



**Regular Meeting of the Historic
Districts Review Board
July 23, 2024, at 5:30 PM
Council Chambers, City Hall
200 Lincoln Avenue**

Meeting Minutes

<https://www.youtube.com/watch?v=GFQ1xp8Dzdk>

Call to Order

Chair Rios called the regular meeting of the Historic Districts Review Board to order at approximately 5:30pm in the City Council Chambers, City Hall, Santa Fe, New Mexico.

1. Roll Call

Roll Call indicated the presence of a quorum as follows:

Members Present

Ms. Cecilia Rios, Chair
Mr. John Bienvenu
Ms. Madelein Aguilar Medrano
Ms. Amanda Mather

Members Absent

Mr. Anthony Guida, Vice Chair (excused)
Ms. Jennifer Biedscheid (excused)

Others Present

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

Note: All items in the Board packet for all agenda items are incorporated herewith by reference. The original Board packet is available on PrimeGov and can be requested from the Historic Preservation Division.

2. Approval of Agenda

Mr. Moquino stated that under new business item i. case 2024-008628-HDRB for 216 Old Santa Fe Trail and item j. case 2024-008627-HDRB for 214 Old Santa Fe Trail are both postponed.

Member Aguilar Medrano moved to approve the agenda as amended. Member Bienvenu seconded. The motion passed unanimously by voice vote (3-0).

3. Approval of Minutes

No minutes were presented with this agenda.

4. Approval of Findings of Fact and Conclusions of Law

- a. 2024-008075-HDRB 913 ½ Acequia Madre (April 23, 2024)
- b. 2024-007995-HDRB. 125 Duran St. (April 23, 2024)
- c. 2024-008137-HDRB. 929 Canyon Rd. (April 23, 2024)

Member Aguilar Medrano moved to approve the Findings of Fact and Conclusions of Law for April 23, 2024, listed as items a, b, and c. Member Mather seconded. The motion passed unanimously by voice vote (3-0).

- d. 2024-008234-HDRB. 106 Camino Santiago (May 14, 2024)

Member Aguilar Medrano moved to approve the Findings of Fact and Conclusions of Law for May 14, 2024, listed as item d. Member Mather seconded. The motion passed unanimously by voice vote (3-0).

5. Matters from the Public

Stefanie Beninato pointed out that HVAC units in the downtown area are not being shielded such as those she pointed out previously at 300 Galisteo Street and 311 Old Santa Fe Trail which has a huge commercial system, and three months after pointing this out, there has been no action. She has seen it even more recently and finds this detracting from the sort of historical quality and character in the downtown area.

Ms. Beninato is also concerned about the off-sight signs that are up in the area, especially the corner of De Vargas and Old Santa Fe Trail where the signs reappear every year. She would like to see some fines or other deterrents established to help with these nuisances and get these into compliance.

Ms. Lamboy stated that there has been an increase in illegal HVAC and inspectors are out looking for these to bring them into compliance. The help from those in the community is much appreciated as we catch up with the enforcement issues.

6. Staff Communications

Ms. Lamboy introduced Ms. Maggie Moore, who is the current Acting Planning and Land Use Assistant Director.

a. 275 E. Alameda Street

Andrew Detra, 106 Faithway, was sworn in. Mr. Detra introduced the project design which is under consideration for the Old St. Francis Cathedral School and the applicants schedule for getting approvals from both the HDRB and Planning Commission.

Wayne Lloyd, 740 St. Michaels Drive, Santa Fe, and Sheb Merando, 1301 Declovina Street, Santa Fe were sworn in. They provided a little history and information and then went into the details of the design. The existing building is listed as contributing with the facades along Paseo de Peralta and Alameda as primary facades and is in the BCD underlying zoning district.

Ms. Lamboy explained that the informational session tonight is because the applicant needs feedback on the design to proceed to the Planning Commission for the development plan. The Planning Commission has not yet seen this design.

7. **Old Business**

No items were listed under Old Business.

