



**Regular Meeting of the Historic  
Districts Review Board  
June 24, 2025, at 5:30 PM  
Council Chambers, City Hall  
200 Lincoln Avenue**

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Meeting Minutes

<https://www.youtube.com/watch?v=T3ayHp9933M>

**Call to Order**

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

**2. Roll Call**

Roll Call indicated the presence of a quorum as follows:

Members Present

Mr. John Bienvenu, Vice Chair  
Ms. Jennifer Biedscheid  
Ms. Amanda Mather  
Ms. Mary Ellen Degnan  
Mr. Scott Cherry

Members Absent

Ms. Cecilia Rios, Chair (Excused)  
Ms. Madelein Aguilar Medrano (Excused)

Others Present

Ms. Heather Lamboy, Planning and Land Use Director  
Ms. Maggie Moore, Planning and Land Use Assistant Director  
Mr. Frank Ruybalid, Assistant City Attorney  
Ms. Amanda Romero, 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 Civic Clerk and can be requested from the Historic Preservation Division.

**3. Approval of Agenda**

Mr. Moquino stated that the new business item C, he will be doing the presentation in Lani McCulley's absence, and discussion item 10 is withdrawn until further notice.

Member Degnan moved to approve the agenda as amended. Member Biedscheid seconded. The motion passed unanimously by roll call vote (4-0).

**4. Approval of Minutes**

No changes were made to the minutes of May 27, 2025.

Member Biedscheid moved to approve the minutes. Member Mather seconded. The motion passed unanimously by voice vote (4-0).

**5. Approval of Findings of Fact and Conclusions of Law**

No Findings of Fact and Conclusions of Law were presented with this agenda.

**6. Matters from the Public**

There were no matters from the public at this time.

**7. Staff Communications**

- a. Old Pecos Trail, Old Santa Fe Trail, Plaza, W San Francisco St, Galisteo, and Cerrillos Rd. The City of Santa Fe Tourism Division requests a recommendation to the Governing Body on the design for banners honoring the original pre-1937 path of the Route 66 highway.

Director Lamboy presented the communication regarding the banners for the Route 66 highway celebration. I'm here on behalf of the tourism department to present to you a celebration for the 100th anniversary of the pre-1937 route of Route 66. The city has obtained funding from the tourism department of the state, as well as through our tourism lodging tax revenues, to provide for the posting of banners for the celebration. The route would be generally up Old Pecos Trail, down Old Santa Fe Trail, around the plaza, back out Galisteo, due west on San Francisco out Galisteo, which becomes Cerillos Road to Interstate 25. That was the historic route of Route 66, and to be consistent with the code requirement that all banners be reviewed and approved by this board in the historic districts, this would be going to the governing body for final approval, but it is incumbent upon this board to act on all things in the historic districts. There were was a lot of discussion with the city attorney's office since there is a component of the code that requires a font as recognized by the city and what was interpreted, since the code isn't very clean in that particular case, what was interpreted is that it would have the City of Santa Fe logo as the font that would be used as accepted by the land use director, which

was never really clarified when that section of the code was written. In collaboration with the city attorney's office, you'll see two versions, one version is with the city of Santa Fe full seal on the lower right, and the other one has just the central portion of the seal. As well you'll see measurements on that first drawing that has the entire seal to give you an idea of how big these banners will be and the duration on which they'll be up is for several months for the 100th anniversary of the route 66 highway which was an important part of our heritage and something that the city wants to recognize. I am open to comments from the board about any concerns, comments, and what kind of recommendations you might have.

Acting Chair Bienvenu asked for clarity on what the Board is being asked to do, the background of this design, who designed it, and who's already more or less pre-approved of it?

Director Lamboy stated it is not pre-approved. The way the banner's language goes in the ordinance is that they're permitted throughout the city with Governing Body approval. The board may recall, there used to be a provision in the code before 2014 that no banners were permitted in the historic districts. Gary and his predecessor Phil Santos used to spend a lot of time citing people for banners. Then it was determined that the city, in its projects, could utilize banners to advertise events that the city is part of. This is a state and local event, but the city is involved. The Governing Body likes to hear about whether these banners would be acceptable in the historic district. Therefore, the Board will be providing a recommendation to the Governing Body.

Acting Chair Bienvenu asked who has gotten it to the place that it is in right now, so that it is being presented to the board.

Director Lamboy stated it was designed in collaboration with a graphic designer and the tourism division of the city of Santa Fe.

Acting Chair Bienvenu pointed out that there seemed to be different documents.

Director Lamboy explained that there are two types, and she was sharing both possibilities. One is with the seal, and one is with the shorter part of the seal. She explained she received this most recent draft today, but she wanted to bring it to the board as soon as possible to get their feedback.

Acting Chair Bienvenu asked if the tourism division designed it, did they go through multiple possibilities, and settle on this as being their best version of what they think would be the very best banner? The Board doesn't want to do graphic design, they want to decide if it fits the historic traditional styles, according to what the ordinance lays out.

Director Lamboy stated that the sign code does state that there can be no more than two font styles and no more than three colors, with one of the colors being similar to the background of a building, if it's on a building like with the La Fonda celebration that happened several years back. But these will be on streetlights similar to the veterans' banners that are throughout town. There was also a request at the board several years ago requesting input on the design for those veterans' banners located in the historic districts.

Acting Chair Bienvenu stated that the board did not particularly care for the design, but because it was the last minute the board did not want to stand in the way of them being put up, so the decision was to allow them but not for future purposes. The board wanted to see a better design if they were going to come back to the downtown area.

Director Lamboy assured the board that this was not the last minute, so they had time to have input on these banners.

Acting Chair Bienvenu asked about the spacing between the banners.

Director Lamboy shared the map of the locations and explained that the spacing was dependent on the road and the distance between the light poles. Like on Old Pecos Trail the light standards are further apart but the plaza everything is much closer, the spacing in the historic district will be approximately every 200 feet whereas on Old Pecos Trail the distance would be larger than that and same with Cerrillos Road. The spacing varies depending on the road.

Acting Chair Bienvenu stated they do seem pretty close together, at least in the downtown area, there are eight around the plaza, and then another seven or so down San Francisco Street before it turns to Galisteo.

Director Lamboy stated she made the same comment about the number in the historic districts, so the division is working on that, but they wanted to present this version for comments from the board.

Acting Chair Bienvenu asked how long the banners would be displayed.

Director Lamboy stated that four to five months, throughout the summer and early fall.

Acting Chair Bienvenu stated to the board members for clarification that what is being asked is a recommendation from the board tonight by a vote.

Director Lamboy stated that if that is the pleasure of the board tonight, but if it is the pleasure of the board to postpone to a subsequent meeting to think about it, there is time to do that.

Member Biedscheid asked if the design meets the three-color rule, as there are two yellows in the background of the Route 66, and then the yellow border seems to be a different color, equaling four different colors.

Director Lamboy stated that it is a very good point, but the design team looked at it as just hues of yellow, as counting as one color.

Member Biedscheid stated she was fine with it but wanted to make sure it complied.

Member Degnan was glad this was being done since this is wonderful, but there seems to be a lot of them, so I'm going to trust the wisdom of the staff to determine, with future approvals, the number. It seems to be a lot.

Director Lamboy stated she would communicate that and bring a revised number or comments back to the board.

Member Mather commented that she preferred the full logo design better because it feels more cognizant as far as where the logo of the city is, and running along the same color font and not being outside of the box.

Member Cherry asked what the banners would be made of.

Director Lamboy stated she did not have that information handy, but she believed it to be a typical banner material, like vinyl, nothing extraordinary.

Member Mather asked if both designs would be the same size; it's just a graphic issue.

Director Lamboy confirmed that the size is the same; the only question was the design preference.

Member Cherry stated his curiosity in the materials was that he was not fond of the idea of printing a bunch of plastic banners that eventually make their way to the ocean.

Acting Chair Bienvenu asked what type of supports would be used and how they would be set up.

Director Lamboy stated they would be like the veterans' banners in that they'll have attachments that come out from the pole, and then brackets will be at the top and bottom of the banner to enclose and hold it.

Acting Chair Bienvenu clarified that every mark on the map corresponded to an actual light pole.

Director Lamboy confirmed he was correct.

Acting Chair Bienvenu asked if the approved banners for La Fonda's Centennial Celebration were vinyl.

Director Lamboy said they were.

