others in the vicinity that are subject to the same relevant provisions of Chapter 14,

characteristics that existed at the time of the adoption of the regulation from which the variance is sought, or that were created by natural forces or by government action for which no compensation was paid;

The variance is requested due to the small size of the lot, and the fact that it is completely covered with an existing structure which is currently 42' in height. The applicant is proposing a rooftop addition that would increase the height to 56'. This setback requirement would not allow for any improvements that are allowed by most other properties within the vicinity, and thus are able to make improvements without the need for a variance.

(b) the parcel is a legal nonconforming lot created prior to the adoption of the regulation from which the variance is sought, or that was created by government action for which no compensation was paid;

The Inn of the Anasazi sits on a lot that has for decades, been occupied by a tall building covering the entire lot and the applicant did not divide the property to create a lot with a small area of land. Rather, the small lot was created many, many decades ago. The condition of the lot is not a result of the action of the owner.

(2) The special circumstances make it infeasible, for reasons other than financial cost, to develop the property in compliance with the standards of Chapter 14.

Due to the lot size and existing lot coverage, the Anasazi cannot expand anywhere but up to provide the same type of amenities allowed to competitors within the downtown area.

(3) The intensity of development shall not exceed that which is allowed on other properties in the vicinity that are subject to the same relevant provisions of Chapter 14.

The Anasazi already occupies 100% of the lot and there is no additional area to provide amenities that are being proposed for in this addition. All of the of the Anasazi's main competitors in the vicinity provide rooftop swimming facilities and outdoor and indoor dining, socializing and event staging on their rooftops which are subject to the same relevant provisions of Chapter 14.

(4) The variance is the minimum variance that will make possible the reasonable use of the land or structure. The following factors shall be considered:

(a) whether the property has been or could be used without variances for a different category or lesser intensity of use;

The property has not been nor would be used for other than a hotel. Regardless, expansion to the structure for any use could not be increased without the variance.

(b) consistency with the purpose and intent of Chapter 14, with the purpose and intent of the articles and sections from which the variance is granted and with the applicable goals and policies of the general plan.

This request is consistent with the intent of Chapter 14. The addition would be setback from the edge of the existing parapet so it will reduce its visibility and will not add or cast a shadow on the street below. The use (hotel) will remain which is consistent with the general plan's goals and policies.

(5) The variance is not contrary to the public interest.

This request is not contrary to public interest. In fact, it will support public interest by providing amenities that will serve the general public. It is in the interest of the public welfare for this property to remain economically viable and competitive in the hospitality industry and in downtown.

