

City of Santa Fe, New Mexico

memo

DATE: December 9, 2025

TO: Historic Districts Review Board Members

VIA: Heather Lamboy, Planning & Land Use Department Director #LL
Maggie Moore, Assistant Land Use Director
Gary Moquino, Historic Preservation Division Manager

FROM: Amanda Romero, Senior Planner, Historic Preservation Division

2025-011586-HDRB. 130 S. Capitol St. Downtown and Eastside Historic District., JenkinsGavin, Inc., agents for the State of New Mexico General Services Division, request new construction of a 163,230 sq. ft. office building to a maximum height of 78' -7 ¾" (at tower) and 50' -8" (at parapet). Maximum allowable height is 57' -6" (Amanda Romero)

REFERENCE ATTACHMENTS (Sequentially):

CITY SUBMITTALS

District Standards & yard wall & fence standards.

Historic Inventory Form

Zoning Review Sheet

Other:

APPLICANT SUBMITTALS

Proposal Letter

Site Plan/Floor Plan

Elevations

Photographs

Other:

STAFF RECOMMENDATION:

Staff does not recommend approval for the proposed application as it has not met the applicable streetscape as set forth in Subsections 14-5.2(D)(9)(a)(ii) A., B., C., D., and E. A new structure or proposed alteration or addition shall not cause an adjacent contributing, significant or landmark structure to lose its status.

BACKGROUND & SUMMARY:

The existing building at 130 S. Capitol Street represents the evolution of the state government campus. Between 1895 and 1900, the original Capitol building, now the Bataan Memorial Building, was designed E.S. Jennison and was remodeled in 1903 by Isaac Rapp I of Rapp and Rapp in the neo-classical style that is extant in parts of the building today. The Concha Ortiz y Pino Building represents the next phase of the Capitol campus evolution, where architect Willard C. Kruger filtered traditional New Mexico architecture through a modernist lens. In 1957 the City of Santa Fe adopted a “Historic Styles” ordinance, which called for buildings to be built in the Old or Recent Santa Fe Style. Because the building was associated with the State of New Mexico government campus, it was determined that the buildings would be exempt from the ordinance.

In 2009 the State and the City convened to develop Section 14-5.2(M), State Capital Outlay projects, in order to provide a clear path for the design of the State buildings and ensure compatibility and architectural harmony with the unique character of Santa Fe’s historic districts.

The Concha Ortiz y Pino building replaced approximately a block of traditional bungalows, which are characteristic of the Don Gaspar Historic District. While this project is situated in the Downtown & Eastside Historic District, the historic development pattern for this portion of town better aligns with the Don Gaspar Historic District, whose northernmost boundary is across Paseo de Peralta to the south.



An initial design consultation meeting with the HDRB was held on February 11, 2025. At that meeting the HDRB provided feedback and appointed a subcommittee to work with the State design team. Meetings with the subcommittee were held on March 17 and October 6, 2025. After the initial subcommittee meeting on March 17, City staff collaborated with the City’s Public Works department to determine whether S Capitol Street could be vacated to provide more room for the building and preserve the existing casitas on Don Gaspar Avenue. Having received approval by Public Works to offer the vacation of S Capitol St, Historic Preservation staff offered to initiate a process to vacate the street. The State’s design team chose not to entertain the street vacation and made few changes to the design presented to the HDRB subcommittee.

On March 17, 2025 and on December 1, 2025 (the second meeting was scheduled at City Staff's request), the applicant held a community meeting to discuss the proposed demolition of the Concha Ortiz y Pino Building, and the construction of a State Executive Office Building. Many of those who commented expressed concern for the loss of the historic buildings and the impact on the Don Gaspar streetscape. It should be noted that the community meeting focused on the new building, and very little was discussed as to how the streetscape would be reestablished with the proposed new construction if the demolition of the bungalows along Don Gaspar were approved.

The design subcommittee requested a proposed design that preserves the casitas. No design that preserves the casitas was submitted.

On May 9, 2023, the HDRB designated the historic status of all buildings proposed for demolition. An error was made in the table below provided by the applicant. The HDRB designated all the garages on Don Gaspar as non-contributing.

