



AGENDA

HISTORIC DISTRICTS
REVIEW BOARD
MAY 25, 2021
5:30 PM
ATTEND VIRTUALLY

AMENDED AGENDA

SPECIAL PROCEDURES FOR VIRTUAL ATTENDANCE AND PUBLIC COMMENT

Attendance: In response to the State's declaration of a Public Health Emergency, the Mayor's Proclamation of Emergency, and the ban on public gatherings in excess of those permitted in the current Public Health Order, the Finance Committee meeting will be conducted virtually.

Viewing: Members of the public may stream the meeting live on the City of Santa Fe's YouTube channel

at <https://www.youtube.com/channel/UCuW5Fb7iWuKpTdsWYNDurgA>. The YouTube live stream can be accessed at this address from most smartphones, tablets, or computers.

Attending on Zoom: Members of the public may attend the Zoom meeting on a computer, mobile device, or phone. The video conference link and teleconference number will be posted at <https://santafe.primegov.com/public/portal> at least seventy-two (72) hours before the meeting. The direct Zoom link

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pwd=NWpIL0Q1ai9sSjY1aFhFNWdHdXdLQT09](https://us02web.zoom.us/j/83191941803?pwd=NWpIL0Q1ai9sSjY1aFhFNWdHdXdLQT09)

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Webinar ID: **831 9194 1803**.

Public Comment:



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- By video: A person attending the Zoom meeting by video conference (using a computer, mobile device, or smart phone) may provide public comment during the meeting. Attendees should use the “Raise Hand” function to be recognized by the chair to speak at the appropriate time.
- By phone: A person attending the Zoom meeting by phone may provide public comment during the meeting. Phone attendees should press *9 to use the “Raise Hand” function to be recognized at the appropriate time.
- In writing: A person may submit written public comments by 5pm the Monday prior to the meeting via the virtual comment “button” at <https://santafe.primegov.com/public/portal>.

A. ROLL CALL

B. APPROVAL OF AGENDA

C. APPROVAL OF MINUTES:

1. April 27, 2021
2. May 4, 2021
3. May 11, 2021

D. APPROVAL OF FINDINGS OF FACT AND CONCLUSIONS OF LAW

1. 2020-2791-HDRB. 530 Garcia Street.
2. 2021-3185-HDRB. 1299 Canyon Road.
3. 2021-3284-HDRB. 121 Aviation Way (Airport Remodel).
4. 2021-3370-HDRB. 310 Magdalena.
5. 2021-3380-HDRB. 806 Don Gaspar Avenue.
6. 2021-3458-HDRB. 109 E. Palace Avenue.



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7. 2021-3459-HDRB. 104 Calle la Pena.
8. 2021-3460-HDRB. 819 Camino Atalaya.
9. 2021-3461-HDRB. 810 Waldo Street (Remodel).
10. 2021-3533-HDRB. 530 E. Alameda.
11. 2021-3534-HDRB. 810 Waldo Street (Status).
12. 2021-3539-HDRB. 302 Sena Street.

E. MATTERS FROM THE PUBLIC

F. STAFF COMMUNICATIONS

1. Ethics and Open Government Training

G. OLD BUSINESS

1. Case 2021-003387-HDRB. 220 Otero Street. Downtown and Eastside Historic District. Architectural Alliance, agent for Otero Partners LLC, propose an addition of 11,175 sq ft to a non-contributing structure. (Nicole A. Ramirez Thomas/ Daniel Schwab)

H. NEW BUSINESS

1. Case 2021-003609-HDRB. 816 Camino Atalaya. Downtown and Eastside Historic District. Colleen Gavin, agent for Jill and Ray Weeks, owners, proposes to construct a 2,920 sq. ft. single-story structure on a vacant lot to a maximum height of 18'-4" where the maximum allowable height is 18'-8" and courtyard walls (Angela Schackel Bordegaray, 955-6127, asbordegaray@santafenm.gov).
2. *Case 2021-003461-HDRB. 459 Camino Manzano. Downtown and Eastside Historic District. Martinez Architectural Studio, agent for Carolyn Kenny and Craig Smith, owners, proposes to demolish an existing non-historic carport*



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and construct a 565 square foot garage to a height of 13 feet on a non-contributing property. (Daniel Schwab)

3. Case 2021-003611-HDRB. 84 E. San Francisco. Downtown and Eastside Historic District. John Padilla, agent for Mark Suleiman, owner, proposes to alter windows and doors on a non-contributing building. An exception is requested to 14-5.2(E)(1)(c) to exceed the 30 inches in dimension on single panes of glass. (Angela Schackel Bordegaray)

- I. DISCUSSION ITEMS
- J. MATTERS FROM THE BOARD
- K. NEXT MEETING: Tuesday, June 8, 2021
- L. ADJOURN

Persons with disabilities in need of accommodations, contact the City Clerk's office at 955-6521, five (5) working days prior to meeting date.

Approved by the City Clerk's Office

Date: May 21, 2021

Time: 10:30 AM

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HISTORIC DISTRICTS REVIEW BOARD
May 25, 2021

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1. Case#2021-003387-HDRB		
H. New Business		
1. Case 2021-003609-HDRB 816 Camino Atalaya.	Approved	17-19
2. Case #2021-003461- HDRB 459 Camino Manzano	Approved	19-21
3. Case #2021-003611 HDRB 84 E. San Francisco.	Postponed to June 8, 2021	21-30
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**MINUTES OF THE CITY OF SANTA FE
HISTORIC DISTRICTS REVIEW BOARD
May 25, 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 5:37 p.m. at a virtual meeting held at <https://www.youtube.com/watch?v=c085VEAZvHU>.

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 Bienvenu
Mr. Anthony Guida
Ms. Flynn G. Larson
Mr. Buddy Roybal

MEMBERS EXCUSED:

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. Paez said if preferred the Ethics & Campaign Review Board training at the beginning of the agenda could be moved to the end.

Chair Rios agreed it would be good to hear the applicants first.

MOTION: Vice Chair Katz moved, seconded by Member Bienvenu to revise the agenda and move the Ethics training to after the cases are heard.

VOTE: The motion passed by unanimous (6-0) roll call vote with Members Biedscheid, Bienvenu, Guida, Katz, Larson and Roybal voting in favor and none voting against.

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

VOTE: The motion passed by unanimous (6-0) roll call vote with Members Biedscheid, Bienvenu, Guida, Katz, Larson and Roybal voting in favor and none voting against.

C. APPROVAL OF MINUTES:

1. April 27, 2021

MOTION: Member Bienvenu moved, seconded by Member Biedscheid to approve the minutes of April 27, 2021, as presented.

