



# AGENDA

HISTORIC DISTRICTS REVIEW  
BOARD  
JANUARY 12, 2021  
5:30 PM  
ATTEND VIRTUALLY

**\*\*AMENDED\*\***

## **SPECIAL PROCEDURES FOR VIRTUAL ATTENDANCE AND PUBLIC COMMENT:**

In response to the State's declaration of a Public Health Emergency, the Mayor's Proclamation of Emergency, and the ban on public gatherings of more than five (5) people, the Historic Districts Review Board meeting will be conducted virtually using Zoom.

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US: **(253) 215-8782** or **(346) 248-7799** or **(929) 205-6099**

Webinar ID: **312 6622 0699**.

### **Public Comment:**

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## A. ROLL CALL

## B. APPROVAL OF AGENDA

## C. APPROVAL OF MINUTES:

1. December 8, 2020

## D. APPROVAL OF FINDINGS OF FACT AND CONCLUSIONS OF LAW

## E. MATTERS FROM THE PUBLIC

## F. STAFF COMMUNICATIONS

## G. OLD BUSINESS

1. Case #2020-002818-HDRB. 324 McKenzie Street. Downtown & Eastside Historic District. David C. Betzler, agent/owner, proposes to remove, reconstruct and extend an awning on a non-primary facade of a contributing structure. (Daniel Schwab, 955-6660, [dnschwab@santafenm.gov](mailto:dnschwab@santafenm.gov))
2. Case #2020-002810-HDRB. 586 Camino del Monte Sol. Downtown & Eastside Historic District. Architectural Alliance, agent for David Krakauer and Jessica Flack, owners, proposes to construct a 592 sq. ft. free standing garage to the height of



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19' 0" where the maximum allowable height is 15'1" and construct 72" high coyote fencing and yardwalls at a contributing residential property. The applicant requests an additional 4' of height to account for slope per section 14-5.2(D)(9)(c)(ii)(F). (Angela Schackel Bordegaray, 955-6127, asbordegaray@santafenm.gov)

## H. NEW BUSINESS

1. Case #2020-002959-HDRB. 542 Camino del Monte Sol. Downtown and Eastside Historic District. Carlos Kinsey, agent for Laura L. Chock, owner requests a status review and primary façade designation, if applicable, for yardwalls, fences and a garage. (Daniel Schwab, 955-6660, dnschwab@santafenm.gov)
2. Case #2020-002947-HDRB. 463 Camino Don Miguel. Downtown and Eastside Historic District. Spears Horn Architects, agent for Cathy Campbell, owner, proposes to remove a non-historic carport and construct a detached 734 sq ft casita and garage, and construction of a 6 ft rear yard wall on a contributing property. (Angela Schackel Bordegaray, 955-6127, asbordegaray@santafenm.gov)
3. Case #2020-002960-HDRB. 105 Calle la Pena. Downtown and Eastside Historic District. Mark Naktin, agent for David C. Brown, owner, requests a historic status review with primary facade designation, if applicable, for a contributing residential structure. (Daniel Schwab, 955-6660, dnschwab@santafenm.gov)
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9. Case HDRB-002973-HDRB. 717 West Manhattan Avenue. Westside-Guadalupe Historic District. Robin Smith, agent/owner proposes to reroof a contributing structure and requests an exception to change roofing materials, per Section 14-5.2(C)(5)(b). (Daniel Schwab, 955-6660, dnschwab@santafenm.gov)

## I. DISCUSSION ITEMS

## J. MATTERS FROM THE BOARD

## K. NEXT MEETING: Tuesday, January 26, 2021

## L. ADJOURN

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RECEIVED AT THE CITY CLERK'S OFFICE

DATE: January 6, 2020

TIME: 2:32 PM



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**A. ROLL CALL**

**B. APPROVAL OF AGENDA**

**C. APPROVAL OF MINUTES:**

1. December 8, 2020

**D. APPROVAL OF FINDINGS OF FACT AND CONCLUSIONS OF LAW**

1. Case #2020-002852-HDRB. 119 Kearny Road.
2. Case #2020-002853-HDRB. 675 Alto Street.
3. Case #2020-002854-HDRB. 855 A Camino Ranchitos.
4. Case #2020-002809-HDRB. 601 San Antonio Street.
5. Case #2020-002864-HDRB. 1668 Cerro Gordo Road.

**E. MATTERS FROM THE PUBLIC**

**F. STAFF COMMUNICATIONS**

**G. OLD BUSINESS**



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**K. NEXT MEETING: Tuesday, January 26, 2021**

**L. ADJOURN**

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<b>RECEIVED AT THE CITY CLERK'S OFFICE</b>	
<b>DATE:</b>	<b>December 23, 2020</b>
<b>TIME:</b>	<b>12:50 PM</b>

**SUMMARY INDEX**  
**HISTORIC DISTRICTS REVIEW BOARD**  
**January 12, 2021**

<b>ITEM</b>	<b>ACTION TAKEN</b>	<b>PAGE(S)</b>
Call to Order	5:30 pm	1
A. Roll Call	Quorum Present	1
B. Approval of Agenda	Approved as Published	1-2
C. Approval of Minutes December 08, 2020 Hearing	Approved as Amended	2
D. Findings of Fact & Conclusions of Law	None	2
E. Matters from the Public	Comments	2-4
F. Staff Communications	None	4
G. Old Business		
1. Case #2020-002818-HDRB. 324 McKenzie Street	Postponed	4-9
2. Case #2020-002810-HDRB 586 Camino del Monte Sol	Approved	9-13
H. Action Items		
1. Case #2020-002959-HDRB. 542 Camino del Monte Sol	Status review	13-18
2. Case #2020-002947-HDRB. 463 Camino Don Miguel	Approved	19-22
3. Case #2020-002960-HDRB. 105 Calle la Pena	Status review	22-25
4. Case #2020-002984-HDRB. 105 Calle la Pena	Approved	25-29
5. Case #2020-002978-HDRB. 847 Old Santa Fe Trail	Status Review	29-33
6. Case#2020-002974-HDRB.		

530 East Alameda	Status Review	33-35
7. Case #2020-002983-HDRB. 209 Delgado Street	Postponed	35-38
8. Case #2020-002986-HDRB. 310 Magdalena Road	Designation of Primary	39-45
9. Case#2020-002973-HDRB. 717 West Manhattan Avenue	Denied	45-49
I. Matters from the Board	None	50
J. Next Meeting	January 28, 2021	50
K. Adjournment	Adjourned at 10:30 p.m.	50

**MINUTES OF THE CITY OF SANTA FE  
HISTORIC DISTRICTS REVIEW BOARD  
January 12, 2021  
VIRTUAL HEARING**

**CALL TO ORDER**

A regular meeting of the City of Santa Fe Historic Districts Review Board was called to order by Cecilia Rios, Chair, on the above date at approximately 5:30 p.m. at a virtual meeting held at <https://www.youtube.com/watch?v=lauQQki-wWE>.

**A. ROLL CALL**

Roll Call indicated the presence of a quorum as follows:

**MEMBERS PRESENT:**

Ms. Cecilia Rios, Chairwoman  
Mr. Frank Katz, Vice Chair  
Ms. Jennifer Biedscheid  
Mr. John Biennu  
Mr. Anthony Guida  
Ms. Flynn G. Larson

**MEMBERS EXCUSED:**

Mr. Buddy Roybal

**OTHERS PRESENT:**

Ms. Nicole Ramirez Thomas  
Mr. Daniel Schwab, Senior Planner  
Ms. Angela Bordegaray, Senior Planner  
Ms. Sally Paez, Assistant City Attorney  
Ms. Melissa Byers, Stenographer

**NOTE:** All items in the Committee packet for all agenda items are incorporated herewith by reference. The original Committee packet is on file in the Historic Preservation Office and available on the City of Santa Fe Website.

**B. APPROVAL OF AGENDA**

Ms. Ramirez Thomas noted a change for 586 Camino del Monte Sol, Case #2020-002959-HDRB. There is a new property owner, Wayne Holson. An affidavit from Mr. Holson indicated that the representative, Mr. Enfield will remain the same.

**MOTION:** Vice Chair Bienvenu moved, seconded by Member Katz to approve the agenda, as amended.

**VOTE:** The motion passed by unanimous (5-0) roll call vote with Members Biedscheid, Bienvenu, Guida, Katz and Larson voting in favor and none voting against.

**C. APPROVAL OF MINUTES:**

1. December 8, 2020

Sally Paez noted her first name is spelled Sally without an "e".

**MOTION:** Member Katz moved, seconded by Member Guida to approve the HDRB Hearing Minutes of December 8, 2020, as amended.

**VOTE:** The motion passed by unanimous (5-0) roll call vote with Members Biedscheid, Bienvenu, Guida, Katz and Larson voting in favor and none voting against.

**D. APPROVAL OF FINDINGS OF FACT AND CONCLUSIONS OF LAW**

None

**E. MATTERS FROM THE PUBLIC**

Stefanie Beninato thanked the Board for acknowledging the public and their comments.

John Eddy wished everyone a Happy New Year. He had a procedural question for staff on the house on Ranchitos from the last meeting. He recalled the applicant brought new plans last week and wanted to know if those plans had been included in the packet last week.

Ms. Bordegaray replied they were not.

Mr. Eddy said he would leave it to the Board whether that was proper procedure. He knows it is difficult in the meetings with fatigue and Zoom, but he wanted to discuss the design. He thought the Ranchitos case put the cart before the horse. The applicant didn't bring his new plans on a timely basis and the Board discussed the old plans for more than 30 minutes. His problems with the original design were first, with the windows. When honoring Santa Fe Style, old or recent, one standard in vernacular design is that the windows are oriented vertically. Most of the windows were horizontal. That is disharmonious to the neighborhood and he was not able to address that at the time.

Also, with respect to Chair Rios' observations on canales, there was an adaptation of metal in canales design in Santa Fe. That largely came about because people needed to get water away from their walls. He found the use of Corten steel problematic, specifically on canales. Traditionally canales are designed to include handwork with angled or curved cuts to match the adobe vernacular. Cutting off a steel tube is inharmonious and strictly modern. The Board could possibly encourage someone that wanted to use Corten steel on canales to adapt them to have curves or angles that would mimic the traditional. He would like the Board to discuss how the project had been designed on the fly and that the plans were brought to the meeting. The Board didn't have opportunity to study them in the packet prior to the meeting.

Chair Rios asked Ms. Ramirez Thomas if the Board had approved a tubular canale.

Ms. Ramirez Thomas was not aware that they had. The canales on the project were metal and had no wood.

Chair Rios thought Mr. Eddy was saying the canales were of a tubular fashion.

Mr. Eddy clarified that he may have misspoken, specifically whether tubular or channeled. But the same argument stands and a channeled Corten steel canale can have angles cut similar to a traditional canale.

Chair Rios said her comment in reference to her canales was just to say she has a couple of metal canales from the old days, as Mr. Eddy had described. She had mentioned she wasn't sure the Board would want to approve steel canales that imitates those, and the Board could explore that.

Steven Beili, the applicant for Ranchitos project asked to respond. He indicated the canales will be hand-built by the builder of the house. He is also a steel artist, and will custom make the canales and they will be angled and welded together. They are not tubular steel.

Mr. Beili said, regarding the process; it was unusual. The Zoom glitch gave them more time in between the neighbor submitting the letter and the hearing. He knew there is sometimes an exchange back-and-forth between the applicant and what they plan, and suggestions offered by the Board. That is how he sees what they did. We were prepared to make changes to the design that address the neighbor's concerns. The Zoom glitch enabled him to bring those drawings forward. He wasn't allowed to submit the new drawings and remain on the agenda, but he was allowed to bring the new drawings to the hearing.

#### **F. STAFF COMMUNICATIONS**

None

#### **G. OLD BUSINESS**

1. **Case #2020-002818-HDRB. 324 McKenzie Street.** Downtown & Eastside Historic District. David C. Betzler, agent/owner, proposes to remove, reconstruct and extend an awning on a non-primary facade of a contributing structure. (Daniel Schwab)

#### **STAFF REPORT**

Mr. Schwab stated that 324 McKenzie Street is a 1540 square foot contributing residential structure located in the Downtown and Eastside Historic District. The north facade is designated primary. The structure is rectangular, of one-story, and faces north on McKenzie Street. The structure has a pitched roof with a street-facing gable, adobe walls with deeply recessed windows and a territorial-style portal on the front. On the east side, the rear portion of the property is gated and hidden from public view. Behind this gate is a wood awning and trellis that is not attached to the structure. The awning and trellis are not historic.

