



City of Santa Fe  
Governing Body  
Findings of Fact and Conclusions of Law

Case #H-10-033 (B-F)

St. Catherine's Industrial Indian School – Demolition of Landmark Structures  
Owner's Name – New Mexico Consolidated Construction Services, LLC

THIS MATTER came before the Governing Body of the City of Santa Fe for hearing on August 30, 2011 (Hearing) upon the application (Application) of John R. Polk as agent for New Mexico Consolidated Construction Services, LLC (Applicant).

The Applicant seeks approval to demolish four (4) landmark structures (collectively, the Landmarks) at St. Catherine's Industrial Indian School (School) located on a 10-acre parcel of land at 801 Griffin Street (Property). The Landmarks include the Senior High Building (Landmark 7), the Montoya House (Landmark 9), the Chavez House (Landmark 10) and the Abeyta House (Landmark 11). The Applicant withdrew its request to demolish a fifth landmark structure, the Cemetery (Landmark 12), prior to the Hearing.

The Application was heard before the Historic Design Review Board (HDRB) on April 12, 2011. At the conclusion of the proceedings the HDRB voted to recommend to the Governing Body that it deny the Application (the HDRB Decision) with respect to each of the Landmarks and Landmark 12. Findings of Fact and Conclusions of Law embodying the HDRB Decision with respect to each of Landmark 7, Landmark 9, Landmark 10 and Landmark 11 (collectively, the HDRB Findings and Conclusions) were adopted by the HDRB on May 10, 2011 under Case #H-10-033B, Case #H-10-033C, Case #H-10-033D and Case #H-10-033E respectively and were filed with the City Clerk as Item #11-0385, #11-0386, #11-0387 and #11-0388 respectively.

In accordance with the foregoing, and after conducting a public hearing and having heard from staff, the Applicant, residents of the neighborhood in which the Property is located, and certain interested others, the Governing Body hereby FINDS, as follows:

FINDINGS OF FACT

1. The Governing Body has authority, under Santa Fe City Code (SFCC) Sections 14-2.1 and 14-2.2(A)(1) to review and finally decide upon applications for the demolition of landmark structures pursuant to SFCC Section 14-3.14.
2. SFCC Section 14-3.14 sets out certain requirements to be met and standards to be applied to applications before the HDRB and the Governing Body for demolition of landmark structures.
3. The HDRB complied with all applicable requirements and standards in its review of the Application.
4. The report on the Application submitted by City staff (Staff Report) complied with the requirements of SFCC Section 3.14(C).

5. The Governing Body reviewed the Staff Report, the recommendations of the HDRB as embodied in the HDRB Findings and Conclusions, and the testimony and evidence presented at the Hearing in accordance with the applicable requirements and standards set out in SFCC Section 14-3.14.
6. The Governing Body heard testimony and received evidence from staff, the Applicant, residents of the neighborhood in which the Property is located, and certain interested others.
7. The School is historically important as it was founded by Katherine Drexel, who is the second American to be beatified in order to provide education and training to native Americans and African Americans and as many of its buildings are over 50 years old and were built using traditional materials and methods.
6. Based upon the information contained in the Staff Report and the testimony and evidence presented at the Hearing, Landmarks 9, 10 and 11 were built of traditional materials by students at the School as part of their training to house teachers at the School and are therefore historically important.
7. Based upon the information contained in the Staff Report and the testimony and evidence presented at the Hearing, Landmark 7 was built by students under the direction of carpentry teacher Joe Abeyta to provide classroom space for new junior and senior students and is therefore historically important.
8. Based upon the information contained in the Staff Report and the testimony and evidence presented at the Hearing, the state of repair and the structural stability of each of the Landmarks are such that they can be repaired and rehabilitated.
9. The Findings of Fact set out in the HDRB Findings and Conclusions with respect to each of Landmarks 7, 9, 10 and 11, copies of which are attached hereto as Exhibits A, B, C and D respectively, accurately reflect the facts in this matter as presented at the Hearing and are hereby adopted by the Governing Body in their entirety and are incorporated in these Findings of Fact as if fully set forth herein.

#### CONCLUSIONS OF LAW

Under the circumstances and given the evidence and testimony submitted at the hearing, the Governing Body hereby CONCLUDES and ORDERS:

1. The Conclusions of Law set out in the HDRB Findings and Conclusions with respect to each of Landmarks 7, 9, 10 and 11 are hereby adopted by the Governing Body in their entirety and are incorporated in these Conclusions of Law as if fully set forth herein.
2. Each of the Landmarks is of historical importance and the state of repair and structural stability of each is such that they can be repaired and rehabilitated.
3. The Application is therefore denied.