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

2. May 4, 2021

Member Bienvenu requested the following amendments: on page 12, second sentence, asked to change “issues” to “is used to”; in the third sentence, “this is unusual,” should read, “this case is unusual”; and in the third paragraph, second sentence, the word “ordinance” should be “resolution”.

Member Biedscheid requested the following amendment: on page 9, paragraph 11, “The combination of height and undivided windows ~~was a good addition as is~~ adequately distinguished the new addition from the historic building.”

MOTION: Member Bienvenu moved, seconded by Member Biedscheid, to approve the minutes of May 4, 2021, as amended.

VOTE: The motion passed by majority (3-0) roll call vote with Members Biedscheid, Bienvenu and Roybal voting in favor, none voting against and Members Guida, Katz and Larson abstaining.

3. May 11, 2021

Chair Rios requested the following changes: on page 20, asked under Vote, second sentence, to add "historic" after the word "house"; and the correct spelling for the owner of the house on Waldo is Dr. Guiberteau.

Vice Chair Katz requested the following changes: on page 5, two paragraphs above the motion, asked to add to his statement after "He thought the house absolutely terrific..." "*but he didn't think it qualified because it had not had its inspection.*"; on page 6, fifth paragraph, Change "this" to "*the westerly most house blocking the contributing house.*"; and in the paragraph after that change "it" to "that house"; on page 13, second to last line, change "*has*" to "have"; and "*lentils*" should be changed to "lintels".

Member Biedscheid requested the following changes: on page 7, in the third paragraph, under Vote, change "to restore its importance" to read, "to restore its original roof shape is important."; on page 17, ninth paragraph, change "in" elevation with "an elevation"; on page 19, under Motion, seventh paragraph, first sentence, change "The Board has "allowed", to the Board "has required replacement".

MOTION: Member Biedscheid moved, seconded by Vice Chair Katz to approve the minutes of May 11, 2021, as amended.

VOTE: The motion passed by majority (3-0) roll call vote with Members Biedscheid, Bienvenu and Roybal voting in favor, none voting against and Members Guida, Katz and Larson abstaining.

D. APPROVAL OF FINDINGS OF FACT AND CONCLUSIONS OF LAW

1. 2020-2791-HDRB. 530 Garcia Street.
2. 2021-3185-HDRB. 1299 Canyon Road.
3. 2021-3284-HDRB. 121 Aviation Way (Airport Remodel).
4. 2021-3370-HDRB. 310 Magdalena.
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6. 2021-3458-HDRB. 109 E. Palace Avenue.
7. 2021-3459-HDRB. 104 Calle la Pena.
8. 2021-3460-HDRB. 819 Camino Atalaya.
9. 2021-3461-HDRB. 810 Waldo Street (Remodel).
10. 2021-3533-HDRB. 530 E. Alameda.
11. 2021-3534-HDRB. 810 Waldo Street (Status).
12. 2021-3539-HDRB. 302 Sena Street.

MOTION: Vice Chair Katz moved, seconded by Member Biedscheid to approve the Findings of Fact and Conclusions of Law as presented.

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

E. MATTERS FROM THE PUBLIC

Stefanie Beninato thanked staff for having the wall on West Houghton and Allendale stabilized and repaired. She said it looks like it will stay up now.

F. STAFF COMMUNICATIONS (Revised Agenda Order)

1. Ethics and Open Government Training

Moved to the end of the agenda.

G. OLD BUSINESS

Chair Rios said if an applicant disagrees with the decision of the Board the applicant can appeal to the City Council.

1. **Case 2021-003387-HDRB. 220 Otero Street.** Downtown and Eastside Historic District. Architectural Alliance, agent for Otero Partners LLC, propose an addition of 11,175 sq ft to a non-contributing structure. (Nicole A. Ramirez Thomas/ Daniel Schwab)

STAFF REPORT

220 Otero Street is a property with two Territorial Revival style buildings which were reviewed by the HDRB for historic status in 2017. In April of 2021, a design requiring exceptions to alter the contributing McKee office Building and to build a free-standing casita were approved. The Board postponed decision on the addition that is proposed to the non-contributing garage and annex building for redesign. The applicant is returning to the Board for review of a revised design. The applicant now proposes to remodel the property so that it may serve as a hotel.

McKee Caretaker's Residence and Garage Annex (Non-contributing)

The caretaker's residence and garage are located to the northeast of the office building. The building is approximately 3,054 square feet and is built in the Territorial Revival style. Additions to the building have Territorial Revival details. The residence and the garage were once separate buildings. They may have been joined together in the 1980s. The second story addition was also added in the 1980s and the doors and windows were replaced at that time as well. This building, formerly two buildings, has undergone a great degree of change over the course of its history though an attempt has been made to create continuity between it and the office building through the Territorial Revival character noted on the building.

PROPOSED REMODEL

Proposed Garage and Annex remodel:

1. Addition of 12,784 square feet to the existing 2,971 square foot of the garage and annex building. Square footages given are for the footprint and include portals and heated space. The garage an annex is an existing two-story structure. The proposed addition is also two-stories. The height of the addition will be 24'-0" which is 10" lower than the existing height of the existing garage and annex.

Revisions from the Previous Application:

1. The hallway between units #202 and #203 on the second floor is now an open breezeway with a lower roofline to break up the length of the building.
2. The portal at units #105 and #205 was widened and shortened to accommodate a chair.
3. Stone was added at the portals of units #107 and #207.
4. The south façade of Units #110 and #210 near the west walkway to the Existing Main building has been moved 7'-6" to the north to open up the view of the Main Building from Washington Ave.
5. The south portal of Units #110 and #210 near the west walkway to the Existing Main building has been moved 3'-0" to the north and reduced to a single-story structure.

6. The total heated square footage was reduced by 1,882 sf.

Proposed Finishes for All Structures:

- Stucco will be Sto “Suede.”
- Window and door cladding, facia, metal columns, and railings will be Pella “Iron Ore.”
- Paint color for existing brick on the McKee Office Building and the garage and annex will be Sherwin Williams “Utaupeia.”
- New brick coping will be Kenney Brick “Charcoal and Chocolate Blend.”
- Areas with stone veneer will be “Suede Rubble.”

STAFF RECOMMENDATION

Staff recommended approval of the application and found that it complies with 14-5.2(D) General Design Standards for All H Districts and 14-5.2(E) Downtown and Eastside Historic District.

QUESTIONS FOR STAFF

Chair Rios asked about the reduction in terms of square footage.

Ms. Ramirez Thomas explained the overall square footage of the building was reduced by 1882 square feet. She displayed the updated renderings provided by the applicant showing the surrounding area and buildings, and revisited the finishes proposed.

Member Guida asked the status of the McKee Office Building.

Ms. Ramirez Thomas replied it is contributing.