Acting Chair Bienvenu stated that the banners would not be up very long, so he didn't think it would have a long-term impact on the historic district. He did not think it was an incredibly wonderful design; it doesn't speak to anything. It doesn't speak to the historical associations. It doesn't speak to the current. It neither speaks to 100 years ago nor to today. It's an odd set of fonts and geometric devices, and it's a little bit hard to understand what it's acknowledging. Such as the way Route 66 is vertical, and Centennial is across. It is difficult to put those together, as this is the centennial of Route 66. He was not sure that they're getting the point across, but maybe it will be different when they're just one after another, all in a line following a certain route.

Director Lamboy said she would pass along the comments.

Acting Chair Bienvenu said he just didn't love it. He could not see how it was going to add anything to the downtown or to the city or to this celebration, but he also didn't think it was particularly worth fighting over.

Member Mather asked if the graphic spoke to anything from the original signage from Route 66, or was it sort of tomorrow's version of yesterday.

Director Lamboy stated she felt it was the latter; it was a version of yesterday. She was considering brown Route 66 highway signs that are a big part of that heritage, sort of like the neon culture that is associated with the Grand Old Highway, but it doesn't have a historic district color reference, so that was one of the factors that was considered, but it was sort of cool that there was a neon reference.

Acting Chair Bienvenu stated that there are some really obvious iconic references for Route 66, typically, and there is none of them are being referenced in this design. He asked if anyone wanted to have a recommendation made to the governing body.

Assistant Director Moore gave a point of clarification that the sign code section 14-8.10 says that the section does not apply to banners; therefore, the three-color rule that is generally applied to signs doesn't apply to this one.

Director Lamboy stated that her directions to the tourism group are that it is important to be consistent with other signage, and the three colors were a good metric.

Acting Chair Bienvenu stated that if the banners were to be along Cerrillos Road the design would be different, the issue is that this is going through the historic downtown which is not normally associated with Route 66 and has its design standards so the quandary is that what would normally be done for a Route 66 celebration and what would be appropriate in the historic district.

Director Lamboy stated the other option would be for her to speak with the tourism group with the board's feedback and bring any changes later if the board would like.

Acting Chair Bienvenu stated it would be better to give the tourism group the board's feedback and have them present a final best design for approval.

Director Lamboy agreed that she would do that and offered to have Randy Randall or one of the other group members come to the hearing to answer questions that she could not address tonight.

Acting Chair Bienvenu said that it is appreciated to go through a preliminary process like this rather than a last-minute submittal.

Director Lamboy offered to have a report for the board at the next hearing.

### **Public Comment**

Elizabeth West stated it was unclear what the banner is for, and she found it confusing. She felt the board made some good comments and appreciated Director Lamboy being willing to bring this in early for feedback. She did not like the idea of vinyl or plastic signs, and she felt the "wings" on either side were confusing and unnecessary. She would like to see other options.

Stephanie Benonato appreciated the discussion, though she could not see the packet, so she was unclear what the design options were. She shared her understanding of the old route and stated that putting this signage up is at least in keeping with the history; however, she finds this kind of signage to be distracting, and sometimes, like with La Fonda kept up longer than the allotted time. She also compared it to the sign on

Guadalupe Street, where there's still a sign up that doesn't do much in terms of attracting your attention for the reason it is up; it's just visually distracting.

#### 6. **Matters from the Public**

Acting Chair Bienvenu stated that since she was unable to access the Zoom meeting earlier in time for public comment, he would allow Ms. Beninato to make her remarks now.

Stefanie Beninato wondered why there are big HVACs like those at 300 Galisteo on Old Santa Fe Trail, the Georgia O'Keeffe Museum, that are not being screened. She stated that she has brought this to attention for well over a year and also want to point out that on the Garcia Street case at the last hearing where the board allowed somebody to take down two feet of a historic wall for safety reasons that it was never explained how taking that down and still backing out would make it safer and that staff said that safety was not something unique to any given property and that other design issues needed to be considered, also in terms of sustainability in terms of that project it went from an eight-foot portal to a twelve-foot wide portal with the alleged excuse that it would keep the door from being wet but again if we're looking at sustainability an eight-foot portal would be plenty to keep a door from getting wet and might have allowed some solar gain into that house. If you're balancing sustainability and historic preservation, it seemed that the whole criterion was ignored.

#### 8. **Old Business**

a. **2025-010494-HDRB, 206 McKenzie St.**, Downtown & Eastside Historic District, Contributing, Bradyn Furry, agent for Mindy Hale and FC3 Ltd. Co., owner, requests approval to replace all the doors and windows which requires an exception to 14- 5.2(D)(1)(a) for the removal of historic material; construct a new detached steel carport to a height of 8'-8" with roof-mounted solar units within the existing auto court which requires an exception to 14-5.2(D)(E) Downtown and Eastside Design Standards; an increase in height by 3'-3" of a previously approved parapet on the McKenzie St. façade which requires an exception to 14-5.2(D)(2)(c) additions are not permitted unless set back 10' from primary facade, and install roof top HVAC units, and a new pedestrian gate on McKenzie St. adjacent to the vehicle entrance.

Acting Chair Bienvenu summarized that this was heard at the last meeting and was continued for further review of the window and door assessment report that was provided at the meeting, and to conduct another site visit. Nothing has changed in the application.

Mr. Duran confirmed that it is correct and the recommendations by staff are the same, and followed up with the site visit that took place on Monday. 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 and the exception criteria were met for all exception requests except for the request for an exception to 14-5.2(D)(2)(c) for the addition and increase in height to the primary south elevation facade. Staff also recommended that the applicant find other design options for that addition, including lowering the parapet to be subservient to the adjacent historic parapet.

Acting Chair Bienvenu stated that the board heard this two weeks ago; therefore it is suggested that we have the board proceed to begin considering the application. We've heard from both staff and the applicant already; we can hear from both staff and the applicant again in response to any specific questions that the board has. He confirmed this was acceptable to the members of the board.

Acting Chair Bienvenu added that six essential exterior alterations are being requested, three of which require exceptions. He noted they were all found on page 11 of the staff report, which is page 14 of the packet. He summarized the application; the first is replace all the doors and windows that requires an exception under 14-5.2(D)(1)(a) for the removal of historic material, the second is to construct a new steel carport within the existing auto court that requires an exception under 4-5.2(E) to permit the use of metal for the structure in this district, the third is changing the overall height by 3 feet 3 inches of a previously approved parapet on the McKenzie Street facade from 14 feet 1/2 inches to 17 feet 3 inches high with a slightly different design and an exception is requested under 14-5.2(D)(2)(c). Those are the three that require exceptions. The fourth item is the roof-mounted HVAC units, the fifth item is to construct a new pedestrian gate on the McKenzie Street facade, and finally, stuccoing the exterior with new stucco to match the existing.

Acting Chair Bienvenu recommended that each item be considered individually with a separate motion for each, to keep everyone focused on the same aspect of the request. While there would then be several motions, it would be nice if they could all be incorporated into a single document of findings of fact and conclusions of law, as opposed to six separate findings.

Attorney Ruybalid confirmed that this would be an option since this is all one presentation on one case. The findings and conclusions would have to be broken out with each exception and explanation of the criteria for the exception, but it can all be a single document.

Stated that due to the complexity of item one, the board would consider item two first.

- 2) Construct a new steel carport within the existing auto court for which an exception is requested to 14-5.2(E) to permit the use of metal for the structure in the Downtown & Eastside Historic District.

Member Biedscheid did not have any concerns about the steel framing for that or the solar panels that are proposed on top, provided that it's hidden by the surrounding yard wall, which, according to the drawings, it would be, but only with additional CMU coursing at the top of the wall to make that wall a consistent height. If it's already an 8-foot wall, is there any issue with increasing the height of a wall that's already quite tall?

Mr. Duran stated this was a concern with this steel carport because the wall's current height is not sufficient to cover the steel carport; it would need to be raised to about ten feet tall. This is in the BCD zoning district, which allows them eight feet. Therefore, some considerations need to take place so the solar would not be publicly visible to approve the exception and to meet the zoning requirements for that yard wall. Such that they might need to go to the Board of Adjustments or some further processes beyond the exception criteria.

Member Biedscheid asked if it would be appropriate for the board to include a motion with a condition that the carport not be visible from McKenzie, subject to other approvals that dictate the allowable height of the wall.

Mr. Duran confirmed that it would be correct.

