



# Agenda

## HISTORIC DISTRICTS REVIEW BOARD FIELD TRIP

TUESDAY, October 8, 2019 at 12:00 NOON

HISTORIC PRESERVATION DIVISION, 1<sup>st</sup> FLOOR CITY HALL

## HISTORIC DISTRICTS REVIEW BOARD HEARING

TUESDAY, October 8, 2019 at 5:30 P.M.

SANTA FE COMMUNITY CONVENTION CENTER

LAMY ROOM

\*\*\*AMENDED\*\*\*

### CALL TO ORDER

- A. ROLL CALL
- B. APPROVAL OF AGENDA
- C. APPROVAL OF MINUTES: September 24, 2019
- D. FINDINGS OF FACT & CONCLUSIONS OF LAW

Case #2019-000893-HDRB, 553 Agua Fria Street.

Case #2019-000829-HDRB, 113 Vigil Lane.

Case #2019-000886-HDRB, 340 Delgado Street.

Case #2019-000697-HDRB, 553 Agua Fria Street.

Case #2019-000804-HDRB, 375 Hillside Avenue Unit B.

- E. BUSINESS FROM THE FLOOR
- F. COMMUNICATIONS

- 1. Staff presents final Land Use Department Code Interpretation regarding HDRB vs. Administrative Review

### G. ACTION ITEMS

- 1. Case #2019-000702-HDRB, 247 and 247 1/2 Rodriguez Street. Downtown and Eastside Historic District. Jenkins Gavin, agent for BRS Properties, owner, proposes to demolish two residential structures, an accessory structure, and a yardwall, to repair a yardwall, and to build a new retaining wall on a non-contributing property. (Carlos Gemora, [cegemora@santafenm.gov](mailto:cegemora@santafenm.gov), 955-6670)
- 2. Case #2019-000888-HDRB, 814 Camino Atalaya. Downtown & Eastside Historic District. Architectural Alliance, agent for Dale Lamson and Rondle West, owners, proposes to construct a new 5,000 sq. ft. residence to a height of 21'0" and 72"-high yardwall on vacant land adjacent to a contributing residential structure. (Lisa Roach, [lxroach@santafenm.gov](mailto:lxroach@santafenm.gov), 955-6577)
- 3. Case #2019-000919-HDRB, 1149 Camino San Acacio. Downtown & Eastside Historic District. Will McDonald, agent for William and Michele Johnson, owners, proposes to remove attached sheds and a portal and construct an addition, stucco and re-roof a contributing residential structure. An exception is requested to construct an addition less than 10' from a primary facade (Section 14-5.2(D)(2)(d)). (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](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: October 3, 2019

TIME: 8:16 AM



# Agenda

## HISTORIC DISTRICTS REVIEW BOARD FIELD TRIP

TUESDAY, October 8, 2019 at 12:00 NOON

HISTORIC PRESERVATION DIVISION, 1<sup>st</sup> FLOOR CITY HALL

## HISTORIC DISTRICTS REVIEW BOARD HEARING

TUESDAY, October 8, 2019 at 5:30 P.M.

SANTA FE COMMUNITY CONVENTION CENTER

\*\*\*AMENDED\*\*\*

### CALL TO ORDER

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- B. APPROVAL OF AGENDA
- C. APPROVAL OF MINUTES: September 24, 2019
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RECEIVED AT THE CITY CLERK'S OFFICE

DATE: October 2, 2019

TIME: 4:32 PM



# Agenda

## HISTORIC DISTRICTS REVIEW BOARD FIELD TRIP

TUESDAY, October 8, 2019 at 12:00 NOON

HISTORIC PRESERVATION DIVISION, 1<sup>st</sup> FLOOR CITY HALL

## HISTORIC DISTRICTS REVIEW BOARD HEARING

TUESDAY, October 8, 2019 at 5:30 P.M.

CITY COUNCIL CHAMBERS

### CALL TO ORDER

- A. ROLL CALL
- B. APPROVAL OF AGENDA
- C. APPROVAL OF MINUTES: September 24, 2019
- D. FINDINGS OF FACT & CONCLUSIONS OF LAW

Case #2019-000893-HDRB, 553 Agua Fria Street.

Case #2019-000829-HDRB, 113 Vigil Lane.

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

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3. Case #2019-000701-HDRB, 515 Don Gaspar Avenue. Don Gaspar Area Historic District. Steven Reimann, agent/owner, proposes to re-roof a significant non-residential structure not in-kind. An exception is requested to replace historic roof styles and materials not in-kind (Section 14-5.2(D)(6)). (Lisa Roach)
4. Case #2019-000887-HDRB, 727 Don Gaspar Avenue. Don Gaspar Area Historic District. Positive Energy Solar, agent for Hayden Rector, owner, proposes to install publicly visible solar equipment in line with a pitched roof on a contributing residential structure. (Carlos Gemora)
5. Case #2019-000919-HDRB, 1149 Camino San Acacio. Downtown & Eastside Historic District. Will McDonald, agent for William and Michele Johnson, owners, proposes to remove attached sheds and a portal and construct an addition, stucco and re-roof a contributing residential structure. An exception is requested to construct an addition less than 10' from a primary facade (Section 14-5.2(D)(2)(d)). (Lisa Roach)

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RECEIVED AT THE CITY CLERK'S OFFICE

DATE: September 19, 2019

TIME: 4:04 PM

**SUMMARY INDEX**  
**HISTORIC DISTRICTS REVIEW BOARD**  
**OCTOBER 8, 2019**

<b><u>ITEM</u></b>	<b><u>ACTION TAKEN</u></b>	<b><u>PAGE(S)</u></b>
Call to Order	5:30 pm	1
A. Roll Call	Quorum Present	1
B. Approval of Agenda	Approved	1-2
C. Approval of Minutes		
1) September 24, 2019	Approved, as amended	2
D. Findings of Fact & Conclusions of Law	Approved	2
E. Business from the Floor	None	2
F. Communications		
1) Code Interpretation regarding HDRB vs. Administrative Review	Comments	2-3
G. Action Items		
1. Case #2019-00702-HDRB 247/247½ Rodriguez.	Approved	3-14
2. Case #2019-000888-HDRB 814 Camino Atalaya.	Approved	14-21
3. Case #2019-000919-HDRB 1149 Camino San Acacio	Approved	21-26
H. Matters from the Board	None	26
I. Adjournment	Adjourned at 7:55 p.m.	27

**MINUTES OF THE  
CITY OF SANTA FE HISTORIC DISTRICTS REVIEW BOARD  
OCTOBER 8, 2019**

**CALL TO ORDER**

A regular meeting of the City of Santa Fe Historic Districts Review Board was called to order by Mr. Frank Katz, Vice Chair, on the above date at approximately 5:30 p.m. in the Lamy Room at the Santa Fe Community Convention Center, 201 W. Marcy Street, Santa Fe, New Mexico.

**A. ROLL CALL**

Roll Call indicated the presence of a quorum as follows:

**MEMBERS PRESENT:**

Mr. Frank Katz, Vice Chair  
Mr. Anthony Guida  
Ms. Flynn G. Larson  
Mr. Herbert Lotz  
Mr. Buddy Roybal

**MEMBERS EXCUSED:**

Ms. Cecilia Rios, Chairwoman  
Ms. Jennifer Biedscheid

**OTHERS PRESENT:**

Mr. Carlos Gemora, Senior Planner  
Ms. Lisa Roach, Planner Manager  
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**

**MOTION:** Member Roybal moved, seconded by Member Guida, to approve the agenda as published.

**VOTE:** The motion passed by unanimous (4-0) voice vote with Members Guida, Larson, Lotz and Roybal voting in favor and none voting against.