8. **New Business**

- a. **2024-008478-HDRB. 636 Garcia Street units 2 and 3.** Downtown & Eastside Historic District. Non-statused. RPA & Associates, LLC, agents for Laurel Guy, owner, requests a historic status review with primary facade(s) designation if applicable. (Lani McCulley, ljmculley@santafenm.gov)

Lani McCulley presented the case and staff recommendation. Staff recommended the historic status of the structure be designated as contributing and the south façade (façade 2) of Unit 2 and the south facades (façades 2 and 4) be designated as the primary facades per SFCC Section 14-5.2(C), Designation of Significant and Contributing Structures.

Ra Patterson, 508 Ortega, Los Ranchos, was sworn in. Mr. Patterson agreed with the staff's recommendation for primary facades. He did point out that Mr. Murphys report shows this should be a non-contributing structure.

Public Comment:

Ms. Stefanie Beninato, PO Box 1601, Santa Fe, New Mexico was sworn in. She stated that she would like to see the Board adopt staff's recommendation and felt the owner was in agreement with the primary facades.

Board Action:

Member Bienvenu moved in case 2024-008478-HDRB. 636 Garcia Street units 2 and 3 that findings be entered adopting the recommendations of staff, noting that the HCPI recommendation that the structure not be designated as contributing primarily because in the opinion of the author these buildings have been separated from the main house and no longer spoke to their original their original history but in a site review it was his view that the separation is neither obvious nor really germane to its status, therefore, he moved that those finding be entered and that the board designate the structure as contributing and the south façade, façade 2 of unit 2 and façade 2 and 4 of unit 3 be designated as primary. Member Aguilar Medrano seconded. The motion passed with the Board voting unanimously (3-0).

- b. **2024-008514-HDRB. 626 Gomez Road.** Don Gaspar Area Historic District. Contributing. Andrej Davidson and Masha Keady, agents/owners request primary façade designation for a residential structure. (Lani McCulley)

Lani McCulley presented the case and staff recommendation. Staff recommended the historic status of the structure be maintained as contributing with the original east (façade 2) elevation as the primary façade excluding the non-historic porch, the yard wall be designated non-contributing and the historic status of the shed be designated as non-contributing, per SFCC Section 14-5.2(C) Designation of Significant and Contributing Structures.

Masha Keady, (address inaudible), was sworn in. Ms. Keady presented that the glass block windows were replaced in 1997 or 1998, but the opening did not change size and that the block addition was constructed between 1982 and 1994, and the original portion of the house is adobe. The blue windows are on the original portion of the house, but the aluminum windows are on the addition.

Public Comment:

Ms. Stefanie Beninato, previously was sworn in expressed that she would like to see the three facades that Member Bienvenu brought up, north and south excluding the addition, and the east facades, as primary in order to better protect the original structure.

Board Action:

Member Bienvenu moved in case 2024-008514-HDRB. 626 Gomez Road to adopt the staff recommendations that the historic structure be maintained as contributing and that the original east façade be designated as the primary facade including the porch, that the yard wall be designated as non-contributing, the historic status of the shed be designated as non-contributing and include that the north and south facades of the house also be designated as primary up to the point of the more recent addition. Member Aguilar Medrano seconded with a friendly amendment that the block windows on the east façade

also be excluded from the primary. Member Bienvenu accepted the friendly amendment. The motion passed with the Board voting unanimously (3-0).

- c. **2024-008515-HDRB. 544 Canyon Road.** Contributing. Downtown and Eastside Historic District. Jon Dick, applicant, requests a status review with primary façade designation(s) if applicable. (Paul Duran, paduran@santafenm.gov)

Paul Duran presented the case and staff recommendation. Staff recommended the historic status of the main residential structure be maintained as contributing and the guest house, garage, and yardwall as non-contributing, per SFCC Section 14-5.2(C) Designation of Significant and Contributing Structures and recommends the designation of the north and south facades as primary as indicated in the façade diagram numbers one, three, seven and nine.

Jon Dick, 112 Camino Escondido, Santa Fe, was sworn in. Mr. Dick corrected the colors of the building which is mentioned as a grey when it is a brown. He questioned the primary façade recommendation that the color representation on façade 3 did not match the actual line of the façade and that the steps on the photo are at the end of the portal.

Mr. Duran apologized for the error on the drawing and explained that the recommendation met the recommendation of Mr. Murphy on the HCPI.

Public Comment:

There were no public comments on this case.

