



**Regular Meeting of the Historic
Districts Review Board
August 26, 2025, at 5:30 PM
Council Chambers, City Hall
200 Lincoln Avenue**

Meeting Minutes

View meeting on City YouTube: <https://www.youtube.com/watch?v=j0WvuOilSAs>

Call to Order

Chair Rios 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.

1. Roll Call

Roll Call indicated the presence of a quorum as follows:

Members Present

Ms. Cecilia Rios, Chair
Mr. John Bienvenu, Vice Chair
Ms. Jennifer Biedscheid
Ms. Madelein Aguilar Medrano
Ms. Amanda Mather
Ms. Mary Ellen Degnan
Mr. Scott Cherry

Members Absent

Others Present

Mr. Gary Moquino, Historic Preservation Planner Manager
Mr. Frank Ruybalid, Assistant City Attorney
Mr. Paul Duran, Senior Planner
Ms. Amanda Romero, Senior Planner
Ms. Mariah Kavanaugh, Planner Technician

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.

2. Approval of Agenda

Manager Moquino stated that under the new business item b. case 2025-010945-HDRB at 549 ½ Agua Fria Street and c. 2025-010946-HDRB at 643 Garcia Street has been postponed.

Member Biedscheid moved to approve the agenda as amended. Member Aguilar Medrano seconded. The motion passed unanimously (6-0).

3. **Approval of Minutes**

a. July 22, 2025

Member Degnan moved to approve the minutes as submitted. Member Bienvenu seconded. The motion passed unanimously by voice vote (6-0).

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

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

5. **Matters from the Public**

Stefanie Beninato stated it has been at least a month since the proponents for the bridge near the state supreme court came in and told us that they would have to have a plan done in the next three weeks to a month that the subcommittee that Miss Rios suggested and had appointed would be able to give the rest of the board and the public a progress report. It would seem, given their supposed timeline, that it's coming down to the wire when they would need to have finalized this plan.

Chair Rios stated that there has not been any update.

6. **Staff Communications**

Manager Moquino stated that Director Heather Lamboy asked him to give an update on the banner project that was brought to the board previously. The board discussed the design and the desired changes to that design, but since it is a state initiative project, the design cannot be changed. The only thing that will be changed is the number of signs that will be posted, and that has been changed to half of what was initially requested.

7. **Old Business**

No old business cases were presented on this agenda.

8. **New Business**

- a. **2025-010871-HDRB, 439 Camino del Monte Sol, Downtown & Eastside Historic District, Contributing, Craig Hoopes, agent for Chris Greulich and**

Matthew Boland, owners, request status review with primary façade designation(s) if applicable.

Paul Duran presented the case and staff recommendation. Staff recommended the historic status of the structure be upgraded to significant, per 14-5.2(C) Designation of Significant, Contributing or Noncontributing Status Within Historic Districts.

Chair Rios questioned the age of the residence.

Mr. Duran confirmed the age of the house is 100 years old.

Chair Rios asked if staff would speak about the prominent residents who have resided on the property.

Mr. Duran stated this property shares quite a range of historic integrity, whether it be from John Gaw Meem designing this structure, probably in the early 1920s, and the construction of it in the mid-1920s. Mary Austin, who lived on the property and then throughout the lifespan of this property, served the city in many different aspects, such as an art gallery, a home, and an apartment complex. It housed many artists, and now it's being renovated for a single-family residence.

Chair Rios confirmed that the footprint of the property has remained and also the openings, and asked for clarification on the 1997 changes.

Mr. Duran stated she was correct, the footprint and openings are original. The general changes that are seen in this 1950 aerial, there's a courtyard now prevalent on this eastern facade that is now there. There's also some coyote fencing along the southern facade on the back, and window and door changes. The owners did get approved for a garage addition, but it was never constructed. So, the main integrity of the footprint of this structure has been retained.

Member Cherry questioned if the staff recommendation for significant had any exceptions, because in the past, there have been significant designations with facades excluded because they were non-historic additions.

Mr. Duran stated staff would exclude any additions that were in the 1997 case, such as the yard wall and possibly the windows, but everything else is recommended significant so that all the facades are primary.

Member Cherry asked for clarification if the significant recommendation was for the original structure, the entire historic portions of the structure, or all the building, including the changes from 1997. He stated he was aware of significant structures with exclusions.

Mr. Duran explained that with this structure, all the additions are historic in nature, whether they were from 1958, the 1920s, or the 1930s. So, all of the additions and the current structure are in the historic footprint. Therefore, staff is recommending all of the facades of the current structure to be designated as primary so that the building as a whole is significant. The yard wall is from 1997 and is not a part of the significant recommendation.

Member Cherry stated he understood the east façade was a 1990s addition, though the presentation stated that all additions were historic or before 1975. If the addition is from the 1990s, it is not 50 years old or historic. He stated he has seen structures with this level of integrity that are designated significant and then have façades excluded because they are non-historic. He was asking to clarify if this is possible.

Mr. Duran stated Member Cherry was correct.

Member Cherry stated that in the façade diagram, the facades are represented inconsistently, as most diagrams follow the profile of the entire structure, so each corner, whether inside or outside, the façade will change, which helps designate precisely the area that is being discussed. For instance, in the west façade in this diagram, there are two interior corners, but the façade does not turn in. Each façade marked has a combination of historic and non-historic additions, so it would not be possible to exclude portions of those facades as they are drawn and numbered.

Chair Rios asked Attorney Ruybalid to read the definition of significant as given in the code.

Attorney Ruybalid stated the definition is found in section 14-12.1, and the definition of a significant structure reads: *“A structure located in a historic district that is approximately 50 years old or older and that embodies distinctive characteristics of a type, period, or method of construction. For a structure to be designated as significant, it must retain a high level of historic integrity. A structure may be designated as significant or its association with events or persons that are important on a local, regional, national, or global level. Or b. if it is listed on or is eligible to be listed on the state register of cultural properties or the National Register of Historic Places.”*

Chair Rios said she did not hear that there would be non-historic portions of a building that could be left out of a significant building and asked for confirmation.