**C. APPROVAL OF MINUTES: September 24, 2019**

Vice Chair Katz said that on Page 11, 3<sup>rd</sup> paragraph from the bottom, the word *free* should be "the."

**MOTION:** Member Roybal moved, seconded by Member Larson, to approve the Minutes of September 24, 2019, as amended.

**VOTE:** The motion passed by majority (3-0) voice vote with Members Larson Lotz and Roybal voting in favor and Member Guida abstaining.

**D. FINDINGS OF FACT AND CONCLUSIONS OF LAW**

Case #2019-000893-HDRB. 553 Agua Fria Street.

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Case #2019-000829-HDRB. 113 Vigil Lane.

Case #2019-000804-HDRB. 375 Hillside Avenue Unit B.

Case #2019-000886-HDRB. 340 Delgado Street.

**MOTION:** Member Roybal moved, seconded by Member Larson, to approve the Findings of Fact and Conclusions of Law, as presented.

**VOTE:** The motion passed by majority (3-0) voice vote with Members Larson, Lotz and Roybal voting in favor and Member Guida abstaining.

**E. BUSINESS FROM THE FLOOR**

None

**F. COMMUNICATIONS**

1. **Staff presents final Land Use Department Code Interpretation regarding HDRB vs. Administrative Review**

Ms. Roach noted the packet contains a final draft of the Code interpretation of the HDRB review versus the administrative/staff review for historic preservation applications. This is a result of Staff working with the land use director, city attorney's office and the HDRB subcommittee and they feel it captures the Board's feedback. The intention is to clarify for everyone the Code intent regarding when administrative/staff approval is appropriate and when it is not.

Vice Chair Katz urged the members to submit any thoughts on the matter to Ms. Roach to forward to the land use director, who will make the decision.

Ms. Roach thanked the Board for their feedback. This is anticipated as the first of several written code interpretations to clarify the process for administering the Code and for the public to comply with the Code.

## **G. ACTION ITEMS**

Vice Chair Katz said anyone who disagrees with a decision the Board renders, has the option to appeal to the Governing Body within 15 days of the adoption of the Findings of Fact and Conclusions of Law related to that decision.

1. **Case #2019-000702-HDRB. 247 and 247 1/2 Rodriguez Street. Downtown and Eastside Historic District. Jenkins Gavin, agent for BRS Properties, owner, proposes to demolish two residential structures, an accessory structure, and a yardwall, to repair a yardwall, and to build a new retaining wall on a non-contributing property. (Carlos Gemora, [cegemora@santafenm.gov](mailto:cegemora@santafenm.gov), 955-6670)**

Ms. Gemora presented the staff report as follows:

### **STAFF REPORT:**

247 and 247½ Rodriguez Street consist of an approximately 1,600 sq. ft. principal and 950 sq. ft. detached guesthouse built in the Spanish-Pueblo Revival style and designated non-contributing to the Downtown and Eastside Historic District. According to Historic Cultural Properties Inventories (HCPI) from 2018, the principal building was built around the 1920's or 1930's though only about 900 of the 1600 sq. ft. are historic. The casita was built by the early 1940's and, according to the HCPI, is described as a "near ruin." The collection of yard walls on the property are mostly non-historic.

In January of 2019 the board reviewed a request to downgrade the two buildings from contributing to non-contributing (H-18-126A – Members Rios, Katz, Bayer, Biedscheid, Roybal). The applicant argued the buildings had little historically-contributing character to

begin with but also that they were in severe disrepair - lacking historic integrity. Though a thorough HCPI from historian John Murphy recommended downgrading the status to non-contributing based on an evaluation of architectural and cultural history, an evaluation of structural stability and the ability to renovate the property was never documented. Finding insufficient evidence to downgrade the buildings and identifying historically contributing elements of the principal building, the board designated the principal home and an adjacent wall as contributing and requested a HCPI form on the partially-collapsed casita.

In June of 2019 a new owner and agent approached staff with a HCPI on the casita and new information pertaining to the Board's November decision. The yard wall designated "contributing" was found to be non-historic (post-1985) and expert testimony found the "contributing" principal structure and partially-collapsed casita to be structurally unstable and irreparable. Staff determined that this new information should be reviewed by the Board in another status review hearing.

In July of 2019, with more complete information, expert testimony, evidence provided at the hearing, and after an opportunity for the board to visually inspect the structures, the HDRB downgraded the casita and principal structure (H-19-049A – Members Rios, Katz, Guida, Larson, Roybal). The yard wall was non-historic, the principal structure was determined to have a lack of structural and historic integrity, and the casita was determined to have a lack of structural integrity and historically-contributing features. Finding all three contributing structures to not meet the definition for "contributing," or to not have the historic integrity required to establish or maintain the character of the historic district, the property was re-designated as non-contributing.

In September of 2019 the applicant presented a request to demolish the noncontributing buildings, a non-historic yard wall, and a non-historic steel shed. According to the applicant's letter and demolition responses, the buildings did not have historic importance per the HCPI documentation and based on the Board's decision to downgrade the structures to noncontributing. The structure is not an essential part of the streetscape, the applicant argued, because the HDRB gave them the status of noncontributing, because they are set back considerably from the street, and because the relation to the street is different than the majority of dense, close buildings which make up the streetscape. Regarding structural stability, the applicant again relied on a structural engineering report from a licensed structural engineer (James Hands) and a letter from an experienced historic building contractor (Bonifacio Armijo, previously a member of the HDRB) to argue that the two buildings were beyond reasonable repair. The HDRB ultimately postponed a decision, requesting the applicant present additional information on all the structures on the property and to resubmit a plan for the property (2019-702 – Members Katz, Biedscheid, Guida, Lotz).



The applicant returns with additional structural reports and the same request:

- demolish the two non-contributing buildings,
- demolish the non-historic steel shed,
- demolish a non-historic yard wall,
- maintain the existing rock walls and exterior stairs,
- clad a stucco and rock wall with rock to match the other rock walls on the property, and
- build a new 3' retaining wall following the casita's retention footprint.

1. Demolition of two non-contributing buildings:

The applicant previously presented a structural engineering report from a licensed structural engineer and a letter from a historic building contractor which were used by the applicant, in addition to a letter from the city building official and testimony provided during public hearings, to argue that the buildings were both structurally unstable and unable to be reasonably preserved. The applicant returns with reports from three independent, licensed, structural engineers to support a request for demolition:

- Engineer James Hands expanded his original June 2019 report and documented water infiltration, a concrete curb installed around the walls which is not a foundation for the structure but rather an unsuccessful attempt to divert water away from the walls, rotting structural elements, and recommends demolition.
- Engineer Eric Trujillo completed a report which documented failing roofing, both deteriorated and structurally insufficient roof framing (all rooms), excessive roof and wall deflection, a stone stem wall without a foundation (neither concrete nor cobblestone foundation), failing adobe masonry and joints without foundations, insufficient water diversion and retaining walls on the northern building walls, a failing historic portal, rotting floor framing, and insufficiently-designed or non-existent foundational and structural elements. Mr. Trujillo describes in detail what would be needed to renovate the building, the inabilities of the structure to handle such a renovation, and concludes that, "no portions of the existing structure can remain in place if this building is to be occupied and meet building code."
- Engineer Gary Landon observed damage to all exterior and interior walls, sagging joists and headers (greater than acceptable standards), a sloping floor, a roof in "progressive distress," and concluded the adobe walls to be beyond reasonable repair and generally that repair could not be conducted without a demolition and complete rebuild.