Board Action:

Member Bienvenu moved in case 2024-008515-HDRB 544 Canyon Road to adopt staff's recommendation and maintain the status of the primary structure as contributing and the guest house, garage and yard wall as non-contributing with the north and south facades designated as primary as reflected in figures 4 and figure 6 in the 2024 HCPI report and include in figure 6 the small part that is missing from the green highlighted section and ask that staff revise their primary façade diagram to reflect the motion. Member Mather seconded and requested a friendly amendment because the status is not clear on the south rock wall that the motion includes that specific wall be non-status pending further determination in the future. Member Bienvenu accepted the friendly amendment. The motion passed with the Board voting unanimously (3-0).

- d. **2024-008543-HDRB. 753 Acequia Madre.** Downtown & Eastside Historic District. Non-contributing. John Padilla, agent for Margot Spitz Marbut, owner, proposes to construct a carport addition to 11'-0" where the maximum allowable height is 14'-2" and reconfigure an entryway portal on a residential structure. (Lani McCulley)

Lani McCulley presented the case and staff recommendation. Staff recommended approval of the proposed project and found 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.

John Padilla, P.O. Box 22986, Santa Fe, was sworn in. Mr. Padilla presented a summary of the proposal.

Public Comment:

Ms. Stefanie Beninato, previously sworn in, questioned the roof of the carport because the roof was stated to be a material similar to a greenhouse, would it be publicly visible? She also reminded the Board that the window was replaced and is requested for replacement after the fact.

Board Action:

Member Bienvenu moved in case 2024-008543-HDRB at 753 Acequia Madre that the recommendations of staff be adopted and the application be approved as submitted. Member Aguilar Medrano seconded. The motion passed with the Board voting unanimously (3-0).

- e. **2024-008621-HDRB. 824 Dunlap St. Unit D.** Westside-Guadalupe Historic District. Non-contributing. Watson and Associates, agent for Kary Myers, owner, proposes to construct a shed to a height of 9'-4" and yardwalls, fences, and gates with varying heights up to 7'-8" where 8'-0" is the maximum allowable height, and install window canopies on a residential structure. (Lani McCulley, LJMcCulley@santafenm.gov)

Lani McCulley presented the case and staff recommendation. Staff recommended approval of the proposed project and found that the application complies with Section 14-5.2(D) General Design Standards for all Historic Districts, and 14-5.2(I) Westside-Guadalupe Design Standards.

Douglas Gilbert, 220 South Maple, Oak Park, Illinois, was sworn in. Mr. Gilbert stated that he is the architect for the project and that he agrees with staff's recommendation and then proceeded to make clarifications on the project to respond to Member Bienvenu's comments.

Public Comment:

Ms. Laura Post, 832 Dunlap Street Unit F, Santa Fe, which is in the adjacent compound to this property, was sworn in. Ms. Post stated that she was present to represent the compound. She stated that the property is visible from the street, though it is far back because the poster on the wall is visible to the street. She requested clarification of the

location of the 9-foot shed location and what fencing would become a yard wall and wanted to know if the structure was to be used as an air bnb.

Mr. Gilbert explained the location of the shed and the repairs to the fencing and that the residence will continue to be owner occupied.

Ms. Stefanie Beninato, previously sworn in, asked if Ms. Post was in a compound or the condominiums that were next door. She was concerned about the difference because the height of the fence is only allowed between a compound or a commercial property. She expressed her concern that the shed was on a property line.

There was further discussion on the difference between the condominiums and the compound.

Board Action:

Member Aguilar Medrano moved in case 2024-008621-HDRB. 824 Dunlap St. Unit D to approve the application as submitted with the condition that any supporting vertical or horizontal members either of wood or steel be located on the owner's side for the enclosure and that goes for any fence that is being redone. Member Mather seconded. The motion passed with the Board voting unanimously (3-0).

Ms. Lamboy pointed out to the applicant that the height may require a variance at the Board of Adjustment depending on whether the property is considered a residential compound or not. She stated that staff will be in touch with the applicant after verifying.