Attorney Ruybalid stated that it does not say anything about non-historic portions of a building; however, historic integrity is not defined.

Chair Rios asked for confirmation that an addition that is non-historic, such as this case’s 1997 addition, be excluded and still have a significant status.

Attorney Ruybalid stated that presumably the board would not have approved an addition to a structure that would jeopardize its protected status. So, if it was designated contributing at that time, the board presumably would not have approved an addition that compromised that status.

Chair Rios stated that because the building is currently contributing, changes could be made that would not be approved for a significant structure.

Attorney Ruybalid stated it is the discretion of the board.

Member Cherry stated he understood the definition did not state significant structures could have exclusions; however, some buildings are contributing and significant that have excluded portions. It is common to have contributing buildings with excluded portions, but there are definitely significant buildings with excluded facades as well, such as 460 Camino de las Animas, the Nordfeld home.

Attorney Ruybalid stated that the code has restrictions on alterations to primary facades, and the section of the code that restricts alterations to primary facades reads that the restrictions apply to primary facades on contributing buildings, but to all facades on significant buildings. So, it seems that it runs counter to the code, although it's not prohibited to say here's a significant building, but some of the facades are excluded from the significant status, because generally, as we have encapsulated that code section, all facades of a significant structure are treated as primary facades. Consistent with section 14-5.2(D)(5), it would run counter to the designation of a significant building to say there are some facades of the significant building that are excluded from the significant status. Therefore, I would discourage exclusions from a significant structure designation.

Member Cherry said he was not trying to say whether it was right or wrong, only that he has experience with significant buildings with excluded facades.

Attorney Ruybalid stated he didn't dispute that it had happened in the past, but it seems inconsistent with the code.

Member Cherry stated that it seemed for those types of buildings, a more appropriate designation is contributing with more primary facades.

Attorney Ruybalid stated the code does not limit the number of primary facades on contributing structures except that it cannot be all facades because it then becomes a significant structure, so it seems more appropriate to designate as contributing with exclusions.

Member Cherry asked if the code had some definition regarding facades since this diagram is inconsistent with others, where the facades change.

Attorney Ruyblid stated the definition of facade is *“one whole exterior face or elevation of a structure from grade up to and including the top of the parapet. An individual facade is defined as including at least an 8-foot width that is offset from an adjacent plane by at least four feet.”* So, the code defines a facade as an eight-foot section. But he was certain he had seen some facades that are designated primary facades that do not meet the eight-foot feet.

Member Cherry stated he was sure he had seen it both ways.

Attorney Ruybalid stated the definition of primary facade is *“one or more principal faces or elevations of a building with features that define the character of the building's architecture.”*

Member Biedscheid stated she was on the Board when the Nordfeld House was designated as significant, and she remembers in that case it being a bit unusual because the board typically does not exclude facades on significant buildings. But in that case, every other facade was original to the house, and there was just a small portion of one facade in the back that was a laundry room addition, not even half of the facade. So, in that case, the board felt it was possible to preserve most of the structure as significant, and we excluded that small piece. In that case, it was appropriate because the rest of it was completely stunning and had the original detailing and characteristics, which is very different from this house, where the original structure is enveloped by additions, except for the facade number one, and a portion of that facade is original. So, this house is already contributing with one and eight designated as primary, which she thought was the correct status. The Board asked the applicant to further investigate the associations, particularly with people of significance in Santa Fe's history. There seems to be some questions about its association with John Gaw Meem, according to the report from John Murphy. There is nothing here that really changes or elevates this status to significant, and the board appreciates the additional research. The research confirms that the right status was assigned to begin with. The designated facades are two very large facades; 50% of the building is protected. There have been other cases where that original core has been built around, and that is exactly what has happened here. It's not the original house from 1925. Some of these are historic, which fit into the contributing status designation, but they are not all original, which is associated with a high level of historic integrity that it has remained the same throughout history, and this one has not.

Member Cherry respectfully disagreed about the Nordfeld House because he built the laundry room addition, and it was already designated as significant before he got the permit to build the laundry room addition. And multiple facades predated the status designation. So, there are multiple facades on that building that are similar to this building.

Member Bienvenu stated the historic review of the property really focused on John Gaw Meem for some reason, which was just one of a number of concerns. The fact that it was a John Gaw Meem design had some importance, but of primary importance was really

the era in which this was built and who it was built for, and that was Mary Austin in 1925, when the development of the Santa Fe style was really just getting underway in that decade getting underway. This was only the fourth design John Gaw Meem ever made for a house. He wasn't even an architect yet; he was a designer. It's the first one of his that was in a Spanish Pueblo Revival style. So, it's important for that reason alone, the drawings themselves. The historic report does not clarify the extent to which John Gaw Meem was actually involved in the construction of the house or to what extent it was altered from his original drawings. What the report does show is who Frank Applegate was involved with. Another extremely significant level of history is that this was Mary Barry Austin and Frank Applegate working together on one of the very first houses in the Santa Fe style on the very street in which most of the original artist-designed buildings, including by Frank Applegate, were all either under construction, just recently constructed, or to be constructed in that one decade. It served as Mary Austin's house for at least a decade, where, as the HCPI reports, there were numerous gatherings of virtually every important cultural figure in Santa Fe. It seemed to be the center of that activity. The year it was completed was within months of when that same community, led by Mary Austin, really started the preservation movement in Santa Fe through their opposition to the Chichaqua, and formed the Old Santa Fe Association a few months after this building was completed. Those are just undeniable, critically significant historical elements to this property that get continued when she dies and wills her property to an organization that doesn't exist any longer, the Indian Arts Fund. They operated it for three or four years and then sold it to someone who started an arts academy there. Those first two decades seem to be really important in the history of Santa Fe. Then it got converted to apartment buildings and had some changes to the footprint. It's a little confusing in all of the various documents that are in the packet exactly what changes to the footprint took place in the historical era, and what ones came afterward. From reading the original 1991 HCPI and then the more recent one that was done, he got the impression that the footprint was essentially in place by the time of the 1958 aerial photograph. The new report does indicate that alterations continued into the mid-1970s, but the only ones that are really specifically referenced are interior alterations, and then a reference to further additions on the east and west elevations. But it does not call out what those are, so it can be compared to what was there previously and to what extent it modified the structure. There is confusion about that latter issue, about how much of the east and west elevations were unequivocally changed from the time the building was built in 1925. It is not clear which ones were in place by the 40s and what, if anything, might have changed in the 1990s. He continued with history, and then it became a series of important galleries. So, it continued with the theme of the art community as a hub of the art community in Santa Fe. So, for all those reasons, the significance of this building is very clear. The appearance of the building on the front facade, but generally speaking, most of the facades read quite well what was originally built by Mary Austin. Most, if not all, of the visual alterations to the exterior are historic and show the evolution of the property. In conclusion, from all of that is that there's easily enough historic integrity to this building to qualify it as significant, given its relationship with these extremely important figures in Santa Fe's cultural history and preservation history. It leaves open the question of what can be done with the non-historic elements