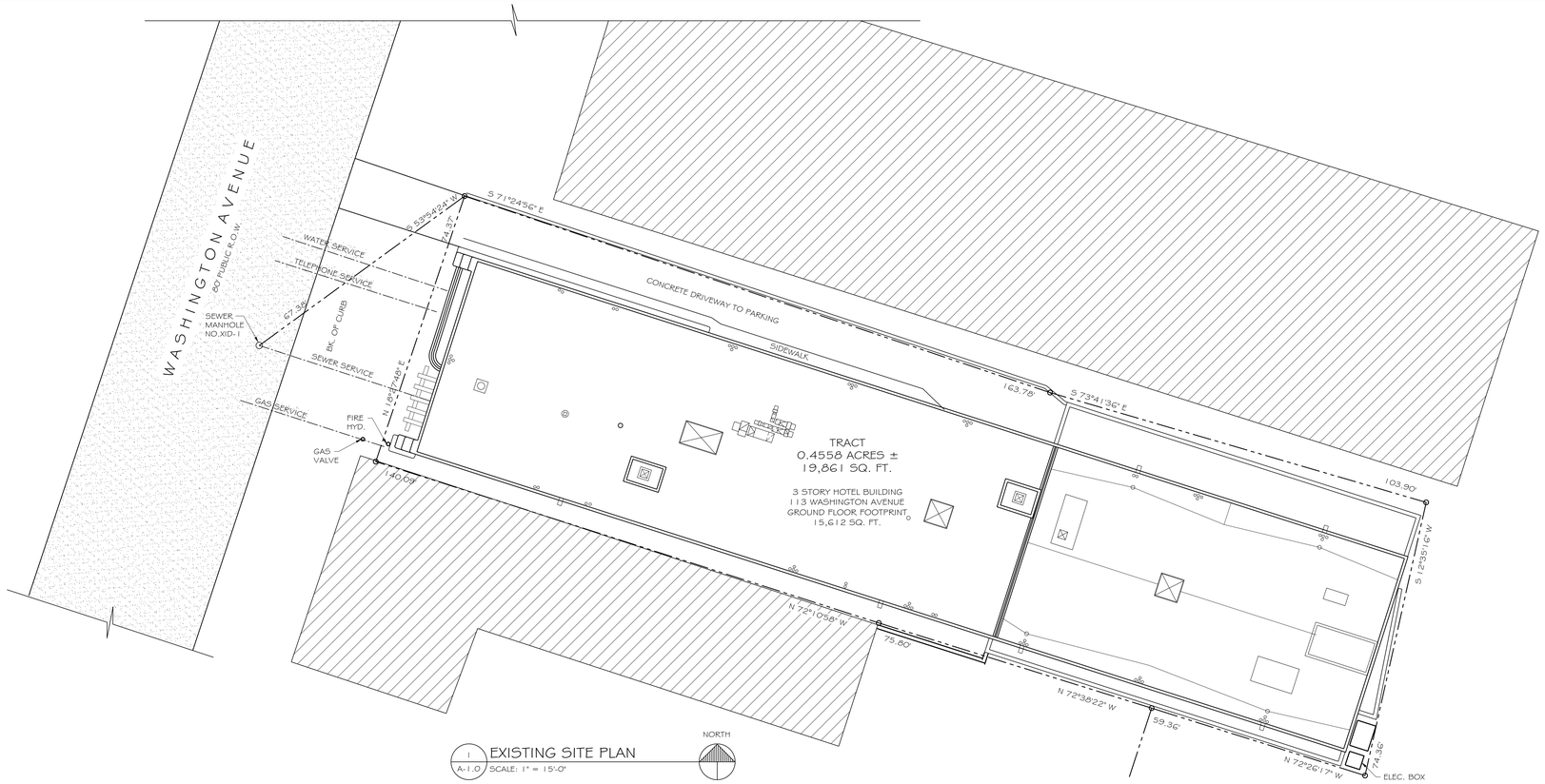
(6) There may be additional requirements and supplemental or special findings required by other provisions of Chapter 14.

Attached, please find a vicinity map and site plan outlining the project area. If you have any questions or comments, please contact Liaison Planning Services Inc., (505) 920-6839.

Sincerely,

Dolores I. Vigil

Attachments: Vicinity Map
Rooftop Floor Plan
Legal Lot of Record



GENERAL NOTES:

Site Plan

1. THE SITE SURVEY INFORMATION ON THIS SITE PLAN WAS TAKEN FROM A PLAT PREPARED JULY 18, 2005 BY:
PHILLIP B. WIEGEL N.M.P.S. #9758
DEL RIO SURVEYS, INC.
PO BOX 22773
SANTA FE, NEW MEXICO 87505

GRAPHIC SCALE: 1" = 15'-0"

0' 15' 30' 45'

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ARCHITECTURE
STUDIO PC
1624 PASEO DE PERALTA SANTA FE
505-989-4958 studio@martinezarch.com