The applicant proposes to remove the non-publicly visible awning structure and replace it with an oxidized steel frame awning, similar in scale to the one to be removed, with pre-finished Pro Panel metal roofing in a brown color. This structure will extend around the non-publicly visible south side of the house to shade from sunlight. The roof of the awning will be bolted to the exterior wall and will be partially supported by steel posts in a rust-brown color, partially by the ledger strip which will be connected to the wall.

He showed a revised proposal showing a freestanding shade structure for Board discussion, not included in the packet and the original design side-by-side.

**STAFF RECOMMENDATION**

Staff recommended approval of the proposed project although should discuss which proposal should be approved. and finds that the application complies with Section 14-5.2(0) General Design Standards for All Historic Districts, and 14-5.2(E) Downtown and Eastside Design Standards.

**QUESTIONS FOR STAFF**

Vice Chair Katz asked about roofing on the structure.

Mr. Schwab replied it is Pro Panel material.

Vice Chair Katz said he assumed that was the Corten steel. He asked how the water would run off because the roof appears to be flat.

Mr. Schwab wasn't sure. He suggested getting clarification from the applicant.

**APPLICANT'S PRESENTATION**

David Betzler, 324 McKenzie, was sworn in.

Chair Rios asked him to address the question of how the water would drain and whether there is a slope.

Mr. Betzler replied the first proposal was to drain off of a sloped Pro Panel roof. It is only a partial roof and the lower drawing shows the plan of the shed roof. The roof is about 3-4 feet in length and water will drain to the edge and become an open trellis. In the new design however, it will be open with a trellis on the east and a trellis on the south. The water would drain through the joists because it is completely open with no roof. The purpose is just to shade from the sun.

Member Guida said the newly proposed design clearly has no Pro Panel. He asked if it was all steel and the horizontal trellis is also made of steel.

Mr. Betzler replied it is all steel, no wood. Concrete footings would be provided for the posts.

Chair Rios asked if the applicant preferred one design over the other.

Mr. Betzler said he preferred the amended proposal with the open trellis. It is more complementary to the existing structure and the character of the neighborhood.

## **QUESTIONS FOR APPLICANT**

None

## **PUBLIC HEARING**

Stefanie Beninato, PO Box 1601, Santa Fe, was sworn in. She said she appreciates the change in the design. The wraparounds change the character of the house and she preferred there be no structure on the east side. There is a fence there and it changes the character of the façade. She wondered if the uprights could be wood or at least look like wood to be more harmonious, or perhaps have columns on the front porch.

## **DISCUSSION**

Member Bienvenu indicated the staff report states there is no public visibility, however, it does have public visibility. He heard Mr. Schwab revise his statement to say that the new structure does have some, but the old one doesn't. Looking from the street straight onto the north façade you can clearly see the top of the trellis structure over the top of the coyote fence.

Secondly, you can see it over the fence on the north side. Someone on the street would see the entire east façade above the coyote fence, which includes the top of this structure. In the original plan it would've been prohibited because it was attached to the house and as an addition, it is required to match the material of the house. Now it is no longer attached, but it has to match the aesthetic sense. The applicant indicated he thought it more harmonious with the streetscape, but he doesn't find oxidized steel to be historic or traditional in any way.

Mr. Betzler concurred with Member Bienvenu's perception of the street view. He was not trying to blend with the original structure as much as separate it as new and let the original building stand on its own. He said it is a beautiful adobe building and didn't want to re-create the columns or wood fascia, so he chose to go with steel. The oxidized steel was to tone the steel down so not to appear a new structure but blend in. He said he could see Member Bienvenu's point.

Chair Rios asked about the original shade structure proposal.

Mr. Betzler explained the frame was to be steel with an oxidized finish. He only changed the position of the structure.

Member Bienvenu asked if the idea in choosing the oxidized steel was to make it look equivalent to wood.

Mr. Betzler replied he thought the steel would look more historic than trying to mimic tapered wood columns. He didn't want to recreate the portal on the east side because they want to remove it. It was built in the late 70s but has no historical significance and doesn't enhance the look of the house.

Member Larson said she appreciates trying to separate the new structure from the historic structure. In this case, this steel structure is harsh compared to the simplicity of the house. It would be more harmonious to stay with what exists which is the portal structure, painted white. That is more in keeping with the neighborhood and the structure itself, which doesn't need a heavy utilitarian approach.

Member Guida agreed. There are no requirements for things not to be visible at all or perfectly match the details of the existing building. He favored the revised because it looks less utilitarian than the first scheme. As to whether painted wood or steel is more harmonious window that, steel is used throughout the historic districts. Given that it is clearly separated from the building and articulating between the new and old, he was fine with approving the revised design in steel.

Vice Chair Katz shared the viewpoint that wood would be better than steel. They want to communicate the hand-made house. That is what the adobe style was; bricks you can make yourself and trees you can turn into wood. Metal was generally wrought iron that was handcrafted. He preferred wood, stained or painted.

Member Biedscheid pointed out that the revised drawings appear to have a metal gate and the addition of steel gate and a fence is incongruous. It would look like a delicate native fence and a strong steel gate combination, something you wouldn't typically see. She favored keeping the latilla fence.

Mr. Betzler said he appreciated the comments from the Board. He agreed with them on a number of things, one, the steel gate. He is not averse to keeping the coyote fence. Recently the electrical service was upgraded, and a meter is behind the steel gate. He thought an open wrought iron gate would allow the meter reader to read the meter rather than come inside. He could keep the coyote gate.

Also, in terms of wood for the framed trellis versus steel. He could see a reason for using wood and could work something out with the basic design. He appreciated the comments. He suggested he could possibly do a mockup on site so they could take a look.

Chair Rios asked if she understood him to say he would be willing to change from steel to wood.

Mr. Betzler said he is open to the idea. He doesn't have a problem with wood except that it deteriorates if not maintained properly.

Member Bienvenu said he agreed with all the comments. He believes that wood is vastly superior in this case. The Corten steel is incongruous with the streetscape and structure. His question is whether to continue on tonight or ask for a resubmission and appreciated the applicant's openness to discussion and the suggestions.

Chair Rios also thanked the applicant for being willing to take a second look and for listening closely to what the Board members have to say.

Member Guida said he appreciated the flexibility of the applicant and a mockup is generous. It would be good enough to have good drawings for the Board to make decisions. Whether wood or steel, the things that are under consideration are not traditional Santa Fe architecture. The Board is dealing with something of its time and place in terms of its form and that can be extended to the discussion of materials.

Vice Chair Katz asked about the proposed pergola in the back and the description that says it is for shade. It is on the north side which is fairly high and the chances of the sun hitting that seems minimal and doesn't seem to serve the purpose stated.

**MOTION:** In Case #2020-002818-HDRB, 324 McKenzie Street, Member Bienvenu moved to postpone the application pending a resubmission. Member Larson seconded the motion.

Ms. Ramirez Thomas suggested postponement to February 9, 2021.

Members Bienvenu and Larson agreed.

Member Guida asked clarification is what the applicant was to do. The motion did not include direction on the resubmittal.

Chair Rios said that was a good point, but discussion indicated the applicant should go with wood instead of steel. She asked Member Bienvenu.

Member Bienvenu said he is always reluctant to direct the applicant what to come back with and feels they should choose what to apply. He understands the applicant has voluntarily agreed to resubmit his proposal, and he prefers not to direct what that consists of. The applicant has heard

the Board discussion. He assumes the applicant will take that into account in his decisions and the Board can decide whether it meets the protocol.

Vice Chair Katz added sometimes the Board has a discussion and it is summarized to the applicant. When the applicant returns with a redesign that a number of people have talked about, they sometimes feel that is what they were told to do.

Vice Chair Katz said in this situation we haven't approved anything, but he doesn't want there to be the thought that when something is postponed for redesign that somehow the Board has approved the redesign. There is a cautionary tale there and there may be further discussion. Member Bienvenu's suggestion is well taken.

Ms. Paez cautioned the Board about having a lot of discussion in the middle of a vote. She recommended maker of the motion and second redraw the motion and restate it.

**MOTION:** Member Bienvenu restated his motion and moved to postpone the application and the applicant resubmission to be heard on February 9, 2021 in light of the Board discussion. Member Larson seconded the motion.

**VOTE:** The motion passed by unanimous (5-0) roll call vote with Members Biedscheid, Bienvenu, Guida, Katz and Larson voting in favor and none voting against.

2. **Case #2020-002810-HDRB. 586 Camino del Monte Sol.** Downtown & Eastside Historic District. Architectural Alliance, agent for David Krakauer and Jessica Flack, owners, proposes to construct a 592 sq. ft. free standing garage to the height of 19' 0" where the maximum allowable height is 15'1" and construct 72" high coyote fencing and yardwalls at a contributing residential property. The applicant requests an additional 4' of height to account for slope per section 14-5.2(D)(9)(c)(ii)(F). (Angela Schackel Bordegaray)

#### **STAFF REPORT**

Ms. Bordegaray stated that 586 Camino del Monte Sol is a contributing residential structure located in the Downtown and Eastside Historic District. It is Spanish-Pueblo Revival style single family home with flat roof, simple parapet, and concealed lintels. A non-contributing guest house is located southwest of the main house. The guest house had an attached carport at one time which was demolished at an unknown date. The House was the home of Fremont Ellis, a Santa Fe painter, printmaker, teacher, and

founder of the Santa Fe group known as Los Cinco Pintores. Will Schuster was his next-door neighbor (From "An Artist's Biography").

The applicant proposes to construct a 592 SF free-standing garage where the maximum allowable height is 15'-1". The applicant requests an additional 4'-0" bringing the structure to 19' 1". The new garage varies in height from 13' to a maximum height of 19'. The garage will be located to the southwest of the main house. The proposed garage will match the Spanish-Pueblo Revival style of the main house. The garage door will be 18'-0" wide x 9'-0" tall with decorative wood panels and exposed wood lintels on its south façade. The windows and the door will have exposed wood lintels. The north elevation will have a wooden 3'-0 x 4'-0 double casement window with true divided lites painted Danube blue to match main house. The wood doors and lintels will be stained Antique Walnut to match the existing courtyard gate. The stucco will match main house and yard walls, El Rey Buckskin. Garage door will be stained grade cedar fencing.

The applicant also proposes to add a 6' tall coyote fence where the maximum allowable height is 6'. The latillas will have staggered tops to create a new parking space for the existing guest house. The new fence will tie into the existing coyote fence that separates the driveway from the yard. A new stuccoed yard wall will be erected to tie into the northwest corner existing yard wall. The new yard wall section will be 6' tall.

Ms. Ramirez Thomas pointed out the new yard wall location and the existing yard wall.

#### **STAFF RECOMMENDATION**

Staff recommended approval of the proposal and finds that the application complies with Section 14-5.2(D)(9)(c)(ii)(F) for slope and 4-5.2(E) Downtown and Eastside Design Standards.

#### **QUESTIONS FOR STAFF**

Chair Rios asked to confirm that the applicant requested four feet due to slope change.

Ms. Bordegaray confirmed they did.

Chair Rios asked how far back the proposed garage will be if coming from Camino del Monte Sol after the gate.

Ms. Bordegaray estimated at least 30 feet.

Chair Rios indicated there is a vehicular gate that is normally closed. She asked if correct that unless you stopped in front of the gate, you could not see the garage.

Ms. Bordegaray said that was correct when the gate is closed that the entrance to the house could not be seen. But there is public visibility because the top section of the proposed garage can be seen, but barely.

Chair Rios asked about the distance of the garage.

Ms. Bordegaray indicated it was 13 feet at grade at the driveway and 19 feet in the rear.

Member Biedscheid asked to confirm a slope over the garage was up about five feet.