Member Cherry stated he had no problem with the carport; it is a good idea and adds functional parking and a sustainability component with solar in a graceful way that's separate from the structure.

Acting Chair Bienvenu stated that, obviously, in this case, the issue is whether the exception criteria have been met.

Bradyn Furry, PO Box 238, Santa Fe, was sworn in. Mr. Furry clarified that the building is in the BCD district and the McKenzie Street subdistrict, which does not have a maximum height for a yard wall. The intent was just to raise it enough to hide the carport from the public view, and it is hard to tell that the existing yard wall is many different levels because there is a lot of ivy and growth on it. Therefore, it would be made into a uniform one-level yard wall just high enough to hide the carport and solar panels.

**Public Comment regarding the carport:**

Ms. Stefanie Beninato, PO Box 1601, Santa Fe, New Mexico, was sworn in. She was opposed to having a metal carport on this property, which is a significant property in the Downtown and Eastside Historic District, where metal is not an approved material, and even though it's not connected, but detracts from the historic nature of the building. It is difficult to believe that on one part of the BCD, there's a four-foot-high wall limit, and there's no maximum wall height on this one, and it seems like it's probably going to go up

to about ten feet on an already narrow street which would make it sort of tunnel-like, all to avoid being seen. Surely, they could find some other place to put the solar panels. It's an issue of sustainability but there's no real need for it, it's a want, it's a desire and if it works it Works, but if you have to get all these exceptions and have to go up to ten feet then maybe it should not be considered because it's not really in keeping with the rest of the streetscape that doesn't have these high walls.

**Board Action:**

Member Biedscheid moved in case 2025-010494-HDRB at 206 McKenzie Street for the item concerning the construction of a new detached steel carport to a height of 8'8" with roof mounted solar units within the existing auto court to approve the application as submitted noting that staff has determined the exception criteria to be met and with the condition that the carport be screened by a yard wall that is of a height compliant with the underlying zoning such that the carport and solar panels are not visible from McKenzie Street. Member Degnan seconded. The motion passed by roll call vote with the Board voting unanimously (4-0).

- 4) Roof-mounted HVAC units.
- 5) Construct a new pedestrian gate on the McKenzie St. façade.
- 6) Re-stucco the exterior of the structure with a new one to match the existing.

Acting Chair Bienvenu stated that items four, five, and six would be reviewed together next.

There was no further discussion on these three items beyond the discussion from two weeks ago.

**Public Comment regarding the HVAC, gate, and stucco:**

Ms. Stefanie Beninato, previously sworn in, stated that she understood that to install the HVAC units, the parapets had to be raised. She could not see this in the packet because there are no drawings, no application, and it is poorly presented to the public, but she understood this to be the case. She stated there was no issue with the pedestrian gate as long as it was in keeping with what was there, nor any issue with the restuccing, which needed to be done.

Acting Chair Bienvenu questioned if anyone else had issues accessing the packet. There were no issues from staff or the board.

Acting Chair Bienvenu did not think this required raising the parapets but asked the applicant.

Mr. Furry explained that the parapet did need to be raised, but it was previously approved to fully screen the rooftop units through a prior submittal.

Mr. Furry confirmed that the parapet was previously approved for screening, so this approval was just for the units.

**Board Action:**

Member Degnan moved in case 2025-0104954-HDRB at 206 Mackenzie Street to approve the three items as outlined. Member Mather seconded. Member Biedscheid offered a friendly amendment that clarification be made that this is for the roof-mounted HVC units, the new pedestrian gate on McKenzie Street, and the stucco to match the existing stucco. The amendment was accepted. The motion passed with the Board voting unanimously (4-0).

- 3) Change the overall height by 3'-3" from 14'-0 1/2" to 17'-3" high from a previously approved parapet on the McKenzie St for which an exception is requested to 14-5.2(D)(2)(c) addition to a primary façade.

Acting Chair Bienvenu shared that the next item for discussion was item three, which requires an exception, and staff does not recommend approval. He explained that this item is for changing the overall design and height from the existing height of 14 feet 1/2 inches to 17 feet 3 inches in height, and that the 14 feet 1/2 inches was a previous board-approved modification, and asked if staff would clarify the reasoning for the recommendation of denial.

Mr. Duran confirmed the board did approve the previous modification to the height. Mr. Duran shared the image of the previous approval for the north façade. He stated that there were no issues with the design when it was previously approved. However, now the as-built design before the board for approval is the revised pre-board approval construction to complete the façade. The current infrastructure needs the extra 3 feet 3 inches to provide screening for rooftop appurtenances. Staff had concerns with the architectural design, raising what was approved because it changed the character of that northern façade; therefore, staff are not recommending approval. However, there is the fact that the applicant needed this to provide the necessary screening for their rooftop skylights and other appurtenances, and it is as built.

Acting Chair Bienvenu confirmed that the staff is stating is not the design, but that the exception criteria have not been met.

Mr. Duran confirmed.

Acting Chair Bienvenu questioned why the parapet was not previously addressed for additional height. If it was necessary to raise the parapets to be higher to screen rooftop appurtenances why was the issue not discussed several years ago when the parapets were previously discussed.

Mr. Duran stated these skylights have not yet been added it is currently open space.

Acting Chair Bienvenu asked if the skylights were a part of the original plan that was approved a few years ago.

Mr. Duran stated that they were approved in 2022.

Acting Chair Bienvenu stated he was trying to understand if the as approved in 2022, if the skylights were approved as well, and if they would have been approved as being publicly visible.

Mr. Duran stated that they would have been hidden behind the parapet.

Acting Chair Bienvenu asked if they would have been hidden in 2022, why the additional height is required now.

Mr. Duran shared that the issue is the structural integrity of the adobe in the building. In order to hold the integrity of the building and the adobe and the current structure and the current framing of the structure it had to be raised.

Acting Chair Bienvenu stated that it is a very strong alteration of the design characteristic of that façade.

Mr. Furry gave some background about the portion of the building that is behind the wall. In the early 1900s, this was an open alley, and sometime in the 1940s, we're not sure what year, it was enclosed by the owner at that time. What the current owners want to do is bring the look of an open alley back, and to return the building to what it was, but it can't be an exterior space anymore. The solution for that would be to put in glass skylights or a glass roof that would disappear as much as possible for anybody using the space inside. So, it's as if you were outside again, like the building was originally. The skylights in the previous submittal were approved along with this design. However, the wall that was there that we were adding has disintegrated due to a lack of maintenance beforehand from years past and negligence from a previous construction process. Now that had to be rebuilt because it was destroyed with the new skylight structure behind it and with the way it would need to drain to avoid draining on the street, the slope has to drain onto the adjacent roof so it has to be high enough to get over that roof be able to be flashed that's what determines the height of this wall. Again, that is influenced first by the height of the

glass roof and then the wall in front of it to hide it, so the design being submitted is the same design of the wall, it's just three feet three inches higher. With the previously approved design the top of the arch that was submitted was more in line with the facade that you see on the left which was on the east side now, by pushing it up we feel that it sets this part of the building apart more because between the two sections of the building we have two different heights and this now pushes it in between whereas before it was in line with the one so it got a little lost in the existing façade.

Acting Chair Bienvenu stated it does make it more prominent but that corresponds to is it makes the other feature less prominent which is what is considered as the facade and is now dominated by the new structure. He asked the applicant what was mean by the wall disintegrated, was it the wall on the street? He asked if the applicant could point out what disintegrated that if required someone to rebuild that feature.

Mr. Furry pointed at the area on the screen and explained that the adobe construction with the open roof for several years had melted the front of the wall. That portion of the wall was compromised because it was open to the elements and basically destroyed. So, it needed to be rebuilt, which was previously approved. We have gone back in and found all the problems with the building since that approval; we re-evaluated how that space worked, which required the raising of the parapet and the raising of the skylight behind it, they're interconnected.

Acting Chair Bienvenu asked why that wall couldn't have just been rebuilt exactly the way it was approved by the board the last time, or couldn't be rebuilt exactly the way it was approved, other than wanting to add the skylights.

Mr. Furry stated the skylights were approved to be there, but once they had worked out several of the other problems, they had to remove plaster and stucco, which is when they realized what was compromised underneath. Reinforcing the existing structure created a difference from the original design. They were infusing between two different styles, so this design was trying to take a little bit of both and simplify, but give it a little bit of interest. However, the main requirement for it was to be high enough to screen the skylights. They like this design but are open to any other modifications as long as they can have the height needed.