that have been added. The inclination would be that if it is designated significant, not to exclude entire facades because that's directed at the definition of significance. But it can be noted that some of these features are non-historic, and therefore, that could be taken into consideration in the future with any potential future applications that come before the Board. It is inconsistent to keep it as a contributing structure with the primary facade designations because one of those primary facade designations is the west elevation, which has been indicated that it may have been modified. So, it doesn't make a lot of logical sense to me to designate that as a primary facade, and yet you still use alterations as a justification for denying significance. Therefore, I agree with the staff.

Chair Rios confirmed with Member Bienvenu that he was indicating the building should be significant, but in reference to the facades or anything that might be non-historic, he also indicated that the facade of that should remain primary, but noted that there are non-historic changes.

Member Bienvenu stated that Chair Rios understood correctly that he agreed with the staff's recommendation.

Chair Rios stated that in her tenure on the Board, designating a building as significant meant all facades were primary with no indicated portion as excluded or non-historic, contrary to contributing, where there are portions of buildings that are that have more changes and maybe they don't have an attachment to anybody that is played an important role in the community.

Member Cherry stated he would like to see a more well-defined facade map of this building that matches the definition of façade. Right now, we do not have a facade map that we're able to make facade decisions on. It's been blanketed over by just having seven facades. The definition of contributing and significant and the definition of facades strikes me that potentially, contributing is a really good status for this building and then having the facades that have historic integrity and that meet the protection standards be designated as primary potentially with more primary facades than what is broadly brushed over and not in line with the definition in the code of what a facade is. At this point, I would like to get a facade diagram that's in line with how the code designates facades.

Chair Rios stated she respected Mr. Cherry's opinion, but she hadn't heard anybody else address the points that he addressed, and she thought it was proper to continue with the case and go forward.

Craig Hoopes, 333 Montezuma, Santa Fe, was sworn in. Mr. Hoopes stated that the definition of significant is the key to this discussion today, and whether this building has a high degree of historic integrity. And while he felt many parts of this home are well done and beautiful, some parts are not. He felt that there was no historic integrity at the level to make it significant. Having served for seven years on the Cultural Properties Review Committee with the State of New Mexico, which reviewed buildings such as this. He did

not feel that this building could be on the historic register, and if it can't go on the historic register, it cannot be listed as a significant building in Santa Fe. He felt it was definitely a contributing building to the city and to the district, and portions of the facades, specifically what is left of a John Gaw Meem façade, are all that is left of the original structure. He felt that Mary Austin would never recognize this building today if she were alive. These are the compelling items that should determine whether the building should be significant or not.

Chair Rios stated that the standards for the National Register of Historic Places and our ordinance standards are different. She found it interesting that the adobe building, or at least portions of it, would have been recognized by Mary Austin and that portions of the building are very much like it is today.

Mr. Hoopes stated that in 1925, he would agree that Ms. Austin would support that, but the building has undergone significant changes since then.

Public Comment:

Elizabeth West, 318 Sena Street, Santa Fe, was sworn in. Ms. West liked the way Chair Rios framed the statement about Mary Austin, recognizing the building today. However, when Mr. Hoopes translated what Chair Rios said, he said, "Well, she would if it were back then." She believed there was more to it. Ms. Austin would recognize the home and the history of the building, and her life is very important. Ms. West's understanding of the legality of significance is a struggle, as Mr. Cherry was talking about. Is there or is there not something significant here? This is a tricky question, so it would be nice if someone could answer what is significant and what is contributing. It seems to be contributing plus some or significant minus some. Ms. West believes that the people who came and went to this house are even more important than the fact that it was probably started to be designed by John Gaw Meem, or at least as important, so her vote was for honoring Mary Austin with a designation of significant.

Stephanie Beninato, PO Box 1601, Santa Fe, was sworn in. Ms. Beninato agreed with the staff that this should be a significant building and regarding Member Bienvenu's remarks about whether it was a historic building from 1958. She asked that the Board remember, it doesn't have to be original to be significant. It must be historic with historical integrity. She stated there is no proof that there are any 1997 additions; it is more of a vague maybe. Staff did not share a 1997 case, and this would be able to verify what was approved in 1997. She added that the second criterion for being significant is the historic persons associated with the property. Both Ms. West and Member Bienvenu went into this; Mary Austin was not only a hub of artistic endeavors, but she was also one of the first women trained in college. She was trained in natural science. She helped start the Poets Roundup and the Santa Fe Theater, which is now the Santa Fe Playhouse. She also represented the state of New Mexico in 1922 in discussions of the Colorado River Compact, and Willa Cather was there writing "*Death Comes to the Archbishop*", which is again a sort of controversial but iconic work about history in the southwest. The third

concern was if the property could be put on a historic register, but it's any one of these three items that could qualify it as significant, and it meets two out of the three for sure. Mary Austin, according to somebody who used to live in one of the guest houses still there on the property, the woman who owned that property before would rent out a guest house to anyone and would wait overnight to see if there was a reaction by the ghost of Mary. So, if the garbage container fell over and blew around in the yard when there was no wind, she would know that Mary did not want that person to be a tenant on her property. So, her spirit still lives on in that property. Again, anything that is historic, not necessarily original, that's preserved, intact, should be recognized as significant. She did not believe that a part of a façade could be excluded, although the Board excluded an addition to a significant building that was in pretty bad condition and was going to be knocked down anyway just a couple of weeks ago. So, maybe if windows were replaced and there had been Board approval for it, maybe then it would be acceptable, but illegal work should not be considered.

