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HISTORIC DISTRICTS REVIEW BOARD
APRIL 23, 2024

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**MINUTES OF THE CITY OF SANTA FE
HISTORIC DISTRICTS REVIEW BOARD
APRIL 23, 2024 – 5:30 PM**

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 meeting held in the City Council Chambers at the Santa Fe Municipal Building, 200 Lincoln Avenue, Santa Fe, New Mexico.

1. ROLL CALL

Roll Call indicated the presence of a quorum as follows:

MEMBERS PRESENT:

Ms. Cecilia Rios, Chair
Mr. Anthony Guida, Vice Chair
Ms. Madeleine Aguilar Medrano
Ms. Jennifer Biedscheid
Mr. John Bienvenu
Mr. David Valdo

MEMBERS ABSENT (EXCUSED)

Ms. Amanda Mather

STAFF PRESENT:

Ms. Heather Lamboy, Assistant Land Use Director
Mr. Frank Ruybalid, Assistant City Attorney
Gary Moquino, Historic Preservation Division Manager
Paul Duran, Senior Planner
Lani McCulley, Senior Planner
Amanda Romero, Historic Planner
Ramon Sarason, Senior Planner

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

2. APPROVAL OF AGENDA

Mr. Moquino said that under Staff Communications the order would be changed so that Items b and c would be heard before Item a. He also said that Item b, under New Business, Case 2024-008010-HDRB. 723 Old Santa Fe Trail, is postponed.

MOTION: Member Bienvenu moved, seconded by Member Aguilar Medrano, to approve the agenda, as amended.

VOTE: The motion passed by (5-0) roll call vote with Members Valdo, Bienvenu, Guida, Aguilar Medrano and Biedscheid voting in favor and none voting against.

3. APPROVAL OF MINUTES:

1. April 9, 2024

MOTION: Member Biedscheid moved, seconded by Member Guida, to approve the minutes of April 29, 2024.

VOTE: The motion passed by (5-0) roll call vote with Members Biedscheid, Aguilar Medrano, Guida, Bienvenu and Valdo voting in favor and none voting against.

4. APPROVAL OF FINDINGS OF FACT AND CONCLUSIONS OF LAW

- a. 2024-007829-HDRB. 407 W. Buena Vista St. (February 27, 2024)
- b. 2024-007814-HDRB. 219 Washington Ave. (February 27, 2024)
- c. 2024-007885-HDRB. 646 Old Santa Fe Trail (February 27, 2024)
- d. 2024-007830-HDRB. 650 Canyon Rd. (February 27, 2024)
- e. 2024-007831-HDRB. 365 Garcia St. (February 27, 2024)
- f. 2024-007826-HDRB. 635 Alto St. (February 27, 2024)

MOTION: Member Bienvenu moved, seconded by Member Aguilar Medrano to approve the Findings of Fact and Conclusions of Law for February 27, 2024 (Items a and f).

VOTE: The motion passed by (4-0-1) roll call vote with Members Valdo, Bienvenu, Aguilar Medrano and Biedscheid voting in favor, none voting against and Member Guida abstaining.

5. MATTERS FROM THE PUBLIC

None

6. STAFF COMMUNICATIONS

b. Proposed Zozobra Statue

Randy Randall, Director, of the Santa Fe Tourism Department, shared an illustration of the Zozobra sculpture that's proposed to be placed uh on Federal Place behind the Convention Center. The sculpture will commemorate the 100th burning of Zozobra.

Public Comments

Stefanie Beninato said this statue is a piece of art that the Board does not have much say over it. She said she would feel better if this was going to go away over a certain number of years.

To view the entire recording of this hearing, **see** the YouTube video at <https://www.youtube.com/watch?v=2QK7kcDbEzA> (5:02 – 15:12)

c. Acequia Madre School – pergola and outdoor improvements

Mr. Moquino said Acequia Madre is proposing to construct an outdoor classroom. He displayed the views from the street, overhead and the north. He also showed the site plan. He said that a representative from the school was there if anyone had any questions.

Member Guida asked if this was going to come back to the Board for approval.

Ms. Lamboy said this falls under Section 14-5.2(N) of the Code regarding school capital outlay projects. Members Bienvenu and Biedscheid are part of a subcommittee and they have reviewed this.

Member Bienvenu said he believes it does have to come to the Board for approval.

Attorney Ruybalid said in reviewing 14-5.2(N), this hearing is informational only and there are other steps that need to be taken prior to having a quasi-judicial hearing as the Board has to give final approval of this project.

Christopher Bowen of Spears Horn Architects provided feedback regarding the proposed project.

Member Guida and Chair Rios expressed their concern that there is not a written process for review and approval of capital outlay projects.

Chair Rios confirmed that this would come back to the Board for approval.