Acting Chair Bienvenu, the part we're talking about, is very faint on the original design drawing.

Mr. Furry agreed it somehow got lighter. He stated the wall was partially there and they were approved to add to it but since it was destroyed, they were now rebuilding the entire wall.

Member Degnan asked the staff to elaborate a little bit on how this changes the historic nature of the north façade.

Mr. Duran showed the façade before the construction. He stated that staff evaluated the applicant's response and the previously approved design in 2021. The previous approval had a lower parapet, and that lower parapet allowed the fenestrations from the designs on that northern facade to complement what is currently there. The new design takes over that primary façade, and that conflicts with what historic preservation is trying to do. It should be aesthetically pleasing, but it needs to retain the integrity of that north primary façade. To create a new facade while trying to replicate, but which overwhelms the northern façade, is not consistent with what the board previously approved. The decorative feature on the parapet is not sufficiently distinguished from the historic feature on the adjacent parapet; that was the concern from staff that it detracts from the primary facade and what is currently established.

Member Biedscheid recalled being on the Board during the previous case approval in 2022. She said the reasoning for that approval was that the design allowed the historic roof line to be dominant. It was shorter than the original building to its left. She wondered if it's possible to keep that roof line below that level since it's already built. She asked if it was considered to differentiate the connection between the two distinct buildings with something that differs in design, like even exposing the steel skylight structure, though she was unclear how the side view would look. It would be better to have a modern, contemporary connection because it appears on the inside that the objective is to have a sort of contemporary take on an outdoor space that used to exist. After all, there is steel with a glass roof and a living wall, which are more modern interpretations of outdoor feeling spaces, and it might be possible to acknowledge that on the outside without trying to hide it. She asked if that was ever part of the design process.

Mr. Furry stated that there was discussion, but the primary focus was to hide the skylight because it was understood that it was a requirement. He said the applicant is open to simplifying the facade by changing it slightly if needed. The curve was just a simplified way to speak to the facade next to it, but not to be the same.

Member Cherry asked if the archway that was drawn in was recessed or if it went all the way through.

Mr. Furry stated it is a recess that simulates the existing recess on the facade to the left.

**Public Comment regarding Item 3:**

(inaudible) Oster, 1102 Piedras Rojas, was sworn in. Ms. Oster clarified that they were happy to make accommodations for whatever the board recommends. If the steel structure is acceptable and the board saw on the site visit how it was shored up, it's not

just the front facade that was compromised; it is the whole perpendicular wall. One side of the passage is completely compromised, and the skylights had to be raised because a concrete bond beam had to be put in the top to be able to hold the structure's integrity. That was the origin of the whole design, and if it is the Board's will that it be taken down and the frame is shown, the team is willing to make those modifications as well as any other modifications that the Board requires. It really was that it was an attempt to hide it, as was thought to be required. We can hide it another way if the Board pleases.

Acting Chair Bienvenu confirmed there is a requirement to hide the solar panels; an exception would be necessary if they were publicly visible. So, you were correct about that. There are two conflicting requirements to get the skylights; one is that they can't be publicly visible, and the other is that the Board has already approved the height of that parapet.

Elizabeth West, 318 Sena Street, Santa Fe, was sworn in. Ms. West acknowledged the complexity of the case and the conflicting requirements for the code. She felt the design was interesting and admitted the conflicting code requirements with a traditional way of coping with the conundrum. She liked the slight undulation that's hinted at, and it's a nice little addition that's quite attractive.

Ramon Sarason, 2794 Calle De Valdes, Santa Fe, was sworn in. Mr. Sarason stated it is a very interesting conundrum and an opportunity to explore some other design options. He did not like the approved plan, and this just elongates the transition between these two important parts of such a phenomenal historical edifice is worthy of some exploration that might be able to make good use of a transitional design that doesn't meet the exact standards that are applicable here, since they're contradictory. He challenged the architect and the owner to see if they could come to a solution that would be an enhancement to this important facility.

Ms. Beninato, previously sworn in, was opposed to the exception being requested because it dominates the façade which is a primary facade, it hides some of the windows or obscures some of the windows behind it, the openings are there, the window openings in that little addition are larger than what was approved before, and the hardship is something about the structural integrity being compromised but putting in bond beams doesn't mean that you need to raise it three and a half feet. The real issue is that they want a glass roof there, it's not glass skylights, but a glass roof. Regarding drainage, a quarter inch per foot is plenty for drainage; therefore, none of this seems to really add up to needing an exception. It was a mistake that the board allowed an exception to begin with, but the applicant should go back to the originally approved design which is lower and doesn't overtake the historic part of this facade and if the glass roof has to be eliminated it should be fine because they have plenty of glass in this building including in the addition that they're proposing. So, it is not a hardship in any way shape or form and

a structural compromise of a wall doesn't mean that you need to add three and a half feet to a parapet or to a facade and the idea that you would even suggest allowing steel to be exposed on a primary facade is outrageous and not in keeping with the requirements of the of the district.

Member Cherry asked Mr. Furry if a different facade height was requested, how high it would need to be to conceal the roof, assuming the high part of the roof is on the west side, the low parts on the east side, so the arch, which is in the middle currently, is the highest.

Mr. Furry stated the arch could be removed and make it more of a flat parapet, and still hide the skylights. The base of the arch height is the minimum height needed for the skylights.

Member Cherry stated this is a great piece of information to have because it helps visualize what the requirement is for the glass roof, which is appreciated because it does a lot to honor the building. The tour was very helpful as well. The construction challenges are better understood, especially having to drain that area of the roof onto the other roof and the height requirement. It is beneficial for the building to have that, and if there were no glass roof there, the water would still need to be drained, and a shed roof would be needed, which is not necessarily very appealing and would still require a parapet façade, whether it was an arch or flat, or anything to conceal that roof. Therefore, what is being constructed inside is not relevant to what we are charged with. From a construction standpoint, it's been well thought out, and it's very functional, and having some form of facade there that's a parapet, whether it be curved or flat, is a good solution for that area.

Mr. Furry stated that the only other way to drain that roof would be onto the sidewalk and the street on a north façade, and that was what caused all the degradation to begin with.

Member Biedscheid stated that there have been a couple of options for alternative designs, like Member Cherry's suggestion with a flat parapet and maybe removing the niche or a more exposed design. Would the applicant be willing to think about those suggestions and come back with an alternate design for review and approval at a later date?

Mr. Furry stated yes, they would. Alternative designs were discussed including the flat parapet and removing the alcove so it is at the minimum height for screening of the skylights which is the height of the outer dimension called out on the right on the new elevation.

Acting Chair Bienvenu stated that it would be lower than the height of the arch that was previously approved, which would help with maintaining the dominance of the feature to the north, and in fact that what was currently existing when the board reviewed this was something flat in that space.

**Board Action:**

Member Biedscheid moved in case 2025-0104954-HDRB at 206 Mackenzie Street in respect to raising the roof 3'3" in addition to the previously approved parapet, finding that the exception criteria have not been met, postpone this item for a redesign requesting that the applicant come back to the HDRB with some alternate design suggestions that minimize the roof line as much as possible while hiding the steel structure behind and/or an alternate design that the applicant prefers for consideration noting that the exception criteria might be required for exposed steel items. Member Degnan seconded. The motion passed by roll call vote with the Board voting unanimously (4-0).

The applicant consented to the postponement.

There was discussion on whether this should be to a date certain on June 22<sup>nd</sup>, and on posting requirements. It was confirmed that this item is postponed to a date certain of June 22, 2025.

Clarification of the motion was made.

- 1) Replace all the doors and windows for which an exception is requested to 14-5.2(D)(1)(a) for the removal of historic material.

Acting Chair Bienvenu stated item one for this case is requesting to replace all the doors and windows for which an exception is requested under 14-5.2(D)(1)(a) for the removal of historic material. Presentations from staff and the applicant, and there has been a site visit, and there is also a report from the window assessor.

Member Cherry asked for clarification on what the proposal was for window J.

Acting Chair Bienvenu remarked that, in looking through the packet, one thing that was not mentioned is that at the last meeting there was also a discussion about the windows and the applicant at that time sought to repair the historic windows and replace ones that were non-repairable and that had deteriorated beyond repair, and that was what the board's action approved, so in essence there's some argument to be made that we're revisiting an issue that's already been decided and ruled upon.