Address	Structure	Date of Construction	Historic Status
128 South Capitol St.	Motor Pool Building	c. 1966-1969	Non- Contributing
	Garage	c. 1970-1981	Non- Contributing
	Yard Wall	c. 1970-1981	Non- Contributing
130 South Capitol St.	Concha Ortiz y Pino Building	1961	Contributing
402 Don Gaspar Ave.	Casita	c. 1930	Contributing
	Garage	c. 1930	Contributing
406 Don Gaspar Ave.	Casita	c. 1930	Contributing
	Garage	c. 1930	Contributing
410 Don Gaspar Ave.	Casita	c. 1930	Contributing
	Garage	c. 1930	Contributing
414 Don Gaspar Ave.	Casita	c. 1930	Contributing

March 26, 2024, the HDRB acted on the following demolition requests:

Demolition

Address	Structure	Demolition Approved
128 South Capitol St.	Motor Pool Building	Yes
	Garage	Yes
	Yard Wall	Yes
130 South Capitol St.	Concha Ortiz y Pino Building	Yes, conditional on HDRB approving final EOB design.
402 Don Gaspar Ave.	Casita	No
	Garage	No
406 Don Gaspar Ave.	Casita	No
	Garage	No
410 Don Gaspar Ave.	Casita	No
	Garage	No
414 Don Gaspar Ave.	Casita	No

The HDRB must review the proposed Executive Office Building for compliance with the design standards set forth in Section 14-5.2(M) SFCC 1987 (see below). Generally speaking, the proposed design must be harmonious with the character of the Downtown & Eastside Historic District.

When the HDRB acted on the demolition request of the Concha Ortiz Y Pino building, the HDRB issued a conditional approval for the demolition, provided that consensus was reached for the design of the new executive office building. Demolition criteria state that the character of the street section or block front be reestablished with new construction.

RELEVANT CODE CITATIONS:

14-5.2(A)(1) GENERAL PURPOSE

In order to promote the economic, cultural, and general welfare of the people of the city and to ensure the harmonious, orderly and efficient growth and development of the city, it is deemed essential by the governing body that the qualities relating to the history of Santa Fe, and a harmonious outward appearance, which preserve property values and attract tourists and residents alike, be preserved, some of these qualities being:

- (a) The continued existence and preservation of historical areas and buildings;
- (b) The continued construction of buildings in the historic styles; and

- (c) A general harmony as to style, form, color, height, proportion, texture and material between buildings of historic design and those of more modern design.

14-5.2(C) REGULATION OF SIGNIFICANT AND CONTRIBUTING STRUCTURES IN THE HISTORIC DISTRICTS

(1) Purpose and Intent

It is intended that:

- (a) Each structure to be recognized as a physical record of its time, place, and use. Changes that create a false sense of historical development, such as the addition of conjectural features or architectural elements from other buildings, shall not be undertaken;
- (b) Changes to structures that have acquired historic significance in their own right shall be retained and preserved, recognizing that most structures change over time;
- (c) Distinctive features, finishes, and construction techniques or examples of craftsmanship that characterize a structure be preserved; and
- (d) New additions and related or adjacent new construction be undertaken in such a manner that if removed in the future, the original form and integrity of the historic property and its environment would be unimpaired.

14-12 CONTRIBUTING STRUCTURE:

A structure, located in a historic district, approximately fifty years old or older that helps to establish and maintain the character of that historic district. Although a contributing structure is not unique in itself, it adds to the historic associations or historic architectural design qualities that are significant for a district. The contributing structure may have had minor alterations, but its integrity remains.

14-12 NONCONTRIBUTING STRUCTURE:

A structure, located in an H district, that is less than fifty years old or that does not exhibit sufficient historic integrity to establish and maintain the character of the H district.

14-5.2(E) DOWNTOWN AND EASTSIDE DESIGN STANDARDS

(1) Old Santa Fe Style

Old Santa Fe style, characterized by construction with adobe, is defined as including the so-called "pueblo" or "pueblo-Spanish" or "Spanish-Indian" and "territorial" styles and is more specifically described as follows:

- (a) With rare exception, buildings are of one story, few have three stories, and the characteristic effect is that the buildings are long and low. Roofs are flat with a slight slope and surrounded on at least three sides by a firewall of the same color and material as the walls or of brick. Roofs are never carried out beyond the line of the walls except to cover an enclosed portal or porch formed by setting back a portion of the wall or to form an exterior portal, the outer edge of the roof being supported by wooden columns. Two-story construction is more common in the territorial than in other sub-styles, and is preferably accompanied by a balcony at the level of the floor of the second story. Façades are flat, varied by inset portales, exterior portales,

projecting vigas or roof beams, canales or water-spouts, flanking buttresses and wooden lintels, architraves and cornices, which, as well as doors, are frequently carved and the carving may be picked out with bright colors. Arches are almost never used except for nonfunctional arches, often slightly ogive, over gateways in freestanding walls;