Public Comment

Stefanie Beninato said she likes the way it looks except for the slatted metal that forms the walls around the classroom itself. She didn't think that is not harmonious with the streetscape. She appreciates that Acequia Madre is trying to have children have outdoor experiences.

To view the entire recording of this hearing, **see** the YouTube video at <https://www.youtube.com/watch?v=2QK7kcDbEzA> (15:12 – 38:24)

a. 2024 Santa Fe Heritage Preservation Awards Vote

Ms. Amanda Romero went over the following nominees for the awards:

Architectural Preservation Award Nominees:

- Palace Grocery Store
- 401 Old Santa Fe Trail
- 201 Washington Avenue

Compatible Remodel Award Nominees

- 626 Canyon Road
- 459 Camino Manzano
- 104 Calle La Pena
- 224 Maynard Street
- 1404 Cerro Gordo, Upaya Zen Center

Compatible New Construction Award Nominees

- 1292 Lejano Lane
- 1023 East Alameda
- 655 Alto Street

Cultural Preservation Award Nominees

- Old Santa Fe Association – Locomotive #5030
- The Olive Rush Memorial Studio, Inc.

She said the Board members have a voting sheet on their desk that staff will pick up at the end of the meeting.

Board members agreed that Palace Grocery Store should not be on the list of nominees.

To view the entire recording of this hearing, **see** the YouTube video at <https://www.youtube.com/watch?v=2QK7kcDbEzA> (38:24 – 52:27)

7. OLD BUSINESS

None

8. NEW BUSINESS

Chair Rios explained the appeal process. She also stated that public comments would be limited to two minutes.

- a. **2024-008074-HDRB. 330 Delgado St.** Downtown & Eastside Historic District. Contributing. Jonathan Harris, owner proposes to replace windows, construct a freestanding 96 sq. ft. pergola to a height of 7'-8". (Lani McCulley)

BACKGROUND AND SUMMARY

The Applegate house is a single-family residence at 330 Delgado which is listed as contributing with the south elevation designated as the primary façade, to the Downtown and Eastside Historic District. The 1,565 sq. ft. Spanish-Pueblo Revival residence was constructed prior to 1928 and is part of the Plaza Fatima Compound. The residence was the home of Frank Applegate, a noted Santa Fe artist and co-founder of the Spanish Colonial Art Society, from the mid-1920s until his death in 1931.

The residence is a flat roofed building which steps up as it approaches the west. It has undulating parapets, two chimneys, metal lined canales, six over six and nine over nine double hung windows, and a 2 lite entry door. The western end of the structure appears to be the oldest portion and is constructed of adobe with interior finishes and thresholds of doorways that suggest the western doorway in the entry hall and the doorway between the living room and kitchen originally lead to the exterior of the structure. The more recent kitchen is constructed of a combination of concrete block and 2 x 6 frame, while the guest room and the eastern portion of the entry hall are constructed of 2 x 6 frame. The western end of the entry hall was formerly the residences' main entry portal which was enclosed in the 1970's. The features and finishes of the southernmost end of the current kitchen suggest there was a secondary portal in this location that was also enclosed. There is a flagstone patio area to the east of the home. The residence is surrounded by a yard wall and coyote fencing ranging from 5'-0" to 6'-0" which was approved and constructed in 2008.

In 2003, under case H-03-017, the applicant requested the renewal of the 2001 approval to construct a 223 sq. ft. addition on the northwest portion of the residence which was 1,335 sq. ft. at the time. The addition was originally sought under case H-01-131 in 2001 but the approval lapsed without the work being executed. The addition was approved to be constructed to 10'-3" in height which is 6" below the height of the rest of the structure, and fenestrated with nine over nine double hung sash windows in finished brown on the west elevation and a true divided lite French door and a two over six window on the north elevation. Also approved was the replacement of non-historic windows on the primary south façade with six over six simulated divided lite windows similar in pattern and profile to those that existed at the time. Later, in 2003, the addition was increased in size by 60 sq. ft. for a total of 283 sq. ft.

In 2002, a 12 sq. ft. shed was approved to be placed on the northwestern portion of the property along with an interior only kitchen remodel.

In September of 2023, the applicant received a notice of violation for unpermitted work which included window replacement, stucco, roofing, installation of light tubes, and hardscaping. In order to close the home up prior to winter an administrative approval was issued for the roof, stucco, hardscaping, and light tubes on October 17, 2023.

The applicant requests retroactive approval for the following exterior alterations:

1. Replace ten (10) non-historic windows on the south elevation with double pane double hung true divided lite windows. The window fenestrations and sizes will remain the same.
2. Replace two (2) non-historic windows on the west elevation with casement windows with true divided lites. The window fenestrations and sizes will remain the same.
3. Paint all window trim on the property with a custom color similar to Farrow and Ball's "Bay Area Blue".
4. Install exterior solar powered lighting at the pedestrian gate of the yardwall.