Mr. Furry stated that when the owners bought the property, there was a boarded-up hole in window J. The request is to infill the open hole with a window that matches what was there historically and that also matches the rest of the windows on the building.

Member Cherry asked if that window would be constructed to match the windows on that façade.

Mr. Furry confirmed that it was the divided light double hung.

Member Cherry questioned if the proposal is for a Marvin factory window.

Mr. Furry confirmed it is a Marvin factory window with a wood exterior, and painted the same color as the rest of the windows.

Member Cherry stated he wanted some clarification on those windows because there was a drawing, but not a detail, and when replacing in-kind, it includes the muntin being the same width, the same profile, and the same mill design, and that rarely occurs with a factory window. Typically, a window has to be replicated for it to truly be in kind.

Mr. Furry stated that they went with Marvin because, for some other cases here in Santa Fe, Marvin was able to recreate windows in a factory that did match historic sizes of muntin widths, divisions, and the like, and Marvin told them they could do the same for this project.

Member Cherry stated there are a couple of different numbers on everything because Ra Patterson did not number the same as the applicant. Using the applicants' numbers, The door 100, how would that be constructed?

Mr. Furry stated that the door is wood and does exist. It is currently in storage for construction purposes, but it will be reinstalled.

Member Cherry pointed out that this is where the confusion is coming from; the proposal states replacing all windows and doors, and there are some that aren't being replaced.

Member Cherry stated that this is a super important building, it's a beautiful building, and the applicants are doing a really careful job to preserve it. However, the windows are an important part of the historic integrity to and there are some windows here that are worth preserving and while there are limitations that those windows have due to their age such as condensing moisture on the inside in the winter time and not being as energy efficient or as tight, there are some sophisticated good ways to restore those windows. There are a number of windows here that deserve preservation, along with a number of windows here that deserve to be replaced. Some of these windows are in really good shape from

a degradation standpoint and should remain. He asked the applicant if they were willing to work at retaining some of the windows rather than replacing them, or if the replacement for most of the windows.

Mr. Furry stated the issue was more about the way the windows are installed in the existing wall; they're not flashed, they're not insulated, and just the building materials of the building itself are the reason for the replacement of pretty much all the windows. For the building to be stable for the next 100-plus years, this is something that, because of their age, we can't get away from. The only remedy is to remove the windows and flash them properly, but once removed, it destroys the window. So, for the building to be stable, this is the best way to do that and not compromise the stability of the building.

Member Cherry respectfully disagreed that certain windows, which have been there for close to 100 years, are not what has injured the integrity of that building. There is no evidence that most of the windows on the south facade seem like they're in really good shape and do not show a lot of evidence of leaking moisture through the interface between the window and the wall.

Mr. Furry stated that they did have the window assessment done as required, and they are using those recommendations based on their understanding of the condition of the windows.

Acting Chair Bienvenu stated that the basic idea with window replacements is to review three things. First, we check if we are discussing a primary facade or not, because windows and doors have a different set of rules that apply to them, even when they're Historic, if they're not on a primary façade. A decorative feature, such as a piece of wood On a non-primary facade might be preservable under our ordinance or be required to be preserved because of the fact that we have a prohibition on removing historic materials, no matter where they're located. However, the ordinance carves out windows and doors for different treatment; it could be a drafting error, but it does call out specifically window and door uh replacement as being differentiated as to whether or not it's on a primary façade. So, if it's on a non-primary facade, essentially, there's not a lot that can be done to protect them if someone wants to remove them. On a primary façade, the general rule is that they must be repaired, and only if they're non-repairable are they allowed to be replaced. Then they must be replaced in-kind, meaning exact duplicates. In this case, we need to look first at the windows and doors in question on the primary façade. This is almost a significant building because almost the entire structure has a primary facade designation, with a few exceptions. Secondly, if it is on a primary facade, is it historic, and thirdly, if it's repairable? If it is not historic, it has the presumption of being replaceable. If it is historic, then the next question is whether it's repairable. This is the flowchart of dealing with all of these windows and doors.

Member Biedscheid added that if the window assessment can be considered as true, the window assessment identifies which windows are historic and which are on primary facades, and for those on primary facades that are historic. Mr. Patterson has assigned a rating of "fair," which is defined as having 30% to 40% deterioration, making them not repairable. If that is all accurate in this case, and where in the past when faced with cases like this the board often requires repair on the primary facades, but allows replacement on the non- primary facades, the primary facades are not repairable so they would need to be replaced in-kind concerning material and style and that's what the application intends to do.

Acting Chair Bienvenu stated the coding for this window assessment is P for premium, S for satisfactory, F for fair, and U for unsatisfactory. There is some confusion about the difference between the fair and the unsatisfactory. Fair is defined as "putty glazing, cracking, and missing at 30 to 40% of the sashes, frames, and casings, have some members 30 to 40% completely deteriorated." The unsatisfactory says "casing members have more than 30 to 40% deterioration beyond repair." It seems to cut in two different directions that the fair is repairable by calling it fair and by not saying it's beyond repair, and saying that some parts of it are 30 to 40% deteriorated. He asked if anyone had any clarification on the window assessor's coding.

Mr. Duran could not clarify but explained the window assessor has this curriculum that he uses, and this is a common way of defining the condition of the windows, but staff don't have an interpretation for his way of assessing the windows.

Acting Chair Bienvenu questioned how to apply his characterizations to the ordinance.

Mr. Duran stated that the 30% to 40% deterioration on primary facades, as Member Biedscheid had stated. So, if the window assessment shows a good condition or fair condition and is repairable, staff recommend repair. If they are not repairable with 30% or greater deterioration and they need to be replaced, staff recommend replacement. If the request is for replacing windows on a primary façade, an exception is required for the removal of historic materials.

Acting Chair Bienvenu stated he understood the policy of applying the 30% rule. He was not sure that it was written anywhere, but he was unsure how to apply the 30% rule to the ratings of fair and unsatisfactory because the assessor uses 30 to 40% figures to call a window fair and then say it's not restorable. It would seem that unsatisfactory is what corresponds to not being repairable.

Mr. Duran stated that the staff agrees.

Acting Chair Bienvenu summarized the translation of the coding; a window that's designated as "U" would be something that should be replaced in-kind under our ordinance, and something that's designated as "P", "S", or "F" should be repaired or restored. He stated

The assessment is about the wood members being repairable and restorable, and the window assessor and the applicant are making a secondary argument that even if the wood could be repaired, it doesn't make them repairable because their removal will compromise the structural integrity. This is a separate issue there, but our focus is on the repairability and restorability because that's what our ordinance speaks to.

Mr. Duran stated that it was where staff made the recommendation of the removal of the windows and replacement in-kind because of the impact on the structure. Given that windows "P", "S", and "F", but those windows have historic sashes and jams, many of the sills are buried in stucco and will need to be removed to make these windows seal properly. If the units are removed, the jams will be destroyed because the jams are the buck in the adobe. The assessment reads, "*the adobe and the interior plaster is showing signs of deterioration from water getting in around the existing jams due to the lack of flashing and moisture from condensation because of the quantity and size of the single glazed windows*". It continues, "*the best solution to protect the integrity of the structure is to remove these units and replace in-kind all wood windows with divided light and insulated glass*". These windows are located on the non-primary elevations. There are three elevations that are primary on this structure. Taking into consideration what the assessment says, the staff takes into consideration the best solution to protect the structure with these repairable windows, if they can be repaired and returned into place, that would be the preference, where possible; however, that may not be possible given the assessor's assessment. The assessment makes it sound like once the window is removed for repair, the pen tile and adobe block around the window will be adversely impacted. So, a new window would be required. Therefore, staff is recommending that the exception criteria have been met for the replacement of the windows. Most of the windows are painted shut and are non-operable; however, to what extent they can be repaired, staff do not know, which is why staff depend on the window assessor. The window assessor stated, "*The best solution moving forward for this structure is to replace in-kind.*" This is the reasoning for the staff's recommendation.

Member Cherry disagreed, explaining there is a large majority of windows in the historic buildings in Santa Fe that don't have bucks, and many of those windows have been functional for over 100 years and are repairable. So, if that argument were true, then it would be a great argument to just take the whole bunch of windows in Santa Fe out. From his observation, the board is charged with preserving. What can be preserved, what is intact, what's not 30% degraded? There's a certain number of those windows that don't meet that criteria, which are not degraded to 30%

can be argued to be replaced because of how it was originally constructed into the building might be causing a problem. There was no problem until recently. The proposed retrofit of flashing and weather stripping, with stucco application, is good at interfacing the perimeter of that buck. So, it is a little bit dangerous to use how they were originally installed as a deciding factor; we need to look at what is in the code, and that is the degradation level of those windows, since they are on a primary facade, and they can be restored.