- (b) All exterior walls of a building are painted alike. The colors range from a light earth color to a dark earth color. The exception to this rule is the protected space under portales, or in church-derived designs, inset panels in a wall under the roof, in which case the roof overhangs the panel. These spaces may be painted white or a contrasting color, or have mural decorations;
- (c) Solid wall space is always greater in any façade than window and door space combined. Single panes of glass larger than thirty (30) inches in any dimension are not permissible except as otherwise provided in this section;
- (d) The rule as to flat roofs shall not be construed to prevent the construction of skylights or installation of air conditioning devices, or any other necessary roof structures, but such structures other than chimneys, flues, vents and aials, shall be so placed as to be concealed by the firewall from the view of anyone standing in the street on which the building fronts;
- (e) True old Santa Fe style buildings are made of adobe with mud plaster finish. Construction with masonry blocks, bricks, or other materials with which the adobe effect can be simulated is permissible; provided, that the exterior walls are not less than eight (8) inches thick and that geometrically straight façade lines are avoided. Mud plaster or hard plaster simulating adobe, laid on smoothly, is required; and

(2) Recent Santa Fe Style

Recent Santa Fe style intends to achieve harmony with historic buildings by retention of a similarity of materials, color, proportion, and general detail. The dominating effect is to be that of adobe construction, prescribed as follows:

- (a) No building shall be over two stories in height in any façade unless the façade shall include projecting or recessed portales, setbacks or other design elements;
- (b) The combined door and window area in any publicly visible façade shall not exceed forty percent of the total area of the façade except for doors or windows located under a portal. No door or window in a publicly visible façade shall be located nearer than three (3) feet from the corner of the façade;
- (c) No cantilevers shall be permitted except over projecting vigas, beams, or wood corbels, or as part of the roof treatment described below;
- (d) No less than eighty percent of the surface area of any publicly visible façade shall be adobe finish, or stucco simulating adobe finish. The balance of the publicly visible façade, except as above, may be of natural stone, wood, brick, tile, terra cotta, or other material, subject to approval as hereinafter provided for building permits;
- (e) The publicly visible façade of any building and of any adjoining walls shall, except as otherwise provided, be of one color, which color shall simulate a light earth or dark earth color, matte or dull finish and of relatively smooth texture. Façade surfaces under portales may be of contrasting or complimentary colors. Windows, doors and portals on publicly visible portions of the building and walls shall be of one of the old

- Santa Fe styles; except that buildings with portals may have larger plate glass areas for windows under portals only. Deep window recesses are characteristic; and
- (f) Flat roofs shall have not more than thirty (30) inches overhang.

Section 14-5.2(M) State Capitol Outlay Projects

(M)State Capital Outlay Projects

(Ord. No. 2009-46 § 2)

(1) Purpose

- a) Recognizing the fragility of the city's historic heritage, the purpose of Subsection 14-5.2(M) is to activate the procedure established in Section 3-22-6 NMSA 1978 under which the city and the state will collaborate in good faith and work jointly to preserve and protect the historic districts of Santa Fe as well as contributing, significant and landmark structures.
- b) State capital outlay projects in historic districts shall be carried out pursuant to the procedures set forth in Section 3-22-6 NMSA 1978 and Subsection (2) below and in a manner that is harmonious and generally compatible with the design standards set forth in Subsection (3) below. These procedures and standards apply to new structures and additions to and alterations and demolition of existing buildings.

(2) Procedures

- a) Before commencing with the design phase of a capital outlay project , the state and the historic districts review board shall consult as to the appropriate design standards and how those design standards would impact costs and the operation or manner in which the project will ultimately be expected to function. The historic districts review board shall work collaboratively with the state to arrive at compatibility of the project with the design standards, considering reasonable costs and preserving essential functionality. The state shall also make every reasonable effort to obtain input from members of identifiable community groups involved in historic preservation in Santa Fe before commencing the design phase.
- b) After the design phase and before soliciting a bid or proposal for design-build or lease-purchase for a capital overlay project , the state shall submit the plans to the historic districts review board for review and comment. The historic districts review board in conjunction with the state shall conduct a public meeting to receive public input. Notice of the public meeting shall be given to any identifiable community groups involved in historic preservation in Santa Fe.
- c) Within sixty days after the public meeting the historic districts review board, any identifiable historic preservation community group or any other interested party shall communicate recommendations and comments in writing to the state . The state shall consult with the historic districts review board or other entity to resolve any issues raised. If at the end of the sixty-day period unresolved issues remain, the city may within five days after the end of the period, notify the state that the issues remain unresolved and these issues shall be finally determined as set forth in Section 3-22-6(G) NMSA 1978, provided that if notice is not timely given, the state may, after

incorporating those provisions to which the state and the city have agreed, proceed with the project.