**IT IS SO ORDERED ON THE \_\_\_\_\_ OF SEPTEMBER 2011 BY THE GOVERNING BODY OF THE CITY OF SANTA FE.**

[SIGNATURES APPEAR ON FOLLOWING PAGE]

\_\_\_\_\_  
Mayor

\_\_\_\_\_  
Date:

FILED WITH THE CITY CLERK:

\_\_\_\_\_  
Yolanda Y. Vigil  
City Clerk

\_\_\_\_\_  
Date:

APPROVED AS TO FORM:

*Kelley A. Benmar, for* \_\_\_\_\_  
Geno Zamora  
City Attorney  
Date: *9/6/11*

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

Case #H-<sup>10 DR</sup>~~11~~-033B

Address – 801 Griffin Street, Landmark #7

Owner/Applicant's Name – New Mexico Consolidated Construction Services LLC

Agent's Name – Susan Barey Real Estate

THIS MATTER came before the Historic Design Review Board (Board) for hearing on April 12, 2011 upon the application (Application) of Susan Barey Real Estate, as agent for New Mexico Consolidated Construction Services LLC (Applicant).

801 Griffin Street (Property), known as St. Catherine's Industrial Indian School (the School), is a 10 acre parcel of land on which Katharine Drexel established the School in 1886. The School was the first in a nationwide system of schools dedicated to the education of Native Americans and African Americans. The main 3½ story building was constructed in 1887 and it is one of the three largest adobe structures in New Mexico. The School was operated by the Sisters of the Blessed Sacrament at the Property until 1998 when the School closed. Ms. Drexel was canonized as the Blessed Mother Katharine by Pope John Paul II in Rome in 2000. In 2001, the New Mexico Cultural Properties Review Committee placed 13 features of the campus on the State Register of Cultural Properties. These same features were designated as City landmarks by the Governing Body in 2006.

Landmark #7, known as the School Office (Landmark 7), was constructed of adobe with student labor in approximately 1934. The 1-story Spanish-Pueblo Revival building is located at the south end of the campus near two other landmarks, #5 Classroom Building or Junior High Building and #8 Gymnasium, and the non-landmark, #17 Senior High Building. Landmark 7 features stuccoed walls with stepped parapets at the corners, steel casement “replacement” windows with exposed wooden headers and corbels, and a low foundation planter along the west and north facades. The planters have over-mature coniferous trees, especially at the north façade. Two small non-historic additions were constructed on the south (greenhouse room) and east (storage closet) elevations.

The Applicant requested that the Board review the Application and make a recommendation to the Governing Body to approve the demolition of Landmark 7.

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

FINDINGS OF FACT

1. The Board heard reports from staff and received testimony and evidence from the Applicant and from members of the public interested in the matter.
2. Pursuant to SFCC Section 14-2.7(A)(10) the Board has authority to review and make a recommendation to the Governing Body regarding all applications for the demolition of landmark structures in accordance with the standards set forth in SFCC Section 14-3.14.

**EXHIBIT**

A

3. Landmark 7 is a landmark structure.
4. Pursuant to SFCC Section 14-3.14(B) upon receiving an application for demolition of a landmark structure the Board is required within 65 calendar days from the date of the application to recommend to the Governing Body that it grant or deny the application.
5. The Application was received on March 18, 2011 and 65 calendar days from the date the Application was received is May 23, 2011.
6. The Board held a hearing on the Application on April 12, 2011.
7. SFCC Section 14-3.14(B) requires a hearing upon an application for demolition of a landmark structure [SFCC Section 14-3.14(B)(1)] and restricts the Board's review of the application to consideration of whether it conforms to the standards established by SFCC Section 14-3.14 [SFCC Section 14-3.14(B)(2)].
7. SFCC Section 14-3.14(G)(2) sets out standards for determining whether a request for demolition of a landmark structure should be approved or denied.
8. SFCC Section 14-3.14(B)(3)-(5) sets out notice and posting requirements for the hearing.
9. Notice and posting was made in accordance with the requirements set out in SFCC Section 14-3.14(B)(3)-(5).
10. SFCC Section 14-3.14(C) requires City staff to provide the Board a report on the historic or architectural significance of the structure; the state of repair and structural stability of the structure; and, if the structure is more than 75 years old, a report on whether the proposed demolition would damage possible archeological artifacts, together with any other information requested by the Board.
11. Landmark 7 was built in 1934 and is therefore more than 75 years old.
12. The Applicant is required to comply with the requirements of SFCC Section 14-3.13(B)(1)(e) to determine whether the demolition of Landmark 7 will damage possible archeological artifacts and, if so, to obtain an archeological clearance permit prior to the issuance of a demolition permit.
13. Board staff provided the Board with a report (Staff Report) indicating that the School and Landmark 7 had significant historic and architectural associations and attaching the Building Official's report indicating that Landmark 7 had structural problems and violations of the Building Code.
14. The Board has considered the standards set out in SFCC Section 14-3.14(G)(2) and finds that (a) the School and Landmark 7 have significant historic and architectural associations and (b) the Building Official's report attached to the Staff Report is insufficient to demonstrate that the cited structural problems and violations of the Building Code justify demolition of Landmark 7.