John W. Murphy, 2833 Plaza Verde, Santa Fe, was sworn in. Mr. Murphy shared that he felt the need to interject, but is not representing Craig Hoopes or the client, and he is not being paid for this commentary. He said he had a level of concern about some of the misinterpretations of significant status. Having worked for the city of Santa Fe and been around Santa Fe since 1992, Mr. Murphy said that significant status was only for the properties that had either a historical association, which is present here, or had exquisite historical integrity across each major elevation. Significant status is aligned with an old term that was used in Santa Fe for the National Register. So, with the National Register for the Santa Fe Historic District, SRCP260, there are homes that are of significant status. So that term that was used by the city and still is used today was in alignment with the National Register of Historic Places at that time. First, it had to be a home with historical associations. Again, this property has that. Second, that level of integrity had to be from that period. So, just to translate this very simply, when talking about Mary Austin and she'd lived there for less than a decade, that is clear, that building today would need in totality to communicate by its design and integrity of her period. So, he felt that this building does not do that, and it doesn't even do it for the Arsuna or apartment period. What we are seeing is an agglomeration of additions, and some are nicely defined and designed, like Craig Hoops mentioned, but as a totality, it is not a historic building. Regarding a question by Member Bienvenu about additional changes after 1958, Mr. Murphy did not find the paperwork for whatever was approved at the time, and there was not really good aerial coverage, but if reviewing the aerial photograph from 1958, and looking at the east side of the building, that little indentation has been filled in. Then, going to the west side, that indentation has been filled in. There are things like bay projections, window walls that were all done during the Gerald Peters period. According to Mary Austin's journals and her biographies, she was very keen about space and design. While the board has no purview over the interior, all of her intimate spaces, including her writing room and library, have been obliterated. Mr. Murphy said he heard the board say, "Well, this looks very much like her time." That is completely inaccurate. He requested that the board look at page 16, which is the picture of Mary standing next to a door on the west

elevation that has been completely enclosed with an addition. She would not recognize that side of the building. The next photo on page 17, which is the reverse of that, is again enclosed. The next photo on page 18 is again, not the board's purview, but obliterated. The next photo, on page 19, is the ramada connecting the house to the servants' quarter, and this and the little pony wall are completely obliterated. Mr. Murphy said he found it a little troubling to want to make the association of significance with Mary Austin and perhaps the Arsuna school and John Gaw Meem, but none of that building, in terms of detail, in terms of facade fenestration beyond the front door and its adjacent windows and beyond the back door and its adjacent windows, is intact. So, it is more of an apartment than Gerald Peters' story in terms of massing, increasing new windows, and architectural detailing. Mr. Murphy understood the desire to associate it with Mary Austin, who had a great but short-lived impact on Santa Fe. But this house does not communicate its historical period nor its intentions over design because the intimate spaces and little details, including the exterior chimney, have been obliterated or enclosed with new massing that is beyond her time in Santa Fe.

Francesca Bianci, 1030 West Houghton Street, Santa Fe, was sworn in. Ms. Bianci shared that the classifications of contributing, significant, non-contributing, and landmark are kind of cloudy and very broadly written in the code. The generalities in which they're written, which do not align with the National Landmark Association's definitions, are their own definitions, giving the historic board tremendous latitude, free will, and power over status decisions, which sometimes, and possibly in this case, are a little bit on the aggressively zealous side.

Chair Rios stated that John Murphy indicated that only the north facade is intact from when the building was first built, and that the other portions that have been added were constructed within historical periods per the ordinance, and asked if this was the understanding of Mr. Hoopes.

Mr. Hoopes agreed, but added to that that just because something is done within the historic period doesn't make it significant.

Chair Rios then asked Mr. Hoopes if he agreed that this building is contributing.

Mr. Hoopes stated yes, he did.

Chair Rios asked Mr. Duran what the primary facades are currently for the contributing status.

Mr. Duran shared that the north elevation is the only primary façade currently, and staff is recommending the west as well if the board retains the property as contributing.

Member Degnan asked Mr. Hoopes if he agreed with the staff's recommendation for the west elevation.

Mr. Hoopes indicated he did not agree with the west elevation as a primary façade, but understood it is on the street and is publicly visible. So, there would not be any issues if it were to be listed as a primary façade.

Chair Rios asked Mr. Hoopes if he agreed with the 1997 window changes.

Mr. Hoopes stated that the window changes with the bay window and the arched windows, which destroy the integrity of the building, and these are on the east elevation.

Member Cherry reiterated that significant structures have had exclusions, and maybe it is a flaw in the function of the code. He read a portion of the significant definition, "*A structure may be designated as significant for a) its association with events or persons that are important on a local, regional, national, or global level.*" He said he could see on this the argument for this building being significant on that alone. However, the challenge is in making the facade on the east side with the bay windows part of a significant structure. The east façade goes against the reasoning for significance, and as John Murphy brought up, other code references in this case go against making this building a significant structure. He felt there was an ambiguous flaw that complicates the decision, and potentially it is why other buildings, such as the Nordfeld House, have been designated as significant with exclusions, because there have been really important people associated with the building, and they are also really important parts of this building that are very predominant and visible. However, it does have some things that don't warrant that significant status. So, a hybrid status has been created for those that Attorney Ruybalid recommended against doing, making something significant and then excluding portions of it.