APPLICANT’S PRESENTATION

Eric Enfield, 612 Old Santa Fe Trail, was sworn. He thought the revisions directly addressed the Board’s concerns from the previous meeting. The biggest concern seemed to be the two-story structure crowding the main sidewalk on Washington Street. Their solution was to eliminate the two story portal cutting off a portion of heated space. That enabled them to set the building back 17’6” from the sidewalk, 7½ more than before.

They also went to a single-story portal. He noted the difference on the previous image and the canopy over the walkway. The solution addresses the crowding of the walkway and appears to help the building create more openness. He noted the colored renderings showing the building and the attractiveness of the single portal.

Mr. Enfield indicated Member Guida had suggested breaking up the building façade. A second floor breezeway and portal were created between the existing and new annex structure to allow both a horizontal and a vertical break between the existing and proposed annex. That allows more visibility and open circulation.

On other concerns expressed were the impact of the building in the downtown area and that the outdoor balconies were usable. The size of the balconies was increased and now allows space for chairs. The square footage of the heated annex building was decreased about 10%, making a more attractive and usable building. He hoped that the Board agreed.

QUESTIONS FOR APPLICANT

Chair Rios thanked Mr. Enfield for taking into consideration the Board's suggestions and concerns.

Member Bienvenu referred to the staff summary on the finish details. He asked to confirm that the stucco color would be close to the existing building.

Hunter Redman, 612 Old Santa Fe Trail, with Architectural Alliance was sworn in.

Member Bienvenu said he also would like Ms. Hunter to address the reasoning for the color choices on the cladding, metal work, columns and brick. He thought it didn't pick up any of the colors of the existing building.

Ms. Redman said the building means a lot to her family and she has worked on the design since 2006. She explained on the colors, she evaluated the existing building. A unique feature is that although built in the 40s, the building has stone veneer. It is unknown if the building paint color is original, but they do have the original color of the stone. They felt the suede stucco color tied with the existing stone and was a rich color for the addition. They chose the stone for the addition because they wanted it to be complementary, but not exact, so the historic stone stands out. The stone on the addition will be a little darker to complement the existing stone but unique.

Ms. Redman said the building has every color of brick coping made depending on which side you are on. The stone chosen is a mix of colors found on the existing building to tie the coping to the stucco color.

She continued that the windows and doors will have an iron ore finish, chosen because they like the contrast with the suede stucco. They will use the same color for the metal cladding and iron railings. They are hoping to tie in the new building with the

historic building and the annex by painting the existing windows with the same iron ore color. They will also paint the brick of the existing building with the “Utaupeia” color, which is similar to the suede stucco color.

Chair Rios asked if accurate the suede stucco color is similar to a brown/gray.

Ms. Redman replied there is not a lot of gray, it is a medium brown. She noted it was difficult to see how neutral the brown is on screen.

Chair Rios asked if she would describe the iron ore color as blue, or blue/gray.

Ms. Redman said the color is more of a brown tone and similar to an oil-rubbed bronze.

Chair Rios said she sees it as a blue.

Ms. Redman explained it was difficult to translate the color, but the iron ore is closer to oil rubbed bronze.

Member Bienvenu asked if the Board had approved the color change on the building on the earlier application.

Ms. Ramirez Thomas explained the colors were approved with the previous approval for the main building and casita.

Member Bienvenu asked the reason for choosing metal columns.

Ms. Redman said a primary reason for metal is for maintenance. The existing historic building was designed with stone. At the time that was a contemporary version of Territorial style. Adding the metal honors the traditional Territorial style of the contemporary elements. There are no metal beams, but there are metal railings, which is traditional in Santa Fe. The metal columns tie in with that and the windows and doors. The other side of the portals are wooden beams.

Member Bienvenu agreed that the building was a modernist interpretation of a Territorial style. He noted the building was built before the ordinance was adopted and probably would not have been approved. Also, the current project probably would not have been approved if not for this unique existing historical structure they are playing off of.

He said we are considering this because of the interesting interpretation of the Territorial style we are protecting. Secondly, adding an adjacent structure makes sense

to allow the design elements in that interpretation to be used. He added he would not go so far as to say that it should in 2021, become even more contemporary.

Mr. Enfield noted that the Board had approved the development he did across the street on Paseo de Peralta. Some of the same questions came up on what was acceptable regarding the metal posts. That building was approved as in compliance with the existing Historic Code and had some of the same details, such as metal posts and stone used in similar ways.

Member Bienvenu said he disagreed and has a different view about metal columns. He thought they are not harmonious and were specifically prohibited in the ordinance for Old Santa Fe style.

He asked about the building Mr. Enfield had referenced as having been approved.

Mr. Enfield explained the building across the street with the retaining walls.

Member Bienvenu said the Board dealt with the stone veneer proposed in the airport renovation as a way to distinguish old from new. He found the use of stone veneer to be an extremely dangerous approach in historic districts. It looks like every commercial building in the Southwest, not historic Santa Fe. Unless it was a real stone wall out of river rock, or something similar. He thought it should be done extremely carefully.

Mr. Enfield replied the stone is limited and the majority is stucco.

Member Bienvenu said the stonework and detailing in the modernist Territorial building is critical to the success of the building and an important aesthetic aspect. It is not just because of the stone but the verticality of the column work and the horizontalness of the sandstone. He asked that the applicant be careful about their choice of stone veneer.

Member Guida thanked Mr. Enfield and Ms. Redman for the revised presentation. He shared similar concerns as Member Bienvenu on bad stone, i.e., press with bad corners, etc.

Mr. Redman explained the selected stone is real, not composite, but is a veneer. She thickened the columns some and absolutely did not want this to look like a bank building. She wants it to compliment the stone that exists. She agreed with their concerns on stone used on some of the commercial buildings, but thought this building deserved a second look on the stone because of the importance in this historic building. She felt the stone could be applied elegantly and with good craftsmanship. Also, the vertical elements of the columns match the vertical elements of the columns on the historic building. The

historic building will have a limited amount of stone and be subdued. The columns and chimneys will reflect the verticality elements between the windows in the existing building.

Member Guida asked about the scale of the stones.

Ms. Redman said it is a similar size because if too small it would appear not to be real stone. The large samples will be approved before it is applied. She noted the stone is real and will turn the corner.

Member Guida asked if the stone is different than what would be used in the sidewalls.

Ms. Redman said it would be the same. It repeats the theme of the existing historic building.

Member Guida said he had no problem with the steel columns. It is an honest application in material. He thought this a reasonable response to the existing McKee building on some of the use of materials. He noted that Member Bienvenu had pointed out diversity in the Code. He pointed out there is also the City's Code, which will produce the blandest outcomes for new architecture at times. He thought it important there be interpretations when design work is brought before the Board and important for designers to have a voice in doing new work in the historic district. He thought the choice was not outrageous, either on the color of the metal or the choice to use metal or stone veneer.