The applicant further requests to:

5. Construct a freestanding 96 sq. ft. pergola to a height of 7'-8" on the east of the residence in the courtyard. The pergola will be stained in natural wood finish.

STAFF RECOMMENDATION

Staff 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.

APPLICANT PRESENTATION

Jonathan Harris, 330 Delgado Street, was sworn in. He thanked the Board for hearing the case and apologized for doing work ahead of time.

PUBLIC HEARING

Marilynn Batts, Plaza Fatima, was sworn in. She said she's lived there since May of 1968. She has seen all the changes that have taken place at this home. She attested to Mr. Harris' sincerity and his desire to be part of this community. She said Mr. Harris has made the place look the best it's ever been.

Mark Kriloff and Allison Moore, 1 Plaza Fatima, were sworn in.

Ms. Moore said they share a property line with 330 Delgado. They are pleased with the changes Mr. Harris is bringing to the neighborhood.

Mr. Kriloff said when Mr. Harris took possession of 330 Delgado in was in desperate need of care and attention.

Ms. Moore said they are pleased with the work that Mr. Harris has done to preserve the home both cosmetically and structurally.

Kurt Milander, 815 East Palace, #11, was sworn. He and his husband used to live at 330 Delgado many years ago. They strongly support Mr. Harris' application.

BOARD DISCUSSION/ACTION

MOTION: In Case 2024-008074-HDRB, 330 Delgado St., Member Bienvenu moved to approve the application as submitted. The motion was seconded by Member Aguilar Medrano.

VOTE: The motion passed by (5-0) roll call vote with Members Bienvenu, Biedscheid, Aguilar Medrano, Valdo and Guida voting in favor and none voting against.

To view the entire recording of this hearing, **see** the YouTube video at <https://www.youtube.com/watch?v=2QK7kcDbEzA> (52:27 – 1:10:29)

- b. **2024-008010-HDRB. 723 Old Santa Fe Trail.** Downtown and Eastside Historic District. Contributing. Christopher Eagleton, owner, proposes to replace a portal, add an overhangs at the back of the house, and construct a coyote fence. An exception is requested for the addition of a new portal to a primary facade 14-5.2(D)(2)(d). (Ramon Sarason)

POSTPONED

- c. **2024-007995-HDRB. 125 Duran St.** Westside-Guadalupe Historic District. Contributing. Ezequiel Tena, agent for Amelia Robinson, owner, proposes to enclose an existing porch. Exceptions are requested to 14-5.2(D)(4) for the porch enclosure and to 14-5.2(D)(2)(d) for remodel within 10' of a primary façade. (Ramón J. Sarason)

BACKGROUND AND SUMMARY

125 Duran St. is a contributing structure to the Westside-Guadalupe Historic District. The structure is a 945 square foot single-family detached bungalow.

This property came before the Historic Districts Review Board for hearing on March 12, 2024, to determine status and primary facades (Case # 2024-007918-HDRB). The Board found that the structure maintain contributing status with the West and South façades as primary elevation(s) of with the features that define the character of the structure's architecture.

The house is a simple house: an adobe rectangle, topped with a hipped roof, with one corner cut out to serve as a porch. The house includes two bedrooms, a bath, a living room, and a kitchen. 125 Duran St. is a contributing structure to the Westside-Guadalupe Historic District. The structure is a 945 square foot single-family detached bungalow.

This property came before the Historic Districts Review Board for hearing on March 12, 2024, to determine status and primary facades (Case # 2024-007918-HDRB). The Board found that the structure maintain contributing status with the West and South façades as primary elevation(s) of with the features that define the character of the structure's architecture.

The house is a simple house: an adobe rectangle, topped with a hipped roof, with one corner cut out to serve as a porch. The house includes two bedrooms, a bath, a living room, and a kitchen.

The cementitious stucco and roof are recent, but the windows are older, probably dating to the original construction.

Now, the applicant proposes the following exterior alterations:

1. Enclose roughly 150 sq. ft. of a roofed portal into heated area on the east elevation.
2. Proposed heated area shall consist of a new bathroom, laundry, and office space.

STAFF RECOMMENDATION

Staff 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(I) Westside-Guadalupe Historic District.

Staff finds exception criteria have been met and recommends approval of the requested exceptions to Section 14-5.2(D)(2)(d) and Section 14-5.2(D)(4). Staff recommends one of the historic windows on the east elevation be reused in the new portal enclosure.