Mr. Duran thanked Member Cherry for his statements. He stated that staff greatly appreciates Member Cherry's consideration on the subject because he is an expert in the field of window restoration, and while staff understand the plan sets, they do not have firsthand experience with window installation, so it is nice to have an expert to help guide the decision in window replacement. Staff will appreciate the motion, whether it is in keeping with the staff recommendation or not.

Acting Chair Bienvenu stated that the board is traditionally very jealous of protecting windows and doors whenever possible because they are an extremely important aspect of the historic integrity that, once removed and taken away, is never regained. This is why the board is so careful and why the board has been disappointed with the rule, which will hopefully change with the code rewrite, that seems to treat primary facades differently, because that allows perfectly good historic windows to be trashed. After all, people have a misguided notion that they want modern double pane insulated windows, even though we know that is not a significant impact on the insulation value of the house, and conversely has a huge impact on the historic integrity and the appearance of the home. That's why the board tends to be as objective as we can when reviewing an assessment report that tells whether they're repairable or restorable. It is dangerous to go to the next phase of saying, "Sure, they're restorable, but once you take them out, it's hard to put them back in without altering the structure." But that's just a that's just sort of conundrum that has to be dealt with, and there are ways to deal with it. New windows are going to be put in here, so there will be ways to also put historic windows back in as well if the will is there. We will need to go through the windows one by one from the assessment report and look to see if they are primary, historic, and repairable, and make those decisions to make a motion.

Member Cherry stated that the charge is to preserve historic material that can be preserved, and the windows are historic material that can be preserved. These windows were installed in an era when things were serviceable. So, the interior trim comes off, the balances can be replaced, the ropes can be replaced, the pulleys can be replaced, the sashes can come out of the frames in situ and be repaired. There are certain windows that had some damage caused by the previous construction project that couldn't be rebuilt because the material has been removed, but certainly those windows were intended to come out to be serviced, reglazed, and they could be refinished. It's just a different way

that things are built nowadays to be disposable, and those windows were certainly built to be serviced.

Mr. Furry stated that besides the integrity of the bucks and the wall around it, there has been a lot of damage done to the windows themselves as part of the profiles and the design of the window from excessive scraping over the years, and trying to do things to The windows that were not good for them. So those are the types of things that can't be preserved because they are gone. They can't be added back in like profiles, shapes of the frame, and such. It would be nice to say that there is always the possibility that parts could be taken out, repaired, and put back in, but it's a huge unknown, and there is a risk of trying to do that and then finding out that this assessment is correct and the windows need to be replaced. Then the situation is worse because now the project is further down the line, extending the construction, exposing the building further and longer to the elements, which are things the applicant is trying to avoid. The assessment was done as required, and what the assessor put in the report is what is being followed. The assessor may have a bit of an ambiguous rating system, but his summary does say for all the windows that he does recommend they be replaced for various reasons. Some things aren't readily seen from looking at the window. For instance, anything within the frame itself, just looking at the sash and the trim, isn't going to give the whole story for every window. Whereas Mr. Patterson has gone in and done exploratory investigations into the wall next to the windows and into the windows. The requirement was to have an assessment done, which has been done, and the assessment recommends that the windows be replaced. It seems a little cut and dry in this case when reading the summary of the assessment.

Ms. Oster stated that the owners are not driving the replacement of the windows, they want to care for the building the best that they can, but they are not experts on windows. So, they are relying on the assessment. It is confusing what criteria would be used as a basis if it is not the window assessment from the assessor with the expertise.

Member Cherry stated that different professionals in the same profession have different opinions. This happens to be his profession, historic window restoration, and he is one of the approved assessors. While his observations are cursory but they are experienced in the field, so there is an ability to look at a window to get an assessment. Many of the windows were open during the tour, and he looked at them closely to get an idea of their condition. There are other options, like getting another window assessment; he would abstain because he is already involved at this level, but it is an option. He appreciated the desire to restore this building and felt the intent, honesty, and desire to revive it. He stated that it was not intended to indicate that none of the windows needed to be replaced, but there are specific windows that could be repaired and preserved, which will help the integrity of the structure.

Ms. Oster stated she understood Member Cherry was more qualified than herself, but requested the board give an avenue forward, especially if they are rejecting the assessor's evaluation, as an alternative path will be needed.

Acting Chair Bienvenu clarified that the board does tend to rely very heavily on any approved window assessor's assessment of the repairability of a window, and so that part of the report is something that the board typically accepts. If it says repairable, it is accepted to be repairable. If it says non-repairable, it is accepted. However, the second aspect, the additional information, is more than what is in question. It says it might be repairable, but the best solution is replacement for various reasons. The board is weighing the difference, not necessarily contesting the assessment of repairability so much as that secondary comment. Also, to clarify, Ra Patterson nor anyone on the list of assessors do not work for the board or the staff; they are private contractors who are on a list for an applicant to hire if they so desire. The board understands that as an applicant or member of the public, you need to know how to proceed.

Member Cherry stated that there will be a way to proceed given tonight by giving a motion and path of approval, which the applicant may agree with or not, but it would give a path forward.

#### **Public Comment regarding Item 1:**

Elizabeth West asked if an assessor says windows can be repaired, but they suggest replacement, does that allow the property owner to go back to the assessor for clarification on any ambiguity?

Ramon Sarason stated that the ambiguity on this decision comes down to the assessor's report not stating the percentage of degradation, and an answer could be to have the assessor say this is 32% degraded, or a more thorough degradation threshold identified by the assessor.

Stephanie Beninato agreed with Member Cherry's remarks, and the staff misinterpreted the law to say that the structure is the only thing to preserve. Preservation also applies to certain windows on primary facades, and if they are repairable, then they should be repaired, and if it is degraded more than 30% then they can be replaced. The rationale about having to take the historic window out and make a repair, say of the sill, and then put it back somehow, that would degrade the building, would happen whether you took it out and replaced it or whether you took it out and repaired it and put it back in. The assessment should go window by window, which would give enough information to make

a decision tonight, if not, ask the owners to take it back to the expert they hired and have the assessment be more specific, window by window.

Member Biedscheid clarified that, according to the report, there are seven windows on the primary facade that are historic. The largest window, the applicant is not proposing any change, this would be window G, so then there are six windows, and the way this reads is that the difference between the fair and the unsatisfactory is that fair is 30 to 40% whereas unsatisfactory is greater than that range. The assessment says some members have "more than," and this is used for unsatisfactory. The board's criteria have historically been to at the 30% mark. She was willing to accept this assessment, and knowing that the applicants are going out of their way to try to do the right thing here and are willing to do repairs if that's what was recommended, there does not seem to be a reason to second-guess an expert's report that is in hand. She said she would like to see what's repairable repaired since there is no contradictory evidence to that fact before us tonight.

Acting Chair Bienvenu believed Member Biedscheid was correct about the 30 to 40% but the report says the window that they're keeping is an "F," which is fair.

Member Biedscheid stated it could be the applicants' choice.

Ms. Oster stated that the window is really big in the Hazel Hyde Studio, and the decision was made to retain it because the community members who came to speak to the applicants about that particular room loved the windows and desired to see them stay. The community is looking forward to having the building functional and available to them again. The window is a skylight that becomes a window, and a modern skylight has been placed over the original skylight to protect it and the window from damage. The vertical plane windows have been partially repaired, though they need to be shored up more, but the applicant is committed to retaining those windows because they mean so much to the community.

Member Cherry stated it is a great point and illustrates that the window is repairable, just like the other windows that he believes are repairable, and the reason that that window, even though it might have, according to the assessor, this level of degradation that makes it replaceable, there's a willingness on your part to repair it. So, if there was an equal willingness to repair these other windows, the structure would have better integrity. All for repairing the repairable windows.

Member Mather asked if it would be worth having a conversation with Mr. Patterson about his assessment.

Acting Chair Bienvenu stated that he has come before the board before, but if there can be a resolution tonight, it would be preferable.

Ms. Oster asked if the board had the summary on page seven of eight and if the windows B, E, G, K, PP, KK, RR that are listed are the ones in discussion right now.