Similar to the last hearing, the applicant responds to the demolition considerations, arguing that the non-contributing buildings lack historic importance, that the buildings are not an essential part of the streetscape, and that the buildings cannot be maintained or repaired due to numerous issues caused by insufficient design and a lack of historic maintenance.

2. Demolition of a non-historic steel shed:

The applicant proposes to demolish a steel shed to the rear of the buildings. The non-historic steel shed on the property is estimated at approximately 20 years old and has neither foundations nor footings. Staff assumes that the shed is an illegally-constructed non-conforming structure, and, due to its age and placement, the shed has no historic importance, is not considered to be an essential part of the streetscape and has been observed to be in disrepair.

3. Demolition of a non-historic yard wall:

The applicant proposes to demolish a non-historic yard wall which encloses a small courtyard and is adjacent to the principal house. Though the board initially designated the wall as contributing, later evidence established that the wall was constructed after 1985 and thus that the wall has no historic importance. Staff do not find the wall to be an essential part of the streetscape and a structural report observes that the wall is in poor structural condition.

4. Maintenance on rock walls and exterior stairs:

The applicant proposes to maintain and repair existing perimeter and interior rock walls. The exterior stairs adjacent to the casita are proposed to also be maintained and repaired as needed which includes the installation of a wrought iron railing.

5. Rock cladding of a stucco wall:

In the interior of the property is a stucco wall with a stone base. The applicant proposes to clad the face of the wall with stone to match the base and the other stone walls on the property (no stuccoed walls are proposed to remain on the property).

6. New retaining wall:

The collapsing casita insufficiently retains a higher grade on the north and east elevations. The applicant proposes to construct retaining walls to replace the existing north and east casita building walls to maintain the existing exterior grade. The retaining wall will be constructed with rock, will be approximately 3' high, and will have a wrought iron railing.

At the September 2019 HDRB hearing, the board requested a plan for the property. In the previously-reviewed September packet, the applicant stated that the plan is to have an undeveloped lot, to maintain existing trees and shrubs, to re-grade the existing building area, and to plant native grasses and wildflowers. In the applicant's updated submission

letters, the applicant states that no structures are proposed on the property but that any future proposals would comply with the required streetscape standards (new construction shall comply with all applicable standards of the Historic Districts overlay (Section 14-5.2).

### **STAFF RECOMMENDATION:**

Staff recommend approval of the request to demolish the non-contributing buildings, non-historic shed, and non-historic yard walls (items 1-3), specifically considering the standards in 14-3.14 Demolition of Historic or Landmark. A denial of the demolition request shall impose a duty on the owner to immediately take action required under 14-5.2(B) Minimum Maintenance Requirements per 14-3.14(F) Denial of Demolition Request.

Staff also recommend approval of the maintenance and alteration of existing yard walls and stairs (items 4 & 5) and the construction of new retaining walls (item 6) per 14-5.2(E) Downtown and Eastside Design Standards.

### **QUESTIONS FOR STAFF**

Member Roybal said as he read the information, everything leads to none of the items being structurally sound. He asked how the applicant could both maintain and do demolition.

Mr. Gemora said a denial would mean that the Board believes minimum maintenance could be achieved. Thus, the applicant would be required to impose minimum maintenance on whatever is denied demolition.

Ms. Roach pointed out the property is an example of demolition by neglect and is at a state where demolition is likely a necessity. The neglect is a result of the City failing to enforce minimum maintenance as well as a failure to comply on the property owners' part.

Member Guida asked if there are drawings for the proposed retaining walls, garden rails, handrails, stairs, etc.

Mr. Gemora said the railings and 3' retaining walls could be approved by Staff, but no drawings were included with the proposal.

### **APPLICANT'S PRESENTATION**

Colleen Gavin, 130 Grant Avenue, Suite 101, was sworn. She clarified that the original application did include detailed drawings of the retaining walls and guard rails as part of the application. The drawings are thereby considered part of this application as well since the case was postponed.

Mr. Gemora indicated Ms. Gavin was correct and there are full-scale drawings of the walls and railing. He passed those out to the Board.

Ms. Gavin provided a Power Point presentation. She indicated there seemed to be confusion on what was contributing/noncontributing status. She would review that again to be sure it is on record and for anyone who did not attend the July hearing.

Slide 1 - a Vicinity Aerial

Slide 2 - a Zoning Map.

Slide 3 - a Historic Map showed the property in the downtown, east side.

Slide 4 – Existing Conditions - of the main residence with the historic, two additions to the west, the casita, and the face of the main house on Rodriguez.

Slide 5 – Site plan prepared by surveyor showing the residence, casita, shed and perimeter stone walls, retaining walls, concrete stairs, the wall to be clad in stone and the wall to be demolished.

Slide 6 – Non-Contributing Status, HDRB Hearing, July 9, 2019 - for the record: Staff recommended noncontributing because of the lack of structural and historical integrity remaining on the main house and casita. The Findings of Fact #8 was the applicant is to submit new evidence and information that had not been available on the previous owner who obtained contributing status at that time. Findings of Fact #9 - the Board found the applicant did not meet the criteria for contributing structure based on additional testimony and evidence.

Slide 7 – Main House shows enclosure of the portal and evidence of the rebuilt portal; the non-historic wall and circa '74 and '75 additions.

Slide 8 – Elevations

Slide 9 – Wall in Question

Slide 10 -- 1985 photo showing the wall did not exist

Slide 11 – the casita - showing area where collapsed

## Slide 12 – Demolition Criteria review

Ms. Gavin explained they are requesting the demolition of the structures previously outlined by Staff. She stressed the importance of looking at the demolition criteria. She noted her client and the property owners, live adjacent to this property and have invested in the Eastside. They would not live there if they did not understand the value of maintaining and restoring structures that warrant that. These two structures do not. They are beyond repair and have been neglected for decades and abandoned, but not by the applicant.

Ms. Gavin said she would lay out the criteria for demolition and provide additional information on the walls, the shed and plans for the property requested by the Board.

The first criteria for demolition is whether the structure is of historical importance. Per section 14-12.1 "a noncontributing structure is a structure that does not exhibit sufficient historic integrity to establish and maintain the character of the historic district." Both structures on this property are noncontributing. In the previous case Staff found that both structures lack the structural integrity, historic contributing features and historical integrity. The Findings of Facts in the previous case stated that the Board found the applicant "did not meet that criteria."

The second criteria is whether the structures the applicant proposes to demolish are essential to the unique street section or block front. The structures are over 50' from the property line and therefore more than 50' from the street. The casita is not visible from the streetscape. The main residence and adjacent wall were determined not to contribute historic integrity and are not essential to the street section.

Rodriguez Street has a clear pattern of homes pushed toward Rodriguez Street and is densely and organically developed and a very unique street. But they are of the opinion that this property and the structures are not contributing to the unique character of Rodriguez Street.

Ms. Gavin noted Mr. Gemora stated in his report at any point, if this property changes hands, if it is to be developed it would have to come before you and it has to comply with all the criteria of Chapter 14 and of course would have to contribute to the streetscape, and as identified in the criteria, if it would be reestablished by any proposed structure.

The applicant has no structures proposed for the property at this point.

The third criteria is the state of repair and structural stability. They had an intensive investigation done. Jim Hands went to the property and did a visual assessment of the

structure including photographs and measurements. Eric Trujillo and Gary Landon went out and also did independent assessments. All investigations found there is insufficient water diversion around the structures, water infiltration causing direct deterioration of the adobe walls and roof, lack of footings and foundations, rotting wood structural elements and excessive deflection of the roof and walls. She in fact, sent Mr. Gemora prior to the Board's site visit, a request stating that no one was to enter the historic section of the main house. The deflection of the vigas is beyond standard and had to be stabilized before their team could enter. The main house roof is currently susceptible to collapse because of that and the deadload of the dirt roof. The structures do not meet building code and are beyond repair.