APPLICANT PRESENTATION

Amelia Robinson, 125 Duran Street, was sworn in. Ms. Robinson said she and her husband have lived here for four years. They have four needs that need to be met. They love their house but didn't want to make it some giant structure. So, they figured out how to fill all those things in the same footprint. They needed an office, another bathroom, a closet and laundry facilities.

Member Biedscheid confirmed with staff and the applicant that at least one of the historic windows would be reused.

PUBLIC HEARING

Stefanie Beninato, PO Box 1601, Santa Fe, was sworn. She said she appreciates that the owners need the space. She knows there are some restrictions on enclosing portals. This is very close to the primary facade so that should be a point of discussion at least to some extent. She thought that the roof line looks awkward. She also wondered about that carport and how that ever actually really got there, it's too bad that that can't be removed.

BOARD DISCUSSION/ACTION

MOTION: In Case 2024-007995-HDRB. 125 Duran St., Member Guida moved to approve the project as submitted, agreeing with staff that the exception criteria have been met. The motion was seconded by Member Aguilar Medrano who commented that the applicant was trying to work within the existing footprint but if that wasn't fitting their needs the applicant would be allowed to ask to go beyond that footprint if there wasn't quite enough space. She is fine with the application as submitted but she just wanted to make sure the applicant knew that. They could have asked for an additional five feet, contingent on setbacks and such.

VOTE: The motion passed by (5-0) roll call vote with Members Mather, Valdo, Bienvenu, Guida, Aguilar Medrano and Biedscheid voting in favor and none voting against.

To view the entire recording of this hearing, **see** the YouTube video at <https://www.youtube.com/watch?v=2QK7kcDbEzA> (1:10:29 – 1:20:44)

- d. **2024-008075-HDRB. 913 ½ Acequia Madre.** Downtown and Eastside Historic District. Contributing. Richard Martinez, agent for Morton Phillips Trust, requests approval to replace doors and windows, construct a new entry portal, add a rear portal, raise parapets, and construct a new coyote fence and gate. Seven exceptions are requested to: change the style of a contributing building, construct additions within 10 ft. of a primary facade, remove historic material, expand and close openings on primary elevations, and change roof height (14-5.2(D)(1)(a); 14-5.2(D)(2)(a)(d); 14-5.2(D)(5)(a)(i); 14-5.2(D)(5)(a)(ii); 14-5.2(D)(5)(a)(iii); 14-5.2(D)(6)) . (Paul Duran)

BACKGROUND AND SUMMARY

913 ½ Acequia Madre is a single-family residence designated as contributing with the north and northeastern facades as primary to the Downtown and Eastside Historic District. The structure was reviewed by the HDRB for status two times and the structure was given a contributing historic status on November 28, 2023, and January 9, 2024. The structure was built in 1940 on a 0.10-acre lot which totaled 1,702-square feet. The primary architectural design of the structure is a combination of Spanish-Pueblo revival elements but is overall of a Santa Fe vernacular style.

Adobe and concrete block make up the construction materials and the building is characterized by its flat shed-roof, wooden and aluminum single-hung three over one and one over one windows.

The structure has had several changes and phases of construction and with additions throughout its lifetime. The original core of the structure can be seen at the north and northeastern façades and these two facades demonstrate the integrity of the original structure and its ability to contribute to the Downtown and Eastside Historic District. Elements of the humble home such as the adobe wall construction and recessed three over one wood framed windows convey historic meaning in regard to simple family homes constructed in the Eastside. The portal over the eastern façade entry way is most likely the first addition to the structure, occurring around the 1950s. As construction continued, additions were made to the southern façade adding another room and garage by the 1970s. The clear and distinct evolution of the property can be observed through the construction materials.

Now, the applicant proposes the following exterior alterations:

- 1) Add Territorial style brick coping at the top of all the walls and chimneys on the building, including the primary north and northeast facades.
- 2) Raise height of existing non-primary east wall to 13'-6".
- 3) Remodel the existing 1973 non-primary frame porch in front of the primary northeast façade with a Territorial style porch of the same dimensions, including a low stone wall at the east end.
- 4) Close the historic opening where Window F is located.
- 5) Widen the existing front door opening on primary façade to 5'-4" wide and 8' high, adding side lites and transom.
- 6) Replace three windows on the primary north façade and two windows on the primary northeast façade with painted wood windows with the same lite pattern and remove all non-historic storm windows.
- 7) Remove the wooden overhangs and add brick coping on top of the existing walls to match the design of the balance of the remodel.
- 8) New solar panels on roof; solar panels will not be visible.
- 9) 5 new skylights will be added on the roof.
- 10) Existing garage door to be replaced with new wood board garage door. It will be stained a dark brown wood stain.
- 11) New 290 square foot portal on the west elevation.
- 12) Add a new door for the mechanical room on the south elevation.
- 13) New 6'-0" high coyote fencing added to the north, west and south lot lines.
- 14) Re-stucco house in cementitious "Buckskin".
- 15) New exterior light fixtures.