Mr. Hoopes stated he believed that if it can be said that portions of it should be identified as non-historical, the significant status has been taken away from the building because every piece should be contributing to that historic integrity.

Member Cherry stated that the impetus here is to find the best solution for the preservation of this building as it exists now.

Aguilar Medrano stated that she was slightly torn on this one because, on one hand, there is what Member Cherry pointed out, where it lists, "A structure may be designated as significant and then it has A and B.", and under that definition alone, she would agree that it was significant. But before that, in the definition, it does say that it has to embody distinctive characteristics of a type, period, and method of construction. So, she was aligning more towards keeping it as contributing, but not significant. Because she was torn, she continued to listen to the conversation.

Member Biedscheid pointed out that, according to the staff summary, one of the 1997 cases that looks like it probably wasn't completed, but the application was to remove the

bay windows and French doors and create a portal that restored the historic profile of the east elevation. The fact that there are changes like that, which would be restorative, indicates that you know what's there is not what was originally there.

Member Bienvenu stated that this seemed to be where the board was stuck on some factual discrepancies. Looking at the 1991 HCPI, it shows the bay window on the east facade. So, it was clearly in place as of 1991. Though we don't know when, it's called out as being one of the two alterations from the original footprint, just the bay window, and indicating that the entire facade was the original building profile. That's what was understood as of 1991, and that would make sense with what member Biedscheid was just pointing out; that what was being proposed was to take that window back off and restore the original profile. He said this section of the code has always presented a bit of a road bump because it's not as clear as the board would like it to be. It is not clear to what extent the subsections A and B modify the original part of the code and to what extent they are additional considerations for granting the status. Given all that, his understanding is that the board and the staff have interpreted this section of the code that defines significance would apply in this particular instance because it retains its association with events and persons that are important on a local level as well as regional, national, and global and it retains a sufficiently high level of historic integrity in that whatever alterations were made are predominantly in the historic time frame. So, he understood the interpretation of the preservation division that would qualify this building as a significant structure, and he agreed with those interpretations, though he recognized that certain aspects of this may be non-historic. In other words, alterations that were made after 1975 at this point could be brought forward in any future applications for consideration.

Board Action:

Member Bienvenu moved in case 2025-010871-HDRB at 439 Camino del Monte Sol to adopt staff's recommendation that the historic status of the structure be upgraded to significant for all the reasons set forth in the staff report and for some of the additional specific reasons that were flushed out in the discussion tonight including the fact that this was one of the very earliest if not earliest design inspirations at least of John Gaw Meem in 1925 for what was then being developed as the Spanish Pueblo Revival style, that Mary Austin, herself seemed to be involved in building this with the assistance of another very important figure Frank Applegate, so if there are modifications that were made from the original Meem drawings it's fair to assume that they were made by Mary Austin, herself and Frank Applegate, that the house was the center of cultural activities in Santa Fe for nearly a decade at one of the most significant periods in Santa Fe's history including the origin of the Santa Fe preservation movement and the origin of the Old Santa Fe Association as founded by Mary Austin and others in that circle that revolved around this very house, that it was deeded by Mary Austin to be continued as a cultural property under the ownership of the Indian Arts Fund and was for several years, that it was then a school of fine arts, that included on the faculty who were very important Santa Fe artists, and that most of the modifications that have been made to the property since

the time it was originally built were made in the historic era and are more than 50 years old and show the evolution and accretive style of Santa Fe architecture and therefore find that it does retain a high level of historic integrity and it's important for its associations and also a finding that there is information in the record that some of the modifications to the exterior may be non-historic and that would be taken into consideration by the Board in any future applications. Member Degnan seconded.

Member Cherry commented on the motion that he had difficulty designating the modern addition as part of a significant structure.

Chair Rios stated that this case, as many other cases, is really very challenging, and she heard the different opinions of everyone, which are very legitimate, and this is a very difficult one for her, but she is going to have to go with one or the other, and she will give significant weight to the motion. Three things that come to mind and that is the historic integrity of this building remains, and it has associations with that building, perhaps even though it has some aspects of this building that are non-historic to the building. She hoped that perhaps someone in the future would like to change the building to its original footprint by delving into the history a little deeper, especially the portion of the building that is in question, and perhaps, as in other cases where people have been very determined to take a building to its original form architecturally, that could be done with this building. She added that Santa Fe is losing a lot of the old buildings because the trend these days is to add onto the existing building, and in her opinion, they often overbuild. So, to protect this building, she will go with the significant status of the building.

The motion passed with Members Degnan, Aguilar-Medrano, and Bienvenu for and Members Biedscheid, Cherry, and Mather against, and Chair Rios breaking the tie by voting for (4-3).

- b. **2025-010948-HDRB, 800 Gildersleeve St.**, Don Gaspar Area Historic District, Contributing, Jennifer Salimbene, agent for Shane Woods and Gabe Rippel, owners, request approval for the removal of historic material on the primary façade of a contributing structure. Exceptions are requested to 14-5.2(D)(1)(a) removal of historic material and 14- 5.2(D)(5)(a)(i) historic windows shall be repaired or restored wherever possible.

Paul Duran presented the case and staff recommendation. Staff found that all the exception criteria have not been met, but the Board may find that they have upon further testimony. Staff recommended the historic window openings be restored to their original configuration and sizes, as that would comply with 14-5.2(D) General Design Standards for all Historic Districts, and 14-5.2(H) Don Gaspar Area Design Standards.

Member Biedscheid asked Mr. Duran, based on some of the responses to the criteria, the staff indicated that the applicant agreed to replace the windows, so could Mr. Duran clarify where the agreement stood?