Ms. Bordegaray understood that the slope appears toward the rear of the garage but deferred to the applicant to respond to the question.

Member Biedscheid confirmed that the garage did not appear taller than the main house or guest house.

Member Guida noted that on page 38 the topography shows a 10-foot drop from one corner of the proposed garage to the other.

### **APPLICANT'S PRESENTATION**

Mr. Eric Enfield, 612 Old Santa Fe Trail, was sworn in. Mr. Enfield said he looked at the grades closely and reduced the garage footprint. It is now a two-car size garage and was turned and moved about 23 feet further from the house. The garage door height was reduced from 14 feet to 13 feet. The changes are in the revised packet, specifically on the elevations and the topography presented is from the City website. When you are on site it doesn't appear to drop 10 feet. There are photographs of that and the stone walls that he mentioned in the last meeting. To the question of how far the garage is from the street, it is about 90 feet from the street to the front corner of the garage. The tree the applicant wants to save will probably hide the garage from the road. Looking at the terrace, the elevation shows it at 87 feet and the garage floor is at 81 feet. On the garage side it is only 13 feet high, so it really only extends 7 feet above the level of the terrace. The finished floors inside are even higher than the terrace by about 8 to 12 inches.

The building at the corner where the garage is closest, is part of the two-story façade on the existing residence. The building will be about 7 feet high on the posts of the existing portal on the southside. The guest parking was incorporated next to it. He

added a small portion of coyote fence that matches the existing coyote fence in the corner of the property. It is 6 feet high and he tied it into the existing fence and carried it around back into the garage. On the other side he will do a 5-6 foot section of retaining wall at about 4 feet high to save the tree. It is important for the tree to remain next to the garage. Turning the garage and decreasing the depth allowed them to make a path from below the tree out of the garage at a lower level.

The elevations show the historic details and he matched the header detail of the existing house, which is important. Also, he used authentic wooden windows not clad and an appliqué like a chevron and cedar was put on the face of garage as a decorative element. The buttresses remain because they soften the elevation driving up to the garage. The drop-off is extreme at the back end of the house and the 19 feet you can see of the garage is a minimum amount. The majority linear footage of the garage is between 13-15 feet high but then drops off in the back.

The south elevation shows the corner drops off and shows it is fairly flat before that. This does a better job of citing the garage and reducing the size. Those were things that the Board talked about to minimize the footprint of the garage. He doesn't feel there is any impact on the historic structure. They have gone to extremes to be sure this is an attractive garage that doesn't take away from the integrity of the property or impact the contributing status of the house, or other parts of the property.

### **QUESTIONS FOR APPLICANT**

Chair Rios thanked the applicant for showing the topography of the site. She thought the redesign was nice.

Member Guida thanked Mr. Enfield for addressing the grade issue from the last meeting. This remains a handsome garage and is complementary to the house. There is not only an issue of the garage height from the ground, but that was lowered by cutting in the driveway three or four feet. He asked if there was a consequence to the neighbor's fence along the south property line and if there are similar retaining walls.

Mr. Enfield replied there is a planted edge. We are not to the point of doing the driveway grading completely but know we have to get it down. With cut of three or 4 feet and on the other side there is stone all around the site. They will have to do a stone edge if they need to do something on the outside. It is a weird terrain with many different properties that have all been landscaped differently and the driveway is shared. The driveway has been a problem for years. If you park in the driveway you block everyone that comes onto the property, but this solves the issue. Photographs were shown of the view down the driveway. He thought there could be an opportunity to do something along that edge.

Mr. Guida said his only concern is in terms of access and do ability. But he is confident they can do it.

Mr. Enfield agreed because this is based on City topography.

### **PUBLIC HEARING**

Stefanie Beninato, previously sworn, thought the fencing or landscaping should not count, but the garage fits in with the rest of the property and is sufficiently set back. She thought the garage seemed high at 15 feet. The chevron design on the door is a classic Santa Fe detail. She appreciated the changes to fit in more than it did originally.

Mr. Enfield clarified that there was an error in the record, the garage door is 9 feet high, not 19 feet high.

### **BOARD DISCUSSION**

**MOTION:** In Case #2020-002810-HDRB, 586 Camino del Monte Sol, Member Biedscheid moved to adopt staff's recommendation to approve the application as submitted and grant an additional four feet of height for sloping site. Member Guida seconded the motion.

**VOTE:** The motion passed by unanimous (5-0) roll call vote with Members Biedscheid, Bienvenu, Guida, Katz and Larson voting in favor and none voting against.

### **H. NEW BUSINESS**

1. **Case #2020-002959-HDRB. 542 Camino del Monte Sol.** Downtown and Eastside Historic District. Carlos Kinsey, agent for Laura L. Chock, owner requests a status review and primary façade designation, if applicable, for yardwalls, fences and a garage. (Daniel Schwab)

### **STAFF REPORT**

Mr. Schwab stated that 542 Camino del Monte Sol is a single-family residence listed as significant to the Downtown and Eastside Historic District. It is constructed in the Spanish Pueblo Revival style prior to 1928. A detailed history of the property is given in the HCPI.

This case concerns the yard wall and garage associated with the property. No changes are being proposed to the main house.

The property is bordered by a yard wall along the street. A coyote fence separates the private garden from the driveway. The yard wall is over 50 years old, 75 feet long and between 4 and 5 feet in height and is probably constructed of adobe.

The garage is on the north side of the property, constructed what is now the lot line. It appears to have earlier been a two-bay garage, but changes have altered it significantly so that the structure is now divided into two garages in separate ownership along the lot line by a yard wall. The front (east) facade contains historic swinging doors that are below ground level that are in poor condition. The west facade has a single non-historic door and the south facade has no openings. However, it was significantly altered after 1978, compromising its historic integrity. It was mentioned as non-contributing in 2007 (case H#-0-40). This status was not formally designated by the board, and the status designation, presumably done by staff, was not done on the basis of a historical inventory. For this reason, staff is requesting that historic status be revisited based on a newly completed HCPI.

The applicant requests a status designation for the wall, coyote fence and garage. A new HCPI was created this year which recommended contributing status for the wall and non-contributing status for the garage. No position is taken on the coyote fence.

#### **STAFF RECOMMENDATION**

Staff recommended the historic status of the wall be designated as contributing and the garage maintained as non-contributing, per 14-5.2(C) Designation of Significant and Contributing Structures. Staff recommends that no status be designated for the coyote fence.

#### **QUESTIONS FOR STAFF**

Chair Rios said the detailed history report was interesting and to hear about the Cinco Pinturas. She shared a photograph of the painting done by one of the Cinco Pinturas of her Mom and aunt when they were about 9 and 11 years old. Eventually the painting was sold from the Gerald Peters Gallery for \$25,000. She indicated originally, the first name for Camino del Monte Sol was Corrale Road and then Telephone Road. She said she found every word of the report very interesting. She asked in reference to the garage, what happened in 1978 that has been changed.

Mr. Schwab thought that was when the lot was split and the original one structure with possibly two bays was separated into two distinct structures.

Vice Chair Katz said he was wondering when he looked at the garage exterior what about that didn't look original, and the way it has looked for 50 years.

Mr. Schwab explained there wasn't a wall there 50 years ago and it is hard to know what the relationship is between the two; whether there were two doors next to one another. There is not a lot of documentation. He thought this maintains its appearance as it probably was back then. The doors are in bad condition and have been reinforced and most likely the doors are historic.

Vice Chair Katz said his sense is that old wooden doors sometimes have to be rebuilt, but this looks original and the fact that the doors are lower. You can see the stones piled up that have been used for a garage. They could use that with a little excavation, but they clearly don't want to. He said he was puzzled by the recommendation that it not be contributing with the east façade as primary.

Member Katz said he also wanted to compliment the person who did the exhibits. The view of the garage showing the view is extraordinarily helpful to the Board and he appreciated that. It is a job well done.

Member Biedscheid said she understood from HCPI, that the significant alteration to the garage occurred on the northern portion, which is the neighbors. And on the south, the report said it still communicates its original function of the garage but is incomplete because of what happened on the northern half. She wondered if the Board gave this a status, would the status just be for the owner's property and if it is still considered a single structure with half belonging to the neighbor.

Mr. Schwab believed that legally the Board could not make decisions on the neighboring property without the consent of the owner. They are only concerned with this portion.

Member Biedscheid confirmed only the southern half of the original garage was being considered. She asked if the recommendation on the status of the wall included the gate.

Mr. Schwab replied he didn't make a specific recommendation. The photograph shows the 1983 gate is different than the current gate and it is definitely not historic.

Member Bienvenu asked to clarify that the only reason this is not recommended for contributing status is because the north half, which is not on this property, may have changed.

Mr. Schwab said to clarify this process, they had hired a historian who has a lot more experience and he made a particular recommendation. The historian stated the overall integrity of what was once a single structure has been compromised. Mr. Schwab said he personally believes it has integrity in and of itself and there is a strong argument

this should be contributing. But he wanted to step gently and not give conflicting messages when comparing the view of the HCPI and his personal view.

Member Bienvenu said he understood but wanted to clarify that the reason the report thought it didn't have integrity was due to the north half no longer being part of the structure. He thought otherwise it is indisputable that it contributes to the character of the streetscape. It is extremely visible from Camino del Monte Sol and striking and historic and has very important historic connotations and this part seems to have integrity. He could understand the concept of the overall structure losing its integrity by virtue that it has been split apart. He asked if possible that the northern half of the garage still has its own historic integrity even though separated.

Mr. Schwab replied you could say that it has a record of its time and place even though fractured from the second half.

Ms. Ramirez Thomas offered to show the Google Street view but reminded the Board that the next-door property was not being reviewed.

Chair Rios agreed they were just reviewing the 542 property.

#### **APPLICANT'S PRESENTATION**

Carlos Kinsey and Laura Chock were sworn in.

Mr. Kinsey, 3600 Cerrillos Road, Unit 205, Santa Fe, said we agree with the recommendation that the street yard wall is contributing. Also with the recommendation that the garage will be noncontributing. The point that they are not reviewing the other property is well taken, however, in the HCPI there are aerial photographs from 1958 and '66 (page 20-21) showing the garage as a whole. He thought it should be considered as a whole. The fact is that the north half no longer serves a function, and the appearance shows that the original complete structure has been heavily altered and is no longer recognizable. As recently as 2007 it was considered noncontributing by the H-Board. review.

He said he sees the property as heavily altered and no longer historically whole. There is a motion detector light, and the garage door may or may not be historic and there is nothing unique about them. There is no unique feature that stands out. The garage doesn't currently serve the function intended and we don't have a street view from 1958 or 66 showing one big door. Without a lot of information, he wasn't sure they could say with certainty it is incredibly valuable and historic and contributing. That would be something for the Board to decide.

Laura Chock said she had nothing to add, Mr. Kinsey conveyed everything.

## **QUESTIONS FOR APPLICANT**

None

## **PUBLIC HEARING**

Stefanie Beninato, previously sworn, said she agreed with the members who find the garage as a contributing façade. The fact that the building was split in half doesn't take the façades contribution to the streetscape and harmony of the house and historic pattern of setting back garages, etc. She suggested the Board consider making this contributing with this façade primary. She agreed with the recommendation to make the wall contributing but the coyote fencing should be discussed more.

John Eddy, 227 E. Palace Ave., Santa Fe, was sworn. He agreed with Ms. Beninato on both the wall status and the existing garage. Both should be statused as contributing. It is unfortunate that the façade of the garage has, as mentioned, been bastardized over time. Contributing status will help protect what remains of the historic integrity from further alteration. That section of the Camino has taken a big hit in the last 15 to 20 years. A lot of the streetscape has been altered to a point that someone like him who grew up on that street finds it unrecognizable. The contributing status will preserve the remnants of the original integrity of the street. He encourages that.

## **BOARD DISCUSSION**

Member Larson said prior to hearing public comment she agreed with the historian that it doesn't have much integrity. It helped to hear from the public, especially not being able to see the streetscape in person. She agrees they should capture what is left.

**MOTION:** In Case #2020-002959-HDRB, 542 Camino del Monte Sol, Vice Chair Katz moved to designate the wall and the garage as contributing and the east façade of garage as primary; the fence will be noncontributing, and the gate is not historic. Member Biedscheid seconded the motion and added that the HCPI report does not specify a date for the coyote fence but states the nails that are observable are not of historic vintage.