STAFF RECOMMENDATION

Staff does not find that all the exception criteria have been met but upon further testimony from the applicant the Board may find the exceptions have been met. Staff does not recommend approval of the application as it does not comply with 14-5.2(D) General Design Standards for all Historic Districts.

Chair Rios confirmed that the only portion of the building that is going to go up in height is to the left of the porch.

Chair Rios asked about the door under the portal to the right of the window.

Mr. Duran said they are looking at widening the doorway and adding divided lights all around the entire primary façade which would completely change the look.

Member Biedscheid said she looked at each of the seven exceptions and feels like there are only two exceptions because Exceptions 2, 3 and 7 all have to do with the height roof design exception and Exceptions 4, 5 and 6 are all related to the same changes.

She didn't understand the exception for an assertion that the status would change because of these revisions. She said she reads the Code to say if the changes that are proposed would result in a downgrade of status than the Board cannot approve that and there's not an exception to allow that to happen.

Ms. Lamboy explained that this was not any type of attempt to be overzealous. When staff looks at the Code, each criterion has to be addressed separately. As a matter of practice, staff asks applicants if there is a different way to meet the overall intent of what the applicant wants to do.

APPLICANT PRESENTATION

Richard Martinez, PO Box 925, Santa Fe and Joseph Karns, PO Box 2476, Santa Fe, were sworn in.

Mr. Karns thanked Mr. Duran for the thorough staff report. The exceptions required came from staff based on the design presented. He said this house needs a complete renovation. The proposed design retains the original historic footprint.

He said the historic overlay code states that "full responsibility for the design and development of structures is left to the applicant". In this case the house has been described in the HCPI and in the staff report in the previous consideration by this Board as a ranch style house and a vernacular style house, neither of which is mentioned in the Downtown and East Side Design Standards. In his HCPI, Mr. Murphy stated that the additions to the house have a "Pueblo Revival appearance based on three factors: brown stucco walls, a flat roof and rounded parapets." The proposed design will retain the flat roof and the brown stucco walls. The two primary stylistic proposed changes are adding brick parapets at the top of the walls and adding a territorial style front entry porch and door and given the existing vernacular style, these require exceptions. As Mr. Duran explained in rejecting Mr. Murphy's recommendation that the house remain non-contributing, two board members noted that renovations can occur, and exceptions can be requested. In this case, considering the Code's direction, the applicant retains full responsibility for the design. He asked for the Board to approve the application which is supported by four neighborhood residents who submitted letters that are in the packet.

Mr. Martinez said the applicant is asking for exceptions because Chair Rios said that should be done to get approval for any renovation. He provided a history of the house and explained the proposed design. He read a letter of support into the record from Celia Baldwin and Bruce Patania.

Member Bienvenu said the dispute in this case has to do with a style issue. He said you wouldn't deny that all the renovations that are desired to make the house livable could be made in a nonterritorial style house. There's no real danger of it not being able

to be renovated, it's just whether it should be renovated in a different style than it currently exists. He felt constrained by the fact that twice the Board designated this structure as contributing so that requires seven exceptions to change the style. He said it seems unequivocal that change to territorial style would cause the building to lose its contributing status because of the fact, as you pointed out, the status is based, not just the fact that it's made from adobe, but its current configuration of what it looks like today.

He said he felt constrained in even considering the possibility of changing it to a completely different style. Changing it at this late state from what was a very humble version of Old Santa Style to a very attractive and very professionally and architecturally designed territorial style would create a false sense of history. Anyone who would be looking at this would have no idea that underneath that was a Spanish Pueblo style original home. He said that everything that seems desirable about renovating this into a beautiful home could still be done by respecting the original style that's made it. He said a Spanish Pueblo style house renovation would be much more in keeping with the harmony of the streetscape.

Ms. Lamboy said relative to the question that Member Biedscheid asked regarding the status, there would be an exception. If it is the decision of the Board to approve this project, then the applicant would have to come back for status review hearing for the downgrade because there are special unique notice requirements.

Chair Rios confirmed with Mr. Duran that it was his assessment that if this territorial style building goes through this house will lose its contributing status.

Member Guida said he shares the same concerns as Member Biedscheid about seeing a case with a small house with seven exceptions decided. The status of the house was not twice approved by the Board, it was twice contested in front of the Board. The final decision and the one that counts was a 3-2 vote on the status of the house after the applicants and the owners of the house paid for a lengthy report from an architectural historian. Staff disagreed with that report and didn't offer a great deal of evidence and the post rationalization that is being heard is that it's not really ranch style or vernacular, it's Santa Fe style.