Mr. Duran stated that there are some exception criteria where the applicant was requesting Sierra Pacific windows, and for that request, the staff did not find that they met the exception criteria. Specifically, criterion number two, where the applicant initially states that they are going to replace them in kind with like material and color, but then they change it to where they're going to replace it with what is currently established on the property illegally. Staff is recommending that they take it back to the wooden-clad two-over-one windows in order to rectify what has been done on this structure, and in consideration of what the board approved previously. In some of the exception criteria, the applicant has stated that they would like to make a different type of window system. Staff are recommending that they replace the windows in kind.

Member Biedscheid asked if the window openings have been changed and the windows have been changed or are the windows have been changed in the original window openings.

Mr. Duran stated that they have been changed in some capacity.

Member Biedscheid confirmed that the staff recommendation is that the openings and the windows be restored as close to in kind as they can at this point, knowing that the materials are no longer available.

Mr. Duran confirmed that yes, that is the recommendation of staff, and if the applicant is willing to do this, then staff would recommend approval.

Member Degnan stated in her experience that sometimes in situations like these, if one tries to relocate a historic structure, its historic nature has been compromised, which would be the same if requesting that the windows be replaced. She asked if the original windows could be salvaged and reused or if they are in such a condition that they cannot be used.

Mr. Duran stated that the windows are no longer on the property; they have all been removed from the property, so they cannot be reused.

Member Degnan stated that meant the windows would not be historic.

Member Cherry asked if the garage door was part of the request.

Mr. Duran stated it is, and that staff recommends approval of the garage door and items number two through six for the applicant's request for some minor alterations on the property as well. Those being the installation of a new mini split HVAC system to improve

energy efficiency with the condition that the HVAC system not be publicly visible, install exterior lighting which will consist of classic style open frame cylindrical fixtures housed within square diffusers, and stucco around the window frames to match the existing cementitious stucco color in adobe, infilling the exterior door currently located on the west wall of the garage. This door is not located on the primary facade, and its removal would have no impact on the street-facing appearance of the structure. Also, install a Martin Pinnacle garage door featuring eight vertical V-groove panels in a walnut wood grain finish, and the staff recommends approval of those items.

Chair Rios asked for a further description of the exterior lighting.

Mr. Duran stated that the cylindrical exterior finishes are approximately seven inches in length and five inches in diameter, but the applicant can share more specific information.

Member Biedscheid asked if there was ever a request to replace or repair these four windows.

Mr. Duran stated there was not. The historic inspector stopped to speak with them while they were working. When he found out that they did not have a construction permit or had not gone to the board for review, he issued a red tag violation or stop work order, and that is when they started to work with staff in March of this year.

Lorn Tryk, 36 West San Francisco Street, was sworn in. Mr. Tryk clarified that the intention was to replace the windows of the same size that were originally in the structure, not to change the sizes. He said there is some confusion about the construction of the proposed replacement because the word clad is being put in there, and if they are in-kind as the previous type, they are not clad. They are painted wood windows that are painted. Part of the reason for the confusion is that the windows that were there before were brown stained, not hemlock green. The rest of the windows on the house are hemlock green. So, the proposal was to replace them with in-kind and type, but in green. We are happy to make them brown stain if that is the board's preference. He did not believe anyone intended to break the law; the workers were overeager and tore the windows out without realizing that these were intended to remain. He stated that if the board looked at the study that Ra Patterson did, those windows were rather rotten and not in a shape to be repaired. Whether they were removed or not, they were not in good enough shape to stay. So maybe this is a blessing in disguise that the windows will now be sound and structurally adequate in the process. We agree with the staff's recommendation.

Public Comment:

Ms. Stefanie Beninato, previously sworn in, felt that the loss of these windows or just the taking out of the windows, whether done by workers or at the direction of a contractor who should have known better or the owners, is more than unfortunate. She agreed with the staff's recommendation. But clarified, the windows are not going to be aluminum-clad windows. They are going to be rebuilt for the spaces that currently exist, and they will look

exactly like the windows that were there. She thought that the owner could come in and request a different color that would be in keeping with the other windows on the property; it should be something that was painted and not clad. She also questioned why there are publicly visible appurtenances on the roof, especially visible on the primary facade, and why that was not being addressed in this report or project, since it should not be publicly visible.

Mr. Duran stated that the applicant has removed that publicly visible unit and will be installing non-publicly visible units as requested in this application.

Board Action:

Member Biedscheid moved in case 2025-010948-HDRB, at 800 Gildersleeve Street to approve the application to replace the four windows on the south façade in-kind with respect to material and style such that the windows are wood, true divided lite, not clad, with the condition that the color be brought to staff for confirmation that it matches the existing color on the other windows on the structure, hemlock green, and that the openings match as well, the size of the windows that were unfortunately removed, and consistent with staff's recommendation approve items 2-6 as submitted, and should clarify for the record that the exception criteria as acknowledged by staff are met with this proposal. Member Mather seconded. The motion passed with Members Bienvenu, Aguilar-Medrano, Mather, Biedscheid, and Degnan voting for and Member Cherry abstaining, and none against. (5-0).

- c. **2025-010949-HDRB, 913 ½ Acequia Madre**, Downtown and Eastside Historic District, Contributing, Richard Martinez, agent for Rick Andrew and Diane Buchanan, owners, requests approval of rear portal roof change from parapet to metal corrugated roofing system, replace kitchen with garage, and minor alterations to a previously approved design plan. An exception is requested to 14-5.2(D)(6) roofs.

Paul Duran presented the case and staff recommendation. Staff recommended approval of the proposed project and found that no exception request was necessary and 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.

Member Aguilar Medrano asked if additional square footage was being added with the swapping of the kitchen and the new Garage space, and if the percentage of new construction was still less than 50% of the historic footprint.

Mr. Duran stated that there is no proposed change from the 2024 approved roofed square footage. The only change is to the floor plan.

Member Aguilar Medrano stated that the change was a portal, but she thought that a heated space would be considered differently than a portal in terms of square footage. She then asked if there was any public visibility of the new garage.