Member Bienvenu asked to clarify staff's recommendation that "no status" be designated as contributing. He asked if that is the same as saying it is noncontributing.

Chair Rios explained what Mr. Schwab was saying is noncontributing. Something that has no status is up for status consideration and Member Katz has moved to status the fence as noncontributing.

Ms. Paez said it was consistent with staff's recommendation with regard to the fence.

Member Bienvenu asked for clarification between no status being designated on one hand and not designated as noncontributing on the other.

Mr. Schwab responded there is a difference. Originally in the report, he followed the HCPI recommendation that there be no status designated. But he has since learned there have been examples of coyote fences that are stasured, given the nature of their ephemerality, although it is not common.

Member Bienvenu asked a friendly amendment for the coyote fence to have no status designated.

Vice Chair Katz said there are a number of structures in the districts that do not have status because we haven't gotten around to it or there hasn't been a need. His sense is that looking at the coyote fence and the HCPI report did not want to make the coyote fence contributing. But to say no status is like saying we couldn't decide or didn't want to decide. It is fair to the owner to get a status of whether historical or not contributing. In light of the fact that we had considered it, was why he decided to say it is noncontributing.

He would be more comfortable with more discussion on the reason to leave the status open.

Chair Rios said her opinion is this is up for receiving a designation and is under review. She thought it should be given a status, whether it is contributing are noncontributing and that is beneficial to the owners.

Member Guida agreed if they have the opportunity they should give it status. But he also questions the value of stasuring something as ephemeral as a coyote fence.

Member Bienvenu said he would defer to staff's recommendation. He asked Mr. Schwab the reason behind his recommendation.

Mr. Schwab said he was echoing the comment of the historian that didn't take a position. Personally, he thought it helpful to designate a status, so it is clear.

Member Bienvenu said in that case he has no qualms with the motion as originally stated.

**VOTE:** The motion passed by unanimous (5-0) roll call vote with Members Biedscheid, Bienvenu, Guida, Katz and Larson voting in favor and none voting against.

2. **Case #2020-002947-HDRB. 463 Camino Don Miguel.** Downtown and Eastside Historic District. Spears Horn Architects, agent for Cathy Campbell, owner, proposes to demolish a non-historic carport and construct a detached 734 sq ft casita and garage, and construction of a 6 ft rear yard wall on a contributing property. (Angela Schackel Bordegaray)

### **STAFF REPORT**

Ms. Bordegaray said 463 Camino Don Miguel is a 1,730 square foot contributing Territorial Revival style residence located in the Downtown and Eastside Historic District. Approximately 175 square feet of the footprint is comprised of three portales. The residence was originally constructed between 1935 and 1945. It features an attached garage that has since been converted to living space.

Also located on the property is a freestanding 470 square foot carport. The carport was constructed after 1980, which is evidenced by the 1980 NM Dept of Transportation aerial photo provided in the packet. The residence is listed as Contributing to the Downtown and Eastside Historic District. Its west facade was designated primary by the HDRB in a previous case in 2015 (H-15-074).

The applicant proposes the following changes and additions:

1. Remove existing non-historic carport;
2. Construct a new 734 square foot casita and 72 square feet of portal and garage on the northwest portion of the lot. The casita style and trim details and color will match the main house, painted Benjamin Moore "Super White". The casita will have a portal with dental coping to match main house. The casita will be constructed to a height of 14', where the maximum allowable height for structures in this streetscape, 14'. The casitas' stucco will match that of the main house, El Rey "Adobe."
3. Remove non-historic 6' garden wall and gate north of existing residence.
4. Remove adjacent asphalt drive.
5. Construct new garden wall to a height of 6' and reuse existing gate.
6. Add flagstone paving to the driveway.

7. Existing fence and wall at the street (west) will remain.
8. The applicant requests demolition of a non-historic structure. The standards for demolition in the historic district are presented below along with staff responses for 14-3.14(G)(l). 14-3.14(G)(2) provides the guidance for the Board's consideration.
  1. Carport structure is not of historical importance, being constructed post-1980. Staff Agrees.
  2. Carport structure exists on western street front but does not uniquely contribute to the identity of its surroundings aesthetically or historically. It will be replaced by the new casita, built in homogenous style to its surroundings, of which will contribute far more greatly to the owner, site, and street front than what currently exists. Staff agrees.
  3. State of carport structure is stable. Staff acknowledges.

#### **STAFF RECOMMENDATION**

Staff found that the application complies with 14-3.14 Demolition of Historic or Landmark Structure. Staff found the application complies with 14-5.2(0) General Design Standards for All H Districts and 14-5.2(E) Downtown and Eastside Design Standards.

#### **QUESTIONS FOR STAFF**

Chair Rios asked the height of the existing house. Ms. Bordegaray didn't have the answer. Chair Rios asked if she knew whether the proposal would be higher or lower.

Ms. Bordegaray said the house might appear higher because it is on the slope. She suggested asking the applicant.

Chair Rios asked the location of the six-foot garden wall and the length.

Ms. Bordegaray referred to a picture showing the existing gate. The existing garden wall is 6 feet tall and the proposed garden wall would be moved to connect with the garage. It is the same height with the same gate and adobe style.

Member Biedscheid asked if the garage door would be publicly visible and if she knew the construction materials for the door.

Ms. Bordegaray replied it is publicly visible from the street from the southwest driveway. The applicant could provide information on the garage doors.

## **APPLICANT'S PRESENTATION**

James Horn, 1334 Pacheco Street, Santa Fe, was sworn in. He said he was asked to provide a new casita and garage. The existing house was built in the 30s or 40s and the existing carport is nonfunctioning for the client. There will be an expanding garden in the back. The existing house is Territorial with non-detailed window areas, a pitched roof with a varied height but on higher ground than the casita. There is a small building on the back with a parapet and roof. They will play off of that detail and the Territorial detailing on the windows under the portal on the windows that are framed. They will all be constructed of painted wood to match the house.

## **QUESTIONS FOR APPLICANT**

Chair Rios asked if Mr. Horan said the house has a pitched roof.

Mr. Horn said it does, it is higher in the middle and slopes to the back and front.

Chair Rios asked to confirm that the proposed casita would have a flat roof.

Mr. Horn replied it will with parapets and is lower than the existing house.

Vice Chair Katz asked if there had been communication with the next-door neighbor who will have a large wall directly in front of a large window of their house.

Mr. Horn said he is aware that the client has been communicating with the neighbor. The neighbor built on the property line so in order to build in this location that will be a fire wall. That is why there is a large mass and there are no windows on the backside.

Member Guida thanked Mr. Horn for the presentation and the super clear drawings. The design sensibility for the casita is terrific and mostly he wanted to thank Mr. Horn and his client for replacing the carport. He was really happy to see this replace what is there.

## **PUBLIC HEARING**

Stephen Beilli, 449 Camino Don Miguel, was sworn in. He said he lives a few doors away from the project and wanted to offer his support as a neighbor. He thought this will be a good addition to the neighborhood and appropriate for the streetscape.

Stefanie Beninato, previously sworn, also thought the project a great improvement on what is there. She sees the value in having it be the same as the main house. She wondered, however, if it was a little elaborate for such a small structure. But it is a big improvement for the streetscape and the lot.

John Eddy, previously sworn, said he supports this design and also didn't bemoan the loss of the carport. They will end up with a beautiful flattering design that will enhance the streetscape. He was grateful the architect uses embellishment of Territorial trim on the doors and windows. He commended the owner on beautifully done details. He said he is grateful the owner is honoring and celebrating them. As a parting note to the architect, he wished he and his family's bees good health.

### **BOARD DISCUSSION**

**MOTION:** In Case #2020-002947-HDRB, 463 Camino Don Miguel, Member Bienvenu moved to approve the application as it complies with all of the general design standards for downtown and historic districts; the prerequisites for the Code for demolition in the district have been met and the structure being demolished is not of structural importance and is not an essential part of the streetscape and in fact, enhances the streetscape; and further finds that the Code section of the state and repair of the structural stability of the structure under consideration is found to be stable, but that factor is outweighed by the other two. Member Guida seconded the motion.

Chair Rios asked if he would consider making the latilla fencing uneven latillas.

Members Bienvenu and Guida accepted the friendly amendment.

**VOTE:** The motion passed by unanimous (5-0) roll call vote with Members Biedscheid, Bienvenu, Guida, Katz and Larson voting in favor and none voting against.

3. **Case #2020-002960-HDRB. 105 Calle la Pena.** Downtown and Eastside Historic District. Mark Naktin, agent for David C. Brown, owner, requests a historic status review with primary facade designation, if applicable, for a contributing residential structure. (Daniel Schwab)

### **STAFF REPORT**

Mr. Schwab said 105 Calle La Pena is a single-family structure with contributing status to the Downtown and Eastside Historic District.

The structure was constructed in 1938 and is identified on a 1991 HCPI as contributing. It is constructed of adobe in a Spanish Pueblo Revival style, with a small portal on the north-east corner. This north-east corner is the original part of the structure, with an addition having been made to the south.

In case H-01-92 from July 10, 2001, the Board approved the structure's rehabilitation and construction of an addition on the southwest elevation. The windows on the south and east elevations were to be rehabilitated. A recent inspection of the structure determined that there were no historic material was visible. The windows appear to be newly constructed wood window frames with double-panes. In addition, the structure was re-stuccoed, the northeast portal was rebuilt, window lintels replaced and the roof replaced. While the structure retains its historic opening dimensions and general appearance it seems to be absent of historic material.

Section 14-5.2(C)(l) of the Santa Fe municipal code states that each structure is intended to be recognized as a physical record of its time and place and that distinctive features, finishes and construction techniques or examples of craftsmanship that characterize a structure be preserved. In addition, Section 14-5.2(D)(1) states that the status of a contributing building is preserved in part through the retention of historic material. In this case, staff finds that essentially all visible historic material has been removed and that no examples of construction techniques or craftsmanship from the historic structure remain, except perhaps invisibly in the form of adobe bricks below the stucco.

In light of a 2001 rehabilitation which failed to retain historic material, craftsmanship or construction techniques, staff recommends that the historic status of the structure be downgraded to non-contributing.

### **STAFF RECOMMENDATION**

Staff recommended that the historic status of the structure be downgraded from "contributing" to "non-contributing" per Section 14-5.2(C)(2). Should the Board choose to retain the structure's contributing status, staff recommends that only the north portion of the east facade containing the two small windows and the portale be designated as primary.

### **QUESTIONS FOR STAFF**

Chair Rios asked to confirm that in 2001 the owners at that time were given direction that was not followed.

Mr. Schwab replied he thought it was followed but the owners had no choice but to replace the windows at the time and were given permission to raise the parapets. But the result is a building that is no longer an historic structure or contributing.

Member Guida said he understood this was a Board approved rehabilitation and the windows may not have been replaced per the Board's direction. The argument to downgrade seemed to hinge on details and materials. But there is still the original

configuration. By the same argument, any project where materials are being replaced on a contributing building, would automatically be downgraded the day after it was done. He struggles with that argument for downgrade when most of it is still there.

Vice Chair Katz shared Member Guida's concern. It seems that the people were directed not to replace the windows, but they did and now we should reward them and let them tear down the house or whatever. The main structure design and all but a few details have been changed. That is not ideal, but it doesn't mean it should be downgraded.

Member Biedscheid said one measure of whether a house can be considered contributing is if the changes made are reversible. She asked if this could be restored and reflect a contributing status. Usually, she is predisposed to preserve what is left, but this building has really changed. It is unfortunate the Board's recommendation wasn't followed but she questioned whether this is reversible.

Mr. Schwab replied it should be considered what the role of historic material is and if a reconstructed building could be considered a contributing historic building. The building has lost a lot of historic material. His argument hinges on that, but he isn't wedded to that. Aside from the adobe structure underneath, they are looking at new materials in historic form. His argument hinges on the importance of historic material, but there are other parts to a contributing status such as the character of defining features. Those have been degraded with the raising of the parapet. That changes the character of the house and is no longer a simple structure but a massive structure that has a different feeling. He felt that compromised the historic integrity.