INN OF THE ANASAZI
113 WASHINGTON AVENUE
SANTA FE, NEW MEXICO

MARCH 2, 2020

EXISTING & PROPOSED SITE PLANS

A 1.0

SET #

1904 - ANASAZI

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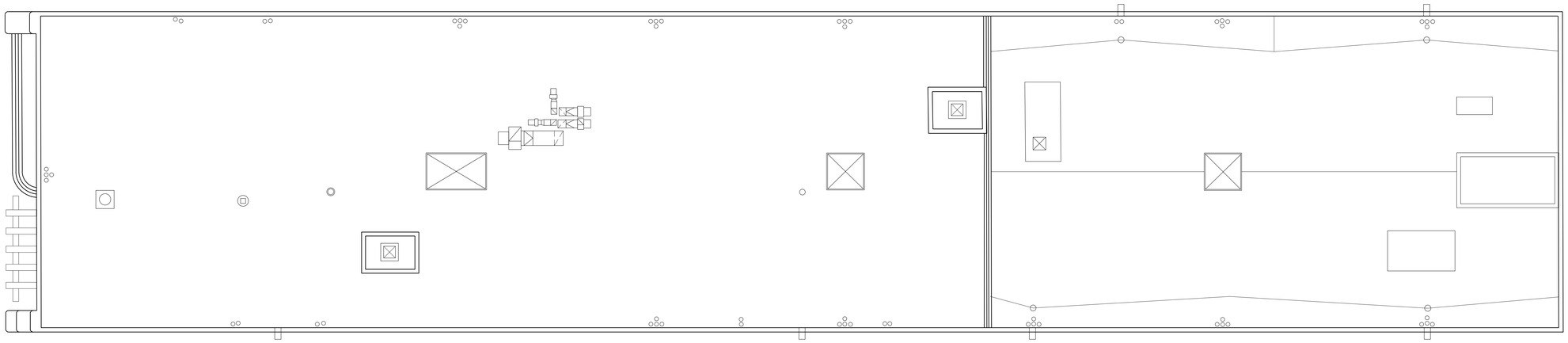
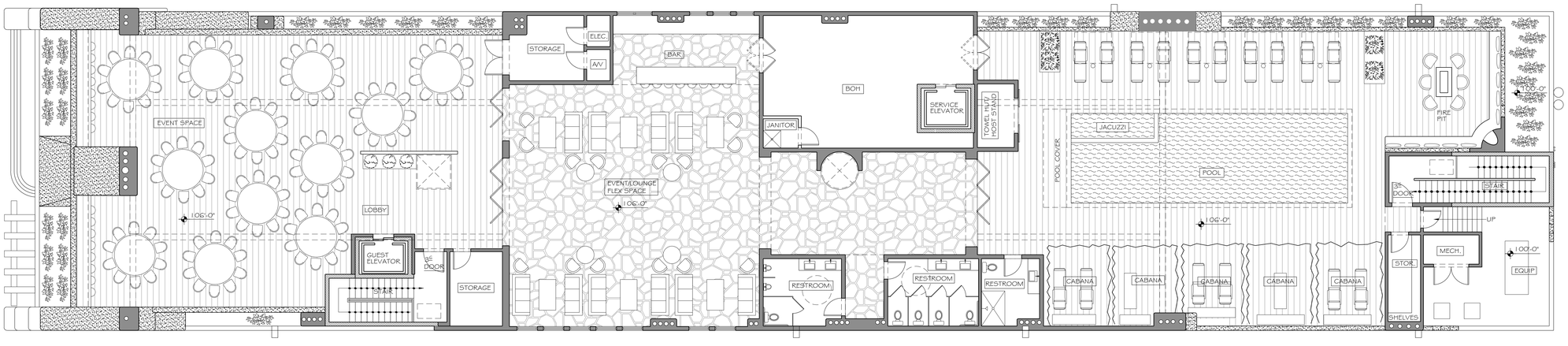


1 A-2.0 EXISTING ROOF PLAN
SCALE: 1/8" = 1'-0"

NORTH



1 A-2.0 PROPOSED FLOOR PLAN
SCALE: 1/8" = 1'-0"

NORTH

GRAPHIC SCALE: 1/8" = 1'-0"
0' 4' 8' 16' 24'

