

**City of Santa Fe
Historic Districts Review Board
Findings of Fact and Conclusions of Law**

Case # 2024-8936-HDRB

Address – 107 E. Palace Ave., Units A1, A2 and A3

Agent’s Name – A. Christopher Purvis, Architect

Owner/Applicant’s Name – Martha Field Family, LLC

THIS MATTER came before the Historic Districts Review Board (“Board”) for hearing on September 10, 2024.

BACKGROUND

The multi-family residential structure at 107 E. Palace Ave. is contributing to the Downtown and Eastside Historic District with the south elevation designated as primary. The structure is tucked behind the buildings lining the 100 block of East Palace Avenue. The south elevation is only partially visible from Palace Avenue. Approximately 2,000 square feet, the building is long, rectangular, single-story, mostly brick, and is oriented east to west with the front facing south. The structure was built approximately 18 inches below grade, and in some places the window sashes are below grade. The building has four sections of slightly varied height. Currently the apartments are used for storage.

According to a 2020 Historical Cultural Properties Inventory (HCPI), the Spanish Pueblo style building originally was constructed for stables circa 1883, then converted for storage and then apartments between 1930 and 1948. The east elevation portal was in place by 1973. The windows are wood sash windows, but a few wood casement windows are found on the north elevation. According to a professional window assessment, two windows on the south primary elevation are non-historic, 1980s windows, and the doors on all sides of the structure are non-historic, 1980s doors. In a hearing May 4, 2021, the HDRB voted to maintain the contributing status of this structure, and to designate the south elevation as the primary façade. See Case # 2021-3458-HDRB for this property, previously addressed as 109 E. Palace Ave. The 2021 status review case for the structure is the only case on record in the Historic Preservation Division.

The Applicant now proposes the following exterior alterations:

- 1) Replace three doors (doors 1, 3 and 4) with four-lite panel doors, widening them and their openings from 32” to 36”.
- 2) Install an ADA ramp with handrail behind the retaining wall on the south side of the building to create access to units A2 and A3.
- 3) Re-roof the structure with tan color TPO roofing material.
- 4) Stucco the building with El Rey cementitious “Buckskin”.
- 5) Repave the parking lot.

The Staff has determined that exception criteria pursuant to Santa Fe City Code (“SFCC”) Section 14-5.2(C)(5)(b) are required for project element # 1, which proposes making door openings wider on the primary façade of a contributing building, which is restricted by

SFCC Section 14-5.2(D)(5)(a)(i). The Applicant has requested approval for this exception.

FINDINGS OF FACT

After conducting a public hearing and having heard from the Applicant and all interested persons, the Board hereby FINDS, as follows:

1. Land Use Department Staff conducted a preliminary zoning review (“PZR”) and determined that the application appears to meet the underlying zoning standards set forth in the SFCC.
2. Historic Preservation Division Staff reviewed the application and related materials and information submitted by the Applicant for conformity with applicable SFCC requirements and provided the Board with a written report of its findings (“Staff Report”), which evaluates the factors relevant to the application.
3. Historic Preservation Division Staff Recommendation: Staff found that the exception criteria had been met and recommended approval of the application as it complies with SFCC Sections 14-5.2(D), General Design Standards for all Historic Districts, and 14-5.2(E), Downtown and Eastside Design Standards.
4. The project is subject to SFCC Section 14-5.2(C), Regulation of Significant and Contributing Structures.
5. The project is subject to the requirements and general design standards set forth in SFCC Section 14-5.2(D), General Design Standards.
6. The property is located in the Downtown and Eastside Historic District and is subject to the district design standards set forth in SFCC Section 14-5.2(E).
7. Under SFCC Sections 14-2.6(B-C), 14-5.2(A)(1), 14-5.2(C)(2)(a-d & f), 14-5.2(C)(3)(a-b), 14-5.2(C)(4), and 14-5.2(D), the Board has authority to review, approve, with or without conditions, or deny, all or some of the Applicant’s proposed design to assure overall compliance with applicable design standards.
8. Under SFCC Section 14-5.2(D)(5)(a)(i), no opening shall be widened or narrowed on a primary façade of a contributing building. The Applicant proposes to widen three doors, two of which face south and are on the south, primary elevation. Staff determined that an exception to SFCC Section 14-5.2(D)(5)(a) (i) would be required for approval of the application, and the Applicant requested an exception.
9. To obtain an exception, the Applicant was required to conclusively demonstrate that the three exception criteria set forth in SFCC Section 14-5.2(C)(5)(b) have been met.
10. Based on the information set forth in the Staff Report and exhibits, and the evidence and testimony presented at the hearing, the Board agrees with Staff’s finding that the Applicant has conclusively demonstrated that all exception criteria have been met.
 - a. Pursuant to SFCC Section 14-5.2(C)(5)(b)(i), the Board finds that granting the exception would not damage the character of the district because to widen the doors by four inches is minimal, the building is set back behind other buildings on East Palace Avenue and has low visibility, and the new doors will have the same design as the existing. Although the door openings are historic, the doors are 1980s replacements and are not historic;
 - b. Pursuant to SFCC Section 14-5.2(C)(5)(b)(ii), the Board finds that the exception is required to prevent a hardship to the Applicant or an injury to the public

welfare because the building is in a commercial area but the existing width of the doors limits the use of the structure as a commercial building, and the new widths will meet building code requirements for commercial buildings and provide accessibility consistent with the ADA; and

- c. Pursuant to SFCC Section 14-5.2(C)(5)(b)(iii), the Board finds that granting the exception would strengthen the unique heterogeneous character of the City by providing a full range of design options to ensure that residents can continue to reside within the historic districts because the three wider door openings will allow the structure to be maintained and utilized for more purposes.
11. The information contained in the Staff Report and exhibits, and the testimony and evidence submitted at the hearing, establishes that all applicable requirements for Board review as herein described have been met.
 12. The information contained in the Staff Report and exhibits, and the testimony and evidence submitted at the hearing, establishes that all applicable design criteria have been met.

CONCLUSIONS OF LAW

Under the circumstances and given the evidence and testimony submitted during the hearing, the Board acted upon the application as follows:

1. The Board has the authority to review and approve the application.
2. The Board approves Items # 1-5 as set forth in the application, as recommended by Staff.
3. The Board grants the exception requested in the application with respect to project element # 1, to widen the openings for three doors.

IT IS SO ORDERED ON THIS 14th DAY of JANUARY, 2025, BY THE HISTORIC DISTRICTS REVIEW BOARD OF THE CITY OF SANTA FE.

Cecilia Rios, Chair

Date

FILED:

Andréa Salazar, City Clerk

Date

APPROVED AS TO FORM:

Frank Ruybalid
Assistant City Attorney

Date