Member Biedscheid asked if the original footprint is intact on the façade being considered.

Mr. Schwab replied it is, aside from the yard wall in the front.

### **APPLICANT'S PRESENTATION**

Marc Naktin, 1305 Lujan Street, was sworn in. He said his clients purchased the house this way and it would be helpful in the future to know if this was not contributing. His clients are considering some work to the front of the house and the point of this meeting is to establish if the house is contributing or non-contributing.

Chair Rios asked if he felt the building is non-contributing.

Mr. Naktin said yes. Walking through the building it has no sense of history or being old. The house is at the end of a cul-de-sac, tucked off the street. The only part of the house that is still old is hidden by the trees, which the owners love. They do not want

to get rid of them and plan in the next meeting to discuss an addition to the back of the house. They are not considering altering the front of the house at this time

### **QUESTIONS FOR APPLICANT**

Vice Chair Katz asked to confirm that the part of the house in question to remain contributing is very visible from the street. It is actually the only portion visible.

Mr. Naktin said the property is gated and you would have to be against the gate to see it. The neighborhood has many houses that are tucked back and this one is tucked back the furthest. It doesn't have a street elevation per se, and you would not notice it going up the street in a car. A photograph was shown on screen of the cul-de-sac.

Vice Chair Katz thought it was quite visible from the picture when standing in back.

### **PUBLIC HEARING**

Stefani Beninato said retaining windows or a door doesn't make it non-contributing. Windows are often replaced and still retain contributing status. You are allowed to maintain the structure. The biggest change that raises the question on a status downgrade is the addition of the parapet. Also, whether the beam or header over the windows is the same height as it had been. The difference in proportion is more problematic than the windows being replaced.

### **BOARD DISCUSSION**

**MOTION:** In Case #2020-002960-HDRB, 105 Calle la Pena, Member Guida moved to retain contributing status with the east façade as primary, excluding the portal and the non-historic addition. Member Larson seconded the motion.

**VOTE:** The motion passed by unanimous (5-0) roll call vote with Members Biedscheid, Bienvenu, Guida, Katz and Larson voting in favor and none voting against.

4. **Case #2020-002984-HDRB. 105 Calle la Pena.** Downtown and Eastside Historic District. Mark Naktin, agent for David C. Brown, owner, proposes to construct a 465 sq. ft. addition to a height of 12'0" on a non-contributing structure. (Daniel Schwab, 955-6660, dnschwab@santafenm.gov)

### **STAFF REPORT**

Mr. Schwab said 105 Calle La Pena is a single-family structure with contributing status to the Downtown and Eastside Historic District. The structure was constructed in 1938 and is identified on a 1991 HCPI as contributing. In case 2020-002960-HDRB, staff proposed

the downgrade of the historic status to non-contributing due to changes made during its rehabilitation in 2001.

The applicant now proposes to construct a 465 square foot addition on the non-publicly visible west facade of the house. It will match the existing house stucco color, a tinted El Rey Buckskin and window manufacturer and color. The windows will have divided lights or meet the window design requirements of the district. It will be constructed to a height of 12 feet 0 inches. The maximum allowable height is 15 feet 6 inches. The wood stain is a light tan that will also be matched.

### **STAFF RECOMMENDATION**

Staff recommended approval of the proposed project and finds 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.

### **QUESTIONS FOR STAFF**

Chair Rios asked about the south elevation and whether the doors or the windows would not be divided.

Mr. Schwab thought they were doors but suggested they confirm with the applicant.

Chair Rios confirmed that the doors were not publicly visible and as such, are allowed to be non-divided.

She indicated that a letter has been received from a neighbor that has some concerns.

Mr. Schwab said he wasn't familiar with that.

Chair Rios asked Ms. Ramirez Thomas to read the neighbor's letter and to confirm that the Board has jurisdiction over the concerns expressed.

Ms. Ramirez Thomas read the letter into the record:

*"Our Concerns: The property behind the wall as shown by photographs attached by the applicant's materials to the Board, is undeveloped land with native vegetation. See pages 169 and 170 of the submitted materials. Construction will remove 465 ft.<sup>2</sup> of ground that would otherwise be available for surface water infiltration. Also, we have no idea how surface water will flow from the roof of the addition. We are aware that when our property was developed in 2005-2006, the City required the owners to install a system to assure that no rainwater or surface water flows left, to the property.*

*"Given the state of the wall and the potential for greater surface of ground water flows toward the wall, we want assurance that appropriate steps are taken to protect the integrity of the retaining wall during construction and subsequent occupancy. We also expect that the operators of heavy equipment to work in a way that will cause no physical damage to the wall.*

*"Finally, we wish to point out that none of the walls or materials submitted by applicants show the presence of exterior equipment such as air conditioners, whether roof mounted, or wall mounted. We assume none is intended. If that is not the case and the equipment is intended to be installed next to our property, we wish to be informed immediately. Unlike other properties near the subject property, we live in ours year-round."*

Ms. Ramirez Thomas explained that the vegetation and the groundwater issues are not within the purview of the Board. The City has rules on construction and its management, and it is managed through the permitting process. The PZR addresses generally the ability of the project being permitted and approved. In regard to the air conditioners, they need to come to the Historic Preservation Division for approval prior to being approved. However, the location and proximity to neighboring property does not necessarily mean it will not be approved. That would be between the neighbors to communicate effectively with one another where to locate the units if there is an intent to place them.

Chair Rios indicated as stated by Ms. Ramirez Thomas, the Board has no jurisdiction over any equipment or placement thereof. She asked if correct that the Board would have no purview over the damage to the retaining wall.

Ms. Ramirez Thomas agreed. There are maintenance requirements in 14-5.2(B), but no way to trigger that unless designated an historic structure that is not being maintained appropriately.

Chair Rios confirmed there also is no purview over vegetation or the removal of surface ground water.

Ms. Ramirez Thomas explained the flow from the roof is regulated. That is part of what the preliminary zoning review does. They ensure the project can be permitted and there will not be drainage issues. Also, at the time of permitting the project, the drainage issues and slope of the roof, etc. will be looked at more closely.

**APPLICANTS PRESENTATION:**

Mr. Naktin, previously sworn, said he could give the letter writer peace of mind because by Code the applicant has to provide ponding or cisterns to capture water. The

water will not make its way to the neighbors. On the divided lights on the French doors, the applicant is just trying to match the existing French doors on the back of the house. It is not an issue whether divided or not.

Chair Rios clarified they are non-divided lights.

Mr. Naktin replied historic never gets to see the inside of the house, and the inside is very contemporary. You would never expect it is an old house. Having no divided lights in the back synchronizes with the interior of the house and was why they proposed it. The project has morphed and three years ago they were approved to build a casita in the same location where the addition will be built. The addition will be attached to the house rather than building a casita. He wanted to alleviate the neighbor's concerns; the owners are in Santa Fe permanently now and will be full-time occupants.

Chair Rios asked if any visible equipment is proposed on the roof, such as air conditioning units.

Mr. Naktin replied they have discussed mini splits. The condenser units are low impact and small and are not visible on the roof. That would be the only thing you can see from the outside of the house. Anything else will be painted to match the stucco so it is concealed.

#### **QUESTIONS FOR THE APPLICANT**

None

#### **PUBLIC HEARING**

Robert Davis, 413 Sosaya Lane, Santa Fe, was sworn in. He said he cosigned the letter. He and his wife have been in their house a little over 2½ years. He spoke to Lani McCauly in trying to determine what the letter he received meant. She helped him with what he needed to do. He said there is a problem with the wall, and he wants reassurance construction wouldn't end up on his or the neighbor's property. The wall south of his property is in disrepair and he believes it is on the applicant's property. He submitted the letter to make his concerns known to the Board. He apologized if it is not under the Board's jurisdiction and will bring up the concerns again if the jurisdiction lies elsewhere.

Mr. Naktin said he could only say when he does construction projects, his contractor will often go through the significant phases of construction with the neighbors. This project is low impact and doesn't change the way the property drains and there shouldn't be any impact to the neighbors. They are not close to the property line.

Mr. Davis said he looked forward to hearing from the applicant's representative on the water flow. He thanked them.

Stefanie Beninato, previously sworn, said she wasn't sure the distance this is from the wall, but drainage plans are required when the permit plans are submitted. She thought the architect/owner should keep the neighbors informed. The lack of information produces anxiety. The mini units are low impact, but people may not know how much noise travels on quiet nights and it can be disturbing. She hopes they find a way to contain the noise.

### **BOARD DISCUSSION**

**MOTION:** In Case #2020-002984-HDRB, 105 Calle la Pena, Member Guida moved to approve the project finding that it meets staff requirements and the requirements of this historic district. Vice Chair Katz seconded the motion.

**VOTE:** The motion passed by unanimous (5-0) roll call vote with Members Biedscheid, Bienvenu, Guida, Katz and Larson voting in favor and none voting against.

5. **Case #2020-002978-HDRB. 847 Old Santa Fe Trail.** Downtown and Eastside Historic District. Christopher Purvis Architects, agent for Lisa Freeman, owner, requests a historic status review with primary facade designation, if applicable, for a non-contributing residential structure. (Angela Schackel Bordegaray)

### **STAFF REPORT**

Ms. Bordegaray said 847 Old Santa Fe Trail is a Spanish-Pueblo Revival single-family residence built after 1946. The residence is designated as non-Contributing to the Downtown and Eastside Historic District. Alterations to the house were made in 1996. A one-story addition was added to the east elevation and associated renovation treatments were made. The addition matches the residence with divided lite double-hung windows and exposed lintels. The south elevation window opening was enlarged, and a five-foot yard wall was added along the existing vehicular drive. All windows on the south (east) elevation were replaced with vinyl divided lite windows.

The applicant requests a historic status review of the property.

### **STAFF RECOMMENDATION**

Staff recommended retaining the structure's non-Contributing status per 14-5.2 (C) in the Downtown and Eastside Historic District.

### **QUESTIONS FOR STAFF:**

Chair Rios noted portions of the house that remain are 75 years old. She asked if any of that is intact.

Ms. Bordegaray replied she would let the applicant address that.

Vice Chair Katz said the house is old enough and attractive enough, so why should it be non-contributing.

Ms. Bordegaray explained it appears to be intact, but she based her decisions on the fact that the windows have been replaced on the south elevations. And there has been a lot of change to the house in terms of enlarging the footprint, and outer buildings have been added to the property.

Vice Chair Katz asked if Ms. Bordegaray knew when the windows were replaced.

Ms. Bordegaray said she didn't know. When she visited the site, she determined that the windows were vinyl.

Vice Chair Katz asked if the windows could be 50 years old.

Ms. Bordegaray replied no.

Vice Chair Katz asked why they couldn't be; was it because they didn't make the windows back then.

Ms. Bordegaray said they looked newly installed; within the last 10 years. She suggested the applicant speak to that.

### **APPLICANT'S PRESENTATION**

Christopher Purvis, 518 Old Santa Fe Trail, was sworn in.

Chair Rios asked of the original footprint of the house what remains.

Mr. Purvis directed the Board to the site plan that shows the addition. The addition was put on in the 90s and until then the plan looked H-shape originally. There is an addition done before these owners where the asymmetry makes it appear to be an addition. A piece seen from the street that doesn't include the addition seems intact, and most of the adobe is there. Someone had been doing work in the house before the current owners. Their drawings look like older windows on the west elevation. They are not there now.

Regarding Vice Chair Katz's question, vinyl windows don't last that long. He is clear they are newer, possibly 20 years. There were no records it is definitely a guess. Looking at the west elevation you see the doors with the divided lights. Looking at the house from the front it looks like an old house. He assumed it would be contributing because the Board would see that the adobe is there. On the windows in front, if replaced, it was done well. But the ones in the back do not look like they belong to the house.

Mr. Purvis said looking at the north elevation, the elevations are very far apart, and one is recessed deeply from the other.

Chair Rios asked if his belief were that the south elevation is the most intact and are there other elevations, he would say were also intact.