Mr. Duran stated that the south façade is publicly visible.

Member Aguilar Medrano stated she wanted to clarify because a window might be needed since it is such a solid façade right now.

Mr. Duran confirmed that it is partially publicly visible when driving north on the private driveway, and then the southern facade can be seen clearly.

Richard Martinez, PO Box 925, Santa Fe, was sworn in. Mr. Martinez stated that he wished that there was a distinction between heated and non-heated when calculating additions, but there is not, since roofed is how the calculation is done. He said this case took over eight months and over \$6,000 to finalize, but approval was given on June 11, 2024. The property now has new owners who would like some changes to what was approved. They are requesting the same footprint of the house that was previously approved, and no changes are proposed to the two primary facades of the house. The only changes proposed from the previous approval are on the south and west sides of the house. The garage side is blank as it exists now; the previous approval allowed a door in the wall for a mechanical room. The changes requested eliminate the mechanical room access from the exterior of the house by placing it interior; therefore, a need to install the exterior door in the garage wall. There are interior changes throughout the house, such as the layout of the bathrooms. So, to accommodate these, the sliding door will need to change from six feet to five feet, and one of the windows will need to be eliminated. The proposal relocates the kitchen from the old garage to where the portal would have been. That way, the garage can remain a garage, and the garage door will remain a functional garage door and will remain in the same appearance as the existing one. Because the portal will mostly be kitchen, the actual portal is smaller than previously planned. The portal will no longer be parapeted but will have a corrugated metal sloped roof in galvalume, where the rest of the residence is a barn red roof. The idea is to have an overhang to make the portal a couple of feet wider because it allows a table and sitting area, since it is the only private outdoor space on the property. Another change is a small three-foot-high yard wall in the front of the house, which will go from one area of the driveway over to hide the existing electrical pedestal that is in the front of the house. This should be clear on the site plan. He said that it concludes all of the proposed changes from the previous approval.

Member Cherry asked about the fireplace change because it is showing in the same elevation, and what the chimney will look like.

Mr. Martinez stated that the fireplace is in the living room and has been changed to a corner fireplace, and there is an outside corner fireplace on the patio. The two fireplaces

are back-to-back, so the chimneys are illustrated in the elevation and are stuccoed. They are as previously planned, but are relocated.

Public Comment:

Richard Andrew, 59 Graythorn Drive, Santa Fe, was sworn in. Mr. Andrew stated he appreciated hearing the process tonight. He almost did not make it, but he felt it was important to attend. He felt it was helpful in his understanding of what is expected as a homeowner. He and his wife fell in love with the city in 1995 and relocated here because of the historic nature, and this is a great discussion about the property's significance. He was not aware of the contributing status of the property, but it excites him because he can take this five-year vacant lot and add it to the historic nature of this city and its culture. It is very important to him, and it is a big part of what he and his wife are trying to do. They purchased the property with an open permit, so he is excited that the board is considering this proposal. He said he was very excited that he came to see this process.

Stefanie Beninato, previously sworn in, stated she appreciated seeing this case return to make modifications. With this garage façade being publicly visible, the single mass with no fenestration is off-putting, especially when part of it is a kitchen. She hoped that the board would consider requiring some fenestrations or some other means of breaking up the massing. She wondered what the trim color of the house was because a red roof is really going to stick out both from the air and to any neighboring building, and she wondered if the trim would be more of the earth as opposed to really sticking out with a very bright red roof. She said it seems like there is an interior fireplace with a chimney, and now we have a second fireplace, and that they're in line with each other, but it's not really drawn as two um chimneys. So, she was curious, if the interior chimney was going away and the one for the portal is taking its place, or if there are actually two chimneys just in line with each other.

Mr. Martinez clarified that there are two chimneys in line with each other, so they are not both visible in the drawing. He also stated that the kitchen is only five feet away from the property line with the neighbor's garage directly outside, which blocks the view of half of the kitchen, and the other half is blocked by vehicles. So, that is why there is no opening on that wall.

Board Action:

Member Aguilar Medrano moved in case 2025-010949-HDRB at 913 ½ Acequia Madre to approve the application as submitted, which is consistent with staff's recommendation. Member Mather seconded. The motion passed with the Board voting unanimously (6-0).

9. Discussion Items

Attorney Ruybalid announced that the Governing Body will hear a land use and historic district review board appeal for 1030 ½ West Houghton tomorrow, August 27, 2025. The

appeal is regarding the status review where the board upgraded the status of the residence and accessory unit at the HDRB hearing on November 26, 2024.

10. **Matters from the Board**

Member Mather announced that she would be out from October 23rd through November 23rd.

Member Cherry requested that staff make the façade diagrams for primary façade designations consistent for every case and that they match the code explanation of facades, because it will help to remove ambiguity and subjectivity when making the decisions for the cases.

Manager Moquino stated that staff are currently working on a best practice for how to illustrate the façade diagrams regarding colors and numbers in order to make them consistent.

Member Degnan requested that the board consider, within the next 45 days, as she understood the rule to be, to discuss the status of the soldiers' monument in the plaza. She pointed out that there is no individual designation for this monument, even though it is pretty significant. She said there has been a lot of conversation about it, and perhaps discussions and ideas about it will be informed if the historic board decides on its significance or its designation.

Member Bienvenu asked if Member Degnan was suggesting a motion or a discussion on the status.

Member Degnan clarified that a discussion would be the first step, and then possibly move forward based on the outcome of the discussion.