- d) The state shall not take any irrevocable action on the capital project in reliance on the plans until the procedures set forth in Section 3-22-6 NMSA 1978 have been followed.

(3) Design Standards

a) General Standards

A state capital outlay project shall be designed appropriate to the seat of government and with the intent of achieving harmony with existing buildings by the use of similar materials, color, proportion, and general details to the existing buildings in the applicable streetscape . The applicable streetscape shall be determined as set forth in Subsections 14-5.2(D)(9)(a)(ii) A., B., C., D., and E. A new structure or proposed alteration or addition shall not cause an adjacent contributing, significant or landmark structure to lose its status. Alterations and additions shall be in character with the style, detail and massing of the existing building. The dominating effect is to be that of adobe construction as follows:

i. Roofs

Roofs, generally, shall be flat with a slight slope and surrounded by a parapet of the same color and material as the walls or of brick. Roofs shall generally not be carried out beyond the line of the walls except to cover an enclosed portal or porch formed by setting back a portion of the wall or to form an exterior portal , the outer edge of the roof being supported by columns, posts or other vertical supports. No cantilevers shall be permitted except over projecting vigas, beams, or wood corbels, or as part of the roof treatment not to exceed an overhang of thirty (30) inches. The restriction as to flat roofs shall not be construed to prevent the construction of skylights or installation of air-conditioning devices, or any other necessary roof structures, but such structures other than chimneys, flues, vents and aerals, shall be so placed as to be concealed by the parapet from any public way.

ii. Walls and Windows

The combined door and window area in any publicly visible facade generally shall not exceed forty percent of the total area of the facade except for doors or windows located under a portal. No door or window in a publicly visible façade shall be located nearer than three (3) feet from the corner of the facade except in circumstances where the unique purpose of the space may warrant special design considerations. Windows, doors and portales on publicly visible portions of the building and walls shall be of one of the old Santa Fe styles. Glass and window trim shall be nonreflective. Windows shall be similar in proportion to the fenestration pattern in the streetscape. Deep window recesses are characteristic.

iii. Finishes

Construction shall be with materials with which the adobe effect can be simulated provided that the exterior walls are not less than eight (8) inches thick. Mud plaster, hard plaster or other materials simulating adobe , laid on smoothly, is required. No less than eighty percent of the non-fenestration surface area of any publicly visible façade shall be adobe finish, stucco or other material simulating adobe finish. The balance of the publicly visible facade may be of natural stone, wood, brick, tile, terra

cotta, or other material. Materials shall convey a sense of substance and permanence.

iv. Colors

The publicly visible facade of any building and of any adjoining walls generally shall be of one color but no more than three colors and simulate a light earth or dark earth color, matte or dull finish and of relatively smooth texture. However, facade surfaces under portals or inset panels in a wall under a roof overhangs, in church-derived designs, may be painted white or be of contrasting or complimentary colors or have mural decorations.

v. Other Features

Facades shall be flat, varied by inset portals, exterior portales, projecting vigas or roof beams, canales or water-spouts, flanking buttresses and wooden lintels, architraves and cornices. Depending upon the existing streetscape and if permitted otherwise in this chapter, a portal may cover the entire sidewalk with the columns set at the curbline.

vi. Height

The height shall be limited to the average height of institutional buildings as measured within the applicable streetscape. When determining an applicable streetscape, vacant lots or parcels shall not be included in the calculation for allowable height. If no institutional buildings are included in the streetscape, the maximum height shall not exceed the average height of existing buildings in the streetscape. The planning and land use department staff shall determine the applicable streetscape as set forth in Subsections 14-5.2(D)(9)(a)(ii) A., B., C., D., and E. Height shall be measured as set forth in Subsection 14-5.2(D)(9)(c)(iii). Heights of existing structures shall be as set forth on the official map of building heights. If the height of an existing building is not given, the state shall submit a statement from a NM licensed surveyor of the actual height. No building facade shall be over two stories in height unless the façade includes projecting or recessed portales, balconies, setbacks or other design elements. (Ord. #2020-22 , § 16)

b) Contributing, Significant and Landmark Buildings

State capital outlay projects that involve contributing, significant or landmark structures shall be undertaken in such a manner as to preserve the status of the structure and in accordance with the standards for alterations or additions to contributing, significant or landmark buildings as set forth in Section 14-5.2. Historic materials and architectural features and spaces that embody the status shall be preserved. A proposed alteration or addition shall not cause the structure to lose its status.