Slide 13 - Photos were shown and described from the structural report.

Ms. Gavin showed the plan and proposal for the structure to be replaced. All mature vegetation would be maintained, and the owners have done extensive trimming and cleaning.

Ms. Gavin showed the proposal submitted in September.

There were no questions from Board members.

### **PUBLIC HEARING.**

Raymond Herrera, 379 Hillside Avenue, was sworn. He stated he still feels that part of this property should be maintained or saved. He complimented the applicant for a great job on reviewing the property. It was the first time he has seen such extensive research done on similar property.

He indicated he is glad the applicant has a solution. Regarding the applicant's statement that he would not be building anything - he does not believe that. And if the applicant plans to build it would have to conform with the streetscape and that tells him that he will be back before the Board fighting a new proposal again in six months.

Mr. Herrera said he wishes the applicant luck in their venture. They are losing another part of the historic fabric of Santa Fe.

Carson Seime, 617 East Palace was sworn. His property joins the Rodriguez property to the south. He had been on the historic preservation board in Oklahoma and respects the Board's position and is trying to follow the issue of how to repair something that is irreparable. He expressed there are liability concerns and family concerns and they mainly want the property to be green space for the neighborhood. They have no reason to see the property developed.

Lee Reynolds, 607 E. Palace, was sworn. He moved to Santa Fe in 2011 and came before the Board for a property he bought. They moved to Santa Fe because they love the community, the heritage of Santa Fe and they embraced and found historic preservation comforting. They feel things should be preserved when possible, and they work hard to do that.

They have concerns about the complete deterioration of the property and they have seen indigents live there. Three property owners below, above, and adjacent to this property formed a partnership to acquire the land. First, they want to protect the integrity and beauty of their own properties. They do not want someone cutting trees down and putting in a three-story structure. The buildings are far beyond repair after decades of abuse.

A big concern now is they want a safe place for children in the neighborhood and his grandchildren. Their plan when they bought property was never to develop it. They want a safe place and intend to demolish the buildings and turn the property into a green space.

Bill Rothermel, 231½ Rodriguez Street, was sworn. He said he and his wife are concerned that for the last nine years the property has not been maintained. They have seen people go into the buildings and always have concern that someone will build a fire to stay warm and burn down the neighborhood. He hoped the Board would give the consideration the property deserves. They commended the new owners for cleaning up the property and trying to do the right thing.

Cheri Rothermel, 231½ Rodriguez Street, was sworn. She passed out two letters for the record: one from Bill and Cheri Rothermel, dated June 30, 2019, attached as Exhibit "1" and another from Cheri and Bill Rothermel, dated October 4, 2019, attached as Exhibit "2".

She noted the letters have four points. One is about the property's condition that has already been addressed. Another point is the green area. She lives at the furthest point up the hill in the northwest corner. Her yard has native crab apple trees and an apricot tree, and she thought this property may have the same trees. It could be farmland among the homes.

Ms. Rothermel said another issue is a nonconforming one. All of the houses along Rodriguez at the top of the hill are small, 500-900 ft.<sup>2</sup> homes set back off the street. The area is unique. Since 2008 the area has improved, and people take pride in their homes and are planting native bushes. It is difficult for them to see this house abused and neglected for years because another owner did not care about the history or this home. The building will just sit there and rot, and some things are beyond repair.

She asked the Board to consider all of that.

John Eddy, 227 E. Palace, was sworn. He said once again they are confronted with an unfortunate situation. The immediate take-away is the City failed to do their job prosecuting demolition by neglect. This is the second egregious example in the last month.

He hoped going forward the City will look for resources to pursue prosecution in situations like this. This is a vernacular home built by people without means who did the best they could. He said the argument raised of streetscape that because the building is 50' back it does not contribute - he believes it does. The space enveloping the house speaks to the history of Rodriguez Street.

Mr. Eddy stated he has immense respect for the engineers and looking at the evidence, in his experience this house is irreparable and should be torn down. He thought if the Board makes that decision, the owners who promised they would not develop the property should draft a preservation covenant to that effect. That would show respect to both the Board and the City.

Brian Westerberg, 225 Rodriguez, was sworn. His house looks down on the property and he has watched it deteriorate. He understands the comments about the historic nature, however, there are properties that are equally historic. This property is so far gone his concern is the safety of the others and their welfare offsets the argument to save the property. He has observed kids playing ball and going onto the property and is seeing children he does not know, possibly of tourists on that street. He thought it would reflect badly on everyone if something tragic happened because nothing was done about the buildings.

### **BOARD DISCUSSION**

Ms. Gavin said the case has been summarized clearly but she invited Gordon McKeen, an expert in structural and historical to be present. He assessed all of the structural reports submitted by the applicant's licensed engineers. She asked him to comment on the reports.

Mr. McKeen at 3240 Juan Tabo NE, ABQ, was sworn. He said he knows the engineers from other projects and when asked to speak he planned to summarize what the other engineers said. Now he thought that was not necessary because Staff did a fabulous job of stating what the report contains.

He continued that the roofs are problematic and leaking; water is leaking into the adobe walls and they have no foundation. There is extensive deterioration and rotting



and the structural integrity has been compromised. Those are only the portions that can be visually inspected. If any effort is initiated to further investigate, he was confident they would find more deterioration and damage to the structures. An overwhelming amount of information suggests to him, that the structures should be removed to preserve the property.

Member Larson thanked the applicant for the thorough evaluations. She said that made the Board feel more confident and knowledgeable about the property. She added it is common in historic Santa Fe architecture to not have a foundation and adobe on the ground. Also common is the dirt roof but it speaks to the importance of maintenance. The fact that the structure was stuccoed and has been trapping moisture for years, she thought a shame that the structure was in the state it is in.

Member Roybal also thanked everyone for the thorough information provided in this case due to the neglect and what has happened to the property. He said Staff did a thorough job presenting the case and in making their recommendations and the Board should follow them.

Member Guida also thanked the applicant for the new information. He wanted to highlight why the discussion is important. The relationship between the demolition rules and Code to the historic designation was discussed earlier. An important thing is they are not 100% aligned. Because a property moves to noncontributing status, does not automatically mean it should be demolished. The Code section about demolition does apply the criteria on a property in the historic district. In addition to considering its contributing status, there are issues of streetscape and structural integrity. This discussion hinged on the issue of structural integrity.

The City of Santa Fe and the community values the historic fabric beyond the individual buildings. They have a vested interest in preventing demolition by neglect and in keeping old buildings. The extra scrutiny on this case, particularly on the structural report, is important. The Board asks for good documentation from licensed professionals and critiques architectural drawings and asks for changes all the time. It was not an issue of questioning qualifications, but of the level of detail provided for the building.

The Board saw tonight, particularly in Mr. Trujillo's report, a complete construction review of the structural integrity of the building. That precluded, along with the other letters, that the building is beyond salvageable on a structural level.

Member Guida said the extra information was good, but it is important to note that the unsalvageable nature of the structure is not because it does not have foundations. It is not because the property has liability risks or is an eyesore or does not meet contemporary code. This information got to the core of the issue. He appreciated the

attention to detail and the information being submitted to Staff and the Board. That helps the Board do their work.

**MOTION:** In Case #2019-000702-HDRB, 247 and 247½ Rodriguez Street, Member Roybal moved to go with staff recommendations and approve the request to demolish a noncontributing building and Staff approval of the maintenance and alterations of the existing yardwalls, stairs and construction of new retaining walls. Member Larson seconded the motion.