He said it is unfortunate the Code does terrible things in the design community that came up in this project. He appreciated the applicant's response to the Board's decision to pull back the building, and going the extra mile to break up an extremely long façade on the north edge. The pass-through of the second floor helps, and the two distinct expressions, one closer to the annex and one to the building, helps differentiate what is a very long façade.

Member Guida said this Code and the action of this Board puts the applicant in a tight spot. The project wanted to avoid the height exception. The result is a building that consumes the site and almost swallows the existing building. The taller building in the downtown core this far from the streetscape would be acceptable. And would have produced a more sensitive project in terms of design and the original building.

Member Guida said he thought that applicants and designers are hesitant to come before the Board for height exceptions because it has been challenging. He said if we open our minds, we understand sometimes exceptions to the rules produce a better project.

Member Guida said he is happy for the work by applicant and sorry for the regulatory environment in which they have to operate. That environment does not always produce the best outcomes. The applicant has made this work under those circumstances, and he appreciated that.

Vice Chair Katz said he was troubled with the massing near the sidewalk. When discussing pulling back, he had in mind pulling back about 25 feet, not 7 feet. It would essentially eliminate the last two rooms that dwarf the contributing building. It makes it seem crowded. He thought everything else was a great job but wanted that pushed back more. He wanted to hear Mr. Enfield's thoughts on the possibility of removing the second floor in 210, so it wouldn't loom so heavily.

Mr. Enfield responded that in looking at the building in the historic structure, it reads as a story and a half. It is not a small structure and from a scale point of view, he is comfortable with it and the transition from planter to sidewalk, to outdoor space to portal, and to a two-story façade of the Territorial building. He also thought looking at interpretations of Territorial buildings of John Gaw Meem, they were typically not stepped. He was comfortable going two to three stories with a brick façade similar to the Hotel Drury. There was no stepping on the façade because he wanted to take advantage of the mass.

He addressed Member Guida's comments. He has asked for exceptions in the downtown area for a four story building and thanked the Board for granting that. But on this, they would not be able to convince the Board of the project's relationship to the historic structure with a three-story building. The two story building they have; it is almost 4 feet off the ground. It has high ceilings and is almost to the top of the door on the second level. He did not agree that it dwarfs the building. He thought because of the square footage added it felt like they were enclosing it. But it is a downtown site, and it should be high density.

He said they did what they needed to do to keep the nature of the historic building, isolated from the new structures and maintain scale. But they did work off that scale by a one-story portal and stepping back façades and removed 8 feet of structure on the south side and transitioned down into a single story portal. He thought from a scale point of view, the site needed that much square footage. They tried to keep the areas open around the historic structure and keep it separate. It maintains the nice walk around the historic structure, and you don't see the two-story façade unless standing there.

Vice Chair Katz said none of what Mr. Enfield's said was responsive to his concern. Mr. Enfield was talking about how the one-story portal blocked the building, but that is what is occurring immediately to the left. It is blocking the building and that is visible from the street and intrudes. He said he is not satisfied with that.

Mr. Enfield asked to see the view from Washington Avenue.

Vice Chair Katz pointed out you could see the large intrusion, and if it were one story it would not be as looming.

Member Biedscheid said she was thinking the same as Vice Chair Katz and agreed with everything he said. Also, she agreed with Member Guida's statements about the height and the shared consumption. The mass of the building does not try to relate to the historic building. It is not because of the finishes but because the size of the building consumes every available space left.

She asked about the use of metal and whether the horizontal pieces are completely metal and over the coping; and would that be applied to the McKee building. Also, she asked to see an example of the stonework on the McKee building. She said she couldn't recall a change to the color scheme for the McKee building in the last approval. She thought that would also make the historic building blend in with the new building more, instead of standing out on its own as a preserved piece of history.

Ms. Ramirez Thomas asked to make a correction in the letter and Staff Report that states the south elevation is stepped back 7'6", and is actually 17 feet 6 inches.

She offered to pull photos for display of the McKee Office building.

Mr. Enfield confirmed it is wood fascia with a metal face and will have metal on the brick, which is done to protect the brick. They haven't discussed a metal cap to the McKee building. It is sloping and the brick isn't deteriorating, other than a small area on the front façade facing Otero. Also, it is 17'6" from the two-story façade to the sidewalk with a two-story parking structure to the right about 2 1/2 feet further away than this building. He pointed out although a different situation the Board hasn't commented that the parking structure was crowding the historic structure.

Photographs were shown of the façade and of the parking structure with an aerial photograph.

Member Roybal said he didn't have any problems with the way the building is, and it is a non-contributing structure. He said his fear is of the Board trying to redesign things by architects and designers who have worked so hard. He stressed that you have to walk into the property to even notice the changes that will be made.

Chair Rios asked for a description of the public visibility.

Ms. Ramirez Thomas stated from the Washington side of the street, there is a greater distance than required by Code by a couple of hundred feet. The Annex building is on the Otero side.

Mr. Enfield said that they are matching the height of the annex and it is closer to the two-story structure.

Ms. Ramirez Thomas displayed the aerial from Washington. She noted it is quite a distance to the proposed addition and the lot slopes on Otero Street. She noted at the point you see the building from the Otero streetscape again, it was quite a bit back on either side.

Mr. Enfield asked to show the massing around the McKee building. Ms. Ramirez Thomas said she would look for that to display.

Member Bienvenu confirmed the stone veneer had been shown.

Mr. Enfield noted other buildings downtown and how their footprint appeared bigger than this building. He thought his building was more presentable on all sides and different than the large boxes around them.

The photograph was shown of the massing around this structure.

PUBLIC HEARING

Stefanie Beninato, PO Box 1601, Santa Fe, was sworn in. She said the new proposal did a good job with the side facing Washington. She wasn't sure about the second-story breezeway and thought it awkward looking.

BOARD DISCUSSION

Mr. Enfield showed again the photograph showing minimal impact of the building.

Chair Rios asked how far back it is from the gate.

Mr. Enfield said it is not next to the addition and is closer to Washington Avenue and at least 200 feet to the historic structure.

Chair Rios asked how much further the gate is going forward to the street.

Mr. Enfield stated it was quite a ways away.

Chair Rios asked to see the rendering of the porch of the one and two story. She asked how far back the one-story is from where the porch ends on the two-story.

Mr. Enfield said it's about 40 feet and about 100 feet from the property line to the front door of the historic building and about 200 feet to the sidewalk on Washington. The building is about 300 feet back.