Member Guida said he was concerned about staff's overzealousness in applying exceptions which he characterized as obstructionist. The Board saw this very same pattern on the O'Keefe Museum from the same staff member, a kind of defensive statusing of a project. It was unanimously decided by this Board that the exceptions were unnecessary in that case. There was a real unwillingness to work with the applicant and that's alarming.

He said as member Biedscheid pointed out one or two exceptions may be required in this case but it's certainly not seven. He said that's completely out of line. The way

the staff member in this case has framed the exceptions has made it impossible for any design to meet the standard. The Board got a personal opinion rather than a professional recommendation.

Member Bienvenu said this has been a lengthy hearing that's highly personal unprofessional and is directed inappropriately not only to members of the public but members on the Board but more specifically, in this case, now members of our staff. He said it's extremely inappropriate, it's not allowed by Board rules and it should be stopped.

Chair Rios said she agreed and acknowledged that this has happened more than once. She said our staff does an intense evaluation. She told Member Guida that simply because the evaluation does not meet with what he thinks it should be he cannot be harassing the public or even a member of this Board that sides on the side of staff.

Member Guida said he is reflecting on process; he is not making a personal attack on Paul Duran. He is pointing out ways in which the City is not being fair to applicants. The treatment of the applicant in this case is quite different than what is seen in other applications.

Chair Rios told Member Guida if he wanted to comment in reference to the application that is before the Board in reference to the architectural style to go ahead.

Member Guida said there may be an issue of style exception on this project that the Board could review and as Member Biedscheid pointed out, two exceptions one for distance from a primary facade and loss of historic material. Those are the only exception criteria he sees fit. He said he doesn't appreciate not being able to address applicant process in this room. It's part of his role on this committee as an architect and a member of the design community and he thinks think it's entirely valid.

Mr. Martinez said it has always been his intention to work within the Historic regulations and he did address all the exceptions.

Ms. Lamboy said with reference to staff recommendations this report, and this analysis is vetted by the entire team, it's not just one staff person. She clarified that when you refer to staff, it's all of us. She also said that in the section of the Code that deals with exceptions it says staff shall determine whether an exception to the section is required. So, it's not up to the purview of the Board to determine whether an exception is required it is staff's determination as the Board's professional staff, staff looks at the Code, vet it and Attorney Ruybalid is also part of the process, he reviews it as well.

Member Aguilar Medrano said she appreciated that the applicant kept the existing footprint of the house. She liked that the massing is maintained even though the roof is being raised. She also liked that the roof deemphasizes the portion of the garage. In

general, it's very harmonious. She said her only concern is that if the Board approves this, she shares the concern that the status would be affected only because there are so many different things being changed. She thinks there could be a compromise. All those things adding together and how much this facade is changing, that's where there's some tension. The style and the contributing status are what the Board is wrestling with.

PUBLIC HEARING

Robin Gavin, 117 Arroyo Hondo Road, Santa Fe, was sworn in. She said regardless of how nice a design this is, and regardless of how this house achieved its status, it seems that because it is contributing, the style cannot be separated from the footprint and the materials. It's all one and the same and she didn't see how, if the Board votes to accept this change in style how it cannot be demoted to non-contributing and that doesn't seem like that is the role of the Board to change contributing status to noncontributing.

Stefanie Beninato, previously sworn, referred to the 1973 aerial which showed the entire footprint of the house which would make it more than 50 years old. She supports Member Bienvenu's comments and the woman just before her. She didn't think that if the Board allows the style to change that it can retain its contributing status. A lot of the renovations or most of them could occur without that change in style and to say that it evolved generally over time is an accepted style is true. She also thought that there's so much emphasis put on John Murphy's reports as if he's the only historian or the only legitimate point of view. There has to be deference to other points of view and to staff. One more thing about the design, in terms of that very wide door with the lights around it, there are going to be skylights and certainly the skylights could substitute for all the glass around the front door. John Murphy is not the be all and end all of what makes a building historic or what facade should or shouldn't be or whether he thinks an addition from 55 years ago should actually be preserved or not. Although Member Guida didn't think that he was attacking staff, it really came across as a very personal attack and very unprofessional.

BOARD DISCUSSION/ACTION

MOTION: In Case 2024-008075-HDRB. 913½ Acequia Madre, Member Guida moved to approve the project as submitted, finding that all the exception criteria have been met for all exceptions. The motion was seconded by Member Biedscheid.

Member Biedscheid commented that she didn't think the house, as is, has an identifiable style. The proposed renovations unify and define a style with a respectful treatment of existing elements like the garage door that's no longer a garage but presents that way with the preservation of the window

placement and designs and the effort to lower the floor so that the overall height and massing of the building is unchanged, respecting the original footprint.