### CONCLUSIONS OF LAW

Under the circumstances and given the evidence and testimony submitted during the hearing, the Board CONCLUDES and ORDERS as follows:

1. The Board has authority under Section 14-2.7(A)(10) to review and make a recommendation to the Governing Body regarding all application for the demolition of landmark structures in accordance with the standards set forth in SFCC Section 14-3.14.
2. Landmark 7 is a landmark structure.
3. The School and Landmark 7 have significant historic and architectural associations.

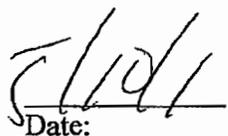
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- 4. The Building Official's report attached to the Staff Report is insufficient to demonstrate that the cited structural problems and violations of the Building Code justify demolition of Landmark 7.
- 5. The Application for demolition of Landmark 7 should not be approved by the Governing Body.

IT IS SO ORDERED ON THIS 10<sup>th</sup> DAY OF MAY 2011 BY THE HISTORIC DESIGN REVIEW BOARD OF THE CITY OF SANTA FE.

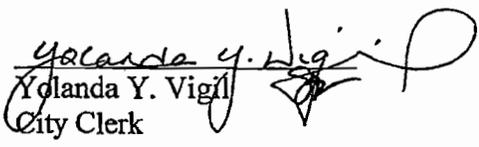


Sharon Woods  
Chair

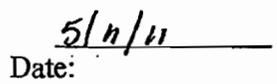


Date:

FILED



Yolanda Y. Vigil  
City Clerk

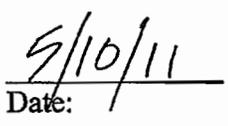


Date:

APPROVED AS TO FORM



Kelley Brennan  
Assistant City Attorney



Date:

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

<sup>LO DR</sup>  
Case #H-11-033C

Address – 801 Griffin Street, Landmark #9

Owner/Applicant's Name – New Mexico Consolidated Construction Services LLC

Agent's Name – Susan Barey Real Estate

THIS MATTER came before the Historic Design Review Board (Board) for hearing on April 12, 2011 upon the application (Application) of Susan Barey Real Estate, as agent for New Mexico Consolidated Construction Services LLC (Applicant).

801 Griffin Street (Property), known as St. Catherine's Industrial Indian School (the School), is a 10 acre parcel of land on which Katharine Drexel established the School in 1886. The School was the first in a nationwide system of schools dedicated to the education of Native Americans and African Americans. The main 3½ story building was constructed in 1887 and it is one of the three largest adobe structures in New Mexico. The School was operated by the Sisters of the Blessed Sacrament at the Property until 1998 when the School closed. Ms. Drexel was canonized as the Blessed Mother Katharine by Pope John Paul II in Rome in 2000. In 2001, the New Mexico Cultural Properties Review Committee placed 13 features of the campus on the State Register of Cultural Properties. These same features were designated as City landmarks by the Governing Body in 2006.

Landmark #9, known as the Joe Montoya House (Landmark 9), was constructed of adobe with student labor before 1925. The 1-story Spanish-Pueblo Revival building is located at the north end of the campus near two other residences and the cemetery. Landmark 9 features an "L"-shaped floorplan with a low-pitched roof with overhanging eaves, a wooden portal at the southwest corner, and original wooden windows. There does not appear to be any modifications.