Ms. Ramirez Thomas showed the full site plan with the McKee office building, the addition, and portal and Washington Avenue and Otero.

Mr. Enfield pointed out this a small compared to the massing surrounding them. It is 100 feet from the property line and over 200 feet if you follow the path to Washington Avenue, which is a football field.

Chair Rios asked about impact from Otero Street.

Mr. Enfield thought there was no impact. The existing structures are two stories. He asked for the view from Otero to be displayed.

Member Biedscheid asked if the clients would consider eliminating part of the south façade nearest to the sidewalk. The drawing shows a clear line from the corner of the McKee building to the Wells Fargo building, and this clearly intrudes into the space that allows a clear view of the historic building.

Mr. Enfield said Member Biedscheid's words such as "intruding, overpowering", didn't describe the architecture. His concern is they are talking about a two-story structure downtown in an area that is not supposed to have setbacks and density.

Member Biedscheid said she was only talking about what would happen to the existing historic building, not the new architecture.

Ms. Ramirez Thomas showed a view from Otero Street.

Chair Rios asked Mr. Enfield if he wanted to answer Member Biedscheid's question.

Mr. Enfield replied that the owners had texted him that they would not consider eliminating part of the south façade.

MOTION: In Case 2021-003387-HDRB, 220 Otero Street. Member Roybal moved to approve as presented. The motion was seconded by Member Larson.

VOTE: The motion passed by majority (4-3) roll call vote with Members, Guida, Larson, Roybal and Chair Rios (with explanation) voting in favor and Members Biedscheid, Bienvenu and Katz voting against.

Chair Rios explained her vote by stating that the applicant has demonstrated that the building is far back enough that the impact on the historic building will not be profound.

H. NEW BUSINESS

1. **Case 2021-003609-HDRB. 816 Camino Atalaya.** Downtown and Eastside Historic District. Colleen Gavin, agent for Jill and Ray Weeks, owners, proposes to construct a 2,920 sq. ft. single-story structure on a vacant lot to a maximum height of 18'-4" where the maximum allowable height is 18'-8" and courtyard walls (Angela Schackel Bordegaray)

STAFF REPORT

816 Camino Atalaya is a vacant lot at the end of Camino Atalaya to the north of an existing residence at 819 Camino Atalaya, adjacent to the School for Advance Research (SAR). The existing house and the vacant lot share the driveway along the west side of the property.

The proposal consists of the following elements.

1. New construction of a single-story 2,971 sf building on a 21,118 sf lot in the Spanish-Pueblo Revival style. It will have rounded massing, stepped at various levels to accommodate site slope, which descends to the north toward the arroyo. The height of proposed residence ranges from 13'-5" to 18'-4" where the maximum allowable height is 18'-8". The new building will feature low buttresses at its corners and two portals with fireplaces. The portals will have wooden posts, beams, and exposed vigas, stained medium brown. Windows and doors will be a combination of wood and steel. Proposed wood windows will have divided lights and stained in a medium brown hue. Steel windows will be finished in an oil-rubbed bronze matte paint finish. All doors will be wood.
2. Two courtyards with low 2'-6" to 4'-6" high stuccoed walls at the south and west elevations. A 6' coyote fence is proposed along a section west property line. Yard walls will include about 3' retaining walls.
3. Hardscaping, planters, pathways, and steps will not be publicly visible.

4. Reconfigure the existing parking by shifting the parking area to east/west and install a vehicular gate. The vehicular gate will be stained wood with stuccoed pilasters and metal hardware. The gate will not exceed 3'- 5" high; pilasters will be 4'-8" in height. The proposed gate will be located approximately 30' from the street.
5. Eight low profile skylights are proposed.
6. Exterior walls and portals will be finished in El Rey "Adobe" cementitious stucco and natural stone veneer.

STAFF RECOMMENDATION

Staff recommended approval of the proposed project and finds that it complies with Section 14-5.2(D) General Design Standards for all Historic Districts and 14-5.2(E) Downtown and Eastside Design Standards.

APPLICANT'S PRESENTATION

Colleen Gavin, 130 Grant Avenue, was sworn in. She showed a rendering and slides of the proposed guest house/studio. In an aerial view she described the surrounding area and properties, the site plan of 819 Camino Atalaya and access, and the proposed gate area with pilasters. The terrain slopes to the northeast with an existing arroyo with an area that is not buildable. She showed the structures in the context of the overall properties with the main house, the shared drive and casita/studio. She explained the casita will be used as additional accommodation for their guests and family and for work. She noted that the streetscape was diverse and pointed out the surrounding homes. The only driveway accessing the property was noted.

The floor plan and the elevations were shown and described.

QUESTIONS FOR APPLICANT

Chair Rios asked about the room that will be veneer.

Ms. Gavin showed the studio, pointing out the walls that will have stone veneer.

Chair Rios asked what the thinking was behind that.

Ms. Gavin said there was a lot of stone throughout the main house in the bedroom, the library, and her clients love using different materials. They added things to break up the walls and add interest and a sense of solemnness.

Chair Rios asked for a description of the proposed rock.

Ms. Gavin said it matches the rock on the main house and is similar to a river rock.

Chair Rios asked Ms. Ramirez Thomas or Attorney Paez what is in the Ordinance on the use of different types of applications on a home.

Member Bienvenu asked also if there were any elevations publicly visible.

Ms. Bordegaray said none of the elevations were publicly visible and explained why this is permitted here. The provision is for publicly visible façades to be no less than 80% adobe or adobe simulated finish. Otherwise, they may be of natural stone, wood, brick, tile, or other natural materials.

Attorney Paez added that was from Santa Fe style paragraph 2(d). She said 2(e) also speaks to a publicly visible façade of any building or adjoining wall “shall be of one color.” Again, that applies only to publicly visible façades.

Chair Rios confirmed with Attorney Paez that it meant the applicant was allowed to do as presented this evening because it is not publicly visible.

PUBLIC HEARING

Ms. Beninato, previously sworn, commented she wished the gate were more open like the neighbor’s gate and thought it too big.

Chair Rios said she didn’t make a comment on the gate because it is only 3’5”, but she didn’t know how the other Board members felt.

BOARD DISCUSSION

Member Guida said the project is really well-designed and thoughtful. He appreciated the level of details, and he really liked the stone room. He wished it were publicly visible because it is a shame that good design ideas have to hide in the closet.

MOTION: In Case 2021-003609-HDRB, 816 Camino Atalaya, Member Guida moved to approve the design as submitted. The motion was seconded by Member Roybal.

VOTE: The motion passed by unanimous (6-0) roll call vote with Members Biedscheid, Bienvenu, Guida, Katz, Larson and Roybal voting in favor and none voting against.