VOTE: The motion failed by (2-3) roll call vote with Members Guida and Biedscheid voting in favor and Members Valdo, Bienvenu and Aguilar Medrano voting against.

MOTION: In Case 2024-008075-HDRB, 913½ Acequia Madre, Member Bienvenu moved that findings be entered that the exception criteria have not been met, as set forth in the staff report, and that the proposal would constitute changes that create a false sense of historical development as well as cause the structure to lose its contributing status and on that basis have conclusions of law be entered that the application is therefore denied. The motion was seconded by Member Aguilar Medrano.

VOTE: The motion passed by (3-2) roll call vote with Members Valdo, Bienvenu and Aguilar Medrano voting in favor and Members Guida and Biedscheid voting against.

To view the entire recording of this hearing, **see** the YouTube video at <https://www.youtube.com/watch?v=2QK7kcDbEzA> (1:20:44 – 2:31.04)

- e. **2024-008137-HDRB. 929 Canyon Rd.** Downtown and Eastside Historic District. Mifsud Associates Architects, agent for Nancy Mammel, owner, proposes to construct a new 3,102 sq. ft. residence to a height of 16'-0" where the maximum allowable is 16'-10". An exception is requested to 14-5.2(E) Santa Fe Style for the use of steel at the portals and for the pergola. (Ramon Sarason)

BACKGROUND AND SUMMARY

A new single-family residence is proposed on a vacant lot located at 929 Canyon Road. The site is in the Downtown & Eastside Historic District, which permits architectural design of Old Santa Fe style and Recent Santa Fe style. The proposed residence will be approximately 3,012 gross square feet and with 2,338 square feet of heated area. The property is separated from Canyon Road by another property and is accessed by a driveway and utility easement through that adjoining property.

The maximum allowable height for this site has been determined to be 16'-10" above finished grade. The existing site is relatively flat with a grade change of approximately one to two feet across the site. The applicant states that the height of the structure will not exceed 16 feet above grade. Six-foot tall fences are proposed along the rear (north) property line and around the outdoor patio area east of the Living Room. These will

consist of a three-foot tall stone-faced concrete block wall with a three-foot-high wrought iron fence on top.

The architectural style of the new house and shares elements with the Recent Santa Fe Style, but includes modern metal posts that are inconsistent with Downtown & Eastside Historic District standards. The stucco for the home will be Sto's product with the color being "Kindling". The windows and exterior doors will be wood, finished with aluminum cladding as manufactured by Andersen with the color TW Black, #061, while the steel beams and columns at the entry portal and rear trellis will be finished with paint to match the color of the garage door (TW black). All of the windows are proposed divided-lite casement windows, with a few fixed and awning windows as transoms. New doors are proposed to be sliding glass doors with the same cladding as the windows. The garage door will be aluminum with a microgroove texture in the color of "Black Frost". The gates in the 6-foot-high yard wall/fence will be wrought iron.

It should be noted that the applicant will need to engage a qualified archaeologist before construction as the site is in the Downtown Archaeological District and the ground disturbance is greater than 2,500 square feet.

STAFF RECOMMENDATION

Staff does not find that all the exception criteria have been met but the Board may find that they have upon further testimony. Staff also finds the proposed stucco color "Sto Kindling," the use of black accents, and the use of steel columns inappropriate for the Downtown and Eastside Historic District.

APPLICANT PRESENTATION

The applicant was sworn in, however, his name and address were inaudible. He said Mr. Sarason did an incredible job describing the project. He said there's no doubt about his client's sensitivity to the historic district. She does have a pension for modern design. She likes lean lines and maybe not traditional colors in the area. The proportions and use of the steel do mimic what would be there if it was wood. The columns could be two inches by two inches steel but that obviously would look horrendous. Using eight by eight tube steel columns and 12-inch-deep smooth beams where the wooden beams would be doesn't seem to be that great of a departure. Recent Santa Fe style is an evolution of Santa Fe stock and a modest use of steel in a portal that cannot be seen publicly. The entry portal is not visible only the pergola from Alameda is visible through that wrought iron. So, from that distance, given that the proportions of all the beams and columns are identical to wood. They didn't think that it was that great of a departure. They introduced the stone wall is river rock with wrought iron above it to kind of tie into the river. The adjacent walls and fences, the house itself is not visible from anywhere except Alameda through the trees and it's designed to meet the client's aesthetic desires.

Chair Rios said having story poles and chalk delineation was very helpful at the site visit.

Member Biedscheid asked the applicant if his client would consider another stucco color because the proposed color is dark.

The applicant said his client would be willing to use the color “twig” which is an El Rey cementitious stucco. It’s a little dark but more like an oatmeal color.