Mr. Gemora added as a note to the maker that the original wall and iron railing proposals did not end up in a specific packet that have been proposed both in full-scale drawings and as part of the September packet. He asked if the Board had the opportunity to review those enough to feel confident in approving those or if they would like Staff to approve those later.

Member Roybal was comfortable authorizing staff to approve those later.

**VOTE:** The motion passed by unanimous (4-0) voice vote with Members Guida, Larson, Lotz, and Roybal voting in favor and none voting against.

2. **Case #2019-000888-HDRB. 814 Camino Atalaya. Downtown & Eastside Historic District. Architectural Alliance, agent for Dale Lamson and Rondle West, owners, proposes to construct a new 5,000 sq. ft. residence to a height of 21'0" and 72"-high yardwall on vacant land adjacent to a contributing residential structure. (Lisa Roach, [lxroach@santafenm.gov](mailto:lxroach@santafenm.gov), 955-6577)**

Ms. Roach presented the Staff report as follows:

**STAFF REPORT:**

814 Camino Atalaya consists of a 0.73-acre parcel that includes a contributing residence formerly addressed as 450 Camino Monte Vista. The contributing residence was constructed before 1949 in the Spanish-Pueblo Revival style, and in 2016 (case H-16-002), the HDRB assigned primary façades (north and west) and approved renovations of the home (now the guest house at 814 Camino Atalaya), including demolition of two noncontributing sheds, door and window changes, portal and mechanical room additions, construction of a detached garage, and construction of yard walls, fences and gates.

Now, the applicant proposes construction of a new main residence on the vacant area southeast of the contributing "guest house," as follows:

- 1) Construct a new free-standing, single-family residence, consisting of approximately 3,000 square feet of heated area, 770 square feet of non-heated area, and 1,220 square feet of portal space. The new home has been designed in a simplified Spanish-Pueblo Revival style, with rounded stuccoed massing in El Rey "Sandalwood," black aluminum clad divided lite windows, painted wooden portal members in Dunn Edwards "Iron Fixture."
- 2) The proposed height of the residence is 20'8" where the maximum allowable height is 18 feet. The applicant has demonstrated that the site exhibits a slope of greater than 2 feet, and they have requested an additional 3'8" in height in accordance with Section 14-5.2(D)(9)(c)(ii)(F).
- 3) Publicly visible glazing on the north elevation of the proposed home covers approximately 36% of the surface area of that elevation, which is less than the maximum allowable glazing area of 40%.
- 4) The proposed new residence includes an attached garage, with wood clad garage doors, and a roof deck and pergola above.
- 5) The proposed site design includes new stuccoed yard walls to a height of 5'6", where the maximum allowable height outside of the applicable streetscape is 6 feet and featuring a 10-ft-high entry structure with 8-ft-high metal entry gates with an open grid.
- 6) The proposed site design also calls for new pedestrian and vehicular gates at the Camino Atalaya streetscape, to match the open grid metal design of the vehicular gate at the Camino Monte Vista property entrance.
- 7) Exterior lighting (design submitted).

**STAFF RECOMMENDATION:**

Staff recommends approval of the proposed project, in accordance 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**

None.

## **APPLICANT'S PRESENTATION**

Eric Infield, 612 Old Santa Fe Trail, was sworn. He said when presented originally Doug LeDow was planning another residence at the same location. The intention is that the historic casita would remain as the guest house and there was a site for a new house.

He said he, his client and client's partner have worked hard to review the characteristics of the surrounding neighborhood and balance the proposed new residence with the contributing casita. The proposed style of the new house is recent Santa Fe style by using a simplified Spanish Pueblo Revival style. The color palette and wood details will match. The new residence was sited to ensure the north and west primary façades and casita are not obstructed from public view. A new wall and gate will create an internal central courtyard to be shared by the casita and the main residents. The Eastside 15'-18' away from the adjacent neighbor's property is offset. The setback requirement was only 5' feet and there is a 22' setback on the rear property line. They tried to push the house into the central part of the lot to give a sense of compound. They talked with the neighbor to the west as well as the one to the east about their plans.

On the front elevation closest to the street they borrowed the garage detail from the casita. They utilized the wood rail on the deck to mirror the wood carving on the casita garage door. The rail matches the pattern of the guesthouse garage door.

A 5' 6" high yard wall enters a central courtyard through an iron gate which would be an open grid similar to the gate previously approved. The entry structure is 10' tall and the garage is 14' tall (allowance is 18') with a 2' drop over the structure. The applicant is requesting 3' to give them the 21' allowable height. Although the pergola is 21' high, it only covers 450 ft.<sup>2</sup> of the house; 9% of the roof area. The other 91% of the house is under the allowable height of 18 feet.

He passed out photographs with similar two-story pergola decks in the neighborhood and a study of the height of homes two stories or a story and a half nearby. There are two-story homes next to them and they have marked the homes on the aerial map. The pergola has about 129 ft.<sup>2</sup> that is roof. The photos show that it is not unusual to have a roof deck or a pergola in the neighborhood. Finishes will be cementitious stucco and complement the existing color in Sandalwood. There will be black metal doors and windows and the wood will be painted in the color "Iron Fixture."

The house is 5,000 ft.<sup>2</sup>, with 1,220 of it is portals and 769' the unheated garage space. The house itself is about 3000 ft.<sup>2</sup>.

Mr. Infield stood for questions.

## **QUESTIONS FOR THE APPLICANT**

Member Roybal asked the applicant to explain the glazing.

Mr. Infield indicated glazing is on the north and south side on the transoms. The ceiling height is 13'8" with ceilings about 14'8" and clients want 11' high doors. The proposed north elevation with entry gate and yard wall will not show much glazing from the street. It does show in the north elevation because of the 5'6" high wall, but only the 5' above the wall will show. The clients like the idea of a lot of glass because they face the Santa Fe Ski Basin.

The glazing is at 36% of the 40% allowance. Other than the four big doors on the north side there is no other glazing visible from the street on that façade. There is a solid garage door, stucco parapets, walls and gates and a large stucco band above the doors and that keeps the doors to scale.

Vice Chair Katz said he had problems with the size of the windows and doors. He appreciated that they wanted to keep the view he questioned the need for the transom windows over the doors. He asked if the applicant would be flexible about not putting transom windows on the north and west elevations.

Mr. Infield said he could discuss that with his client. He asked if there were other concerns as well. He clarified with Vice Chair Katz his concern was the doors.

Vice Chair Katz agreed that the doors are large, but he could understand them, but it is the transoms.

He added another concern highlighted by the material passed out, is the pergola. In every other example shown, the pergola or roof deck has a building portion above it. Here the pergola rises up above everything else. He said it does not work and he is inclined to not accept the pergola for that reason.

Mr. Infield explained he did not want to introduce a stucco mass and the client wanted a light structure. He understood the Chair's concerns. He asked to confirm Vice Chair Katz was referring specifically about the west elevation that appears to have a freestanding wood structure on top.

Vice Chair Katz said it is worse on the west elevation, but it was north and west that did not work for him.

Member Larson complimented the applicant for his efforts to harmonize with the existing structure in color, massing, and detail. She agreed with Vice Chair Katz that the pergola seemed intrusive and was not sure how that would add positively to the design.

## **PUBLIC HEARING.**

John Eddy, previously sworn, agreed the pergola looked out of place and about the transoms and even further the number of lights and doors accentuates the busyness. The height of the doors adds to that as well. He thought the applicant looking out at the view would not have to look up in order to see the mountain.