2. **Case 2021-003461-HDRB. 459 Camino Manzano.** Downtown and Eastside Historic District. Martinez Architectural Studio, agent for Carolyn Kenny and Craig Smith, owners, proposes to demolish an existing non-historic carport and construct a 565 square foot garage to a height of 13 feet on a noncontributing property. (Daniel Schwab) 206:00

STAFF REPORT

459 Camino Manzano is a single-family residential structure constructed in a Spanish Pueblo Revival Style with non-contributing status to the Downtown and Eastside Historic District. Dating from the 1930s, it has seen heavy renovations, so that almost nothing of the historic structure is visible.

To the west of the house is a freestanding carport from the 1990s consisting of a stuccoed wall, round wood supporting posts, and a flat roof with vigas.

The applicant proposes the following items:

1. Demolish this existing carport and construct a 565 square foot garage to a height of 13 feet. The maximum allowable building height is 14 feet 8 inches. The stucco will be El Rey "Pueblo", the same as the existing house and the windows will be turquoise to match the house as well. The garage door will be stained a natural wood color. Small wooden gates with natural color stain will connect the inner and outer garden areas;
2. Construct a freestanding kiva fireplace in the front garden of the house;
3. Construct a new front gate of wood, colored turquoise to match the house doors and with a stucco frame.

STAFF RECOMMENDATION

Staff recommended that the Demolition Standards per Section 14-3.14(G)(1) – Demolition of Historic or Landmark Structure - have been met.

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.

APPLICANT'S PRESENTATION

Richard Martinez, 1524 Paseo was sworn in. He said they are demolishing the carport because the carport structure has four posts that are not usable. Also, they need to make sure the enclosed garage is 20 feet back from the front lot line. To meet those regulations, he has to tear down the existing carport to build the garage. There will be a wooden overhang in the front of the garage that uses the existing storage doors as the

motif for the garage door proposed. The garage will have a breezeway into the main house and into a door to the master bedroom. The existing breezeway doesn't have a roof.

The front gate currently is a wide, short auto gate, they are trying to make as an entry into the house. Behind that is an enclosed area for the trash and the recyclables. The site plan shows the house pushed against the back and two side walls of the property. The only outdoor usable space is in the front at the end of the street. The kiva fireplace will be used to create a private space to use the space more effectively. They proposed to plant behind the fireplace and the existing wall on two sides. He noted it is a couple of steps down from the street.

PUBLIC HEARING

There were no comments.

BOARD DISCUSSION

MOTION: In Case 2021-003461-HDRB, 459 Camino Manzano, Member Roybal moved to approve as presented. The motion was seconded by Member Guida.

Member Bienvenu asked if the motion should include that the demolition criteria had been met.

Chair Rios thought because staff had recommended demolition it was covered in the motion. Attorney Paez agreed it was captured, but could be added as a finding.

Member Guida said as the second to the motion he would add that the demolition criteria was met.

VOTE: The motion passed by unanimous (6-0) roll call vote with Members Biedscheid, Bienvenu, Guida, Katz, Larson and Roybal voting in favor and none voting against.

3. **Case 2021-003611-HDRB. 84 E. San Francisco.** Downtown and Eastside Historic District. John Padilla, agent for Mark Suleiman, owner, proposes to alter windows and doors on a non-contributing building. An exception is requested to 14-5.2(E)(1)(c) to exceed the 30 inches in dimension on single panes of glass. (Angela Schackel Bordegaray)

STAFF REPORT

84 E. San Francisco is a non-contributing two-story commercial structure at the northeast corner of Old Santa Fe Trail and East San Francisco Street which fronts E. San Francisco Street and is west of the La Fonda Hotel in the Downtown and Eastside Historic District. It was built between 1912 and 1930, remodeled in 1949 by John G. Meem, and underwent window alterations on the north and east elevations in the 2000s. It is built in the Spanish-Pueblo style. It has plate glass windows with divided lites. There is no portal across its front. In 2000, the board approved a proposal to widen and lengthen the windows on the north façade and east façade. At that time, the board approved the window alterations with the condition that the panes be divided lites, no larger than 30" in any dimension. The current structure's windows have no divided lite windows making them existing non-conforming to the district standards.

The applicant proposes the following:

1. To remove and enlarge existing east elevation windows.
 - a. The existing width and height of the east elevation's north end double window measures 8' wide by 6' high. The applicant wishes to replace this window with a window that is 8' wide by 10' – 6" high. In effect, the window length will extend 7" closer to the sidewalk. The window header will not change. The existing opening's bottom sill is in line with other window sills along Old Santa Fe Trail. The applicant proposed to drop the sills to approximately 7" above the sidewalk.
 - b. The existing width and height of the east elevation's south end triple window is 10' - 6" wide to 6' high. The applicant proposes to replace the triple window with a double window that is 10' – 6" wide and 8' high.
2. Replace existing single plate glass entry door and adjacent fixed glass window on the north elevation with two glass doors. Existing glass door is 4'-6" and its adjacent fixed glass is also 4'-6". The proposal calls for two glass doors 6' wide by 6' by 6" tall.
3. Remove the existing east end windows flanking the glass entry door on the north elevation from 4" wide and 4'-6" tall and replace with windows measuring 6' wide and 8' tall.
4. Replace the awnings on the east elevation in-kind without alteration to color, sizes or locations. The existing awnings are black.

The applicant requests an exception is to Section 14-5.2(E)1(c): "Solid wall space is always greater in any façade than window and door space combined. Single panes of

glass larger than thirty (30) inches in any dimension are not permissible except as otherwise provided in this section.”

Exception criteria applicant and staff responses are in the packet.

STAFF RECOMMENDATION

Staff did not find that the exception criteria have been met and did not recommend approval of the application as it does not comply with 14-5.2(D) General Design Standards for All H Districts and 14-5.2(D) Downtown and Eastside Historic District.

QUESTIONS FOR STAFF

Member Bienvenu asked to clarify what had happened in 2000. He understood there was an approved application with conditions. He asked if the work failed to happen, or if the windows were changed in 2000 but without the divided lites.

Ms. Bordegaray replied the windows were installed but the divided lites were never installed.

Member Bienvenu asked if that was approved by staff, since it was not consistent with the Board’s action.

Ms. Bordegaray explained staff doesn’t know the answer to that because there is no record. She said the practice is to ensure it conforms and then it is passed in inspection, but we don’t know what happened here.

Member Bienvenu said it is both nonconforming under the Ordinance and in addition doesn’t comply with the approval granted in 2000. There seems to be a disagreement between staff and the applicant on the surrounding buildings. The applicant included a lot of photographs about large plate glass windows in the Plaza. However, the Staff Report indicated those are permitted because they are under portals. He said that is true under the Ordinance, but doesn’t appear all of them are under portals. He asked Ms. Bordegaray to address that.