Mr. Purvis said yes, the south is most intact. Of the other elevations, the west has had all the windows changed, the east has an addition, and the south had windows changed and is not historically compatible. However, the front looks like an old house including the addition and is in keeping with that elevation.

Member Biedscheid said the 1967 aerial shows a one-car garage. She asked Mr. Purvis to talk about any alterations.

Mr. Purvis said it appears a small portal area was added on the east but other than that, looks like an old garage.

### **PUBLIC HEARING**

Stefanie Beninato agreed with Mr. Purvis that enough of the wall material remains that the building is contributing. The underpinnings have been retained, especially the front and that should be the primary façade. That is the most publicly visible and should be contributing because it creates harmony in the streetscape.

### **BOARD DISCUSSION**

Member Guida agreed there is a lot of integrity to this house, but hopes it depends less on the value of historic over 50 years old, and more about the form of the building being intact, having great integrity and windows, and that it represents an important part of the City's history. They have recognized other mid-century buildings as a record of their time. To Member Biedscheid's point, the garage is important and if they consider this a 1946 house, what makes it so is the long driveway and the garage in the back. He doesn't want to hamstring the owners with minor features, but it is part of the integrity of the house and part of the project. He agreed with designating this as contributing with the south façade as primary, including the garage.

Member Biedscheid said for discussion, she wondered if they could look at the west elevation (the driveway façade). The doors have been changed but the railing and the stepped entry appear intact, and the openings are unchanged. She suggested designation of that as well.

Chair Rios asked if Mr. Purvis agreed.

Mr. Purvis said kind of. They are correct about the openings and if looking at the front you would think it could be old, but you might determine the windows are newer. But it has the characteristics, the shape and the lights, etc.

Chair Rios said he sounds like a Board member from the past- and he was a Board member! She said Member Biedscheid's observation was good.

**MOTION:** In Case #2020-002978-HDRB, 847 Old Santa Fe Trail, Member Guida moved to designate the 1946 portion of the house as contributing and the free-standing single car garage as contributing, noting that there is a great deal of form and integrity to the 1946 portion of the house; and that the south façade be designated as primary, excluding the bottom windows. Member Larson seconded the motion.

Member Biedscheid asked if the motion stated a primary façade for the garage.

Member Guida clarified that the primary façade only applies to the main house, and the garage as contributing and the south façade.

Chair Rios noted that Member Guida did not include the west elevation.

Mr. Guida said he did not because it has been changed.

Chair Rios indicated the openings have not been changed, just the sliders are different.

Member Guida said he wanted to exclude the west façade.

Ms. Paez confirmed with Member Larson that she would accept the friendly amendment to add the south façade with the garage.

Member Larson accepted the amendment as friendly.

Ms. Bordegaray asked to weigh in. She said she appreciated the direction the Board went and would also designate the west elevation as primary. The house has the same form in relation to the garage and its placement. If it is not designated as primary, it would be possible to add onto which

would breach the integrity of the house. She agreed the garage should be contributing and thought all of the façades should be primary.

Chair Rios asked if that swayed Member Guida to add the west façade as primary.

Member Guida said he was not swayed.

**VOTE:** The motion passed by unanimous (5-0) roll call vote with Members Biedscheid, Bienvenu, Guida, Katz and Larson voting in favor and none voting against.

6. **Case #2020-002974-HDRB. 530 East Alameda.** Downtown and Eastside Historic District. Sandra Donner, agent for Gail Mills and Phil Haworth, owners, requests a status review for a yard wall. (Daniel Schwab)

#### **STAFF REPORT**

Mr. Schwab said 530 East Alameda is a single-family residential structure with contributing status to the Downtown and Eastside Historic District. The house was constructed in a Spanish Colonial Revival style popular in California around 1934, with a red-tile roof, smooth stucco walls, arched openings and glazed painted tile steps.

This case is in reference to the brick wall which extends along the northern perimeter of the property and to the south along the sides of the driveway and includes a small brick stair. This wall has not been designated a historic preservation status. The bricks are concrete and are most likely made through a wire-cut process. A detailed description is given in the HCPI. The eastern portion of the wall dates from around 1958, while the western and southern portions are later, from around 1966. It is likely that at one time the walls were stuccoed. Small portions reveal traces of a stucco covering.

The HCPI states that the style of the brick wall is incongruous with that of the Spanish Colonial Revival house. In the opinion of staff, this does not detract from the significance of the wall, which, per Section 14-5.2 (C)(I) is a historic record of its time, place through its materials, construction techniques of the bricks and craftsmanship of the wall's concave mortar joints and has such has a high level of historic integrity.

#### **STAFF RECOMMENDATION**

Staff recommended that the historic status of the structure be designated contributing per Section 14-5.2(C)(2) Designation of Significant, Contributing or Noncontributing Status within Historic Districts.

### **QUESTIONS FOR STAFF**

Member Guida asked if correct that the age of the wall is not the same as the house.

Mr. Schwab said the report suggests the wall is later, with the house from the 30s and the wall from the 50s.

Member Guida said the wall is quite low and the detail is not integral to the 1934 architecture of the house.

Mr. Schwab stated the wall is about 3 feet tall and a different style and era, but it is historic and has a prominent place in the streetscape.

Member Guida thought it merely old and not significant to the property.

### **APPLICANT'S PRESENTATION**

Sandra Donner, 1611 Paseo de Peralta, was sworn in. She said the brick wall is quite low, possibly 36 inches at its highest. She could understand what Mr. Schwab was saying about the wall. It is not particularly visible on the exterior and the wall appears to have been installed about 25 years after the house was constructed. Possibly to create a level landscape across the front. A secondary brick wall is on the west side of the driveway that is similar to the brick installed as the driveway surface. The wall is in varying condition and images show the brick is in bad condition. Multiple locations on the wall show stucco covering it at some point. The brick has nothing to do with house and John Murphy said in his report that it is incongruous to the property.

A lot of pieces of the property are harmonious. There is a concrete path, a step and a stucco wall similar to the desert rose stucco color and nature. She agreed it is old but does not believe it is contributing. It adds nothing to the character of the streetscape and does nothing to accentuate the beauty of the house itself. At this point it is detracting.

### **QUESTIONS FOR APPLICANT**

Vice Chair Katz said the picture does show that the wall is detracting, but the detraction is what is on top of the wall. The wall looks fine. He said since when do they require all of it has to be together in the same style when determining contributing status. There are many houses around town that are old with one style in one part and another part in a different style. Those parts are far enough away and right on the street and very visible. He agreed with Mr. Schwab the wall should be contributing.

Member Biedscheid agreed with Vice Chair Katz. They might feel differently if the wall was stuccoed in terms of matching the house. It obviously did match at some point

and the fact that it has been there since 1958 is important. She agreed what is on top doesn't add to the value of a status, but it has nothing to do with this case. The added pergola is not harmonious with the house. She was in favor of protecting the small wall as part of the street scape.

Member Larson said her approach is that this is true to its time in its simplicity and construction. Not being stuccoed, it is interesting they can see the form of the brick. She agreed that the upper portion does detract from the character and she would like to see it as contributing as well.

Member Bienvenu agreed. It is indisputable that the wall does not exactly conform to the Spanish Colonial style. That is part of the reason it might have significance to the streetscape. Spanish Colonial is not an approved style and the brick wall is one of the Santa Fe aspects of this particular structure. It is questionable to have a mixture of elements like that and isn't something you would see in Southern California. But this does look like a Santa Fe house from that era. It contributes to the character of that district, which is what makes it contributing and it has sufficient integrity.

Mr. Schwab suggested they should also look at the wall as an element of itself and it should not be confused with the house. Historic material and methods of construction are very visible in this wall and that would be lost if covered over. There have been ongoing discussions about low walls in this district. This is an exemplary low wall. It shows the history of a low wall in the community that is able to converse with the house. Despite its modesty, it records history very well.

### **PUBLIC HEARING**

Stefanie Beninato, previously sworn, agreed it should be contributing. The contrast with the residential structure is characteristic of Old Santa Fe that has a mixture of style. It informs historically the change between the 1950s and the 60s. The coyote fence on top could be removed. She hoped it would be designated as contributing.

### **BOARD DISCUSSION**

**MOTION:** In Case #2020-002974-HDRB, 530 East Alameda, Vice Chair Katz moved to follow the recommendation of staff and declare the status of the wall as contributing. Member Bienvenu seconded the motion.

**VOTE:** The motion passed by majority (4-1) roll call vote with Members Biedscheid, Bienvenu, Katz and Larson voting in favor and Member Guida voting against.

7. **Case #2020-002983-HDRB. 209 Delgado Street.** Downtown and Eastside Historic District. David Smith, agent for Ivo Nelson, owner, proposes to construct a 475 sq. ft. addition, on a non-contributing property. (Angela Schackel Bordegaray)

### **STAFF REPORT**

Ms. Bordegaray said 209 Delgado is an approximately 600 square foot single-story New Mexico vernacular structure built before 1928. It features a cross-gabled roof and a lower shed roof addition on its east side. It is located in the compound at 209 Delgado Street. In 2013, the board designated it as noncontributing to the Downtown and Eastside Historic District due to significant alterations.

The applicant proposes to add a 475 square foot living room on the west elevation. The applicant proposes to add a 475 square foot living room on the west elevation. This proposal is before the board because it is an addition to an existing house in the Downtown and Eastside Historic District. The addition will be 14' in height where the maximum allowable height is 14' - 7". The addition's north facade will have divided lite wood clad units and awning windows above the French doors. New windows will be clad in "Sea Green Foam" by Jel Wend, manufacturer. This facade is not publicly visible. A skylight is called out on the plans on the south (front) elevation. The applicant did not provide this item in the proposal letter but can offer testimony to the HDRB at the hearing.

The stucco will match the existing house, El Rey "Adobe."

### **STAFF RECOMMENDATION**

Staff recommended approval of the proposed project and found that the application complies with Section 14-5.2(0) General Design Standards for all H Districts and 14-5.2(E)(2) Downtown and Eastside Design Standards, Recent Santa Fe Style.

### **QUESTIONS FOR STAFF**

None

### **APPLICANT'S PRESENTATION**

David Smith, 132 W. Berger St., Santa Fe, was sworn in. He said they came before the Board about two years ago and received the approval for a more extensive remodel. That included an addition on the west side as well as cosmetic changes to the structure and a carport on the east side. On further consideration of the lot size, the owners decided to build a new living room which has changed slightly from the originally approved design. It ties to the existing structure, primarily on the south façade that is visible. The

living room will be 14 feet high and about 17 x 30 feet. The original house is about 950 square feet and no room is larger than 10 x 13 feet. This would make the house functional while using the existing structure essentially as it is.

### **QUESTIONS FOR APPLICANT**

Chair Rios asked if the house has a pitched roof or is a combination of pitched and flat.

Mr. Smith said it is a combination of pitched and flat. The pitched shows from the south elevation. The flat side is slightly sloped but not a parapet and the primary view is that this is a pitched roof house.

### **PUBLIC HEARING**

Chair Rios called for public comments, no public comments were given.

### **BOARD DISCUSSION**

Vice Chair Katz said he sympathizes with the need for more space. His problem is that it looks like a big box that is incongruous with the rest of the house. He thought if it had a real pitched roof it would look a lot better and complement the portions of the house with the two pitched roofs.

Chair Rios asked Mr. Smith if he wanted to respond.

Mr. Smith said he wanted to reiterate that the south elevation is the only one that is entirely visible by the private drive. That is where they brought the pitched roof over to bring down the scale for the front door and push the higher part back. That was a change from the originally approved plan with a full high wall on the property line. Also, the back elevation is private and cannot be seen even from the neighbor on the other side, and the west elevation is obscured by the fence and trees.

He said he understands the comment, but his goal was to create space to open up the house. It has 7½ to 8 foot ceilings. He wasn't trying to mimic the noncontributing structure but to add to its history.

Chair Rios clarified that Mr. Smith said the proposal could not be publicly seen from anywhere.

Mr. Smith said the north elevation cannot, but the west elevation can be partially seen as you enter the private drive.

Chair Rios clarified that the proposal was on the north elevation.

Mr. Smith showed the west elevation on screen noting that by bringing the roof across in the proposed drawing, the roofline continues across. The actual box is set back, and you only see a portion.