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INN OF THE ANASAZI
113 WASHINGTON AVENUE
SANTA FE, NEW MEXICO

MARCH 2, 2020

EXISTING ROOF PLAN & PROPOSED FLOOR PLAN

A 2.0

SET #
1904 - ANASAZI

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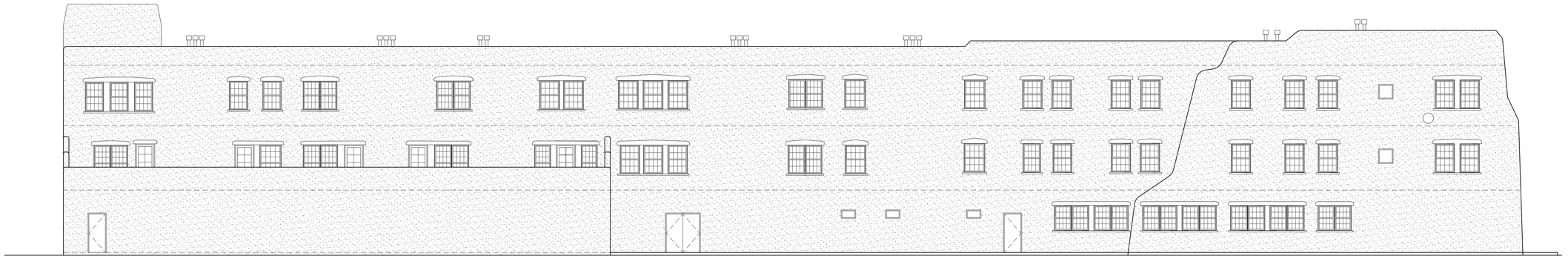

1 A-3.0 EXISTING NORTH ELEVATION
SCALE: 1/8" = 1'-0"

1 A-3.0 PROPOSED NORTH ELEVATION
SCALE: 1/8" = 1'-0"

GRAPHIC SCALE: 1/8" = 1'-0"
0' 4' 8' 16' 24'

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INN OF THE ANASAZI
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SANTA FE, NEW MEXICO

MARCH 2, 2020

PROPOSED NORTH ELEVATION

A
3.0

SET #
1904 - ANASAZI

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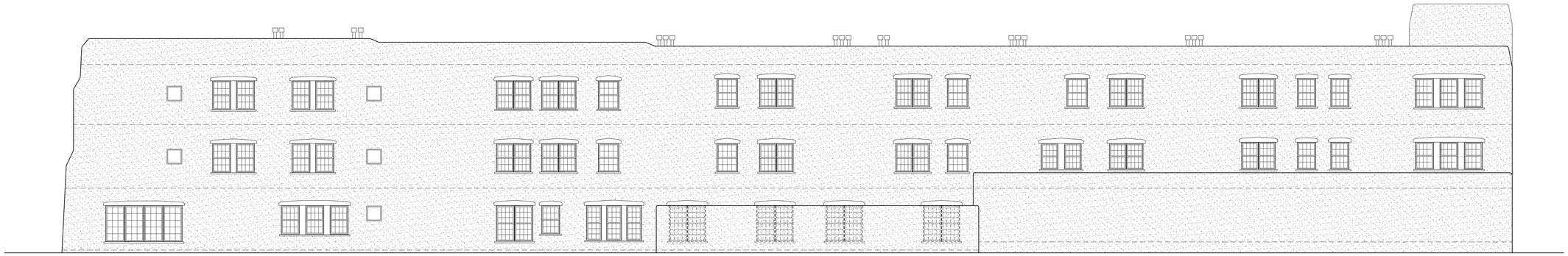

1 A-3.2 EXISTING SOUTH ELEVATION
SCALE: 1/8" = 1'-0"

2 A-3.2 PROPOSED SOUTH ELEVATION
SCALE: 1/8" = 1'-0"

GRAPHIC SCALE: 1/8" = 1'-0"
0' 4' 8' 16' 24'

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MARCH 2, 2020

EXISTING & PROPOSED SOUTH ELEVATION

A
3.2

SET #
1904 - ANASAZI

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1 A-3.3 EXISTING WEST ELEVATION
SCALE: 1/4" = 1'-0"

2 A-3.3 PROPOSED WEST ELEVATION
SCALE: 1/4" = 1'-0"

GRAPHIC SCALE: 1/4" = 1'-0"
0' 2' 4' 8' 12'

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MARCH 2, 2020

PROPOSED WEST ELEVATION

A
3.3

SET #

1904 - ANASAZI

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