Ms. Bordegaray replied the applicant provided photographs of surrounding windows in that streetscape, some which have large plate glass windows, and some of those are under a portal and many are under awnings. This case is about this structure and the Code as it applies to this structure.

Member Bienvenu asked if known if the examples submitted by the applicant of large plate glass windows not under portals, were permitted before or after the Ordinance was passed in 1957.

Ms. Bordegaray said she did not have a definitive answer from the records she has.

Member Biedscheid said the Staff Report notes the current windows without divided lites are existing nonconforming elements. She asked if part of the exception is to address that nonconformity.

Ms. Bordegaray explained the request is to enlarge the windows. There is no request on the divided lites.

Member Biedscheid asked Attorney Paez, when something is designated as nonconforming, which the windows in this case appear, if they would not be permitted to enlarge the windows or further enhance that nonconformity. The application appears to do that and wondered how the nonconformity is being addressed.

Attorney Paez said Code makes a distinction between legal nonconforming structures and those just non-conforming. Even in the case of legal nonconforming which met the code at the time and no longer does, it is not allowed to increase the degree of nonconformity. The variance provisions applied for zoning are more specific than the exception provisions. Variance criteria is not typically applied to permit an increase. She has not seen an exception required to increase nonconformity in the past. She wasn't sure that was appropriate.

Member Biedscheid clarified that the exception requested already covers the fact that it is a nonconforming characteristic.

Attorney Paez said yes, the Ordinance specifically states that staff determines which exceptions are required and identified in little paragraph (c) in regard to the window to wall ratio and the width of single panes of glass.

Vice Chair Katz asked if Attorney Paez when saying a variance is not appropriate, was saying even with a variance, the Board could not approve a proposal that increases the non-conformity.

Attorney Paez said she was looking now at the non-conforming of the historic code. Normally when looking at increasing non-conformities she is used to analyzing under the framework of underlying zoning. Paragraph A(6) of the Historic Code says a building in the district not meeting the standards for architectural style set forth, unless given special approval by the Board for architectural or historic interest, or unless individually entered in the State or National Register of Historic Properties, shall be considered non-conforming. Except for repairs and maintenance required by law, no nonconforming

building may be added to, or altered in any way, unless the proposed addition/alteration will bring the whole to the degree of acceptable conformity to the Board.

Attorney Paez felt if the Board found the exception warranted to that architectural style requirement identified, it would be appropriate to grant the exception, and that would cure the nonconformity.

Vice Chair Katz asked if when saying “exception”, wasn’t the allowance of the nonconformity very specific for historic.

Attorney Paez read, “*A building in the historic district not meeting the standards for architectural style, unless given special approval by the Board for architectural or historic interest, shall be considered nonconforming.*” She added this is considered nonconforming. Something could be nonconforming even if not in line with architectural design standards due to architectural and historic interests.

Vice Chair Katz referred to a picture of the Cathedral, and noted the buildings didn’t have windows that go all the way to the ground. He asked if there was anything like that in the streetscape.

Ms. Bordegaray said she took photographs all the way down the street and none of them extend as far down to the sidewalk as this proposal.

Vice Chair Katz asked if the applicant could be made to comply with what was conditioned with the approval of the windows previously.

Attorney Paez felt the Board could require that, but she viewed it as a request for the Land Use Department to pursue as a Code Enforcement action.

Chair Rios clarified that she was saying Code Enforcement could do that, but the Board could not enforce compliance for that.

Attorney Paez offered to look at the enforcement of the Land Use Code. She didn’t recall seeing anything that gives the Board enforcement power. The Board could require the same action in this case with the new proposal. It would be appropriate to deny other changes given that that condition was not met.

Chair Rios said she couldn’t recall any downtown businesses that have divided light windows. They all have big panel windows regardless of whether under a portal or awning.

Ms. Bordegaray replied there are some divided lite windows, it varies. She said she is analyzing this property not the streetscape, but windows with divided lites are along the streetscapes. The applicant included photographs in the packet, along Old Santa Fe Trail in particular and the La Fonda Hotel has some large plate glass and divided lites as well.

Member Roybal said most of the windows are large without divided lites. Also, regarding enforcement, he didn't know if these are the original owners. He asked if this owner could be made to do something that was required of the previous owner 20 years ago. He could not see divided lites on large plate glass windows downtown.

APPLICANT'S PRESENTATION

John Padilla, PO Box 22986, Santa Fe, was sworn in. He said looking at the 2000 case he saw familiar names on the Board, including his own. This tenant, his client, has been a tenant in the building for about four years. This was done with the previous owners not this one. Also, he wanted to clarify there were two exceptions requested, but he has only requested one exception for glazing larger than 30 inches. He wasn't asking for exceptions for the massing and fenestrations. The drawings shown by Ms. Bordegaray with redlines and information were his calculations on massing, and openings and fenestration are well below the 40% massing requirement, even with their modifications.

Ms. Bordegaray replied that staff had only reviewed the one exception for exceeding 30 inches in dimension, but there were no other exceptions reviewed.

Mr. Padilla described the windows on the street noting the varied window both with and without divided lights adjacent to the project. He noted the requirements for openings-to-mass and that the project is below all requirements.

He stated he was aware when he was on the Board a condition of approval was divided lite windows. The windows were installed but he did not know what happened, and the current status is there is no division. The front elevation has a wrap limiting the amount of glazing that can be seen. Once the vinyl wrap is removed, the height of the existing windows are 6 feet tall. The wrap gives a narrower presentation space.

He was aware they are extending a nonconforming condition. He offered to present an option to the Board either now or prior to their final deliberation.

Chair Rios said she preferred he present the option now.

Mr. Padilla said he was aware of the concern about follow-through. He and his client discussed in regard to being denied or tabled this evening, the ability to provide

divided lites in the windows and doors so they do not exceed the 30 inch dimension. He asked that the Board consider that as a possible condition of approval.

QUESTIONS FOR APPLICANT

Vice Chair Katz asked if known whether the current owner is the same as the tenant from 20 years ago.

Ms. Bordegaray said she couldn't determine they are not the same. She did not believe the owner had changed.

Mr. Padilla indicated in a number of the downtown structures, the tenants in them are not the owners. He doesn't know if his client was the tenant at the time.

Member Bienvenu noted that the application states it was submitted by Mr. Padilla on behalf of the owner and the tenant. He asked to confirm that Mr. Padilla did not know the owner.

Mr. Padilla replied his only contact and work has been with the current tenant, Mark Suleman.

Member Bienvenu asked staff if permissible for the tenant to be the sole applicant for the project without the owner's involvement.