Vice Chair Katz said he didn't want to deny him height in the room. He suggested on the south elevation if it continued up to a peak at the same angle, it wouldn't look so boxy from the front or west view.

Mr. Smith agreed.

Vice Chair Katz said the inconsistency from the rest of the house bothered him.

Member Bienvenu agreed with Member Katz that it is an odd structure. He said if you could see the north elevation it would be unacceptable, but comparing it to what was approved, isn't clear. This could be better than what was approved and is less obtrusive from the public view and it could be built without returning to the Board.

**MOTION:** In Case #2020-002983-HDRB, 209 Delgado Street, Member Bienvenu moved to approve the application pursuant to steps recommended and in accordance with general design standards.

The Motion died for lack of a second.

In Case #2020-002983-HDRB, 209 Delgado Street, Vice Chair Katz moved to postpone to a date certain for redesign to make the addition a pitched roof. Member Guida seconded with a friendly amendment that a pitched roof be under consideration with the goal of the design to be more congruent with the existing home.

Vice Chair Katz accepted the friendly amendment.

Ms. Ramirez Thomas said February 9, would be the soonest this could be heard, or it could be postponed without a date certain.

Chair Rios suggested setting February 9<sup>th</sup> as the date and the applicant could let them know if not ready and go to the next available date.

**VOTE:** The motion passed by unanimous (5-0) roll call vote with Members Biedscheid, Bienvenu, Guida, Katz and Larson voting in favor and none voting against.

Mr. Smith said the original living room design which was already approved will probably be their course of action but leave them on for the 9<sup>th</sup> of February. If they make any changes they will come back, otherwise they will go directly to permit.

8. **Case #2020-002986-HDRB. 310 Magdalena Road.** Downtown and Eastside Historic District. Architectural Alliance, agent for Shehan Prull and Quincey Sweeny, owners, requests with primary facade designation for a contributing residential structure. (Angela Schackel Bordegaray, 955-6127, [asbordegaray@santafenm.gov](mailto:asbordegaray@santafenm.gov))

### **STAFF REPORT**

Ms. Bordegaray said 310 Magdalena is a vernacular style single-family residence which has a historic status of contributing to the Downtown and Eastside Historic District. The home was owned by the Archuleta Family. It is partially built into the hillside and sits prominently on a hill above the intersection of Magdalena and Paseo de Peralta. It is publicly visible from the west and south elevations. Its core likely predates statehood. It has undergone several expansions over its lifetime of housing three generations of the Archuleta Family. The south elevation was added onto sometime before 1970. It has few of its original windows. Windows on the south addition are metal sliding; its overhang is modern has a metal fascia.

The driveway has a low stonewall situated at the base of its front (west) facade. Based on several alterations over the years, it lost a section at the east end and deterioration of the surviving east termination has affected its overall historic integrity. The house maintains its historic status as contributing to the Downtown and Eastside Historic District. The stonewall along the driveway appears to be of historical vintage but has had materials removed and is in a state of deterioration. The stone facing along the landing is non-historic.

The applicant is before the board for a historic status review and designation of primary facade(s) as applicable. The applicant has provided a new Historic Cultural Properties Inventory (HCPI) form that extensively describes both the construction sequence and family history.

### **STAFF RECOMMENDATION**

Staff recommended retaining the structure's Contributing status per 14-5.2(C) Regulation of Significant and Contributing Structures in the Historic Districts. Staff recommended designating its west facade primary and the stonewall as non-contributing.

### **QUESTIONS FOR STAFF**

Chair Rios asked to see the photograph showing the front and wall. She asked if correct that the Board is to determine status for the house, the driveway wall, and the wall in front of the house.

Ms. Bordegaray said that was correct. There is non-historic wall in the driveway and another wall that is significantly deteriorated that is not historic.

Vice Chair Katz said the driveway wall looks like a complete wall, although other pictures show deterioration. He was concerned about how far the wall used to go and the percentage of the wall that remains.

Ms. Bordegaray said she understood reading the discussion of the survey form, a wall is probably there, but is of new material. The deterioration is obvious of the east end going up the driveway.

Vice Chair Katz said he is looking at three courses of cut block with a course of uncut block on top of that. He asked if that was not historic.

Ms. Bordegaray said most of it is not historic. It is new rock according to the surveyor and she agreed.

Member Guida asked how old the stone wall is in front of the west façade.

Ms. Bordegaray said that was undetermined in the survey. They are not sure if it was added later.

Member Guida asked if that was shown in the aerial photographs.

Ms. Bordegaray put the aerial photographs on screen showing the concrete pad with front facing wall. Some form of the pad was there 50 years ago but whether it was faced with rock is undetermined. The rock on site appears to be non-historic.

Vice Chair Katz said the report and record states that the aerial photographs and the materials along the driveway may be of historic vintage. It notes the loss of a section at the east end that had its integrity affected. But what is left, that may be historic. He said he doesn't know why that shouldn't be saved and that seemed to contradict what Ms. Bordegaray said. If we know the date, we should try to find out more about it.

Ms. Bordegaray said it was studied exhaustively. She agreed some kind of a wall obviously has been there and this may be the vestiges of what was there. What was built on top of it has also deteriorated and is not historic.

Vice Chair Katz said he saw no evidence that this is not an original wall.

Ms. Bordegaray showed the lot onscreen. The lot location is prominent and sits atop Paseo de Peralta to the south. She feels the historic form is there and is central to the historic nature of the house. But she also knows that the material there is not original or considered historic. The surveyor's recommendation is not to recommend as contributing. She said she recommends that it may not qualify as contributing status but,

in its form should stay. It is clearly integral to the setting of the house in its relation to the street. The Board could consider that and make its own decision. The surveyor discussed this in detail and her recommendation was based on that.

Vice Chair Katz clarified they were discussing the driveway wall. He asked why she would think it could be anything other than over 50 years old. He agreed the right side had been cut, but this wall hasn't changed.

Ms. Bordegaray replied the material itself isn't historic, but the siting is historic.

Vice Chair Katz said the rocks are over 50 years old. He asked what her basis is to assert they haven't been there for 50 years.

Ms. Bordegaray said the aerial of the historic survey on page 16, it doesn't show the driveway wall. She asked Ms. Ramirez Thomas to put that on screen.

Ms. Ramirez Thomas noted page 19 shows the historical alignment of the wall. She thought Mr. Murphy had indicated that the wall was present in 1970 but the length of it had changed. On page 17 it states that the aerial photographs suggest the wall may be of historic vintage. However, the loss of a section at the east end and the deterioration of the surviving east end may have affected its integrity. There is no indication that the stone is not historic and there is evidence there is alignment there. The ends of the wall may have been altered. That is where the comment on integrity is in the report.

She said staff and the Board may disagree on the interpretation, but the HCPI provides reliable information.

Vice Chair Katz acknowledged some of the east end of the wall is no longer there. But a large portion of the wall that remains intact is visible. Like the garage in the earlier case, half of it is gone, but that doesn't mean what is left isn't sufficiently old and of its original design and style and shouldn't be contributing and retained. He felt the same about the wall. Three quarters of it is still there, it is old and should be contributing for that reason.

Chair Rios asked if anyone had tried to contact the Archuleta family.

Ms. Bordegaray thought the applicant had tried and they should ask the applicant. Mr. Murphy, the surveyor was in touch with the family during the research.

Chair Rios asked if correct, on the wall closer to the house, the aerial view appears to show a platform or something there.

Ms. Bordegaray said the platform seems to be there, but the stone platting cannot be dated earlier. There is conjecture as to when it was placed there.

Member Guida said he was troubled by some of the staff recommendations on cases like this and also troubled by the direction the Board conversation has taken. He thought it important to remember most of the status reviews the Board does are not on pinnacle works of architecture or meaningful historical sites. There is a designation of significant and code supplies a more stringent standard. Most of the time when talking about contributing buildings we are talking about buildings such as this. The hard and fast is not the 50 years plus and is not actually historic material. They review projects all the time that are contributing or significant and approve people to restucco, resurface, repair/install new windows. But that doesn't change the status of the house.

The Board is looking here in terms of status review, in particular, if contributing, at whether the character defining features actually contribute to the district. Whether it informs more detail, or a stone wall has been there for a long time and is typical of vernacular houses. That is far more important than the exact carbon dating of the stone or the details on the building. We have judgment calls to make both in terms of staff and the Board.

Member Guida said he is looking at the south elevation with the 70s addition. It is not attractive, but it is 50 years old. He doesn't think just because it is old, they would say it's important to the district when it is not. It doesn't have character defining features that are typical. He wants to be careful and reorient the Board toward the guardrails they should be looking for in reviews.

Member Larson said Member Guida raised important concerns and goes back to the investigation done by the Board. They are all looking at these thoroughly and not in vain. There is a valid investigative aspect and in this case, it comes down to the footprint. The aerial does a good job highlighting the historic footprint. Whether a two-year difference of the 70s; it is close. Chair Rios made a good point about using more community input and sources of those associated with the property. That could help further the holistic approach. It may not be significant structure, but it is important to our community fabric.

### **APPLICANT'S PRESENTATION**

Mr. Enfield, previously sworn, said he wanted to talk more about the house. The Archuleta's have spent part of their lifetime trying to put a portal on the front of the house. The Board has denied that. He asked that the HCPI photo #13 west front façade landing, stone cladding be shown. He said Mr. Murphy felt this wall wasn't historic because water came off the deck and deteriorated the masonry wall underneath it. A new CMU wall was built in front of the old concrete and they repurposed a portion of the end of the wall and put it on the front of the CMU. He thought the deteriorating stone was pulled off the wall and put on the front of the house. The porch was starting to fall away from the house and

the water damage was documented. That was why the Board feels the stone in the front has been altered significantly, they built another wall with the CMU. The joints are modern as well as the CMU and the wall has different kinds of stone. He was fairly certain some of the stone came off that wall. The wall along the driveway has been there a long time and that stone was repurposed.

Mr. Enfield said they were before the Board in the 80s and 90s and were denied so they put more concrete in front of the wall to stop it from moving. That will have to be dealt with when they remodel. The CMU is holding the water back instead of allowing the water to flow away from the front of the house and he is more worried about the condition of the house. He agreed that the two windows and door appear original but doesn't agree with the metal canales. They were added later and there is a good chance the vigas are not left. The three canales are metal and untraditional on a building like this. He thought they capped the vigas at the same time.

He had no doubt that the west façade is primary with the three original openings. Even on the south façade, the front room appears to be changed from a door to window or vice versa. Work was done all around the house and there is a hodgepodge of windows on the north and east elevations. The wall is probably going to be older and from his client's point of view it is important to be able to provide parking. They don't have that right now so will probably talk to the Board about an area to park in front of their house. Currently you have to back down the driveway and that may be why there is wall damage.

Mr. Enfield thought there are portions of the east wall that were deteriorated when they built the CMU to stop the concrete patio from falling off the front of the house. The age of the wall looks to be added recently by the border work and the rocks on the face of the CMU wall, probably in the 70s. His clients intend to provide two parking spaces at the top of the driveway, not tear down the wall and they talked about adding portals.

He said he wanted to know what character defining features are on the front of the building, so he knows what is important to the Board. He considers the house the most important because it is the most prominent. The wall is part of that, but they are not looking to destroy what exists or is historical. The Archuleta's thought the driveway was historical. They bought the alley from the City and there wasn't a driveway there until then, probably the late 60s. The stone wall was part of the landscaping before the slope dropped off the side. They built a driveway next to it and the retaining wall along the bank.

#### **QUESTIONS FOR APPLICANT**

Chair Rios asked how old the house is.

Mr. Enfield said the original box might be late 1800s. The 1912 Kings map shows the L shape structure. There was no driveway there until 2004.

Chair Rios said regarding the middle canales, they are really old. She knows of several houses in Santa Fe including part of one she lived in, with the metal canales. The canales were built in the 20s and 30s.

### **PUBLIC HEARING**

Chair Rios called for public comments, no public comments were given.