- f. **2024-008322-HDRB. 5 Cerro Gordo Rd.** Downtown & Eastside Historic District. Significant. Gregory Waits, agent for Randy Sadler owner, proposes to construct a 350 sq. ft. free-standing carport to a height of 9'- 0". (Gary Moquino, gsmoquino@santafenm.gov)

Gary Moquino presented the case and staff recommendation. Staff recommended approval of the proposed project and found 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.

Gregory Waits, (address inaudible), was sworn in. Mr. Waits presented a summary of the proposal stating that he took the status of the building into consideration, which is why he made this request a freestanding structure.

Public Comment:

Ms. Stefanie Beninato, previously sworn in, expressed her support for Aguilar Medrano and Bienvenu that this separation is a game that the distance between the buildings is not sufficient for entering the home while being protected from the elements. It is just

unfortunate that the owners cannot use the garage for the purpose in which it was designed because it is connected to the house.

Board Action:

Member Bienvenu moved in case 2024-008322-HDRB. 5 Cerro Gordo Road that findings be entered that the proposed garage/carport has the effect of being an addition to a primary façade on this significant structure which is prohibited under our ordinance and the separation of six inches particularly with the buttress in front that will hide the separation and does not ameliorate that effect of it being an addition and secondarily that this particular structure would have a deleterious effect on the historic status for the existing home by reding as an addition to a primary facade that is inconsistent with the original design and for those reasons, deny the application but without prejudice to the applicant's ability if it satisfies all other city requirements to be able to excavate and add retaining walls so as to be able to create the exact same footprint for two vehicles in the exact same location just not covered by the garage. Member Aguilar Medrano seconded. The motion passed with the Board voting unanimously (3-0).

g. **2024-008623-HDRB. 918 Acequia Madre Unit H.** Downtown & Eastside Historic District. Non-contributing. Martinez Architecture Studio, agent for Cole Martelli and David Muck, owners, requests alterations to a previously approved plan by increasing sq. ft., raising parapets, window alterations, reconfiguring yardwalls and fences, adding exterior stairs and railings, and other details. (Lani McCulley)

Lani McCulley presented the case and staff recommendation. Staff recommended approval of the proposed project and found 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.

Joseph Karnes, Sommer Karnes and Associates, 125 Lincoln Street, Santa Fe, and Richard Martinez, 925 PO Box 925, Santa Fe were sworn in. Mr. Karnes presented a summary of the development of the area and the terrain changes on the property which caused the alterations to the height of the structure. He further indicated that the utility lines were also located differently than expected on the site, so this caused further changes to the design of the residence. He mentioned the miscommunication of the administrative approvals that were previously sought during the co-vid years because they were not issued though the contractor thought they had been approved.

Mr. Martinez stated that the intent had always been to follow the approval as issued by the Board and thought this and the other changes could be administratively approved. However, there are a few changes that need to come to the Board and that is why they are before the Board today and there was no intention of going outside of approvals. He also explained that the retaining walls had to be redesigned to fit the site issues and slopes which were not foreseen prior to construction.

Public Comment:

Ms. Stefanie Beninato, previously sworn in, commented that she felt there was technology that would let them know if the retaining walls needed to be changed to fit the two-foot drop in the building. An architect as experienced as Mr. Martinez should know that if there are changes to the design, especially pertaining to the windows, that they will need to go to the Board for approval. It seems unlikely that the conversation with staff should wait until final inspection to finally come forward with the changes.

Board Action:

Member Bienvenu moved in case 2024-008623-HDRB 918 Acequia Madre Unit H to follow staff's recommendations and approve the application. Member Aguilar Medrano seconded. The motion passed with the Board voting unanimously (3-0).

h. **2024-008626-HDRB. 301 Hillside Ave.** Downtown & Eastside Historic District. Contributing. Autotroph Architects, agent for Girls Club, owner, proposes to construct 6'-0" height fences and vehicle and pedestrian gates where the maximum allowable height is 47" on a non-residential property. An exception is requested to 14-5.2(D)(9)(c)(ii)(c) for exceeding the maximum allowable height of a fence. (Lani McCulley)

Lani McCulley presented the case and staff recommendation. Staff found that all the exception criteria had been met and recommended approval of the application as it complies with 14-5.2(D) General Design Standards for all Historic Districts, and 14-5.2(E) Downtown and Eastside Design Standards.