Will McDonald, 488 Arroyo Tenario, was sworn. He said he is familiar with the neighborhood and has been watching the development. He thought the house, though large, fits with the size of other houses in the neighborhood. He was not sure about the pergola, but mostly it could be seen from Camino Atalya. He said if another situation he might argue against the house but in this location, it fits the neighborhood.

John Horton, the future owner of 448 Camino Monte Vista was sworn. He is a designer by trade but said his knowledge of Santa Fe architecture is not that deep. However, as a neighbor of a noncontributing house he wanted to say he appreciates the massing of the house. The applicant has respected the distances between neighbors and attempted to reduce the scale of the building. He is very pleased.

## **BOARD DISCUSSION**

Mr. Infield said he had a chance to talk with his client and the pergola is gone, but they have a request. They would like to raise the garage parapet by a foot to help the façade in height and relationship. They will also agree to removing the transoms if the Board approves 10-foot doors.

Vice Chair Katz confirmed that the doors currently are 9 feet. He agreed with the comment about the busyness of the doors without the wall. But with the wall they would be looking at two rows of lights and he thought that works. He thought that much glass was not needed and is not what Santa Fe looks like and it is pushing the number and the size of doors and is not consistent with the houses in the neighborhood.

Mr. Infield said his client was most concerned about the scale of the doors inside the room with the 14' ceiling. They hoped eliminating the transoms would make the Board comfortable giving them more height.

Ms. Roach clarified that the transoms currently are 2' high and this is splitting the difference. She confirmed the north façade has two sets of doors with fixed windows in between and Vice Chair Katz was talking about removing the transoms above all of the north doors.

Vice Chair Katz replied it was to remove all of the transoms to the north and the west.

Mr. Infield asked to hear the other Board members thoughts about taking off 15 inches of the 10' doors and removing the non-historic transoms.

Vice Chair Katz first wanted to comment that Mr. Infield knew that many of the Board members were uncomfortable that every new house has to have 14' ceilings. He noted it is also not very Santa Fe and if it looks bad maybe the ceilings could come down some.

Mr. Infield pointed out a lot of structures in town have a ceiling that high. He was recently in Winnie Beasley's house and it has 14' ceilings. The house was built in the 30s. He explained this house is more of a contemporary house. It is 2019 and the clients lean toward this aesthetic and like a lot of glass. They like the outdoors and are developing a beautiful central courtyard, and they want the large doors to open onto the courtyard.

He said he was not sure their thoughts on whether the doors are 9' or 10'; the client is willing to give up the transoms.

Vice Chair Katz said it was the height. He thought the design was beautiful, but this is Santa Fe and there is a style component. That is why the Board exists and they are trying to be true to the streetscape.

He asked the thoughts of the others on the Board on the doors and windows on the north façade.

Member Roybal said he was not bothered by a 9'-or 10'-foot door or the transoms but increasing the doors to 10' would bother him. He did not see a problem with the one-foot addition over the garage and thought it would give massing.

Member Larson agreed increasing the door height was preferable to having a transom. She said she is visual and would like to see a drawing.

Member Guida thought the massing of the project nice and the design overall well done. He agreed the removal of the removal of pergola is an improvement and is agnostic about the height of the door openings or whether there is a transom.

He said he is less inclined that the Board do the design for the applicant. He suggested they could return with a response to the Board to have less glass and less height on the openings. It could be with the transoms or without, he did not want to take

away one feature and ruin the proportion somewhere else. He would leave to the applicant to work out whether that is reducing proportion overall, etc.

Member Guida said one thing that remains a question to him is the context. He asked the general height of the historic guest house. He was told it is low - about 12 feet.

Member Guida thought the height of the structures may be a factor in discussion also.

Mr. Infield pointed out they could see what a 10-foot door would look like on the west elevation; there is an 8' door and a 2' transom.

Mr. Gemora clarified that the east elevation shows in the central elevation, two 8' doors and 2' transoms and the left side has a 9' door with the 2' transom. The south elevation has three 9' doors with 2' transoms.

Member Guida confirmed the north elevation would drop from an 11' opening to a 10-foot opening

Mr. Infield indicated they would keep the same amount of lights, which was a concern of Vice Chair Katz.

Vice Chair Katz said he had not given that thought. He liked that the pergola would be gone and thought it should be kept simple. He said what they do see is all of the glass, the doors and the windows and not the building. He is trying to focus on what the building looks like and the massing and is comfortable with that.

Mr. Infield said his client has given the Board a pergola and transoms; the scale is good and 10' doors would look nice and the lights will remain the same.

Member Roybal asked Mr. infield if it would be better to postpone.

Mr. Infield stated the Board could already tell what he would return with - no transoms, a 10' high door and no pergola.

Mr. Roybal said it would present better if the Board could see the actual instead of redrawing as they go. He would like to see revised drawings with the different doors, and the transom gone, etc.

Ms. Roach noted that if the changes are acceptable to the Board, including those suggested by Mr. Infield to increase the parapet height of the garage by 12 inches, removing the transoms and increasing the height of the doors to 10' and removing the pergola - those are straightforward. She said if Staff receives revised drawings from the



applicant at Staff level, they could then certify that the applicant has met the conditions of the Board. She asked if the Board would be open to that.

Vice Chair Katz said the question for the Board is whether they are comfortable with the 10-foot doors. They could get a view of what that would look like in the east and west façade.

Mr. Infield suggested the east façade shows better.

**MOTION:** In Case #2019-000888-HDRB, 814 Camino Atalaya, Member Guida moved to approve the applicants design with the following changes to be reviewed by Staff: 1) removal of the pergola 2) removal of the transoms 3) increase the door heights to 10' on all facades; 4) raise the garage parapet by 1 foot. The motion was seconded by Member Roybal.

**VOTE:** The motion passed by unanimous (4-0) voice vote with Members Lotz, Larson, Guida, and Roybal voting in favor and none voting against.

3. **Case #2019-000919-HDRB. 1149 Camino San Acacio. Downtown & Eastside Historic District.** Will McDonald, agent for William and Michele Johnson, owners, proposes to remove attached sheds and a portal and construct an addition, stucco and re-roof a contributing residential structure. An exception is requested to construct an addition less than 10' from a primary facade (Section 14-5.2(D)(2)(d)). (Lisa Roach)

Ms. Roach presented the staff report as follows:

#### **STAFF REPORT**

1149 Camino San Acacio is a property with multiple structures located in the Downtown and Eastside Historic District. The property includes a main residence, an attached wing comprised of multiple shed structures, two free-standing accessory dwellings, and a small storage shed. The 0.33-acre lot was purchased by Pablo Tafoya in the 1950s, and the buildings were constructed of adobe in a vernacular manner.

**Building A (Pablo and Adelina Tafoya House):** Building A is the main residence on the property and was constructed in the 1940s. Modifications to the original footprint include a 1955 addition at the northwest corner, the 1960s portals at the west elevation (one of which was enclosed by 1970), and the enclosure of a portal on the south elevation by 1970. Distinctive features of the residence include the unique stucco finish and the portion of the parapet that were constructed of river cobble and mortar. The building is listed as

contributing, and façades on the west, south and north elevations were designated as primary by the HDRB (Case H-17-075).

**Building B (Adelita's House):** Building B appears to be the oldest on the property and was constructed prior to 1935. A portal was added to the north elevation of the dwelling by 1970, and two storage rooms were enclosed on the east and west ends of this portal at an unknown date. The building is listed as contributing, and the south, east, and west façades were designated as primary by the HDRB (Case H-17-075).