### **BOARD DISCUSSION**

Member Biedscheid said what stands out as important is its siting and that the reference by HCPI that the house is perched on the hill in what is described as a "marginal second to the houses directly on the street." That is important. The HCPI reported that this was undesignated as "no street" at one time. The driveway wall and the landing in front of the house preserve that history of the house's off the street location. Also, she believes from the HCPI and the 1958 aerial that the driveway wall thought of as the former property line, lines up with what Mr. Enfield was saying. She was in favor of designating both the west and south façade as they appear unchanged but excluding the 1970s addition.

Mr. Enfield asked if he could offer the chance for the present owner of the property to speak. He added that the south elevation opening was changed and is not an historic window.

He disagreed with Member Biedscheid. This is a small footprint and has nowhere to go except the south façade and is important for his client's ability to use the house. Also, on the wall, they know it has issues and they will have to do something around the wall to provide parking. But he doesn't think there will be a problem to get the wall back to a shape it can survive.

Quincy Sweeney, 22 Piute Road, the owner, was sworn in. She thanked the Board. She said we are excited to own this piece of Santa Fe history. Her grandmother lived on Washington Street and she loves the idea that she can almost see her old house from the new house. They are thankful for the opportunity to make the house all that it can be without affecting the historical nature and will try to maintain the best parts of it while making it livable and a wonderful place.

**MOTION:** In Case #2020-002986-HDRB, 310 Magdalena Road, Vice Chair Katz moved to designate the west part of the building as the primary façade and

to designate the driveway wall as a contributing structure, recognizing it ends substantially short of the house. Member Guida seconded the motion.

**VOTE:** The motion passed by majority (4-1) roll call vote with Members Bienvenu, Guida, Katz, and Larson voting in favor and Member Biedscheid voting against.

9. **Case #2020-002973-HDRB. 717 West Manhattan Avenue.** Westside-Guadalupe Historic District. Robin Smith, agent/owner proposes to reroof a contributing structure and requests an exception to change roofing materials, per Section 14-5.2(C)(5)(b). (Daniel Schwab)

### **STAFF REPORT**

Mr. Schwab said 717 West Manhattan Avenue is a single-family residential structure with contributing status to the Westside-Guadalupe Historic District. It was built by 1928. It has adobe walls and a hipped tar-shingle roof, a style that is common in this historic district. The material of tar shingles is assumed not to be original. The roof materials are 14 years old.

The roof is in poor condition and needs to be replaced. The applicant is requesting an exception to Section 14-5.2(0)(6), which requires that existing roof materials be maintained or replaced in kind. The applicant argues that there are several houses in the district with similar metal roofs so that this change would not harm the district. Additionally, the change would prevent the hardship of having to replace again in a short period of time.

### **STAFF RECOMMENDATION**

Staff recommended approval of the proposed project and found that the application complies with Section 14-5.2(D) General Design Standards for all Historic Districts, and 14-5.2(E) Downtown and Eastside Design Standards. Staff recommended that the exception criteria per Section 14-5.2(C)(5)(b) for an exception to Section 14-5.2(0)(6) have been met.

### **QUESTIONS FOR STAFF**

None

### **APPLICANT'S PRESENTATION**

Robin Smith, 129 A. Arroyo Calabasas Road, was sworn in. She said the Board are troopers. She has never been involved in this process and is impressed. She bought

the house in November and it needs to be reroofed and she thought a metal roof is more attractive and incongruous with the neighborhood.

### **QUESTIONS FOR APPLICANT**

Member Guida said he understands why the shingle roof might have failed. The roof has a low slope and is possibly too shallow, per the makers of the shingles, over the porches in the rear addition. A metal roof is a good choice for the district and the issue with the less sloped roof and is appropriate. He said she would have the same problem with anything like Pro Panel. Some slopes are too shallow for a Pro Panel roof despite what the installer says. The types of roofing, like standing seam that don't have the same fasteners, would be a better choice. It is not screwed through to the roof and there are no exposed fasteners.

Ms. Smith replied she will consider that. She has a Pro Panel roof on her current house, but it is a steep sloped roof.

Chair Rios asked Member Guida what his experience is with corrugated tin.

Member Guida said that may be an option, but the question is the same issue. The Pro Panel has a connotation of being inexpensive and a quick fix. However, the Northern New Mexico architecture and the arrival of the railroad and metal roofing material, made corrugated relatively inexpensive. If the roof were steeper, he would have less caution on a corrugated or Pro Panel, or anything with a fastener. Here the issue is longevity and choosing the right material for a low sloped roof.

Member Larson said she has an issue that every time they discuss replacement that is not in kind, it boils down to photographs. She thought the photos homogenize a certain style of house, even if not the most appropriate. She would flag that in their discussion whether to grant an exception and replacement roofing material that is not in kind. Also, she has a concern about the lack of evidence to discuss the materials that were previously there. She is more inclined to approve an exception when she knows if there was a metal roof that was historic, rather than asphalt shingles added 15 years ago. She added she is also not keen to match the green facia color because it is so intense. Matte silver might be better.

Vice Chair Katz said he appreciated that a metal roof might last longer than the asphalt tile, but absent any evidence the roof has always been asphalt tile, it is not an excuse for the exception. The roof should be replaced in kind.

Chair Rios asked Ms. Smith if she knew the history of the shingled roof.

Ms. Smith replied beyond what Mr. Schwab helped her uncover, they couldn't go further back. She added she isn't married to the green and would consider other hues.

Chair Rios asked whether the photograph showed a shingled roof.

Mr. Schwab said he would look at the photograph from the HCPI.

Member Biedscheid said the HCPI report would help to know if asphalt shingles were manufactured at the time of construction in 1928 and possibly original. She appreciated Member Larson's comments, they are important and agreed about the color.

Member Bienvenu also thought it seemed they are proliferating that style of roof in the historic district. He wanted more insight into the extent they are instigating a modern phenomenon as opposed to the historical look of the neighborhoods. It is hard to tell the difference because they are so common in these neighborhoods and historical background would be helpful. We seem to approve them regularly and replacing with asphalt shingles doesn't seem very friendly nor are they aesthetically attractive. He was inclined, given the information, to approve it for those reasons, but agrees it might not be the best choice.

Mr. Schwab said there are two HCPIs, one from 1996 and the other from 1985. The 1985 report identified an asphalt shingled roof, but there is no record on the original roof.

### **PUBLIC HEARING**

Stefanie Beninato, previously sworn, wanted to point out that public comments were not called. She wanted to make a comment on the previous house.

Ms. Paez said she respectfully disagreed and had it on record that Chair Rios did call for public comments.

Chair Rios said as a matter of fact, she thought Ms. Beninato had actually left. She asked Ms. Beninato to proceed with her comments on this project.

Ms. Beninato said she had not commented on the case before, and deliberately didn't comment on the Delgado Street project. She would ask Melissa to see if there is actually a request for a public hearing.

On this project, she appreciated Member Larson's comments on proliferating more homogenous materials, because each roof is different. Also, the insistence about the roofing type on Don Gaspar and how important that the historic material be kept. Again, maintenance is not considered a hardship because the roof will only last half as long. Those issues are empathetic to the owner to have a roof last as long as possible. But

she appreciates the diversity they have, or did have, in the historic districts. That is also an important factor.

### **BOARD DISCUSSION**

Member Biedscheid said Ms. Beninato mentioned the Don Gaspar house. She also considered that case when looking at this case. In that case the shingles were wood and original roofing, but in this they don't know if asphalt shingles are original to the house.

Chair Rios said one thing she considers when she evaluates projects is that people are living in these homes. The Board tries to improve what was there before and to naturally try to keep the history alive in the home. She didn't know in this case if the shingles are original but should remember that people will make this their home. They will want roofing material that will last. But, obviously as an historic board, they need to weigh everything.

Member Larson said metal roofs are not the answer to eliminating maintenance. Nothing is maintenance free or lasts forever. Preservation has to be considered in any material the Board approves. At the end of the day, they want to be true to the house and preserve the house historically. Member Biedscheid made a good point about the longevity of asphalt shingles, and how long they have been around and would be characteristic for this home as a material choice. She still favors a replacement in kind.

Vice Chair Katz wondered what the cost for a metal roof is versus a shingled roof. It may be less expensive to keep doing asphalt.

Ms. Smith explained she received three bids for metal and for shingle. The metal roof to her surprise was slightly more than the shingle, but not far apart.

Chair Rios said she lived in a house for 20 years with a shingle roof and had zero problems.

Member Guida wanted to be careful how they treat the projects and on Member Larson's comments about making decisions based on things because it is already there. He agreed the color is not suitable. It is conceivable that this house had an asphalt roof when it was built in the 20s and 30s, but it is not known. He takes issue with ruling out metal as inappropriate. It has been used in Northern New Mexico since the railroads arrival and is common and would not be uncommon in a house of this period.

All the more reason for reinforcement when the homeowner has come to them and said there are issues with the particular material used or will fail when it is installed. He didn't think it was okay or advisable for the Board to say that a material will fail in a short period of time or is being installed against the manufacturers' recommendations. Metal

roofs are part of the Northern New Mexico landscape and part of these districts. The Board is considering an exception tonight and if this was just a case going to staff, he likes the shingles just fine. But this applicant requested an exception, and it is not out of line to recommend a metal roof under these circumstances. He said he is not comfortable with recommending a product that will not work on this house.

Chair Rios said since Member Guida indicated that a Pro Panel roof would have issues with water, if the Board recommends metal, the applicant should explore the different possibilities.

Member Guida agreed. It would most likely be standing seam or something without fasteners, which might be more expensive.

Mr. Schwab reminded the Board that the applicant has addressed three exception criteria and it was important for them to address those, whether approving or denying. The criteria have to do with the character of the district, which is why they have examples of other structures in the district. With hardship and structural properties of the house, which Mr. Guida addressed. And the third has to do with ruling out other options. He asked the Board bear those in mind as they make their motion.

Ms. Paez said also the ability for people to continue to reside in a historic district.

Vice Chair Katz said just because metal roofs have been around for a long time and are common in the area, that is not how our Historic Code is written. The Board's job is to maintain the historic style, look and materials of an historic house, unless there are good reasons such as what Mr. Schwab outlined. It is inaccurate to say if you put in asphalt tile it will fail. It will, but they will get 15 years out of it. They have no idea how the original asphalt tile roof was done and if done correctly and there is no evidence of the expected lifespan of a shingle roof. It may be a hardship to have to reroof your house every 15 or 20 years rather than every 35 or 40 years. They don't even know the cost difference. That is not the kind of hardship that would prevent someone from living in an historic house in an historic district.

**MOTION:** In Case #2020-002973-HDRB, 717 West Manhattan Avenue, Vice Chair Katz moved to deny the exception based on the fact that the exception criteria had not been met. Although it would not ruin the character of the neighborhood, it is not a hardship and the option to maintain the shingle roof is an acceptable alternative. Member Larson seconded the motion with a friendly amendment to add that the exception criteria have not been met also because the choice to maintain the roof material in kind maintains the heterogeneous character of the district.

Vice Chair Katz accepted the friendly amendment.

**VOTE:** The motion passed by majority (4-1) roll call vote with Members Biedscheid, Bienvenu, Katz and Larson voting in favor and Member Guida voting against.

Member Bienvenu clarified he voted in favor because the exception criteria read as stated in the motion, "*the existing roof material shall be maintained or replaced in kind if necessary.*" He originally thought that material had to be original to the building, but it is actually at the time the application comes before the Board. He agrees the exception criteria was not met and why he voted in favor of the motion.

Chair Rios thanked Ms. Smith for her time. She explained that the applicant does have the option to appeal to the City Council after the Findings of Fact and Conclusions of Law have been approved, up to 15 days.

**I. DISCUSSION ITEMS**

None

**J. MATTERS FROM THE BOARD**

None

**K. NEXT MEETING:** Thursday, January 28, 2021

**L. ADJOURNMENT**

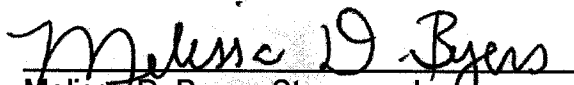
Chair Rios adjourned the meeting at approximately 10:30 pm.

Approved by:



Cecilia Rios, Chair

Submitted by:



Melissa D. Byers, Stenographer  
For Byers Organizational Support Services