Member Bienvenu stated that he thought it would be a good idea because this has been something that the public has thought the board should do for a number of years now. However, while he agreed there should be the condition that there be a formal opinion from the city attorney before that discussion or during that discussion as to whether or not the board has any jurisdiction over the soldiers' monument. He said this is because the city attorney in the past has taken the position that the board does not and the resolution that was introduced by Councilor Romero Worth and Councilor Castro and Counselor Chavez directs the city manager to investigate relocating the soldiers' monument, and in the whereas clauses on page five state that the city's historic district code does not apply to the soldiers' monument and associated structures because they are "*objects excluded from the code's requirements*". Objects include "*sculptures, monuments, boundary markers, statuary, and fountains*". And then it is cited as section 14-12.1. He assumed that was written with the input of the city attorney and that the governing body had already more or less taken on discussion and action items relating to the soldiers' monument, bypassing the Historic Board on the understanding that the board doesn't have jurisdiction

over it. So, I don't know whether that's correct or not, but if that's the city attorney's position, I think the board needs to know that before there is discussion.

Member Degnan agreed with the suggestion.

Attorney Ruybalid stated that the matter has been requested by the city attorney. This is not the first time that it has been brought up, but he would clarify with City Attorney Erin McSherry. He said with respect to the legislation pending in front of the governing body. He was not informed on that subject. However, if there is to be a discussion about it, it needs to be on the agenda, even if you're just making a recommendation. I would draw a lot of public input, and many members of the public want to be heard about this, and to have this discussion now, without it being on the agenda, would not meet with the Open Meetings Act.

Member Degnan stated is an important issue, and if this board, which has the vested power to designate or deny the historic designation, should have input. So, she would appreciate confirmation on the city attorney's official opinion of the board's authority to give a recommendation regarding the discussion and any possible motions.

Attorney Ruybalid stated he felt the chair would just need to ask staff to place the item on the agenda.

Chair Rios requested that the item be placed on an agenda and that Attorney Ruybalid get a written opinion from the City Attorney.

Attorney Ruybalid recommended that an email to Erin McSherry regarding the matter would be expeditious.

Member Cherry asked for some guidance from staff and senior board members regarding the Gildersleeve case. He felt the case was more of a possession is nine-tenths of the law situation, where it came before the board only because the windows were already removed, and they now needed windows. It didn't seem like there was much the board could do in that type of situation because the windows were already gone. It seems there would be more of these issues if the applicants were getting approved after the fact. This is more of a reward for poor behavior because there is no means to force compliance once the windows are gone.

Chair Rios stated that in this particular case, they did not feel that they were rewarded, because they did not want the windows; they wanted to infill them and stucco over, but the board is making them replace them in kind. Unfortunately, these things come up here and there. People do things without a permit, and many times they get caught, and then they have to come back before the board, and we try to remedy the situation.

Mr. Duran stated that they were going to replace everything in kind. But to address Member Cherry's concern, the historic inspector is pretty awesome. He's out there, and he's keeping everybody accountable. We do have some properties, such as the 214 Old Santa Fe Trail, where the owner does a lot of illegal work, and with the persistence of the inspector, they get taken to court and are forced to return the structure to its original form. So, there are some small victories in saving historic buildings and prevalent streetscapes. There is a lot of illegal work, and it is sad because some great structures get damaged.

Member Bienvenu stated that the repercussion is going to court if they are not willing to come to the board and comply with the request of the board.

Attorney Ruybalid stated the inspector, Mr. Maestas, had recently issued a code citation for violation of minimum maintenance standards at 639 Old Santa Fe Trail because the stucco has started to slough off the adobe wall, and the adobe is eroding and it's leaving a pile of adobe mud on the sidewalk. There are other issues with that house as well, including complaints to the constituent services staff that the property owner burns coal in the backyard and is running some kind of iron smelter with no approval, and it's been going on for some time. As far as historic preservation goes, the fact that there's no maintenance going on there and it is a contributing building, hopefully, that will be remedied sometime soon.

Member Cherry asked what the process was.

Attorney Ruybalid stated that they must establish due process, so the standard procedure is to issue a notice of violation to the property owner and anybody who violates the code, and if they don't comply within 30 days, then they're issued a summons to municipal court. Everything heard in municipal court is a petty misdemeanor, meaning the fines are up to \$500, and there can be 90 days in jail. He said that what he has commonly seen the municipal judge do is enter a probation order and enter a jail sentence suspended on compliance with the conditions of probation, which is to bring the structure into compliance with the code.

Member Cherry asked if it were possible to request this process for cases that come forward where the historic material has been removed.

Attorney Ruybalid said that they should bring it to the attention of the staff, and the staff, of course, will have to do their own investigation. These items are discussed in the historic preservation staff meeting and with the nuisance properties committee.

Member Bienvenu said he would assume that every time there's been unauthorized work that comes before the board, the staff is reviewing it for consideration based on the code violation, and he would assume that the staff investigates those for potential criminal prosecution.

Attorney Ruybalid stated that, in addition to Mr. Maestas, the building inspectors' office, consisting of Mr. Padilla and Mr. Smith, issues violations both inside and outside of the historic district for work without permits and other violations.

Member Bienvenu stated that he shared Member Cherry's concerns because it is a big problem that people believe they can get away with doing what they want, and if they get caught, then they come in for after-the-fact approval. There seems to be a need for more code enforcement.

Mr. Cherry asked if there was a staff process for these violations. It seems that those cases are like a red tag is issued, and then the applicant comes in, and a planner is assigned, and then the planner walks them through what they're going to need to do next.

Mr. Moquino stated that there is a process. If the construction is still in progress, it's a red tag. If the work is already completed, it's a notice of violation, and the inspector will give two weeks, and if the homeowner doesn't respond, then it goes on to a citation after a notice of violation. But if it's a red tag, the owner gets two weeks; if they don't respond, then they get a notice of violation. Then, if they don't respond after that, they get a citation. But in some cases, a recommendation to the land use director can force a citation, but it must be the decision of the Land Use Director. That is how 214 Old Santa Fe Trail got a citation to court. So, the process is a case-by-case process.

11. Next Meeting

September 9, 2025

12. Adjournment

The meeting was adjourned at 8:06 pm.

Member Biedscheid moved to adjourn. Member Degan seconded. The motion passed unanimously, and the meeting was adjourned at 8:06 pm.



Lani McCulley, Transcription

Cecilia Rios, Historic District Review Board Chair

Date