Member Cherry responded that the discussion is regarding all of the windows at this time.

Ms. Oster stated if they try to repair those that are in the same line of list with G that we do give it our best shot but we go ahead and replace the others we are considering is taking that set of windows and trying to repair those and going ahead and following his direction on the rest to replace but giving our best shot to repair.

Acting Chair Bienvenu stated that they seem to be going by what is in the assessment, as a primary façade is historic and is repairable.

Member Cherry stated that because there is some ambiguity, a window-by-window motion would be best, but it might be too complicated to follow, and pretty long.

Acting Chair Bienvenu agreed that that would be the best approach, and looking at page 152 of the packet, which is the report, every window or door is marked from “a” all the way to “y” and it’s sequential window by window. The motion should address the three factors, which are whether it is the primary façade, whether the window is historic, and whether it’s repairable.

**Board Action:**

Member Cherry moved in case 2025-0104954-HDRB at 206 Mackenzie Street in respect to window replacement of window a door dr1, door 108, door 107, window B, ZZ or ZZ3, ZZ2, ZZ1. Door 104A, window C, window E, window F, window X2, window X1, all the DDs (DD1 through DD10, window Y, window U, door 138, door 130B, all the TT windows, EE, FF, window R, and the restoration or repair of door 1108, W2, W1, T3, T2, T1, S3, S2, S1, P, O, N, M, L, K, door 135D, I, all of the OOs, OO1, OO2, OO3, OO4, OO5, all the NNs (1, 2, and 3), all MMs, M1, M2, M3, all LLs, LL1, LL2, LL3, all Ks (1 through 3), JJ1, JJ2, I1, HH3, HH2, HH1, GG3, GG2, GG1, QQ1, QQ2, and RR and for window J install an in-kind to match window K and regarding the gates 141B and 135D should be lowered and retained.

Acting Chair Bienvenu asked if this was in keeping with the assessment and asked if there was some way to correlate the groupings.

Member Cherry said it was not in keeping with the assessment, that this was his recommendation from his review based on the different conditions, such as the windows

in the second group of the windows in the assessment, the profile was removed during previous construction, so that they cannot be replaced.

Member Degnan seconded.

Member Biedscheid stated she could not follow the motion there seemed that some of the windows that were non-historic, and there is no requirement to repair non-historic windows, and some were recommended to be replaced. It has been the practice to limit the repair of windows to those on the primary facades. This building has a lot, many are not publicly visible; it would be more helpful to group these by historic and on a primary faced and are repairable.

Member Cherry explained he did not intend for this to be so complicated. He is recommending the replacement of all the non-historic windows on non-primary facades.

Attorney Ruybalid recommended breaking the motion by façade and voting on five, six, or ten windows at a time.

The motion was withdrawn.

Member Cherry asked for a façade map of the property.

Mr. Duran asked the board to consider section 14-5.2(D)(5) "*For all facades of significant and landmark structures and the primary facades of contributing structures: (i) historic windows shall be repaired or restored wherever possible historic windows that cannot be repaired or restored shall be duplicated in the size style and material of the original.*" To be taken into consideration when making the motion, because there can not be a requirement to repair non-historic, non-primary windows.

Mr. Duran confirmed there was not a façade map like those created for the status reviews, but there is the site plan that shows which elevations are primary.

Acting Chair Bienvenu asked that staff page 157 of the packet, which has the diagram that shows the letter for each window and corresponds with Mr. Patterson's report.

**Board Action:**

Member Cherry moved in case 2025-0104954-HDRB at 206 Mackenzie Street in respect to window replacement on the north façade approve the applicants proposal to on the first-floor to restore window G, install a new window in the H location, restore window I on the first floor and to restore window PP and window SS to replace windows TT on the second floor and restore door 6 and replace door 19. Member Mather seconded the motion.

Acting Chair Bienvenu confirmed that there was an intent to restore a non-historic window.

Member Cherry confirmed that it was intentional.

The motion passed by roll call vote (3-1) with Members Mather, Cherry, and Degnan voting for and Member Biedscheid voting against.

**Board Action:**

Member Cherry moved in case 2025-0104954-HDRB at 206 Mackenzie Street in respect to window replacement on the east elevation approve adding a window in the opening of window J, retain door number seven and lower it as necessary for ADA requirement, replace door 8, restore window K and retain and restore door 9 and lower it in its' location as necessary, replace window EE, FF and door 18, restore QQ, restore RR, replace window Y, restore window Z, and restore BB1, BB2, and BB3. Member Mather seconded the motion.

Acting Chair Bienvenu stated that there were no non-historic windows in that group.

The motion passed by roll call vote (3-1) with Members Mather, Cherry, and Degnan voting for and Member Biedscheid voting against.

**Board Action:**

Member Cherry moved in case 2025-0104954-HDRB at 206 Mackenzie Street in respect to window replacement on the south elevation approve replacement of X1 and X2, replacement of Door 14, and windows V, U, T, S, O, N, M, L, replace D10, D11, and D12 and window Q on the first floor and restore MM, LL, KK, GG, HH, and II. Member Mather seconded the motion.

Member Biedscheid stated that everything proposed for restoration in this grouping is associated with the assessment that the jams will be destroyed when they are removed from the adobe.

Member Cherry stated he felt they could be restored without removing the jams.

The motion passed by roll call vote with Members Mather, Cherry, and Degnan voting for and Member Biedscheid voting against.

**Board Action:**

Member Cherry moved in case 2025-0104954-HDRB at 206 Mackenzie Street in respect to window replacement on the west elevation approve replacement of window A, doors 1, 2, 3, 4, windows B, C, B, F and replacement or installation of those doors and windows

and the ZZs and 104A greenhouse windows and door on the first floor, and restoration of OOs, NNs, on the second floor. Member Mather seconded the motion.

Member Biedscheid stated that though they are we're halfway through this, she stated for the record that she objects to the way this is proceeding. She felt like the board was replacing the entire window assessment that was part of the packet with a new assessment, which might be just as valid, but there may be missing windows and doors because the numbering seems a bit off, and some of them have historic sashes and jams, but may not be historic in their entirety.

The motion passed by roll call vote (3-1) with Members Mather, Cherry, and Degnan voting for and Member Biedscheid voting against.

**9. New Business 3:02**

- a. **2025-010496-HDRB, 492 Arroyo Tenorio**, Downtown & Eastside Historic District, Non-contributing, Will McDonald, agent for Rob Johnson, owner, requests approval for a 112 sq. ft. addition on the south elevation.

Mr. Paul Duran 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) Historic Districts Design Standards.

Will McDonald, 488 Arroyo Tenorio, was sworn in. Mr. McDonald had nothing to share and was available for questions.

**Public Comment:**

There was no public comment.

**Board Action:**

Member Biedscheid moved to approve the application as submitted and as recommended by staff. Member Cherry seconded. The motion passed with the Board voting unanimously (4-0).

- b. **2025-010497-HDRB, 964 Acequia Madre**, Downtown & Eastside Historic District, Contributing, Manuel Mendoza, agent for Anjani Thomas, owner, requests to replace roofing material to a 26-gauge sloped metal roof color natural galvanized steel and requests two exceptions to 14-5.2(D)(1)(a) removal of historic material and 14-5.2(D)(5)(b) architectural features, finishes, and details other than doors and windows, shall be repaired rather than replaced.

Mr. Paul Duran 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.

Member Cherry asked to see the photo of the front north façade.

Manuel Mendoza, 964 Acequia Madre, was sworn in. Mr. Mendoza stated that the homeowner was concerned about the roof and protecting the house, and is asking to replace the whole roof.

**Public Comment:**

Ms. Stefanie Beninato, previously sworn in, did not necessarily have objections to redoing the roof in a single material but did want to make sure that there weren't any solar panels up there because it was hard to see on the section of the roof beyond the portal. If there were going to be publicly visible solar panels. She further confirmed that raccoons can be a real problem from experience, so she appreciated the owner's issue.

Member Biedscheid asked the applicant if the roof was proposed to be red or natural galvanized steel and if the portal would remain red or be replaced as well.

Mr. Mendoza stated that natural galvanized steel with a new roof on the portal as well.

Member Cherry questioned the date of the photo.

Mr. Duran said the clearest photo he found was this one which was 2014. The most recent photo of the north elevation is from 2022.