The Applicant requested that the Board review the Application and make a recommendation to the Governing Body to approve the demolition of Landmark 9.

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

FINDINGS OF FACT

1. The Board heard reports from staff and received testimony and evidence from the Applicant and from members of the public interested in the matter.
2. Pursuant to SFCC Section 14-2.7(A)(10) the Board has authority to review and make a recommendation to the Governing Body regarding all applications for the demolition of landmark structures in accordance with the standards set forth in SFCC Section 14-3.14.
3. Landmark 9 is a landmark structure.

EXHIBIT

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4. Pursuant to SFCC Section 14-3.14(B) upon receiving an application for demolition of a landmark structure the Board is required within 65 calendar days from the date of the application to recommend to the Governing Body that it grant or deny the application.
  5. The Application was received on March 18, 2011 and 65 calendar days from the date the Application was received is May 23, 2011.
  6. The Board held a hearing on the Application on April 12, 2011.
  7. SFCC Section 14-3.14(B) requires a hearing upon an application for demolition of a landmark structure [SFCC Section 14-3.14(B)(1)] and restricts the Board's review of the application to consideration of whether it conforms to the standards established by SFCC Section 14-3.14 [SFCC Section 14-3.14(B)(2)].
  7. SFCC Section 14-3.14(G)(2) sets out standards for determining whether a request for demolition of a landmark structure should be approved or denied.
  8. SFCC Section 14-3.14(B)(3)-(5) sets out notice and posting requirements for the hearing.
  9. Notice and posting was made in accordance with the requirements set out in SFCC Section 14-3.14(B)(3)-(5).
  10. SFCC Section 14-3.14(C) requires City staff to provide the Board a report on the historic or architectural significance of the structure; the state of repair and structural stability of the structure; and, if the structure is more than 75 years old, a report on whether the proposed demolition would damage possible archeological artifacts, together with any other information requested by the Board.
  11. Landmark 9 was built before 1925 and is therefore more than 75 years old.
  12. The Applicant is required to comply with the requirements of SFCC Section 14-3.13(B)(1)(e) to determine whether the demolition of Landmark 9 will damage possible archeological artifacts and, if so, to obtain an archeological clearance permit prior to the issuance of a demolition permit.
  13. Board staff provided the Board with a report (Staff Report) indicating that the School and Landmark 9 had significant historic and architectural associations and attaching the Building Official's report indicating that Landmark 9 had structural problems and violations of the Building Code.
  14. The Board has considered the standards set out in SFCC Section 14-3.14(G)(2) and finds that (a) the School and Landmark 9 have significant historic and architectural associations and (b) the Building Official's report attached to the Staff Report is insufficient to demonstrate that the cited structural problems and violations of the Building Code justify demolition of Landmark 9.

### CONCLUSIONS OF LAW

Under the circumstances and given the evidence and testimony submitted during the hearing, the Board CONCLUDES and ORDERS as follows:

1. The Board has authority under Section 14-2.7(A)(10) to review and make a recommendation to the Governing Body regarding all application for the demolition of landmark structures in accordance with the standards set forth in SFCC Section 14-3.14.
2. Landmark 9 is a landmark structure.
3. The School and Landmark 9 have significant historic and architectural associations.
4. The Building Official's report attached to the Staff Report is insufficient to demonstrate that the cited structural problems and violations of the Building Code justify demolition of Landmark 9.

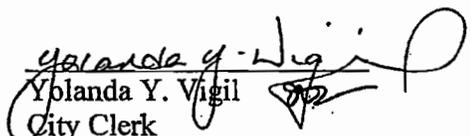
5. The Application for demolition of Landmark 9 should not be approved by the Governing Body.

IT IS SO ORDERED ON THIS 10<sup>TH</sup> DAY OF MAY 2011 BY THE HISTORIC DESIGN REVIEW BOARD OF THE CITY OF SANTA FE.

  
\_\_\_\_\_  
Sharon Woods  
Chair

  
\_\_\_\_\_  
Date: 5/10/11

FILED

  
\_\_\_\_\_  
Yblanda Y. Vigil  
City Clerk

5/11/11  
Date:

APPROVED AS TO FORM

  
\_\_\_\_\_  
Kelley Brennan  
Assistant City Attorney

5/10/11  
Date:

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

*W DR*  
Case #H-~~M~~-033D

Address – 801 Griffin Street, Landmark #10

Owner/Applicant's Name – New Mexico Consolidated Construction Services LLC

Agent's Name – Susan Barey Real Estate

THIS MATTER came before the Historic Design Review Board (Board) for hearing on April 12, 2011 upon the application (Application) of Susan Barey Real Estate, as agent for New Mexico Consolidated Construction Services LLC (Applicant).