**Building C (Composite Wing):** Building C is attached to Building A and is comprised of two formerly free-standing adobe rooms, at the north and south ends, and connected by CMU masonry infill constructed by Pablo Tafoya in the 1960s-1970s. The composite structure was used at various times to house dwelling rooms, a workshop, and animal pens. A breezeway between Building A and Building C was infilled in the 1960s-70s, creating a sunroom. The structure is listed as noncontributing; however, the HDRB designated the south façade as primary in Case H-17-075. Staff recommends that the HDRB may need to reconsider this decision, as it is inconsistent with Section 14-5.2, in that only contributing and significant structures have primary façades.

**Building D (Two-Room Dwelling):** Building D is a small, adobe structure built prior to 1951. The building has had no alterations or additions and retains its original massing and openings. It is listed as contributing, and the north and west façades are designated as primary (Case H-17-075).

**Building E (Storage Shed):** Building E is a small storage shed constructed at an unknown date. It is listed as noncontributing.

The applicants purchased the property recently and met with staff in February of this year to discuss possible modifications to the structures in order to make them habitable and to bring them into compliance with the minimum maintenance requirements of the Historic Districts ordinance. In April of this year, staff issued an administrative approval to re-roof Building B (Adelita's House), to replace the west portal of Building A (Tafoya House) exactly in-kind due to structural instability and safety concerns, to replace five non-historic metal windows on Building A with new aluminum-clad simulated divided lite windows in a custom blue to match the historic windows of the home and with opening dimensions that match historic opening dimensions, and to repair and repaint historic windows and doors on Building A.

Now, the applicants propose the following modifications to Building B (Adelita's House):

- 1) Demolish the portal and non-historic storage rooms at the north (non-primary) elevation. (This portion of the scope of work was performed by the owners without

a permit, as an emergency measure to prevent further damage to the north adobe wall caused by severe leaks in the portal roof.)

- 2) Replace the non-historic entry door on the east (primary) façade.
- 3) Apply stucco over the top of surface-sawn vigas on the south (primary) façade.
- 4) Construct an approximately 100 square foot kitchen addition at the northeast corner of the dwelling. The addition will attach to the non-primary façade but will not be set back at least 10 feet from the east (primary) façade, and an exception is requested (see below).
- 5) Construct an approximately 40 square foot kitchen addition to the northwest corner of the dwelling, in order to accommodate updated mechanical equipment and an expanded bathroom. The addition will attach to the non-primary façade but will not be set back at least 10 feet from the east (primary) façade, and an exception is requested (see below).
- 6) Construct a small entry portal and reconfigure the entry to the dwelling on the north elevation between the proposed additions.
- 7) Re-roof and re-stucco the dwelling in El Rey "Buckskin."
- 8) Repair and repaint the existing historic windows to match the existing medium blue, and stain exterior wood in Cabot "Fruitwood."

#### **STAFF RECOMMENDATION:**

Staff finds that the exception criteria have been met and recommends approval of the proposed project, in accordance 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 Guida asked to clarify the addition that is being proposed and what was seen by the Board during the site visit as well as the modifications to Building C.

Ms. Roach explained she was aware of an unpermitted demolition that happened as a result of roof leaks that threatened to damage the structural wall. She was not aware of the demolition of the composite shed structure, Building C. The Board could have the applicant clarify that.

She stated that any work done without a permit would retroactively be required to get permits and the City will issue a red tag for the unpermitted work. That will carry a double permit fee.

## **APPLICANT'S PRESENTATION**

William McDonald, previously sworn, addressed modifications to Building C. He said his clients bought this house and it has taken 9 months for them to sort through the deeds. The clients love the area and are aware this will be difficult.

He explained his clients asked him about demolishing the north side of Building C and he had relayed his conversation with Ms. Roach to the clients. He told them the Board would need to address the demolition and when he returned one day, the clients had removed the north side. They also removed a corrugated metal roof and walls.

Mr. McDonald stressed that it was not Ms. Roach fault; it was his responsibility to be clear about this to his clients.

He wanted to discuss what the clients would need to do now and the consequences. He added the clients understand and acknowledge they did not follow the process.

Member Guida clarified that in addition to the removal there was new construction in-fill to the building.

Mr. McDonald explained after taking down the shed, they put a door on and a lock. He said the clients plan to move to Santa Fe permanently and have been thinking about what they want the property to be and will be working on it for some time.

The applicants were here tonight on the guesthouse and accessory structure and have obtained a permit to remodel the interior. They decided to add on a kitchen to make the space work better as a living space and are presenting that to the Board as an addition. The sheds were framed and extended out on the northside of the house and is grown over with vines. Most of it is invisible, but what is visible is compatible with the existing structures and does not take away from the historic qualities of the east and west sides of the building.

Vice Chair Katz asked what the "thing" was the Board had seen earlier today.

Mr. McDonald said that was the client's mockup to decide on size and how their idea would feel in the narrow space.

Member Larson said first, this property is very special. When they visited today everyone had the feeling this is a special historic place that tells a story. This is an example of a Spanish Pueblo Revival style house and to cap over the vigas would be a

dramatic loss to what could be beautiful. She explained vigas tend to rot and get cut shorter and shorter through the years until they are not there.

Mr. McDonald said they could look at that and it is the kind of thing the clients would love, but they would need to be careful on how it is done. They are aware of the problems with exposed vigas.

Member Larson suggested they use a borate inside for pest control and flashing on top of the viga or use a linseed oil treatment to protect the wood.

McDonald clarified the viga extensions would be wooden.

### **PUBLIC HEARING**

John Eddy, previously sworn, commended Member Larson for addressing the loss of the viga tails. He mentioned a house on Paseo de Peralta where vigas were atrophying. The loss of viga tails is important because it was an element integral to the Pueblo Revival Style and is important to maintain them for the sense of integrity with that architectural style. That would not be a hardship to replace the vigas and they would need to protect the inside of the property from moisture and bugs.

He added that one of the most important things that defines the house as a vernacular Santa Fe house are the windows and door openings. He would hope that those be maintained at all costs.

Raymond Herrera, previously sworn, said this property is one of the few remaining real vernaculars left on San Acacio. Any changes that are done should be carefully considered - the least done, the better.

### **BOARD DISCUSSION**

Mr. McDonald informed the Board that any viga tails remaining had been sawn off prior to the client's purchase of the house. He was sure his clients would like the idea of replacing the vigas and agreed the property is a treasure. He assured the Board that his clients purchased the property because they value the same things the Board sees in the property. The Board may have seen the west portal of the main house and the care they took to preserve much of what was there.

Member Larson said she noticed quite a few vigas, possibly 16, and if they end up doing a threaded viga end the applicant might consider varying the length. It could help balance everything and is common around Santa Fe.

Member Guida said on the structure additions being proposed they are on the non-primary façade. He suggested they look to see if they clearly comply with the City design first.

He was not sure it relevant, however, compared to the no longer existing door elevation, there is an elegance and simplicity that goes beyond the north façade. It is also about that courtyard. He thought demolition might have happened due to the view from that window, etc.

Member Guida said the property is very special and if the clients could be persuaded to see the value it would produce a better project, especially on the historic front.

Member Roybal was concerned when people do things that they should not do. He wanted to ensure the client understands what will and will not be approved.

**MOTION:** In Case #2019-000919-HDRB, 1149 Camino San Acacio, Member Roybal moved to approve the request subject to staff recommendations and that the exception criteria is met.

Ms. Roach asked, if the applicant agreed, to add an additional condition of approval that the applicant come forward with a retroactive approval of the demolition that had taken place at structure C.

**Mr. Roybal accepted the condition in his motion.**

**Member Larson requested a friendly amendment for item #3: the viga ends should be restored with a threaded viga opposed to the proposal to apply stucco.**

**Member Roybal accepted the friendly amendment. Member Guida seconded the motion.**

**VOTE:** The motion passed by unanimous (4 -0) voice vote with Members Roybal, Lotz, Larson and Guida voting in favor and none voting against.