Member Cherry stated that he believed the façade has changed since the photo because the door and window are not in the same location as what was there at the site visit today. Today, where that window on the right-hand side is a door, and where the door is now, there was a window.

Mr. Duran stated there was a scratch coat around the windows at the site visit today as well. He asked Mr. Mendoza if he could speak about the work on the exterior of the building.

Mr. Mendoza stated that his client bought the house a few months ago and she contacted him about the roof, but not anything about these other items.

Member Cherry clarified that the date and approvals of the changes were unknown.

Mr. Duran confirmed that it was unknown, but it was most likely in the past two months since he was working with Mr. Mendoza on the roof and the changes took place after the initial staff site visit on the property. He stated that staff would work with the homeowner on finding out what all has been done.

Acting Chair Bienvenu asked when the case was heard for a status review and a primary facade designation.

Mr. Duran stated it was in 2022.

Acting Chair Bienvenu asked that there has been an alteration of the primary façade since then without approval.

Mr. Duran confirmed.

Acting Chair Bienvenu explained that the board has the authority to require any change to be undone and to have the property returned to its original condition.

Mr. Duran confirmed.

Acting Chair Bienvenu stated that the work would need to be brought to the board for review.

Mr. Duran stated he would work with the homeowner.

Member Biedscheid asked if it was appropriate to approve a change at this point, considering the packet is different than the actual conditions.

Acting Chair Bienvenu felt it was the prerogative of the board to postpone the case hearing all of the issues at the same time, especially since the alterations are to the primary façade and exceptions are being requested.

Assistant Director Moore stated it was the discretion of the board, but acting on the case for the roof should not impact a future case coming forward for an exception, should that be warranted. That potential change does not pertain to this request to replace the roof and those exceptions that are required. Mr. Duran has confirmed that staff can send somebody out tomorrow and go through the appropriate procedures. If there has been work done to the primary facade that needs to come forward in a separate case, which would be the appropriate path as well, and to link these two may delay the necessary

repairs that are needed on the roof, and you know, versus any kind of restorative work that needs to happen to the primary façade.

Member Cherry asked in that scenario, if there is a determination on the roof, how is the applicant required to come back to that other work?

Assistant Director Moore stated the process would be through the red tag, notice of violation, and citation process. She said they can also stop the issuance of permits. Given the evidence heard tonight, there does seem to be a real need to repair the roof.

Mr. Moquino stated the process will be to issue a red tag since the project has not been completed. The inspector will go out tomorrow and issue a red tag. The homeowner will have two weeks to respond. If there is no response they will be issued a notice of violation. They will have two weeks to respond. If there is no response a citation will be issued which usually forces them to come to the board for approval.

Acting Chair Bienvenu noted that it was a lengthy process.

Member Cherry stated the concern was that possession is nine-tenths of the law. Violations take time, and the changes are rampant with no permitting. It seems that there is no leverage to have them come back to the board.

He asked if the case was postponed, and how long it would be before they could come back.

Ms. Romero stated it would depend on the type of case needed, such as additional exceptions, noticing requirements, and what approvals have been issued versus the work that has been done; otherwise, a date certain could be an option, and that would be July 22, 2025.

Mr. Duran stated that a new case would be advantageous, and the applicant today would be the representative for the case for those other changes. A date certain may not be an option because the homeowner would not meet the posting requirements. The homeowner is not here to represent herself or the home.

Member Degnan asked staff if the board has approved a request while being aware of the fact that there are violations. She asked if it is practice giving permission to do something while unapproved actions are being addressed.

Mr. Duran stated that the approval tonight would not stop the citing of the property tomorrow, but it is up to the board to approve, deny, or postpone the case for the roof.

Acting Chair Bienvenu stated the concern is that by making a decision, the board is sacrificing its control so that this potentially never comes before them again, since many red tags never turn into a case. The board would prefer to address it now, and they do have the authority from a code provision for restoration or status if a property owner makes changes in a structure without proper city approval, which results in the lowering of the status of a structure, or the board may require the property owner to restore the structure. Therefore, the board could, based on a record that is before it, rule that there are unauthorized changes made resulting in an alteration of the status and order it to be restored, separate from the city's process.

Attorney Ruybalid stated that the concern is that it is not on the agenda tonight, so that decision could not be made tonight.

Acting Chair Bienvenu stated that this was why the discussion was about postponing the case.

Attorney Ruybalid reiterated that code enforcement needs to investigate this, and he discouraged the board from deciding on that issue without the investigation and without it being on the agenda.

**Board Action:**

Member Biedscheid moved that because the application appears to be incomplete in that the drawings do not represent all changes made to the structure to date and because this is a contributing structure the changes requested tonight affect the primary façade which seems to be altered that this case be postponed to a date certain and request that the applicant come back with a full application for the changes that have been made and any further action required to address the gap in the materials reviewed tonight and the on-site conditions observed today. Member Degnan seconded. The motion passed with the Board voting unanimously (4-0).

Staff asked for clarification if this would be two separate cases, one being the postponed case because the agenda has been posted and the case cannot be altered, and the other for the other items requested as another case number so that this can be posted correctly, and that the date certain was to be July 22, 2025.

It was determined that it all needed to be heard together so staff could determine when the case should come forward with all of the required information.

- c. **2025-010489-HDRB, 539 Garcia St.,** Downtown & Eastside Historic District, contributing, Matthew Rembe, agent for Penny Rembe, owner, requests a historic status review with primary facade(s) designation, if applicable, for a residential structure and an accessory structure.

Mr. Gary Moquino presented the case and staff recommendation. Staff recommended that the historic status of the residential structure be maintained as contributing with the south façade, which holds the greatest historic integrity, as the primary facade, and that the accessory structure be designated as contributing with the east facade as primary, per section 14-5.2(C)(2) Designation of Significant, Contributing or Noncontributing Status Within Historic Districts.

Penny Rembe, 533 Garcia Street, Santa Fe, was sworn in. Ms. Rembe stated this was their second process in Santa Fe, the first was at 533 Garcia, the old Pete Don Jose Garcia's house. They also have resided in a historic house in Albuquerque. They were friends with Tina, who lived at 539 Garcia and when Tina moved out, they purchased the home to have a place for their four children and families when they come for the holidays. She stated that they love the house, the Garcias and that street.

Aviva Bowman, 47 Old Road, Lamey, was sworn in. Ms. Bowman agreed with the façade recommended for the residence; however, she disagreed that the garage should be contributing, but more so that the east façade should not be primary because it is very deteriorated.

Member Biedscheid asked for clarification that the property was already designated contributing and that the primary facades were the request for tonight.

Mr. Moquino stated that the main residence is already contributing, it only needs primary façade designation. The garage has no status, so it needs a status review.

Member Biedscheid stated in regards to the garage that if it is to be contributing that the south façade that faces the street consistent with the main house would be the more appropriate primary facade and the reason to designate that would be to preserve the position of a garage as a garage and have it read as a garage that sort of deep set driveway is unique to the streetscape the south would be the better designation rather than the east on the garage.

**Public Comment:**

Ms. Beninato appreciated Member Cherry catching the changes in the prior case and the board taking the appropriate action to find out what happened. Regarding this case, she stated that the main residence should remain contributing and that the façade that faces the street with the portal should be primary. She agreed with Member Biedscheid's suggestion that the garage, the one façade facing the street, should be primary.

Member Cherry asked Member Biedscheid the reason why both of the recommended facades, east and south, would not be considered as primaries.

Member Biedscheid explained that the south facade is sufficient to recognize that as a garage, and her philosophy is to designate the minimal number of facades, especially on a very small building, that preserve the characteristics that are important about that structure. In this case, the south facade has both the pedestrian and vehicle doors with headers, though the garage door material should be excluded.

**Board Action:**

Member Biedscheid moved to retain the residence as contributing and designate the south facade as primary, and to designate the garage as contributing with the south facade as primary, excluding the non-historic materials and the garage door material. Member Mather seconded. The motion passed with the Board voting unanimously (4-0).

**10. Discussion Items**

There were no discussion items.

**11. Matters from the Board**

There were no matters from the Board.

**12. Next Meeting**

July 8, 2025

**13. Adjournment**

Acting Chair Bienvenu asked if there were any objections to adjournment. There were none. The meeting was adjourned at 9:37 p.m.

  
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Lani McCulley, Transcription

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Cecilia Rios, Historic District Review Board Chair

\_\_\_\_\_  
Date