Member Bienvenu asked what the expected corners of the building are.

The applicant said they are going to be rounded, 10 inch thick.

PUBLIC HEARING

Stefanie Beninato, previously sworn, agreed that the stucco color should be changed to something that the Board does allow. She was concerned about the use of metal on the portal. It was a huge debate on the house on Alameda across from Patrick Smith Park. There was a lot of twisting of ideas that metal somehow was the new wood and it's not.

BOARD DISCUSSION/ACTION

Member Aguilar Medrano said she didn’t know which way the Board is going to vote tonight but if they decide to not grant the exceptions, as submitted, she asked the applicant if they have a preference in terms of coming back at the next available date with trying to address some of staff's comments versus a denial and potentially appealing it.

The applicant said he would prefer to get approved with conditions so they could move forward.

Ms. Lamboy displayed the color “El Rey Twig” on the screen.

Member Bienvenu asked about the about the materials for the garage.

The applicant said it would be black metal aluminum.

Member Bienvenu said most of this project looks like it fits well within the design guidelines. Some of the Board members would be concerned as staff was about the proposal. It’s really about some of the detailing and he asked if some of the detailing could be addressed in terms of conditions of approval. The concerns would be the color of the trim, so that's the windows, the color of the stucco and the use of the steel in the portal and the trellis. He also added that the garage door being out of keeping with the district and would prefer to see a garage along the lines of what was shown for the other property, it doesn't have to be actual wood.

MOTION: In Case 2024-008137-HDRB, 929 Canyon Rd., Member Guida moved to approve the project as submitted. He didn't believe exception criteria for style is required but if staff does then the exception criteria have been met. He's approving this because he doesn't believe the Board needs to redesign the project for the applicant. The motion was seconded by Member Biedscheid with a suggestion for a friendly amendment to condition the approval on the use of a stucco of a lighter color that's "twig" as expressed at 940 ½ East Alameda.

Member Guida accepted as friendly.

VOTE: The motion failed by (2-3) roll call vote with Members Guida and Biedscheid voting in favor and Members Valdo, Bienvenu and Aguilar Medrano voting against.

MOTION: In Case 2024-008137-HDRB, 929 Canyon Rd., Member Bienvenu moved to have findings entered agreeing with staff's reasoning that the exception criteria have not been met but have conclusions entered that the project is otherwise approved as submitted with the following conditions: that the steel elements objected to by staff be replaced with wood, that the stucco color be one of the approved colors on staff's approved color chart, that the black accents on the trim of the windows, the garage door and otherwise be modified by using some accent color that is less dark as approved by staff and that the windows and doors be inset to give the appearance of a massiveness of the walls as required by the Code and that the corners of all the facades be rounded to at least the radius that was indicated in applicant's presentation. The motion was seconded by Member Aguilar Medrano with a friendly amendment that the new wood elements for the portal be of a natural wood stain not painted for instance and she wanted to make sure the applicant understands that "twig" is not an approved color.

Member Bienvenu accepted as friendly.

VOTE: The motion passed by (3-2) roll call vote with Members Valdo, Bienvenu and Aguilar Medrano voting in favor and Members Guida and Biedscheid voting against.

To view the entire recording of this hearing, **see** the YouTube video at <https://www.youtube.com/watch?v=2QK7kcDbEzA> (2:31.04 – 3:14:30)

- f. **2024-008138-HDRB. 793 Camino del Poniente.** Downtown and Eastside Historic District. Contributing. Will McDonald, agent, for Catherine Clemens, owner, requests addition of a 714 sq. ft. attached garage to a height of 11'-

9" where the maximum allowable height is 14'-10". An exception is requested to exceed 50% of the existing dimension of the primary facades per 14-5.2(D)(2)(d). (Ramon Sarason)

POSTPONED

9. DISCUSSION ITEMS

Ms. Lamboy informed the Board that the general plan update contract is underway.

10. MATTERS FROM THE BOARD

Char Rios said she understood that Melissa Byers is retiring, and she wants to recognize her at the awards ceremony.

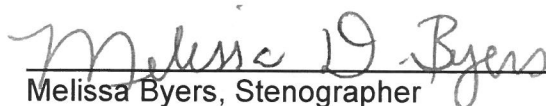
11. NEXT MEETING: Tuesday, May 14, 2024

12. ADJOURN

MOTION: Member Biedscheid moved, seconded by Member Aguilar Medrano to adjourn the meeting at 8:46 p.m.

VOTE: The motion passed by (4-0) roll call vote with Members Valdo, Aguilar Medrano, Biedscheid, Guida and Bienvenu voting in favor and none voting against.

Submitted by:



Melissa Byers, Stenographer
For Byers Organizational Support Services

Approved by:



Cecilia Rios, Chair