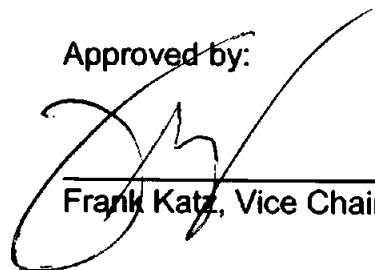
#### **H. MATTERS FROM THE BOARD**

There were none.

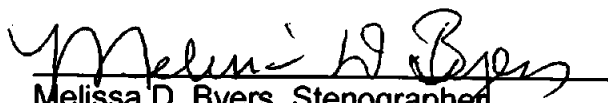
**I. ADJOURNMENT**

Vice Chair Katz adjourned the meeting at 7:43 pm

Approved by:

  
Frank Katz, Vice Chair

Submitted by:

  
Melissa D. Byers, Stenographer  
For Byers Organizational Support Services

Date: June 30, 2019

FROM: Bill and Cheri Rothermel  
231 1/2 Rodriguez Street  
Santa Fe, New Mexico 87501

HDRB  
10/8/19  
**EXHIBIT 1**

TO: Historic Preservation and Historic Review Board  
City of Santa Fe  
200 Lincoln Avenue  
Santa Fe, New Mexico 87501

Dear Review Board,

We would like to introduce ourselves to you. We are Bill and Cheri Rothermel. We have lived (part time) at 231 1/2 Rodriguez Street, Santa Fe, New Mexico for the past 9 plus years. Our home is situated approximatley one lot north (beside) and one lot east (above) 247 Rodriguez which is under discussion tonite. When we moved into our home 247Rodriquez was unoccupied and in disrepair. The roof was sagging and has since collapsed in places. The yard has, to our knowledge, never been mowed or maintained. The structures have never been painted, stucco repointed nor has it been occupied by anything other than mice, rats, skunks and sometimes over nite vagrants. We have been told by some of our neighbors that they have to maintain a Keep them Alive Trap in their yards to control the constant overflow of varmints from 247. The emptying of these humane traps creates a huge burden for all of the neighbors and the city also.

As a result, we applaud this application for downgrading this property and its' structures. This property has been a real eye sore for many, many years and continues to create problems for all the neighbors. The more the rest of us try to keep our properties Historically in repair - the more 247 falls apart. 247 has really had nothing but a negative effect to our part of the Eastside neighborhood. The 247 property is barely noticeable from the street. But, unfortunately for the neighbors that surround it - it is in full view of our properties and downgrades our Historic property daily.

Since the structures on 247 have very little or no significant Historic presence - we again applaud the applicants desire to clean it up and create a 'green space' for our neighborhood and rid us of this eye sore. A little 'green space' would help reflect the true Historic Origins of the Eastside - farms and fruit trees. What we also see from our side view of 247 are seedling fruit trees - from those old timers - trying to bloom among the weeds and rot. So, we suggest to the Review Board - to consider this application as a Yes. The applicant can then cleanup and maintain 247 and allow those fruit trees to bloom once again in the Eastside as they did hundreds of years ago.

Bill and I thank you for your time, attention and consideration to our views and for our neighborhood.

Sincerely, Cheri and Bill Rothermel



October 4, 2019

FROM: CHERI AND BILL ROTHERMEL

231 ½ RODRIQUEZ STREET, SANTA FE, NEW MEXICO 87501

TO: HISTORIC PRESERVATION DIVISION

CITY OF SANTA FE , 200 LINCOLN AVENUE, SANTA FE, NEW MEXICO 87501

RE: 247 AND 247 ½ RODRIQUEZ STREET

DEAR HISTORIC PRESERVATION DIVISION,

WE WOULD LIKE TO INTRODUCE OURSELVES AGAIN TO YOU. WE ARE CHERI AND BILL ROTHERMEL AND HAVE LIVED PART TIME AT 231 ½ RODRIQUEZ STREET FOR THE PAST 9 + YEARS. WE ARE WRITING TO EXPRESS OUR VIEWS AND CONCERNS ABOUT THE ABOVE MENTIONED PROPERTY AND WITH THIS LETTER WE ARE ALSO INCLOSING A COPY OF OUR LETTER SUBMITTED AT THE JULY 2019 MEETING.

STATE OF REPAIR AND STRUCTURAL STABILITY:

AS STATED IN OUR LETTER DATED ON JUNE 30, 2019 "WHEN WE MOVED INTO OUR HOME - JUNE 2008 – 247 RODRIQUEZ WAS UNOCCUPIED AND IN DISREPAIR. THE ROOF WAS SAGGING AND HAS SINCE COLLAPSED IN PLACES. THE YARD HAS, TO OUR KNOWLEDGE NEVER BEEN MOWED OR MAINTAINED. THE STRUCTURES HAVE NEVER BEEN PAINTED, THE STUCCO REPOINTED- NOR HAS IT BEEN OCCUPIED BY ANYTHING OTHER THAN MICE, RATS, SKUNKS AND SOMETIMES OVER NITE VAGRANTS."

WHAT MORE CAN WE SAY? EXCEPT IT GETS WORSE WITH EACH DAY, WEEK AND MONTH THAT PASSES. PLEASE, ALLOW REMOVAL OF THESE ROTTING STRUCTURES BEFORE THEY COLLAPSE AND SOMEONE GETS HURT OR TRAPPED WITHIN THEM.

IN REFERENCE TO HISTORICAL IMPORTANCE:

OUR NEIGHBORHOOD – THIS AREA OF THE EAST SIDE WAS BUILT ON HILLTOPS ABOVE THE 500 BLOCK OF PALACE ANVENUE. THE STORAGE AREAS, HOMES AND STUDIOS IN THE AREA ARE BUILT RIGHT ON THE DIRT ROADS' EDGE. THEY ARE CLUSTERED TOGETHER – ABOVE OR BELOW THEIR NEIGHBOR, BESIDE, BEHIND OR IN FRONT OF THEIR NEIGHBOR - WITH ADJOINING ADOBE WALLS, COYOTE FENCING AND SHARED ENTRANCES. OUR SMALL NEIGHBORHOOD IS VERY UNIQUE- UP IN THE HILLS -RIGHT DOWNTOWN – CITY CENTER- AND YET, IT STILL RESEMBLES MANY OF THE HISTORIC PUEBLES IN NORTHERN NEW MEXICO.

THE PROPERTY IN REVIEW TONITE – UNLIKE OUR SMALL NEIGHBORHOOD LOTS AND 500 SQUARE FEET ADOBE HOMES – IS LOCATED ON A BIG LOT – BARELY STILL STANDING - WAY TO THE BACK OF THE PROPERTY – ISOLATED FROM THE DIRT ROAD WITH MULTIPLE LARGER STRUCTURES. THEREFORE, WE BELIEVE 247 IS NON CONFORMING HISTORICALLY AND NOT FITTING TO THE NEIGHBORHOOD.

IN CLOSING, WE APPLAUD THIS DEMOLITION REQUEST. A- YES VOTE - FOR DEMOLITION FROM THIS BOARD WILL TRULY IMPROVE OUR HISTORIC NEIGHBORHOOD. A - NO VOTE - WILL ALLOW DANGEROUS AND UNHEALTHY CONDITIONS TO PREVAIL IN OUR NEIGHBORHOOD FOR YEARS AND YEARS.

THANK YOU FOR YOUR TIME, ATTENTION AND CONSIDERATION AND TO OUR VIEWS.

SINCERELY, CHERI AND BILL ROTHERMEL