Attorney Paez replied that Land Use Code states, unless otherwise specified in Chapter 14, "May be filed by a) the owner, or b) the owner's authorized agent with written authorization; c) a Land Use Board or d) the land-use director. She thought typically in a landlord/tenant situation they have asked for authorization from the owner to the tenant. Also, the tenant could also designate an agent. She said there may be another section she is not aware of.

Mr. Schwab added he knows from practice that the application form includes space for the owner to sign an affidavit and allows a representative to act on the owner's behalf.

Member Bienvenu thought it would be strange to have the tenant requesting approval without the owner's consent to do this on their behalf. He thought the Board should have written authorization in every case.

He said regarding the divided lites, that is a far preferable solution. Only two properties shown are similar to this with windows from sidewalk to lintels, and the one on Don Gaspar doesn't really relate. Also, it isn't relevant about the inside floor since the importance from staff's perspective was how close this is to the sidewalk in comparison

to others on the Plaza. He thought the divided lites would ameliorate the problem significantly.

PUBLIC HEARING

Stefanie Beninato, previously sworn, said she agreed with a lot of what Member Bienvenu said. A lot has to do with the harmony of the streetscape and almost no other windows go to the sidewalk. It isn't in harmony with the area. She said if they do allow the window to go to the sidewalk level, having divided lights will make it more acceptable. She thought regardless the Board should require divided lites.

BOARD DISCUSSION

Vice Chair Katz said he couldn't see how to proceed without authorization from the owner. It may be the owner may not want the Board looking at why the conditions of approval were not followed and incurring enforcement.

Member Bienvenu commented it is a problem that procedure was not followed, and the Board needs written consent from the owner.

MOTION: In Case 2021-003611-HDRB. 84 E. San Francisco, Member Bienvenu moved to postpone until written consent by the owner is put into record.

Member Katz asked if Member Bienvenu would consider a motion to dismiss because this as not properly before the Board.

Member Bienvenu said he felt staff could point the need for written consent out to the owner. He presumed this was an oversight on the part of the owner. Either the owner consents or he does not, and this is now in the applicant's hands to get written authorization.

Vice Chair Katz seconded the motion.

VOTE: The motion passed by majority (5-1) roll call vote with Members Biedscheid, Bienvenu, Guida, Katz and Larson voting in favor and Member Roybal voting against.

Ms. Bordegaray asked for clarification for staff.

Member Bienvenu said his motion is to postpone unless and until there is written consent from the owner.

Mr. Padilla asked clarification if postponed to a specific date or when they have the information.

Chair Rios explained when he has the information ready, and the owner has authorized the project.

Mr. Padilla asked the deadline for the next agenda.

Ms. Bordegaray replied tomorrow at 11 a.m.

Chair Rios explained if Mr. Padilla could get everything to Ms. Bordegaray by tomorrow at 11 a.m. this could be heard at the next hearing.

Ms. Bordegaray said tomorrow is the deadline for the hearing on June 22nd.

Mr. Schwab noted there is opportunity to postpone to a date certain and get around that deadline since it is just about a signature. The materials and the staff reports do not have to be redone.

Attorney Paez said that is correct, but the current status of the case is an approved motion and a final action. A Board member could move to reconsider that vote, and if successful a new motion could postpone to a date certain.

Member Bienvenu said he was fine with making a motion to a date certain.

MOTION: In Case 2021-003611-HDRB. 84 E. San Francisco, Member Bienvenu moved to reconsider his prior motion. The motion was seconded by Member Roybal.

VOTE: The motion passed by unanimous (6-0) roll call vote with Members Biedscheid, Bienvenu, Guida, Katz, Larson and Roybal voting in favor and none voting against.

Mr. Padilla thought he could provide the authorization before 11 tomorrow.

Mr. Schwab said a postponing to a date certain; the packet wouldn't change substantially.

Ms. Bordegaray said she would need to verify the affidavit by tomorrow.

Mr. Padilla said the only thing changing is the application form and he could provide that by 11 a.m.

Chair Rios said the packet and affidavit are due at 11 o'clock because they will now have divided lites.

Mr. Padilla confirmed the only two changes were the affidavit and the elevation showing the divided lights in the packet.

Ms. Bordegaray explained that means the application is changing. She would need to verify the authorization and the plans for the packet that have changed. The practicality of going to date certain is she must have all of the changes to the application and to the packet.

Chair Rios said the motion as discussed will be made to a date certain. They have discussed that Mr. Padilla will submit everything required to Ms. Bordegaray by 11 tomorrow. She suggested Ms. Bordegaray and Mr. Padilla communicate to ensure things go in the right direction.

MOTION: In Case 2021-003611-HDRB. 84 E. San Francisco, Member Bienvenu moved to postpone to June 8, 2021. The motion was seconded by Member Roybal.

VOTE: The motion passed by unanimous (6-0) roll call vote with Members Biedscheid, Bienvenu, Guida, Katz, Larson and Roybal voting in favor and none voting against.

Member Katz asked staff to research whether the current owner is the same as the owner in 2000, and if so, what action could be taken for noncompliance of the last approval.

Ms. Bordegaray said staff could do that.

I. DISCUSSION ITEMS

Attorney Paez presented a PowerPoint on Ethics and Open Government. She reviewed:

- The Open Meetings Act (OMA)

Ensuring that formation of public policy and conduct of government business occurs in a forum open to the public. She noted City Code encourages public comment.

- Inspection of Public Records Act (IPRA)

Creates a procedure and enforcement mechanism to ensure that people can gain access to public records. The information provided and exceptions were reviewed, what records are considered public and the custodial duties.

- The City of Santa Fe Code of Ethics

The City's Code of Ethics applies to public officials acting in a quasi-judicial capacity. The policy was reviewed including the conflicts of interest, and meeting procedures and standards.

- The procedures for Quasi-Judicial Proceedings and City Rules & Robert's Rules

The procedures and Roberts Rules were discussed including the process for motions, debates of motions, voting, motions to reconsider, points of order, customary actions such as a friendly amendment, where to find answers to questions.

J. MATTERS FROM THE BOARD

Chair Rios said she was going to be out for both meetings in June.

Vice Chair Katz indicated he would be available.

K. NEXT MEETING: Tuesday, June 8, 2021

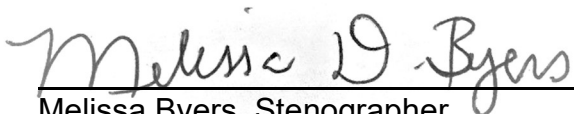
L. ADJOURN

Chair Rios adjourned the meeting at approximately 9:54 pm,

Approved by:

Cecilia Rios, Chair

Submitted by:



Melissa Byers, Stenographer
For Byers Organizational Support Services