(4) Demolition of Historic and Landmark Structures; Minimum Maintenance Requirements

- a) A request for demolition of an historic or landmark structure shall include the report required in Section 14-3.14(C) and follow the standards set forth in Section 14-3.14(G). If there is a disagreement as to demolition, the procedures set forth in Section 3-22-6(G) NMSA 1978 shall be followed.

- b) The minimum maintenance requirements for historic or landmark structures set forth in Subsection 14-5.2(B) shall be met.

NM Stat § 3-22-6. Applicability to state capital outlay projects; limitation.

A. Recognizing the fragility of the state's historic heritage, the purpose of this section is to establish a procedure under which the state and its municipalities and counties will commit to collaborate in good faith and work jointly to preserve and protect the historic districts of New Mexico.

B. Ordinances enacted by a municipality or county pursuant to the Historic District and Landmark Act [3-22-1 NMSA 1978] shall apply to a state capital outlay project only as provided in this section and only if the ordinances contain special provisions and standards applicable to state buildings, including provisions concerning the design, construction, alteration or demolition of the exterior features of state buildings. If requested by a resolution of the governing body of a municipality or county, the staff of the capitol buildings planning commission shall work jointly with the staff of the municipality or county in developing the provisions and standards required by this subsection.

C. The applicable state agency shall carry out a capital outlay project in a manner that is harmonious and generally compatible with the municipal or county ordinances.

D. Before commencing the design phase of a capital outlay project, the applicable state agency shall consult with the municipality or county as to the design standards in the ordinances and how those design standards would impact costs and the operation or manner in which the capital outlay project will ultimately be expected to function, provided that, if the municipality or county has an agency or other entity review projects within the area zoned as an historic district or landmark, then the consultation shall be with that review agency or other entity. The state agency shall work collaboratively with the municipality or county or its review agency or other entity to arrive at compatibility with the design standards, considering reasonable costs and preserving essential functionality. If the municipality or county has identifiable community groups involved in historic preservation, the agency shall also make every reasonable effort to obtain input from members of those identified groups before commencing the design phase.

E. After the design phase and before soliciting a bid or a proposal for design-build or lease-purchase for a capital outlay project, the applicable state agency shall transmit its plans for review and comment to the municipality or county or its review agency or other entity and shall also conduct a public meeting to receive public input. Notice of the public meeting shall also be given to any identifiable community groups involved in historic preservation in the municipality or county.

F. Within sixty days after the public meeting, the municipality or county or its review agency or other entity, any identifiable historic preservation community group and any other interested party shall communicate recommendations and comments in writing to the state agency. The

state agency shall consult with the municipality or county or its review agency or other entity to resolve any issues raised. If, at the end of the sixty-day period, unresolved issues remain, the municipality or county may, within five days after the end of the period, notify the applicable state agency that the issues remain unresolved and should be finally determined pursuant to Subsection G of this section; provided that, if notice is not timely given, the applicable state agency may, after incorporating those provisions to which the state agency and the municipality or county have agreed, proceed with the capital outlay project.

G. If notice is timely given by a municipality or county, pursuant to Subsection F of this section, that issues remain unresolved, those issues shall be decided pursuant to the following provisions:

(1) within five days after the notice, a state-local government historic review board shall be formed, consisting of eight members as follows:

(a) one member appointed by the capitol buildings planning commission, who shall chair the board and who shall vote only if there is a tie among the other board members present;

(b) one member appointed by the cultural properties review committee;

(c) the state historic preservation officer or a designee of the officer;

(d) one member appointed by the agency or other entity that reviews projects within the area zoned as an historic district or landmark, provided that, if the municipality or county has no such agency or other entity, the member shall be appointed by the governing body of the municipality or county;

(e) one member appointed by the agency or entity of the municipality or county that is concerned with historic preservation, provided that, if the municipality or county has no such agency or other entity, the member shall be appointed by the governing body of the municipality or county; and

(f) three public members who have a demonstrated interest in historic preservation appointed as follows: one member appointed by the secretary of general services, one member appointed by the governing body of the municipality or county and one public member appointed by the other two public members;

(2) the staff of the capitol buildings planning commission shall serve as the staff of the state-local government historic review board; and

(3) the state-local government historic review board shall, at a public meeting, consider each of the unresolved issues and, within twenty days of its formation shall, for each issue, make a final decision that is harmonious and generally compatible with the municipal or county ordinance.

H. Appeals from the decisions of the state-local government historic review board shall be taken to the district court in the manner provided in Section 39-3-1.1 NMSA 1978.

I. The state agency shall not take any irrevocable action on the capital project in reliance on the plans until the procedures set forth in Subsections F and G of this section have been followed.