801 Griffin Street (Property), known as St. Catherine's Industrial Indian School (the School), is a 10 acre parcel of land on which Katharine Drexel established the School in 1886. The School was the first in a nationwide system of schools dedicated to the education of Native Americans and African Americans. The main 3½ story building was constructed in 1887 and it is one of the three largest adobe structures in New Mexico. The School was operated by the Sisters of the Blessed Sacrament at the Property until 1998 when the School closed. Ms. Drexel was canonized as the Blessed Mother Katharine by Pope John Paul II in Rome in 2000. In 2001, the New Mexico Cultural Properties Review Committee placed 13 features of the campus on the State Register of Cultural Properties. These same features were designated as City landmarks by the Governing Body in 2006.

Landmark #10, known as the Nat A. Chavez House (Landmark 10), was constructed of adobe with student labor in approximately 1935. The 1-story Spanish-Pueblo Revival building is located at the north end of the campus near two other residences and the cemetery. Landmark 10 features a square floorplan with a flat roof surrounded by parapets and some original wooden windows. An addition and a roofed porch were constructed at the west elevation after 1961 along with replacement of some original wood windows with aluminum sliders.

The Applicant requested that the Board review the Application and make a recommendation to the Governing Body to approve the demolition of Landmark 10.

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

FINDINGS OF FACT

1. The Board heard reports from staff and received testimony and evidence from the Applicant and from members of the public interested in the matter.
2. Pursuant to SFCC Section 14-2.7(A)(10) the Board has authority to review and make a recommendation to the Governing Body regarding all applications for the demolition of landmark structures in accordance with the standards set forth in SFCC Section 14-3.14.
3. Landmark 10 is a landmark structure.

**EXHIBIT**

*C*

4. Pursuant to SFCC Section 14-3.14(B) upon receiving an application for demolition of a landmark structure the Board is required within 65 calendar days from the date of the application to recommend to the Governing Body that it grant or deny the application.
5. The Application was received on March 18, 2011 and 65 calendar days from the date the Application was received is May 23, 2011.
6. The Board held a hearing on the Application on April 12, 2011.
7. SFCC Section 14-3.14(B) requires a hearing upon an application for demolition of a landmark structure [SFCC Section 14-3.14(B)(1)] and restricts the Board's review of the application to consideration of whether it conforms to the standards established by SFCC Section 14-3.14 [SFCC Section 14-3.14(B)(2)].
7. SFCC Section 14-3.14(G)(2) sets out standards for determining whether a request for demolition of a landmark structure should be approved or denied.
8. SFCC Section 14-3.14(B)(3)-(5) sets out notice and posting requirements for the hearing.
9. Notice and posting was made in accordance with the requirements set out in SFCC Section 14-3.14(B)(3)-(5).
10. SFCC Section 14-3.14(C) requires City staff to provide the Board a report on the historic or architectural significance of the structure; the state of repair and structural stability of the structure; and, if the structure is more than 75 years old, a report on whether the proposed demolition would damage possible archeological artifacts, together with any other information requested by the Board.
11. Landmark 10 was built before 1935 and is therefore more than 75 years old.
12. The Applicant is required to comply with the requirements of SFCC Section 14-3.13(B)(1)(e) to determine whether the demolition of Landmark 10 will damage possible archeological artifacts and, if so, to obtain an archeological clearance permit prior to the issuance of a demolition permit.
13. Board staff provided the Board with a report (Staff Report) indicating that the School and Landmark 10 had significant historic and architectural associations and attaching the Building Official's report indicating that Landmark 10 had structural problems and violations of the Building Code.
14. The Board has considered the standards set out in SFCC Section 14-3.14(G)(2) and finds that (a) the School and Landmark 10 have significant historic and architectural associations and (b) the Building Official's report attached to the Staff Report is insufficient to demonstrate that the cited structural problems and violations of the Building Code justify demolition of Landmark 10.