Kim Brown, PO Box 2848, Santa Fe and Alexander Dzurec, 222 East Marcy Street, Santa Fe, were each sworn in. Ms. Brown discussed safety with the youth program at Girls Inc. explaining the reasons for having the higher fencing and gates at the location.

Mr. Dzurec. presented a summary of the proposal explaining the location of the planned coyote fence to answer a question from Chair Rios.

Public Comment:

Mr. Boni Armijo, 13B Paseo C de Baca, Santa Fe, was sworn in. Mr. Armijo thanked the Board for their service. He explained that exceptions are about helping people out with things like the security of the kids. He felt that he could modify the gates to provide wood on the exterior as the showing material.

Ms. Stefanie Beninato, previously sworn in, finds that it is sad to need to make changes for security purposes at Girls Inc. She felt the chain link fence is very visible but there is also a 3 foot retaining wall there and she agreed with member Bienvenu that if the fence is too close to the retaining wall it does become basically a 9 or 10 foot wall which is really

not in keeping with that area which has low fences and walls. She stated that the gates should be wood, not just the ones facing outward but all of them, because that is actually harmonious with the property and with the area. She thought it sets a really bad precedent for having more metal gates and pointed out that everyone talks about security, so it becomes an easy thing to say much like aging in place. She thought that wood gates specifically latilla gates, that they give the same security and lack of visibility that the applicants are seeking. But again, she felt there should be some line drawn and just not lay down and roll over because it is an educational nonprofit.

Board Action:

Member Aguilar Medrano moved in case 2024-008626-HDRB 301 Hillside Avenue to approve the application finding that the exception criteria have been met with the conditions that the frame of any metal gate be powder coated to match the primary material or be some sort of dark brown rust shade as indicated in the application and that the pedestrian gate that faces hillside have an exterior that looks like latillas to blend in with the fence, the interior of that gate may be whatever you wish if that is a metal frame and I hope you will work with Boni to see if you can come up with a creative solution. Member Mather seconded.

Member Bienvenu suggested a friendly amendment that when rebuilding the coyote fence be rebuilt at least one foot further into the interior as compared to the existing fence line on both Paseo de Peralta and Hillside.

Member Aguilar Medrano verified that he meant one additional foot to the existing several feet to increase the step back spacing and asked staff about the existing distance.

Ms. McCulley verified that the retaining wall is currently three feet in height and the coyote fence is currently set back three and a half feet back from the retaining wall, and the code requires a three-foot setback.

Member Aguilar Medrano rejected the friendly amendment, feeling the extra foot would not provide any extra assistance with the planting area.

Chair Rios offered the friendly amendment that the latillas be uneven and the framework be to the interior of the property.

Member Aguilar Medrano accepted the friendly amendment and added that the latillas remain unpeeled as they currently are.

The motion passed with the Board voting unanimously (3-0).

9. Discussion Items

Ms. Lamboy announced that the Department is starting to plan a conference in October similar to the "Built for the Future conference" that was held. The conference will be

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reviewing the Historic District's ordinance as well as the Archaeological Districts ordinance and provide an opportunity to engage with the community. The date is not yet set.

10. Matters from the Board

Member Aguilar Medrano stated that at 525 E Alameda that a wall was demolished today. There were other items like being stuccoed. Was that approved administratively.

Chair Rios pointed out that the residence at 5 Cerro Gordo was stuccoed in Sto and it should be cementitious as a significant structure. She asked if someone could look into this as well.

Chair Rios also found a residence on Canyon by Cristo Rey similar to tonight's 918 Acequia Madre case. The contractors found electric lines that were not where they were expected, and they had to change the project to fit this unknown element and because the project lingered a lot of illegal work was done. So, it is interesting to find that these things are occurring.

Member Bienvenu felt that there was a difference in the cases because the work on Canyon was work that would not have been approved in the first place whereas the Acequia Madre was work that would have been approved.

11. Next Meeting

- a. August 13, 2024

12. Adjournment

Member Mather moved to adjourn. Member Aguilar Medrano seconded. The vote passed unanimously (3-0), and the meeting was adjourned.



Lani McCulley, Transcription

Cecilia Rios, Historic District Review Board Chair

Date