#### CONCLUSIONS OF LAW

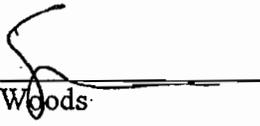
Under the circumstances and given the evidence and testimony submitted during the hearing, the Board CONCLUDES and ORDERS as follows:

1. The Board has authority under Section 14-2.7(A)(10) to review and make a recommendation to the Governing Body regarding all application for the demolition of landmark structures in accordance with the standards set forth in SFCC Section 14-3.14.
2. Landmark 10 is a landmark structure.
3. The School and Landmark 10 have significant historic and architectural associations.
4. The Building Official's report attached to the Staff Report is insufficient to demonstrate that the cited structural problems and violations of the Building Code justify demolition of Landmark 10.

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5. The Application for demolition of Landmark 10 should not be approved by the Governing Body.

IT IS SO ORDERED ON THIS 10<sup>TH</sup> DAY OF MAY 2011 BY THE HISTORIC DESIGN REVIEW BOARD OF THE CITY OF SANTA FE.

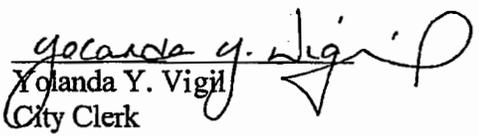


Sharon Woods  
Chair

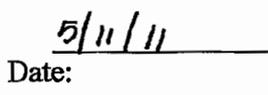


Date:

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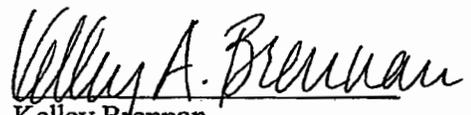
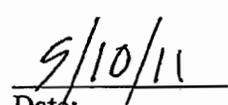


Yolanda Y. Vigil  
City Clerk



Date:

APPROVED AS TO FORM

  
Kelley Brennan  
Assistant City Attorney

Date:

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

<sup>10 DR</sup>  
Case # H-11-033E

Address – 801 Griffin Street, Landmark #11

Owner/Applicant's Name – New Mexico Consolidated Construction Services LLC

Agent's Name – Susan Barey Real Estate

THIS MATTER came before the Historic Design Review Board (Board) for hearing on April 12, 2011 upon the application (Application) of Susan Barey Real Estate, as agent for New Mexico Consolidated Construction Services LLC (Applicant).

801 Griffin Street (Property), known as St. Catherine's Industrial Indian School (the School), is a 10 acre parcel of land on which Katharine Drexel established the School in 1886. The School was the first in a nationwide system of schools dedicated to the education of Native Americans and African Americans. The main 3½ story building was constructed in 1887 and it is one of the three largest adobe structures in New Mexico. The School was operated by the Sisters of the Blessed Sacrament at the Property until 1998 when the School closed. Ms. Drexel was canonized as the Blessed Mother Katharine by Pope John Paul II in Rome in 2000. In 2001, the New Mexico Cultural Properties Review Committee placed 13 features of the campus on the State Register of Cultural Properties. These same features were designated as City landmarks by the Governing Body in 2006.

Landmark #11, known as the Joe F. Abeyta House (Landmark 11), was constructed of adobe with student labor in approximately 1935. The 1-story Spanish-Pueblo Revival building is located at the north end of the campus near two other residences and the cemetery. Landmark 11 features an "L"-shaped double adobe floorplan with a rectangular single-adobe wing on the west and a shed roof garage on the north. Original wooden windows appear to be in good condition. Rounded concrete steps lead up to the main entry door. There does not appear to be any modifications. A canale and/or roof leak at the north elevation has caused severe disintegration of adobes at the center of the north wall of the residence behind the attached garage. A violation notice has been issued requiring the owner to take immediate action to stabilize the structure from further damage by neglect.

The Applicant requested that the Board review the Application and make a recommendation to the Governing Body to approve the demolition of Landmark 11.

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

FINDINGS OF FACT

1. The Board heard reports from staff and received testimony and evidence from the Applicant and from members of the public interested in the matter.
2. Pursuant to SFCC Section 14-2.7(A)(10) the Board has authority to review and make a recommendation to the Governing Body regarding all applications for the demolition of landmark structures in accordance with the standards set forth in SFCC Section 14-3.14.

**EXHIBIT**

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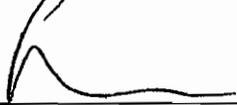
3. Landmark 11 is a landmark structure.
4. Pursuant to SFCC Section 14-3.14(B) upon receiving an application for demolition of a landmark structure the Board is required within 65 calendar days from the date of the application to recommend to the Governing Body that it grant or deny the application.
5. The Application was received on March 18, 2011 and 65 calendar days from the date the Application was received is May 23, 2011.
6. The Board held a hearing on the Application on April 12, 2011.
7. SFCC Section 14-3.14(B) requires a hearing upon an application for demolition of a landmark structure [SFCC Section 14-3.14(B)(1)] and restricts the Board's review of the application to consideration of whether it conforms to the standards established by SFCC Section 14-3.14 [SFCC Section 14-3.14(B)(2)].
8. SFCC Section 14-3.14(G)(2) sets out standards for determining whether a request for demolition of a landmark structure should be approved or denied.
9. SFCC Section 14-3.14(B)(3)-(5) sets out notice and posting requirements for the hearing.
10. Notice and posting was made in accordance with the requirements set out in SFCC Section 14-3.14(B)(3)-(5).
11. SFCC Section 14-3.14(C) requires City staff to provide the Board a report on the historic or architectural significance of the structure; the state of repair and structural stability of the structure; and, if the structure is more than 75 years old, a report on whether the proposed demolition would damage possible archeological artifacts, together with any other information requested by the Board.
12. Landmark 11 was built in 1934 and is therefore more than 75 years old.
13. The Applicant is required to comply with the requirements of SFCC Section 14-3.13(B)(1)(e) to determine whether the demolition of Landmark 11 will damage possible archeological artifacts and, if so, to obtain an archeological clearance permit prior to the issuance of a demolition permit.
14. Board staff provided the Board with a report (Staff Report) indicating that the School and Landmark 11 had significant historic and architectural associations and attaching the Chief Building Official's report indicating that Landmark 11 had structural problems and violations of the Building Code.
15. On March 8, 2011 the City's Land Use Director and Chief Building Official issued a Notice of Violation (Violation Notice) to the Applicant for severe damage to portions of the adobe walls of Landmark 11 due to an apparent roof leak constituting a lack of minimum maintenance standards as defined in SFCC Section 14-5.2(B) and requiring corrective action.
16. The Board has considered the standards set out in SFCC Section 14-3.14(G)(2) and finds that (a) the School and Landmark 11 have significant historic and architectural associations; (b) the Chief Building Official's report attached to the Staff Report is insufficient to demonstrate that the cited structural problems and violations of the Building Code justify demolition of Landmark 11; and (c) the Violation Notice demonstrates that the Applicant has failed to maintain Landmark 11 in accordance with SFCC Section 14-5.2(B) and must take action to correct the violations rather than to demolish Landmark 11.

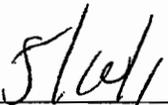
### CONCLUSIONS OF LAW

Under the circumstances and given the evidence and testimony submitted during the hearing, the Board CONCLUDES and ORDERS as follows:

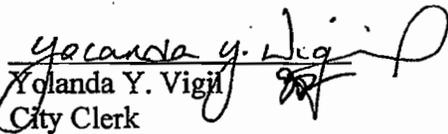
1. The Board has authority under Section 14-2.7(A)(10) to review and make a recommendation to the Governing Body regarding all application for the demolition of landmark structures in accordance with the standards set forth in SFCC Section 14-3.14.
2. Landmark 11 is a landmark structure.
3. The School and Landmark 11 have significant historic and architectural associations.
4. The Building Official's report attached to the Staff Report is insufficient to demonstrate that the cited structural problems and violations of the Building Code justify demolition of Landmark 11.
5. The Applicant has failed to maintain Landmark 11 as required under SFCC Section 14-5.2(B) and must take action to correct the violations.
6. The Application for demolition of Landmark 11 should not be approved by the Governing Body.

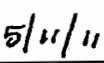
IT IS SO ORDERED ON THIS 10<sup>th</sup> DAY OF MAY 2011 BY THE HISTORIC DESIGN REVIEW BOARD OF THE CITY OF SANTA FE.

  
\_\_\_\_\_  
Sharon Woods  
Chair

  
\_\_\_\_\_  
Date:

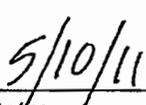
FILED

  
\_\_\_\_\_  
Yolanda Y. Vigil  
City Clerk

  
\_\_\_\_\_  
Date:

APPROVED AS TO FORM

  
\_\_\_\_\_  
Kelley Brennan  
Assistant City Attorney

  
\_\_\_\_\_  
Date: