



Agenda

HISTORIC DISTRICTS REVIEW BOARD FIELD TRIP

FIELD TRIP CANCELLED

HISTORIC DISTRICTS REVIEW BOARD HEARING

TUESDAY, June 23, 2020 at 5:30 P.M.

ATTEND VIRTUALLY

AMENDED

SPECIAL PROCEDURES FOR VIRTUAL ATTENDANCE AND PUBLIC COMMENT:

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

Viewing on YouTube: 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 computers, mobile devices, and smartphones. A video recording of the meeting will be posted on YouTube and available for viewing after the meeting.

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- Zoom link: <https://us02web.zoom.us/j/84644343235?pwd=bGJ0K0lJR050ZEJkQVMvT3pjMm1hUT09> (Password: 221194)
- Phone numbers: +1 253 215 8782 or +1 301 715 8592 (Webinar ID: 846 4434 3235)

This information will also be posted on the City of Santa Fe's Calendar of Events website at least seventy-two (72) hours before the meeting: <https://www.santafenm.gov/events>.

Public Comment:

- **By internet:** A person attending the Zoom meeting 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 but **must** provide advance notice to City staff. Please contact Lani McCulley (505-365-3055, ljmcculley@santafenm.gov) no later than Friday, June 19, 2020, and provide your **full name, address, and the phone number** you will be using to call in to the teleconference. Without your phone number, the chair will not be able to recognize you to speak at the meeting.
- **In writing:** A person may submit written public comments in advance of the meeting by email (LandUsePublicComment@santafenm.gov) or U.S. Postal Service (City of Santa Fe, ATTN: Lani McCulley, PO Box 909, Santa Fe, NM 87504-0909). Please include your full name and address, and identify the specific agenda item you are commenting on. To be included in the official record and considered at the hearing, written public comment **must** be received no later than Friday, June 19, 2020.

CALL TO ORDER

- ROLL CALL
- APPROVAL OF AGENDA
- APPROVAL OF MINUTES:
 - HDRB Field Trip minutes: N/A
 - HDRB Hearing minutes: June 9, 2020

D. FINDINGS OF FACT & CONCLUSIONS OF LAW

Case #2020-002041-HDRB, 715 Manhattan Avenue.
Case #2020-001997-HDRB, 535 Douglas Street.
Case #2020-002096-HDRB, 215 Delgado Street.
Case #2020-002162-HDRB, 1204 Canyon Road.

Case #2020-002042-HDRB, 633 Gomez Road.
Case #2020-002102-HDRB, 1612 Cerro Gordo Road.
Case #2020-002095-HDRB, 130 Romero Street.

E. BUSINESS FROM THE FLOOR

F. COMMUNICATIONS

G. ACTION ITEMS

1. Case #2020-002174-HDRB. 104 Lorenzo Road. Downtown & Eastside Historic District. Lance Olivieri, agent/owner, proposes to construct a non-publicly visible, freestanding greenhouse in the rear yard of a contributing residence. (Angela Shackel Bordegaray, asbordegarav@santafenm.gov)
2. Case #2020-001784-HDRB. 339 and 341 Plaza Balentine. Downtown and Eastside Historic District. H.Q. Construction, agent for Elizabeth Beall, owner, requests historic status review and primary façade designation, if applicable, for a contributing residential structure. (Daniel Schwab, 955-6660, dnschwab@santafenm.gov) (POSTPONED FROM 4/28/2020)
3. Case #2020-002170-HDRB. 1210 Canyon Road. Downtown & Eastside Historic District. Sandra Donner, agent for Straddlebar Ranch, owner, requests designation of status and primary facades, if applicable, for a non-contributing residential structure. (Daniel Schwab)
4. Case #2020-002171-HDRB. 1169 East Alameda Street. Downtown & Eastside Historic District. Lyra Parker, owner/agent, proposes to construct an addition and a garage on a non-contributing residential structure. (Daniel Schwab)
5. Case #2020-001978-HDRB. 8 Camino Pequeño. Downtown & Eastside Historic District. Kim Unger, agent for SFCP LLC, owner, proposes to partially demolish and to construct new additions, raise a roof, and replace windows on a non-contributing residential structure. (Daniel Schwab)
6. Case #2020-002169-HDRB. 831 El Caminito. Downtown & Eastside Historic District. Dale Zinn, agent for Joseph Dale and Heather Qualls, owners, proposes to demolish two non-historic carport/garage structures and partial portal, alter three non-historic window/door openings, alter a non-historic portal, and construct a detached garage and adobe entry gate at a significant residential structure. (Lisa Gavioli Roach, 955-6577, lxroach@santafenm.gov)
7. Case #2020-002194-HDRB. 1160 Camino de Cruz Blanca. Historic Review District. Sean Milks of Gravity Pad Partners, LLC, agent for St. John's College, owner, proposes to install a 75'-tall AT&T "monopine" telecommunications tower. A telecommunications waiver is requested to exceed the maximum allowable height, per Section 14-6.2(E)(8)(c). (Lisa Gavioli Roach)

H. DISCUSSION ITEMS

1. Case #2020-002188-HDRB. 500 Montezuma Avenue. Westside-Guadalupe Historic District. Jenkins-Gavin, agent for the New Mexico School for the Arts, State of New Mexico, owner, proposes to construct a 7,550 square foot cafeteria addition and 8,830 square foot adjacent courtyard, following the previously approved partial demolition at a non-contributing, non-residential structure. The applicant requests review and comment, per Section 14-5.2(M). (Lisa Gavioli Roach)

I. MATTERS FROM THE BOARD

J. ADJOURNMENT

Cases on this agenda may be postponed to a later date by the Historic Districts Review Board at the noticed meeting. Please contact the Historic Preservation Division at 955-6605 or check https://www.santafenm.gov/historic_districts_review_board for more information regarding cases on this agenda. Persons with disabilities in need of accommodations, contact the Historic Preservation Division office at (505) 955-6605 five (5) working days prior to the meeting date.

RECEIVED AT THE CITY CLERK'S OFFICE

DATE: June 16, 2016

TIME: 2:32 PM



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CALL TO ORDER

A. ROLL CALL

B. APPROVAL OF AGENDA

C. APPROVAL OF MINUTES:

1. HDRB Field Trip minutes: N/A
2. HDRB Hearing minutes: June 9, 2020

D. FINDINGS OF FACT & CONCLUSIONS OF LAW

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Case #2020-002095-HDRB. 130 Romero Street.

Case #2020-002042-HDRB. 633 Gomez Road.

Case #2020-002058-HDRB. 1538 Cerro Gordo Road.

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RECEIVED AT THE CITY CLERK'S OFFICE

DATE: June 4, 2020

TIME: 4:00 PM

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HISTORIC DISTRICTS REVIEW BOARD
June 23, 2020

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G. Action Items		
1. Case#2020-002174-HDRB. 104 Lorenzo Road.	Tabled Approved	10 21-25
2. Case #2020-001784-HDRB 339 and 341 Plaza Balentine	Approved	10-21
3. Case #2020-002170-HDRB 1210 Canyon Road.	Designated Consistent with Staff Recommendations	25-30
4. Case #2020-002171-HDRB 1169 East Alameda Street	Postponed	30-39
5. Case #2020-001978-HDRB 8 Camino Pequeño	Approved	39-41
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8.	Case #2020-002188-HDRB 500 Montezuma Avenue	Approved	55-61
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**MINUTES OF THE CITY OF SANTA FE
HISTORIC DISTRICTS REVIEW BOARD
JUNE 23, 2020
VIRTUAL HEARING**

CALL TO ORDER

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

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

MEMBERS EXCUSED:

Mr. Buddy Roybal

OTHERS PRESENT:

Ms. Lisa Roach, Planner Manager
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

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

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

C. APPROVAL OF MINUTES:

1. HDRB Hearing Minutes June 9, 2020

Vice Chair Katz requested the following changes:

- Page 12, 3rd to last paragraph, third sentence should read: "But it makes no difference whether he buys it or not."
- Page 13, last paragraph, 3rd sentence, should read: "With regard to the 8-foot-high patio sliding doors..."
- On page 14, 4th paragraph: should read, "Now it is not the step, it is the light and somehow skylights..."

Chair Rios requested the following changes:

- Page 17, top of page, 2nd sentence should read: "The Board should also remember, that people live in these buildings. Therefore, the Board needs to listen closely to the owner's proposals, the people who will be living in the buildings."
- Page 33, 2nd paragraph, "Chair Rios thought the number really low" should read "...thought the *dollar amount* was really low..."
- Page 41, under Board Discussion, second sentence: "...but are not recognized" should read, "but are not recognized *under the Ordinance*".

MOTION: Vice Chair Katz moved, seconded by Member Larson, to approve the HDRB Hearing Minutes of June 9, 2020, as amended.

VOTE: The motion passed by majority (4-0) roll call vote with Members Biedscheid, Bienvenu, Katz and Larson voting in favor and none voting against. Member Guida abstained.

D. FINDINGS OF FACT AND CONCLUSIONS OF LAW

Case #2020-002041-HDRB. 715 Manhattan Avenue
Case #2020-002042-HDRB. 633 Gomez Road
Case #2020-001997-HDRB. 535 Douglas Street
Case #2020-002102-HDRB. 1612 Cerro Gordo Road
Case #2020-002096-HDRB. 215 Delgado Street
Case #2020-002095-HDRB. 130 Romero Street
Case #2020-002162-HDRB. 1204 Canyon Road.

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

VOTE: The motion passed by majority (4-0) roll call vote with Members Biedscheid, Bienvenu, Katz and Larson voting in favor and none voting against. Member Guida abstained.

E. BUSINESS FROM THE FLOOR

Stephanie Beninato said she looked again at the Ordinance on exceptions and it states: *"The applicant shall conclusively demonstrate..."* and *"The board shall make a positive finding of fact that such exemptions comply with the criteria."* When you have discussed specific aspects, the Board should talk about why they are doing the exception. They are supposed to present reasons when they discuss something and vote opposite what was just discussed. When they dismiss a body of evidence they should say why. She cited *Miller vs. City of Albuquerque* in 1976, it was determined as a denial of due process due to failing to comply with published procedures. Specifically, failing to give reasons for a change in a decision. She read, *"If an administrative board reaches a decision or promulgated an order without considering all the evidence at the hearing, the decision and order should be reversed."* She cited another case of a secretary who ignored an entire line of evidence in reaching a decision on a final order without a reasonable explanation that factored in public testimony when the decision was rendered that gave reasons showing the public testimony was taken into account. A third case says when a board is leaning in one direction and goes in another, there should be some reasoning as to why the vote was different than it appeared to lean in the discussion. She pointed these out because they are reversible error. She noted the exceptions state clearly that criteria are required to prevent a hardship to the applicant or an injury to the public welfare. When reading that with proper English grammar rules applied, that means what the person wanted to do was required in order to prevent an injury to the public welfare. It isn't just that it would injure public welfare; it is not about creating an injury but preventing an injury. People are glossing over that and the Board just keeps pushing it, and standards that apply for most don't apply to the "one percenters".

Fabiola Hartford asked if this was the meeting about the historical monuments.

Chair Rios explained the role of the Historic Design Review Board.

Ms. Hartford said she understood the Mayor referred to this Board about his decision to remove the monuments.

Ms. Roach offered an explanation. The Mayor called for the creation of a new Truth and Preservation Commission that will evaluate the monuments in the City.

Ms. Hartford said she runs an organization for the protection of cultural heritage that is a member of UNESCO. She sent a letter to the Mayor warning about destruction of the monuments by criminal groups. She was shocked by the Mayor's decision to give in to the illegal groups.

She asked what the Board's role will be because they have the knowledge and approval of what will happen with the monuments. These monuments are not on Native American lands, they are in the City of Santa Fe. The UNESCO guidelines should be used. The heritage belongs in the communities and in this case, that is Hispanic. The Mayor is only considering Native American opinions and is wrong. Decisions taken that impact the Native Americans, must be through consultation with the tribal authorities. Making any other decision without consultation with a tribal authority is also a violation by the Mayor.

Ms. Hartford asked Chair Rios what the Board's role will be and how they will contribute to the protection of the monuments and cultural heritage of the citizens of Santa Fe. She said the protection of cultural heritage has nothing to do with reconciliation. UNESCO has designated the City of Santa Fe as a Creative Cultural City and the agreements made still stand.

Chair Rios asked if the Board could go to Communications, since Ms. Roach planned to speak on this.

Ms. Roach said she could offer clarification and briefly address some of Ms. Hartford's concerns. She understood the commission sought by the Mayor will have a wide range of community members from Santa Fe that are not strictly Native American voices. Much of what will happen next is not determined yet. She assured them that multiple and numerous conversations are happening every day, and answers are being explored.

She stated that the Mayor has not called for the destruction of any monument but has asked for the exploration of the legal process.

Ms. Hartford interjected that she understood the Mayor had ordered the removal of the monuments.

Ms. Roach clarified that the Mayor has ordered an exploration through legal process to remove but has not said they will be removed.

Ms. Hartford said the Chief of Police told her he was instructed by a higher level, not to take action to protect the monuments. Also, she heard the Mayor's press address and is waiting for his executive order. She has reached out to him and expressed concern and told him she is considering legal avenues. She is preparing to file a complaint with the United Nations and the International bodies for a violation of human rights and cultural genocide based on the order of the Mayor. Even if he is not the person directly removing the monuments, once the monuments are altered, he ordered the removal.

Ms. Hartford said they will address this through the Secretary of State because some of the monuments are in memory of U.S. Veterans, and some are affecting the Hispanic community. The monuments of Onate and DeVargas are part of the Hispanic and the Spaniard's culture and that heritage belongs to them, not the Native Americans. They will take action but want to talk to the Commission to see if anything is being done.

Ms. Paez said she appreciated Ms. Hartford's comments. The discussion is important and will be ongoing in other venues. She explained this Board at this time has not been delegated to take action and her request of the Board's action is premature. She appreciated that Ms. Hartford brought this to their attention. It is the historic district in the Plaza and an important issue and there will be future conversations.

She suggested Ms. Hartford also speak at City Council tomorrow night. She explained the deadline to submit petitions to the floor. She noted there will be a new body created for this matter and ultimately decisions will be made at a higher level. She encouraged Ms. Hartford to reach out in that process.

Ms. Paez noted the Board has a very large agenda tonight and had to move forward with the action items.

Ms. Hartford said she appreciated Ms. Paez's answers.

Chair Rios thanked Ms. Paez for her comments. She agreed the agenda is a large one. The Board wasn't told about any action in reference to the monuments and the issues are complicated and need to be addressed. There are many different tentacles in the conversation on the monuments and deep conversations are needed. Voices need to be heard to come to an understanding so the community can live in peace and harmony. Chair Rios said things are happening in the world now and people want action.

Ms. Beninato encouraged Ms. Hartford to go to City Council tomorrow to express her views. It is important people know Ms. Hartford's plans to file a complaint with the United Nations on the Mayor's "middle of the night attempt" to remove a monument.

Ms. Hartford said they have other meetings tomorrow and are trying to push the resolution from the top down. She understood the components, especially the emotional for those involved. However, there is a legal framework that should be their guide. They cannot make agreements or take the word of criminal organizations at face value. She has been tracking the criminal organizations and could assure them she has documentation and proof they are criminal. Some are requesting donations online and are not registered. They are scamming the public.

Chair Rios said she was sorry to interrupt Ms. Hartford but this is not the proper forum for the discussion at this time. She hoped Ms. Hartford would speak at the City Council public hearing.

Chair Rios moved on to Communications.

F. COMMUNICATIONS

Ms. Roach noted the first item speaks directly to the monument questions. She gave an update of the week's events: Mayor Weber on June 18, signed a Proclamation of Emergency due to civil unrest from institutional racism. The proclamation called for the removal of the statue of Don Diego de Vargas at Cathedral Park, an initiation of legal processes for the removal of the Soldiers' monument, (a.k.a. the Obelisk), from the Santa Fe Plaza, and determination for action for the removal of the Kit Carson obelisk from the federal oval.

In advance of a protest organized by the Three Sisters Collective, the Mayor called on members of the community to maintain peace and engage in respectful dialogue about historical trauma, and pathways toward peace and reconciliation. In addition, the Mayor called for the creation of a Truth and Reconciliation Commission. He is requesting nominations and volunteers. The new commission will be tasked with making recommendations on the future of Santa Fe's historic statues and monuments, relevant sections of City Code, and other matters of education, historic trauma, and systemic racism. Mayor Webber says the City has the responsibility and opportunity to address the issue.

Ms. Roach said the protest on Thursday evening was peaceful and moving and attracted a large crowd. Staff has been working internally and with State officials to determine the path forward regarding the obelisk on the Plaza. It was heavily vandalized over the weekend and the City is considering removing the wrought iron fencing

temporarily around the monument, and/or installing temporary plywood fencing around the base under the authority of the Land-Use Director.

The actions, in compliance with Chapter 14, would provide an opportunity for public art and community dialogue about the meaning and future of the obelisk. It would additionally provide a degree of protection against future vandalism until a course of action could be decided for legal removal.

Ms. Roach said she is happy to answer questions to the degree that she can. Much of what is going on is uncertain and to be determined but conversations are going on extensively every day.

Member Bienvenu asked, apart from the commission being appointed, what is the jurisdiction of the H-Board over the monument.

Ms. Roach said the monument on the Plaza is designated a Significant structure per Chapter 14. She thought alteration to the monument would require it go through the Historic Design Review Board. Legally, they would also be operating within the historic status since the Plaza, including the monument, was designated a national historic landmark and listed on the State and National Register of Historic Places, in addition to its historic status assigned by Chapter 14.

Member Bienvenu asked if her opinion was that no alterations could be done to the monument without approval of this Board.

Ms. Roach said she believes that to be true. There is a lot of behind-the-scenes dialogue to that effect.

Chair Rios said if what has been stated is accurate, the moving of the monument could not be done by the Mayor's office.

Ms. Roach replied she is awaiting guidance from the City Attorney who is consulting with Cultural Affairs legal counsel. She will update the Board on the legal process once she receives more information.

Chair Rios noted that they are living under complicated circumstances.

Ms. Roach invited Thom Easterson-Bond to join the panel. The Mayor's Task Force called Downtown Alive, met for the first time June 3 on the reopening of the Plaza. The owners of the white building, Falling Colors, presented the idea of social distance metering in the Plaza and other congregate areas, as a way to create safety and interest. Falling Colors contacted Mr. Easterson-Bond for a design concept and his company provided the first draft on June 11 to the Task Force. Clouds were used as a social

distance meter and the task force enthusiastically adopted it. Falling Colors sponsored pro bono the materials which will be a metal and concrete design. The labor will be implemented and sponsored by G.M. Evans.

Ms. Roach said the Downtown Alive Task Force is seeking approval from various City authorities. The proposal is also under consideration for approval by the Land-Use Director as a temporary installation in response to the health crisis as a way to reactivate the Plaza for economic development and community gatherings.

She asked Mr. Easterson-Bond to provide information on the concept and she would show the exhibits he provided

Mr. Easterson-Bond said that Falling Colors wanted to activate the Plaza in a nonpermanent fashion. He thought about Dolores Park in San Francisco with a series of rings that becomes a beautiful aerial image and how the concept could be made uniquely Santa Fe. He is inspired by Georgia O'Keefe's work, *Sky Above the Cloud* series. He thought a series of clouds on the Plaza could work for social distancing.

A slide of Dolores Park was shown. Mr. Easterson-Bond noted the comfort and safety the park provides with the separation in a 10-foot circle. It allows people to define themselves. This could be on the Plaza in a series of clouds distributed throughout the benches and areas where people can sit and watch, enjoy music venues, etc. Creating boundaries and guidelines is a good way for people to function. They mapped the Plaza creating the Dolores Park model throughout using a grid of clouds. They mapped things such as park benches and measured around light posts and created walking panels and space for people to stand or move on a path. Non-toxic field marking temporary paint will be used to create the spaces. They want to find a way to develop merchant clouds; a restaurant could have tables in different colors of clouds. Vendors could expand outside onto the Plaza in a defined space without crowding everyone under the portal.

The concept gives a sense of space but is also incredibly fun and could be a downtown activity and a unique idea for social distancing for Santa Fe. And locals and visitors could visit the Plaza and remain safe.

Chair Rios asked who would oversee the project and give approval.

Ms. Roach said she wasn't sure. It is considered a temporary reversible treatment that the Land-Use Director could administratively approve. The purpose of bringing the idea to the Board is to get their comments and provide them an opportunity for input.

Chair Rios asked if the grassy areas would all be the same size.

Mr. Easterson-Bond said they are essentially the same in clusters where four or five people could operate with social distancing. The shape of the clouds would vary and be done with stencils by volunteer crews. Shapes will be slightly distorted but essentially have four typologies of about the same size.

Member Larson said she was happy this is being discussed and brought to the Board. This continues the discussion on how art exists in historic districts and the importance of having community presence and is an important discussion. It is a creative way to reinforce that the Plaza belongs to the community and can continue to be used in this unexpected circumstance. She liked that it is a positive idea and can be reversed. More reversible concepts throughout the historic areas should be explored, not just in the Plaza with community engagement beyond the central district.

Vice Chair Katz said it is brilliant and beautiful and very much needed. It has been distressing to see an increase in tourists in town not wearing masks and seemingly disregarding safety procedures. He hopes this will help.

Member Bienvenu also thought it beautiful. His only concern was the idea that it needs Board approval. It seemed this type of thing would easily fit within the guidelines for a temporary art project. They should want to encourage this in all historic districts without requiring approval or exceptions from this Board. Otherwise he is in favor.

Member Guida thought it a fantastic proposal and he supports it 100 percent. It is a strong idea. He agreed this type of project should be pursued in historic districts.

Member Biedscheid also thought it a great idea and a fantastic way to let people know it is okay to be on the Plaza and to welcome them back. And it also manages the out-of-town guests. She fully supports it.

Chair Rios asked Ms. Roach if there was a timeline.

Ms. Roach said she wasn't sure. She explained she brought this before the Board not to get their approval, but for their feedback. It is important that this Board who frequently and regularly explores matters of historic spaces and treatments, weighs in. She thanked them for their feedback.

Chair Rios said she agreed the Board should weigh in. The Plaza is a national historic landmark and the Board's voices should be heard. This is a good project and the Plaza needs to stay alive.

Mr. Easterson-Bond thanked them for their comments. They are trying to move as quickly as possible, but it is very complicated. Their support and kind words are what they need.

G. ACTION ITEMS

Chair Rios noted there were seven action items before the Board. She reminded the applicants if they disagree with the decision of the Board, they have the option to appeal to the City Council within 15 days after the Findings of Fact and Conclusions of Law have been approved.

Chair Rios noted she would allow two minutes each for public comments. She asked Ms. Paez to be the timekeeper.

1. **Case #2020-002174-HDRB. 104 Lorenzo Road.** Downtown & Eastside Historic District. Lance Olivieri, agent/owner, proposes to construct a non-publicly visible, freestanding greenhouse in the rear yard of a contributing residence. (Angela Shackel Bordegaray, asbordegaray@santafenm.gov)

Ms. Roach asked the applicant to raise their hands and she would move them to the panel.

Ms. Roach suggested tabling the case until the applicant arrived. They were not present yet.

MOTION: In Case #2020-002174-HDRB, 104 Lorenzo Road, Member Bienvenu moved to table the case until the applicant is present. Member Guida seconded the motion.

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

2. **Case #2020-001784-HDRB. 339 and 341 Plaza Balentine.** Downtown and Eastside Historic District. H.Q. Construction, agent for Elizabeth Beall, owner, requests historic status review and primary façade designation, if applicable, for a contributing residential structure. (Daniel Schwab, 955-6660, dnschwab@santafenm.gov) (POSTPONED FROM 4/28/2020)

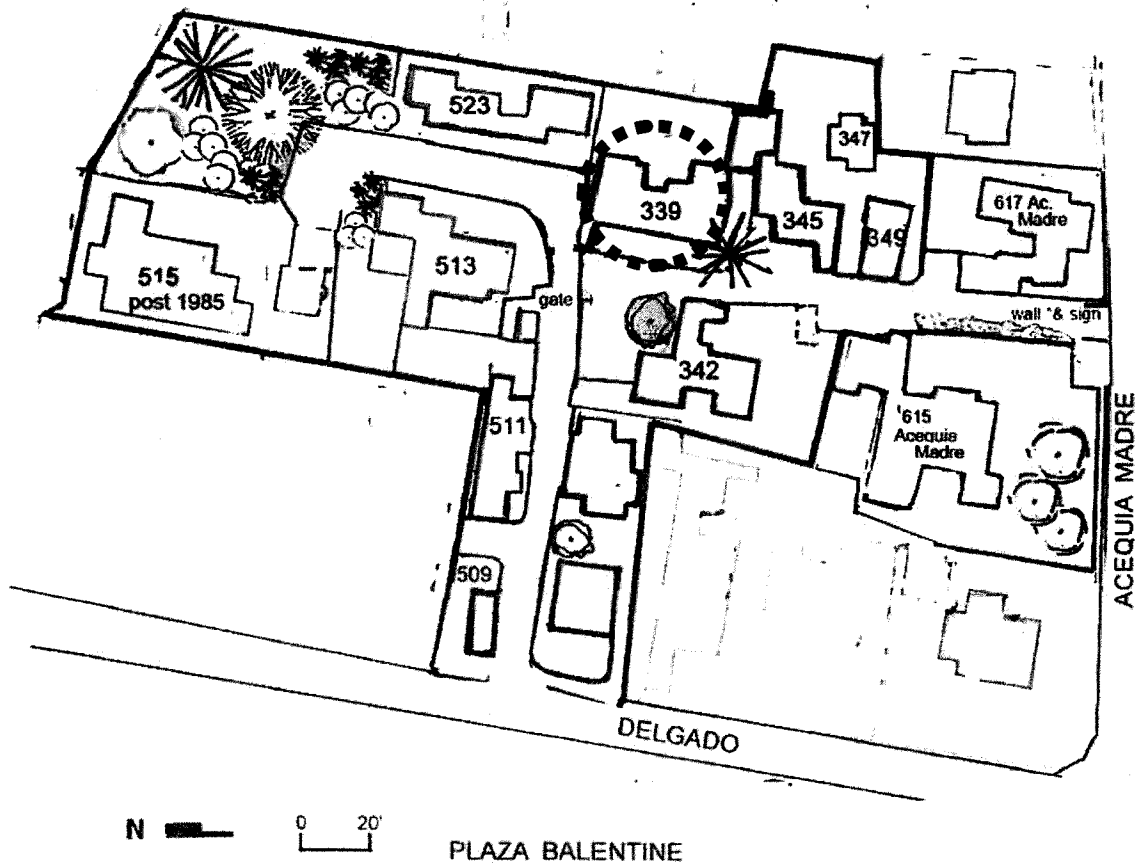
Mr. Schwab presented the staff report as follows:

STAFF REPORT

339-341 Plaza Balentine is a residential structure with contributing historic status in the Downtown and Eastside Historic District. On April 28th, the HDRB heard an application for a review of status and designation of primary facades and elected to postpone before

reaching a decision in order that a complete Historic Cultural Properties Inventory (HCPI) could be produced. That HCPI has now been prepared and is presented today along with this application.

The house was designed by Kate Muller Chapman, a well-known early female architect in Santa Fe. It was built in 1924 using traditional methods carried out by local and native Pueblo artisans who were experts in adobe construction. It was the first original house Kate Chapman built in the neighborhood and was the start of what would become recognized as the Plaza Balentine residential compound, which developed during the 1920s and 30s. The compound began with four small houses and reached ten by 1940. The small scale of the compound is best preserved in southern portion, accessed via Acequia Madre, of which this house is a part.

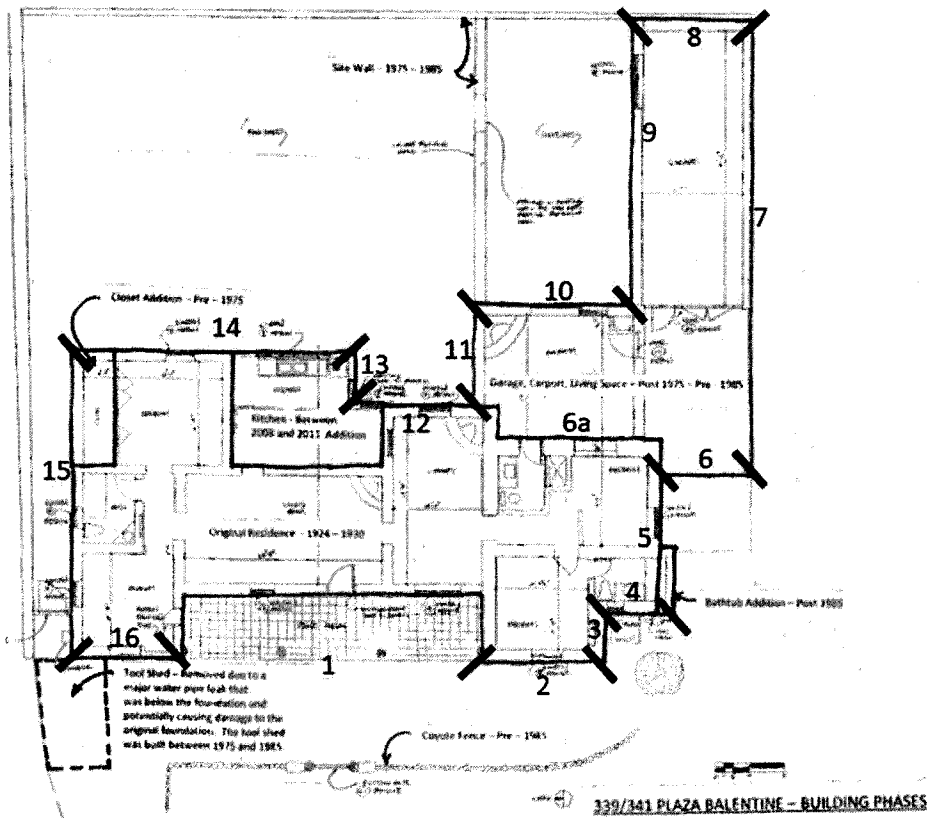


The house has one representative symmetrical façade facing west with wings at the sides and a portal in the middle. A historic photograph of the house shows that the basic form of this façade is still intact. It also retains several details, including the original “angular”

corbels designed by Chapman, the two doors and the left window under the portal. The Territorial Revival brick coping was added to the parapets at a later date before 1985.

There have been various additions to the rear portion of the house:

- 1) A closet addition on the north-east corner (pre-1975) (façades 14, 15)
- 2) A kitchen on the east façade between 2008 and 2011 (façades 12, 13, 14)



- 3) A bedroom, carport and garage on the southeast corner between 1975 and 1985 (façades 6 – 11)
- 4) A coyote fence on the west perimeter (pre-1985). It is thought that possibly earlier a picket fence lined the property, as several other of Chapman's projects employed one.'
- 5) A bathtub addition (post 1985) (façade 5)

The windows are of mixed condition and date, and are described in the table below:

Façade	Description	Historic?	HCPI photo # (2020)
4	Wood, single glazing, 2/2 casement, original wood screen	yes	17
5	Vinyl clad metal hung, single lights	no	15
9	Vinyl clad, single lights	no	13
12	Living room windows, original casements, with storm glazing and alum screen added later	yes	12
13	French door 2/5 metal clad, recent kitchen remodel	no	11
14	Bedroom window, single pane 3/2 wood casement, storm glazing and alum screen added later	yes	9
14	2/3 casement metal clad wood windows, part of recent kitchen addition	no	10
15	Insulated glazing, alum clad, wood casement good condition	no	7
15	Single pane 2/2 wood casement, good condition, storm glazing and wood screen added later	yes	8

A historic photo of the house shows that the window at the far right (south) wing of the west façade had a similar divided lite window pattern as the one under the portal, as well as pedimented trim. Assuming an overall symmetry in this façade, it is likely that this same window design was replicated on the left (north) wing (not captured in the historical photo).



339 Plaza Balentine shortly after construction.



339 Plaza Balentine today.

Several minor alterations have taken place on the west façade (façade 1):

1. On the left wing, the window opening appears to have been partly patched to construct a smaller window.
2. The original window under the left portion of the portal is still extant and in good condition. Only large-pane storm windows have been tacked in front of the historic divided lite window.
3. On the right portion under the portal, the historic French doors with divided lites have been filled in at the bottom and the upper portion has been made into a large-pane horizontal window.
4. On the right wing, the pedimented trim has been removed and a modern large-pane window has been inserted.

Other windows on the north and south elevations are also non-historic. The front door appears to be original, as well as the windows under the facades.

STAFF RECOMMENDATION

Staff recommends the historic status of the structure be designated as Significant, per 14-5.2(C) Designation of Significant and Contributing Structures. Because there have been various non-historic additions to the structure, staff recommends that these non-historic portions be excluded from primary façades.

QUESTIONS FOR STAFF

Chair Rios asked why the house has two addresses, 339 and 341.

Mr. Schwab wasn't sure, but the applicant could speak to that.

Chair Rios said she read this was a school at one time and is 96 years old. She asked if emphasis was on it becoming significant because of its association with the people who lived there. She asked if correct that the footprint is surrounded by a lot of more recent alterations.

Mr. Schwab said you can see the original structure fairly clearly, especially in the front which is the representative part of the structure. There are alterations but they are distinguishable, and don't damage the character of the building.

Chair Rios asked about his reference to the French doors in the entry under the portal.

Mr. Schwab referenced the slides showing where the French doors had been filled in. The slides show the historic design and the current view today. He noted the window

was the same and the window on the left is presumed to be the same design as on the right. There is a tall window with pedimented trim on the right wing and appears the opening below was made smaller. Originally there was an identical window on the left and the right.

Vice Chair Katz said he appreciated the desire to make the building significant because of its historic connection and beautiful west façade. They are excluding façades 6, 7, 8, 10, 11, 13 and half of 14 and 15. That is a lot of exclusion from historic protection, appropriately because they are not within the historic period. That raises the question of whether this should be significant in that sense because so many façades will not be primary façades.

Member Larson said a general rule that works well on the association with a person, is to think would that person visiting this house today recognize this was theirs. She thought they would because in this case there is a significant amount of fabric.

She asked Mr. Schwab to reiterate the period significance designated.

Mr. Schwab said he looks on this as significant because of its association with the architect.

Ms. Roach added that the significance of the house is the compound was developed by Kate Chapman and her associates in the 1920s and 1940s.

Member Bienvenu asked to clarify Mr. Schwab's recommendations on the primary façades.

Mr. Schwab explained he did not number the façades he thought should be included or excluded. He made a general recommendation for the Board to consider and removing the façades where non-historic additions were. The diagram could be used as their guide.

Member Bienvenu asked if façades #1 and #2 were the publicly visible portions.

Mr. Schwab replied #1 and #2 are visible and, #6 is somewhat visible at the southwest corner and in the rear portion, #s 8, 9 10,11,14 and 15 are not visible. Façade #4 is technically publicly visible and façade #5 is visible.

Member Bienvenu said he was familiar with the road and believed it is a private road, not a City road. Chair Rios told him that was correct. He thought technically none of it is publicly visible.

Mr. Schwab said if true, then that would be correct.

Chair Rios asked which of the facades would be excluded.

Mr. Schwab reviewed the façades starting on the left and noted that non-historic included portions of 14, 15, 13, 11, 10, 9, 7, 6 and portions of #5.

Member Guida said he was happy to see a historic report written on the property and to see the property elevated. In general, he agreed with staff's recommendation for designating this as significant, and that much of the original building remains visible and intact. It makes sense to identify the original structure and possibly exclude the additions outlined.

He asked if there were photographs of the additions which are noted pre-1985 in most cases and if those might be historic. He asked if anything in the report is about the quality of the materials.

Mr. Schwab explained the diagram gives spans and on page 4 and page 19 is more legible. It shows the garage as post 1975, the kitchen from 2008-11, the closet addition pre-1975 and the bathtub post 1985.

Member Guida said it seems a sensible path that the building should be designated significant because of its association with the architect and having historic features intact. The Board's task is to square that with the Ordinance, that is very dependent on façades and details and elements.

He asked how Mr. Schwab would recommend stating a finding relative to the windows; do they just say not the historic additions and not the non-historic windows. Or do they look at the façade but exclude the brick coping, etc.

Mr. Schwab explained the practice with a significant structure is to consider all façades primary. The Code doesn't define the significant building in that way, but the Board historically has treated a significant building that way. He asked Ms. Roach to comment.

Ms. Paez said in reviewing the provisions and 14-5.2 (D) General Design Standards, and with windows, doors and other architectural features, Code treats significant and landmark structures differently than contributing. With significant structures, they apply extra limitations that would be applied to a primary façade to the entire structure of a contributing structure. It would still have limitations removal of historic window and door material and historic architectural features regardless of whether the Board designates a particular façade as a primary façade on a significant building. Those details would be repaired when possible or replaced in kind, regardless of the façade. In that sense the Code treats all of the façades as primary when dealing with a significant structure.

Mr. Schwab said looking at other portions of denying the additions sections, where it talks about making additions to primary façades, it doesn't distinguish between a significant structure and a primary façade of a contributing structure in the same way.

He suggested they consider that those types of historic windows, doors and features, need to be preserved regardless of designation. But potentially other Code provisions may be triggered by designating certain façades as primary.

Chair Rios said when she thinks of a significant building all facades are primary. In this case it is a 96-year-old building that is well preserved but surrounded by a lot of façades that don't fall into the category of historicity as defined by the Ordinance. If it is as close as 1970, that is 50 years and they are talking about a very old, unique building. The building itself is historic and in her view should be preserved. But in this case, she is trying to see what transpired to the portions of the building that are not historic.

Vice Chair Katz said from what Ms. Paez said, there are strictures against removing historic material from a façade of a significant building, but all of the façades originally listed are not historic material. They may be a primary façade but they are not historic so they can be completely changed.

Ms. Roach said she wasn't sure they are primary façades per Code. She believed primary façade designation is limited to contributing buildings.

Mr. Schwab said they looked at the Code and found no provision that all façades on a significant structure are primary. No clause in the Code says that.

Ms. Roach noted it does, however, say there are preservation standard requirements to maintain historic features and materials that apply to all façades of significant structures. It is somewhat splitting hairs and definitions. Objectively all façades of significant structures are primary but with some limitations.

Chair Rios said she agrees with Member Katz. If the building is significant then some of the facades have materials within them that are not historic. So those could be changed.

Member Guida said he didn't believe the building is surrounded by changes and the highlights on page 19 makes clear the dates of the additions. The only one close to being 50 years old is the closet addition on the southwest corner. The rest are post 1975 and others are recent. The original building proposed to be significant is mostly exposed, with some changes, but the majority of the original façades are exposed. There are only bigger additions that touch the building in a minor way. He thought the notion that it is surrounded is not correct and would be easy to say the non-historic addition should not be included.

His second point is to ask Mr. Schwab if the brick coping is a historic feature.

Mr. Schwab believed it is before 1985 per the HCPI report. He offered to see if he could narrow the date from the report.

Ms. Roach said recited from what she considers the building's significance from its association with Kate Chapman, this home represents an early example of the development of Santa Fe Style. It was modeled after the Lovato house, one of the earliest examples of Santa Fe Style and that alone makes it important. Not just its association with Kate Chapman, but also its association with the development of Santa Fe Style that was occurring in the 1920s.

Chair Rios asked Mr. Schwab to point out the closest to the original footprint.

Ms. Roach pointed to the original footprint saying it includes all of façade one.

Mr. Schwab said the front aside from the bump out on the right, is entirely exposed and the original exposed structure. It is only in the rear there are additions, except for the bump out.

Member Larson pointed out it was important that you could still see the outlines of the original French door. It is distinguishable from what can be seen currently. She agrees with Member Guida and Ms. Roach that this is exceptional and an example of a female architect's work. That alone should help them focus on what remains and the building is recognizable with a significant amount of integrity of the primary facing façades.

Vice Chair Katz assured them that he agreed that the building is significant. His point is there are a bunch of facades on that building that would not be protected by that status.

Chair Rios thanked everyone for voicing their opinions. She said she had decided the building is significant and she wanted to be sure it stays significant. She thought the applicant was enthusiastic as well that the building be significant. She noted another association with the building is Santa Fe artist Jesse Nusbaum who lived in the building.

APPLICANT'S PRESENTATION

Karen Marsh, John Burton and Elizabeth Beall were sworn.

John Burton said he wrote the HCPI on this property. The territorial detailing was identified as pre-1985 and the brick coping was apparent even then.

Karen Marsh said she is the architect.

Chair Rios asked Ms. Marsh after hearing the staff report, if she agreed the home should be designated significant.

Ms. Marsh said she would agree, but not all facades.

Elizabeth Beall added that the primary façade, the original façade, is significant not only because of the architect and architecture. It is also the story of the house and all of the people who came together to influence the house. There are various people in and around Kate Chapman who were influential like Sylvan Morley and the Lovato house. He changed the windows of his house when this house was designed. The feature opened up the windows instead of the traditional small window design.

There were also interesting characters who were in and out of the house like Jesse Nusbaum and other artists not as well-known. An unusual school originally occupied the house and Mary Ostead was very involved, speaking at the school and leading seminars. Also, the editor of the New Mexican newspaper, who wrote the introduction to the history of Santa Fe book by Oliver Lafarge.

The additions were added when the owners of the house turned it into a duplex for rental. The additions are not prominent and are behind the original façade.

Communication was lost with Ms. Beall at this time. Ms. Marsh offered to text her.

Mr. Burton said Ms. Beall was about to mention why there are two addresses; they added the second address when the house was made into a duplex.

Ms. Beall reconnected. She stated her intention is not to alter the original but to restore to the picture shown. She wants as much as possible, to keep the original features or do reproductions of those. The back part with the additions will match the original details.

Chair Rios said she appreciated the history Ms. Beall provided but would note the hearing this evening was strictly with the historic status. The Board will address what may or may not happen in the future under another case.

Ms. Marsh said if the front façade and the original portions are made significant that will work with their concept. But they don't want the newer additions not in keeping with the original style to become significant.

PUBLIC HEARING

Stephanie Beninato, PO Box 1601, was sworn. She thought more than the two bump outs had been added. The back courtyard was filled in with a kitchen around 2008-2011 and she questioned whether they got a permit to do that. She found it surprising that none of the additions post 1985 brought up the status of the building. She has concerns about the process; it is either significant or not. The idea of leaving out façades or parts of them seems against the idea of being a significant building. Knowing that the owner wants to reinstate the openings on façade 1 made her feel better. To make the building significant without the original openings, even though you can't see them, would be contradictory. She couldn't decide if this is a bootlegged process and wondered if there is another significant building in town with parts that were covered and not designated, has gone through that process. A solution would be to say 339 is significant, but not 341.

Ms. Roach said this is a tricky issue because of how the Code is written. She reads the Code for significant buildings as there is a requirement to retain historic materials, historic architectural features and details. There is no requirement to retain those that are not historic. So, protections are built in for the historic aspects.

Chair Rios said she can understand why people are saying this is really two buildings that are connected. It appears some of the portions are non-historic. She was trying to think of another building in Santa Fe that is significant where a lot of the portions are non-historic.

Chair Rios reiterated what significant structure is: *"A structure located in an historic district that is approximately 50 years or older and that embodies distinctive characteristic of a time period or method of construction. For a structure to be designated as significant, it must retain a high level of historic integrity. A structure may be designated as significant a) for its association with events or persons that are important on a local, regional, or national or global level, or is listed on, or is eligible to be listed on, The State Register of Cultural Properties or The National Register of Historic Places."*

Ms. Roach offered an example and referred to 831 El Caminito as a significant structure and very important to Santa Fe history. It is one of the most important residences in Santa Fe and there was substantial non-historic addition to the rear of the house.

Chair Rios returned to public comment and acknowledged John Eddy.

John Eddy, 227 E. Palace Ave., Suite D, was sworn. The applicant is passionate about maintaining or upgrading the significance of a property and that should be applauded. He believed the original footprint of the property is undeniably significant due to the reasons already discussed. The duplex should be excluded from significant status.

The spirit of the owner ensures the property will receive the appropriate attention it deserves. He is encouraged by their enthusiasm about the legacy of Kate Chapman and ensuring that is preserved.

Chair Rios said she too applauds the applicants and that is what she sensed in reading the packet as well.

Member Biedscheid recalled another example on Camino de Las Animas designated recently as significant. She thought it had an addition to the rear similar to this house that was excluded.

Ms. Roach said that was correct.

BOARD DISCUSSION

MOTION: In Case #2020-001784-HDRB, 339 and 341 Plaza Balentine, Member Guida moved to proceed with staff's recommendation and approve the status of the structure as significant with the exception of the four additions noted on page 19 that are non-historic. The motion was seconded by Member Biedscheid.

Member Guida added to his motion that he would also exclude the fence.

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

Mr. Schwab asked to clarify there were five additions, one of which was the coyote fence and the motion contained three additions and the fence.

Member Guida said he articulated the four additions plus the coyote fence. He noted there is a small bathtub addition.

Chair Rios clarified the motion includes the four additions on page 19, plus the coyote fence.

Mr. Schwab asked to confirm the closet addition that is possibly historic, on the corner was excluded. Member Guida agreed.

Chair Rios returned to the first case since the applicants were now present.

MOTION: In Case #2020-002174-HDRB, 104 Lorenzo Rd., Member Biedscheid moved to take the case off the table to be heard. The motion was seconded by Vice Chair Katz.

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

1. **Case #2020-002174-HDRB. 104 Lorenzo Road.** Downtown & Eastside Historic District. Lance Olivieri, agent/owner, proposes to construct a non-publicly visible, freestanding greenhouse in the rear yard of a contributing residence. (Angela Shackel Bordegaray, asbordegaray@santafenm.gov)

Ms. Bordegaray presented the staff report as follows:

STAFF REPORT:

104 Lorenzo Road is a non-contributing residence in the Downtown and Eastside Historic District. The Pueblo-Spanish Revival Style house fronts Lorenzo Road, with the house entrance visible from the street, and a portion is behind a coyote fence. The lot slopes from east to west down to Lorenzo Road. A guesthouse was added in 1991 (H-91-31).

The owners wish to construct a 144 square feet free-standing greenhouse behind and to the east of the main house, where there currently sits an outdoor garden. The proposed height is 9 feet. See the detailed elevations of the greenhouse. The site is surrounded by high walls, trees, vegetation and structures and is not publicly visible, nor would the proposed greenhouse be publicly visible. In your packet is a cross-section (transverse) through the property that shows the existing relative vertical and horizontal relationships of the proposed greenhouse location.

The greenhouse will be constructed of wood and rigid polycarbonate sheets. Information about polycarbonate material is in your packet. This material would be used primarily on the roof and lower 3' of the walls. It would be used in conjunction with true divided light barn wood sash windows and two divided light 30-inch wood doors. According to the owners, polycarbonate plastic roofing and partial walls performs well for growing plants, providing insulation and is shatterproof.

STAFF RECOMMENDATION

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

QUESTIONS FOR STAFF

Chair Rios asked Ms. Paez to read the portion of the Code that covers greenhouses in this district.

Ms. Paez explained there are no specific provisions for Downtown and Eastside Historic Districts on greenhouse design.

Chair Rios asked when there is no Code provision does that mean they can or cannot build.

Ms. Paez said staff defaults to building design standards and recent Santa Fe Style guidelines to be consistent. It is tricky to apply all the standards strictly when the structure is not a residence. They generally apply Santa Fe Style to structures in the Downtown and Eastside Historic District.

Vice Chair Katz said this had no hint of old or recent Santa Fe Style, but it is not publicly visible, and all of that is irrelevant.

Member Biedscheid asked, even though not publicly visible, if the neighbors could see the structure.

Ms. Bordergaray replied it is not visible by the surrounding neighbors.

Ms. Roach noted it is not relevant if neighbors can see it.

Member Biedscheid recalled a proposal for a greenhouse that was built in the same district on Apodaca Hill and it was also not publicly visible. She thought that had been denied because the neighbors were concerned about the design.

Chair Rios said that was the reason the case was brought before the Board. You couldn't see the house from the public right-of-way but could see two feet of the greenhouse from the neighbor. The neighbor brought the case before the City. The Board did deny it and was believed that the applicant built the greenhouse without a permit.

Ms. Roach recalled the discussion was on the harmony and its relative relationship with the recent Santa Fe Style. It was a geodesic dome shape and the Board didn't feel that worked with Santa Fe Style.

Chair Rios agreed that was the discussion that took place.

APPLICANT'S PRESENTATION

Lance and Irene Olivier, 104 Lorenzo Road, were sworn.

Ms. Olivier emphasized that this would not be visible by any of the neighbors.

Mr. Olivier said they are interested in sustainability and growing their own vegetables year-round. They tried to use local materials that would have been available in the past, except for the plastic. The plastic is an advantage to growing because it reflects the UV light and filters sunlight, so the plants aren't burned.

Ms. Olivier said they are not using glass because they have a lot of trees and there is potential for a branch or tree to fall. They felt polycarbonate was better to use.

Mr. Olivier added they looked for things in Santa Fe or New Mexico resembling an old greenhouse, but only found Victorian looking greenhouses.

Chair Rios asked if Board members had questions. There were none.

Ms. Roach pointed out regarding Mr. Olivier looking for examples, that John Gaw Meem himself created a number of sunroom-type architectural shapes. They had the characteristics of a greenhouse like this and could be seen all over town.

Member Larson complimented the lovely and sensitive design that aligns with Santa Fe Style and the clear elements such as the corbels.

Member Biedscheid agreed the design is harmonious with Santa Fe Style requirements. She corrected her statement on the previous example she raised. She agreed the reason the application was denied was because of the geodesic dome design, not visibility.

Member Guida said he appreciated the quality of the drawings, the smart design and that it is well represented. The polycarbonate didn't concern him. He thought it sensible and a sensitive material and thinks about the greenhouses on Las Poblanos Ranch. They are historic greenhouses "glazed" in polycarbonate.

PUBLIC HEARING

John Eddy, previously sworn, said it was unfortunate this greenhouse will not be visible to the public. He echoed the compliments previously made. The design is beautiful and sensitive to the location of the area for a greenhouse. The elements of divided lights and rock work and the native materials such as the corbels and beams fit here. He highly encouraged the Board to approve the request and thanked the applicants. He reiterated that the drawings are really beautiful.

Ms. Beninato, previously sworn, said she agreed with most of what was said. She was bothered though, by people who say there is a lot of vegetation and there are walls. Vegetation can die, and walls can go away, and it is not a reason to say that something is not publicly visible. In this case it doesn't matter. The design is harmonious with Santa Fe Style even without the mass dominated wall and is a nice design. Greenhouses should be encouraged when they fit in and are compatible.

BOARD DISCUSSION

MOTION: In Case #2020-002174-HDRB, 104 Lorenzo Road, Member Bienvenu moved to approve the application as submitted. Member Biedscheid seconded the motion.

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

3. **Case #2020-002170-HDRB. 1210 Canyon Road.** Downtown & Eastside Historic District. Sandra Donner, agent for Straddlebar Ranch, owner, requests designation of status and primary facades, if applicable, for a noncontributing residential structure. (Daniel Schwab)

Mr. Schwab indicated he had prepared a slideshow and a short film to help make sense of the property, because the report is not extremely detailed.

He presented the staff report as follows:

STAFF REPORT:

1210 Canyon Road is a single-family residential property with non-contributing status to the Downtown and Eastside Historic District. It is a complex property revealing several sequences of construction leading to its present appearance. It likely started in the early 20th century as an offshoot of the Lucero family home, set higher on the hillside (facades 2 and 3). According to aerial photographs, several structures on the property were in place by the 1940s. These included the so-called garage (Wall 1 and façade "Garage 1"), a small rectangular building at the bottom of the hill, located at the north end of the property, and a compact dwelling now encased in the current house. The property took on its present form, consisting of the accretionary House, Carport, Garage, and most of the connecting perimeter walls, in the 1950s. Several areas of the house show advanced deterioration.

The House occupies a five-sided lot lining the south edge of Upper Canyon Road near its intersection with Camino Cabra. The shape of the lot is dictated by its relation to Canyon Road on the north (Wall 1) and a vehicular easement (Loretta Lane) at the south. The house, its outbuildings, and other structures respond to their hillside location. They are mostly small volumes cut into the slope (in particular façades 4 -8). Several areas are supported by stone retaining walls. The hillside gives a promontory setting for the residence.

Approaching on Upper Canyon Road, the first structure encountered is a wall wrapping the west, north, and east sides of the property (façade 2, Wall 1, Wall 2). The wall is not original, and presumably was constructed in the 1950s with the north section added later. Tall in height, it gives a sense of fortification. A pair of antique-looking doors penetrate the north wall near the northwest corner. These plank panel doors open to a small rectangular room dug partially into the hillside. Above the entry is a rustic wood lintel; to the east, a small three-over-one sash window is obscured by a metal grille, and beyond an assembled wood gate leading into the property. The garage is made of waist-high stone walls topped with adobes. The roof is a deck of random-width boards over east-west aligned vigas. Its original north façade appears to have increased in height with a new parapet. Markings of a stove flue are evident in the southeast corner.

Mr. Schwab showed a short film to give a broader sense of the character of the property.

QUESTIONS FOR STAFF

Chair Rios asked to see the façades Mr. Schwab indicated as primary.

Mr. Schwab said he recommended the primary façade on the wall facing Canyon Road, on the upper part of the hill, probably the earliest original structure and façade #1 that is visible from the street and extends over two stories. There is some historic and non-historic material on this façade and the character of the property is hodgepodge. There have been a lot of informal changes that were unpermitted such as Plexiglas tacked into a wall opening.

Chair Rios asked Mr. Schwab to point out the nonhistorical features of façade #1 suggested as primary.

Mr. Schwab said definitely the upper window on the right and possibly the door to the left were nonhistorical.

Mr. Schwab read the staff recommendation:

STAFF RECOMMENDATION:

Staff recommends the historic status of the house, garage, carport and walls "Wall 1" and "Wall 2" be designated as contributing, per 14-5.2(C) Designation of Significant and Contributing Structures. Staff recommends facades 1 and 3 be designated as primary.

Vice Chair Katz said Mr. Schwab cleared up his question by suggesting that Wall 1 and Wall 2 also be primary.

Ms. Roach said if a yard wall, essentially it is both contributing and primary.

Vice Chair Katz thought the south Wall #3 uninteresting, but all of the walls on the east side were very interesting and contributed to the appearance, even though invisible behind the wall. The wall will remain, given that it is recommended as contributing and no one will see the façades, so the recommendation makes sense.

Chair Rios thanked Mr. Schwab for the report and the video.

Member Biedscheid asked if Mr. Schwab was recommending primary façades for the garage and carports or would they be covered by Wall #1 and #2.

Mr. Schwab explained his recommendation is Wall #1, if contributing and also primary. He didn't recommend the garage but that could be considered. It is not historic and not totally visible from the public street. He clarified that the garage doors are on Wall #1.

APPLICANT'S PRESENTATION

Sandra Donner, 1611 Paseo de Peralta, was sworn. She said this is a project where it is really unfortunate there were no field trips. The project is complex and has gone through multiple renovations of "weekend projects", as one contractor called it. The projects were obviously not permitted. She agreed with Mr. Schwab's recommendation for Wall #3 that it is relatively boring but not publicly visible. The two original rooms are on the upper level of the building. The original structure was probably a four-room structure above the stone building more than likely.

She said to clarify an issue with elevation #1 and the comment that Wall #1 is the same as elevation #1, that is not correct. Elevation 1 is actually the elevation of the house and Wall #1 is the elevation along Canyon Road and Apodaca Hill.

Ms. Donner asked if the elevations were in the packet. She indicated when looking at the north elevation, you can see elevation #1 and is why Mr. Schwab talked about it being primary and partially visible. The second floor is what is actually visible from the road, but the stone original building is not visible. That end of the building was retro fitted or built later. The windows are single-pane and the structure coming off the building has a balcony. There are 2 portals over the door at the basement stone level and also a portal over the shed. They were added later and in bad condition and the balcony is being reviewed by structural engineers and is hazardous.

Mr. Schwab referred to page 55 of the Board packet and the elevation with numbers that correspond to the plat.

Ms. Donner said if designated primary she requested it be only the first floor and not the second and that the Board consider the structural issues.

Chair Rios agreed in a case like this there would have been a field trip because when this complicated it is better for the Board to walk the property. Even though Mr. Schwab's report couldn't have been more thorough, walking the property gives a better sense of the property.

Loren Oliver, 1210 Canyon Rd., was sworn. She said Wall #1 is what people see and one big problem is an electric heater that she wants to remove. Every tourist in town walks by her house and her goal is to look at this is a restoration of the 20s/30s; very historic, rustic and original. The first thing she needs to do is make it safe and do repairs, of which it needs a lot. She wants to make it feel like walking into a piece of history.

Chair Rios explained the focus should be on what the Board is reviewing this evening and what has been done. They are looking at what is historic and potentially contributing, and if contributing what are the primary façades. Staff recommended façades #1 and #3 be primary and in addition, the house, garage, carport, and Walls #1 and #2. She invited Ms. Oliver to comment on staff's recommendation.

Ms. Oliver said staff did a great job on the report and she agreed with Ms. Donner's comments. She said the balcony is unsafe on the north elevation and the portal to the right, over the door, needs work. She didn't think the window was historic. It is flat against the wall and she wanted it to be recessed.

Chair Rios asked if Ms. Donner thought the house should be made contributing.

Ms. Donner said the house itself is a hodge-podge of things and has a lot of illegal construction. It could remain noncontributing. The only historic portion of the house that is visible, with the exception of the south side, is along Loretto Lane. There have been a lot of missteps along the way with what should have been a contributing house.

Ms. Donner noted that the client's intent is to bring cohesiveness to the house. She wasn't sure it qualifies as contributing, possibly a portion. It is difficult to call something partially contributing.

Mr. Schwab wanted to give credit to John Murphy who did the HCPI. He said he also wanted to defend the house as it is. Looking at houses in the country, many are built on flat terrain or boxes. What contributes to the character of Santa Fe is the willingness of individuals to work with the terrain and this house exemplifies that. The mishmash it is was still a heroic effort to work with the terrain it sits on and that is character defining. But he wasn't sure how that squares with Code. The owner said that everyone walks by the house, and that is a big part of its character.

Vice Chair Katz said this is a fantastic example of vernacular structure. John Murphy did a brilliant job in his report describing how each part was built. He gathered from the report that the north façade was built in the late 1940/50s, but he doesn't know

what makes it historic, or when the second portal or portal on the first floor were built. He asked if there was information on that.

Ms. Donner said that is unknown, but she doesn't disagree that the second floor was probably built in the 50s. It is not the actual façade or structure of the second floor but all the additives. The large single pane window is in bad condition, including the lintel. The door at the balcony and the balcony and the portal are in poor structural condition. The house has been very neglected.

She would like those to be taken off the plate in terms of making it a primary façade. Certainly, the entry door on the first floor, and the windows and the stone walls and vigas from the stone are all elements for a primary façade. She would like exclusions on primary façades.

Vice Chair Katz thought the single pane window could be dated. He doubted but said it is possible it was from the 50s. The structure of the upstairs portal or the lower floor portal might need repair or to be replaced in kind. But they are very character defining of that façade and for that reason he would oppose excluding them. He didn't know if anyone had information on the date of the window.

Ms. Donner said the only thing John found was that a lot of the elements were added to the house. The portals and the balcony as well as the garage doors on Canyon Road were possibly added later to make them look older. The pieces may be historic but from another place.

Ms. Roach said Mr. Eddy offered his thoughts on the elements of a deteriorated primary façade. Code does make accommodations for that by requiring replacement in kind and by not precluding their replacement.

PUBLIC HEARING

John Eddy, previously sworn, said this house contributes immensely to the street scape and always has despite the changes. As stated, it is a beautiful example of a vernacular building and is important. He asked staff if the wall on the north façade had been extended in height because he recalled that the wall had gone up at a certain point. He said Chair Rios may also remember that.

Mr. Schwab said John Murphy had noted that the height was possibly added, and he discussed that with Mr. Murphy. He was told in earlier times this Board would make conditions that walls have openings. That suggests that the wall was approved at this Board with the opening shown in the picture.

Ms. Paez informed Mr. Eddy he could ask all his questions at once and they would respond at that time. That ensures he has a full two minutes to speak.

Chair Rios said she did not recall the history of this wall.

Mr. Eddy said he would like the house to be maintained or brought into contributing because of its contribution to the streetscape.

Ms. Beninato said this should be made contributing along with the other structures, especially the garage. The garage and Wall #1 are the same and are attached in some way. The other façade on the south elevation is characteristic. This house at the corner is an important part of the streetscape and as noted has elements on the primary façade that can be maintained and repaired. That should not be a deterrent in declaring it as a primary façade.

BOARD DISCUSSION

MOTION: In Case #2020-002170-HDRB, 1210 Canyon Road, Member Bienvenu moved to designate the house, garage, carport and Wall #1 and Wall #2 as contributing and facades #1 and #3 be designated as primary, consistent with staff recommendations and the record. The motion was seconded by Vice Chair Katz.

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

Ms. Donner asked if the motion excludes the non-historic window.

Chair Rios said that was not indicated in the motion, so it was included.

Vice Chair Katz added they don't know whether it is not historic.

4. **Case #2020-002171-HDRB. 1169 East Alameda Street.** Downtown & Eastside Historic District. Lyra Parker, owner/agent, proposes to construct an addition and a garage on a non-contributing residential structure. (Daniel Schwab)

Mr. Schwab presented the staff report as follows:

STAFF REPORT

1169 East Alameda Street is a 2,200 square foot single family residential structure in the Downtown and Eastside Historic District. It was built in 1983 and thus has a historic status of non-contributing. It is at the end of a private drive and has no public visibility from Canyon Road. It is built in a Spanish-Pueblo Revival Style over two stories on a lot that

descends away from the entrance from north to south, with a flat roof, earth-tone stucco and large-pane windows in the rear. The height of the existing structure is 23 feet.

The applicant now proposes the following changes:

1. Demolition of a portion of the lower level sunroom on the southwest corner;
2. Construction of an addition of approximately one hundred square feet on the south façade. Its parapet will be one foot than the demolished parapet it is replacing. It will have with flat metal shed roof canopies over the south façade for shading, with a weathered appearance and supported by a steel frame;
3. Construction of a new 869 square foot addition attached to the west façade of only one story, or 12 feet in height. This will include a portal on the north façade directly over the front door and continuing over the western portion of that façade as an open trellis. Wood elements will be stained with Cabot semi-transparent "Driftwood Grey" stain. On the west façade will be two canals, a small glass block window in the shower room, and two further windows without divided lights. On the south façade will be sliding glass doors and two further windows. All windows will be Anderson clad windows in "white".
4. Construct a 768 square foot new garage at the north end of the structure. This will have two 9 x 9 foot painted steel garage doors in a "weathered grey" color, with small windows in the upper portion;
5. Re-stucco the entire structure in El Rey Premium "Cream", with a fine-sand texture.
6. Re-roof of TPO painted in a similar color to the stucco. This will not be visible.
7. All windows will be Anderson clad windows in "white" and those visible from the private drive will have wood lintels and divided light panes.

STAFF RECOMMENDATION

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

QUESTIONS FOR STAFF

Chair Rios asked Mr. Schwab to describe the public visibility.

Mr. Schwab replied he was not aware of any.

Chair Rios asked if the entry is located at the intersection of Alameda and Gonzales.

Mr. Schwab wasn't sure, but you would make a turn and go up the hill.

Chair Rios said she thought she heard in the report that the applicant proposed a corning color, like an off-white. She asked if that was for the entire building, not just under a portal.

Mr. Schwab said he recalled speaking with other staff members who said the color had been approved by the Board before.

Chair Rios read from 14-5.2(E)(B), *"All exterior walls of a building are painted alike. The colors range from a light earth color to a dark earth color."*

She said when she thinks of an earth color she thinks in the brown family. She would comment that most homes do have light colors, but under a portal, not the entire home. This house appears to be a large house.

Mr. Schwab showed the cream stucco onscreen and repeated he recalled Ms. Roach saying the color had been approved before.

Chair Rios thought it isn't whitish but looks more brownish pink.

Member Guida thought this did not look like a Spanish Pueblo Revival Style house. He knew the house was designed by architect Rex Roberts in the 60s-80s era.

Mr. Schwab said he calls it recent Santa Fe Style in his report.

Member Guida said it is an obviously an important residence from what they see in the original design.

Member Larson said to add to Member Guida's comments, the designated style is called solar architecture, which was a very short period through the 1970s.

APPLICANT'S PRESENTATION

Lyra Parker, 1169 E. Alameda St., and Nathan Parker at the same address were sworn.

Mr. Parker said he had nothing to add.

Ms. Parker said that they had matched the cream color for their home to the homes in the vicinity. She confirmed it will not be white.

QUESTIONS FOR APPLICANT

There were none.

PUBLIC HEARING

Ms. Beninato, previously sworn, thought the Board would just approve this after discussion and was glad some Board members state this is not Santa Fe Style. It is definitely a passive solar design with very big windows that started going out of style in the 80s when people realized they overheat. Especially not doing an overhang on the south side.

BOARD DISCUSSION

Member Guida said he would comment about the passive solar designation, with the full understanding that this house is not publicly visible and is not contributing. The Board recently recognized smaller homes from the 1980s as an important part of Santa Fe's history in the Eastside District. The passive solar design seen here, is an excellent example of that period and is from a significant national architect. It is an important part of Santa Fe's history.

He personally objected to the design on the front being undone by the remodel. Both in terms of the massing of the addition and in the removal of the sunroom, the proposed color and a great deal of the detail. He had a sense of loss with the project and the lack of recognition of its value. The Board has recognized other projects from this era outside the 50-year mark, as being important. There are other examples of this: the Labrea Compound and other local architects involved in the solar movement. They discussed these cases when before them and previous Boards have as well. He said he wanted to raise the flag on that issue.

Mr. Parker said they are leaving the top windows, the clerestory, which is by far the majority of that style and the architecture will remain. They are only removing a small section, the sunroom, because it is not heated or cooled and is very inefficient.

Member Larson agreed with Member Guida. This was such a short period of architecture and very experimental and didn't always work as intended. That was expressed by the applicant with the inefficiency of their sunroom.

She wasn't sure to completely remove it was the most ideal option and thought they should look further. She understood their need to do something to make it work, but this is such a prominent feature. They should explore a better way to better preserve the architectural character.

Mr. Parker referred to the proposed drawing and the glass, which is smaller but very similar. Ultimately not much has changed and the upper clerestory would be more visible.

Member Guida said he has a great deal of understanding for homes that don't work and need improvement. The homes from this period are not the only homes. The old adobe homes also don't work and are drafty and difficult to heat and cool. In most cases they look for designs that are harmonious with the fabric of the community and the architecture. He is pointing out there may be a more sensitive and sympathetic architectural solution.

The Board may find that this would be okay because this is a noncontributing structure not publicly visible. It meets the letter of the Ordinance. But beyond that they

have an obligation to be a design review board as well. The point he is making is that design harmony and a design that is sympathetic to something valuable architecturally, is important.

Chair Rios said one of the main things the applicant pointed out is that this wasn't working and is way too hot. Sometimes a certain architectural style that had been prominent at one time and created by a particular architect, no longer works today. If that is the case, they need to upgrade it to something that works for their home. If the room isn't usable because it brings in too much heat, the space is wasted.

Vice Chair Katz said he would preface his remarks by saying he and his wife live in a solar adobe built in 1980. They have a sunroom greenhouse a lot like the one the applicant has. It is probably their favorite room in the house, and he appreciates the issue of being cold at night and sometimes too hot. But with that said, this is their house and it is not contributing, and it is not visible. The applicant gets to design it the way they want, as long as it meets Code.

He understands why they want to turn a space that is difficult and often uncomfortable, into a kitchen that they can use all the time. It will still have a lot of south facing glass that provides solar heat to the room.

MOTION: In Case #2020-002171-HDRB, 1169 East Alameda Street, Vice Chair Katz moved to approve the application per recommendation of staff. Member Bienvenu seconded the motion.

VOTE: The motion failed in (3-3) a tie roll call vote with Members, Bienvenu, Katz and Chair Rios voting in favor and Members Biedscheid, Guida and Larson voting against.

Member Larson thought there had to be something else they could do before they completely change the façade. She agreed it is in keeping with the window dominated exterior look, but the applicant could look at whether it could be done in a more sensitive way.

Member Larson thought before they discount these 1970s structures, they should consider that this had been a prominent style that will become historic, even if it is not now. They need to look at how to preserve it and protect it even if it isn't significant at the moment. There is something to be said about the importance of preserving the style.

Chair Rios said the motion has failed due to a tie. She said she would entertain another motion.

Ms. Paez wasn't sure which part of the Code the Board had relied on. She asked that the maker of the motion, if possible, to direct the motion to a Code provision that

reflects the Board's reasons for voting against. Especially if something is approved tonight.

Chair Rios asked if anyone wanted to make a different motion.

Vice Chair Katz said he loves the green house and looks forward to applying for status for his house in 10 years. But there is no Code basis for the Board to insist that the applicant keep a style that is not particularly Santa Fe Style. There is no basis to deny the applicant the right to change the room from a beautiful greenhouse that maybe doesn't work for them, into a room that does work.

He said he loves Members Larson and Guida's comments about the greatness of the style and he is a great advocate for that style. But that is different than saying they have to do that and there is no basis to say that.

Member Guida said he is challenged by the design and thought it is not sympathetic to the existing house. In fact, it is hostile to it. The Board weighs in on design guidance, whether a contributing structure or not, for harmony in existing architecture. This may not be a Spanish Pueblo Revival House from 1920, but it is a significant part of their history. It isn't outside the Board's rights to provide design guidance and advice. If not to preserve something because it is 50 years or older, to recommend the applicants pursue design integrity and quality that befits the property. That could be done in a way that meets the design standards and recommended as a way of preserving something that is in an historic district.

Currently, the design solves problems and meets the letter of the design standards for new construction. But in other instances, he was sure the Board would have recommended design changes more sympathetic with the existing buildings.

Member Biedscheid asked to comment. She said she appreciates the architectural knowledge that her fellow Board members bring to the table. The Board has considered properties that are not of historic age but have characteristic architecture. The design changes proposed do not fit that style.

Member Biedscheid said when she first looked at the addition, the divided light windows seemed disharmonious with the prominent style of the undivided lights. The Board has discussed that in quite a few cases. But this has an architect of some renown, and solar architecture that is becoming more prevalent and requested in houses in the historic districts. That offers some lessons for the future that if they get rid of all their passive solar houses, what would they have going forward. There is value in considering what was done in the past that is unique to Santa Fe.

She agreed the changes could be more sensitive and harmonious and are completely necessary for the homeowners.

Chair Rios asked the applicants if they wanted to comment.

Mr. Parker said they put divided light windows in because his understanding was if visible that was required. He thought he was doing something that would please the Board and was sorry it caused confusion. He didn't realize the Board wanted a big pane of glass. He had been worried that the kitchen window would be too big. He said he guessed he could change it again.

Ms. Parker added the solar architecture of the home is not lost. They still have the whole upper story and the clerestory that will remain. She noted the neighbor's house built by the same architect does not have a sunroom and their house will still have more glass than theirs. This only loses a small portion of needed living space.

Member Larson said she appreciated that the applicant has been patient and knew it was difficult to come before the Board. Especially with a style that is not standard. She recommends they put in non-divided light windows in keeping with the architectural style and era. She also recommends looking at alternatives for energy efficiency for that room. She said the Board has to be careful and that is why there is such an in-depth discussion.

Ms. Parker reiterated this is noncontributing and is not visible. She said this is unfortunate because they did look at a lot of different design options to make the space work. They thought they found something fairly cohesive. And as she understands, the building does not have historic designation.

Mr. Parker added they will also extend the size of the room by five feet to make room for a kitchen and it is not the same footprint.

Vice Chair Katz said looking at the floor plan they are increasing the living area downstairs with a den and making the sunroom into a kitchen. There is no legal basis that just because the Board loves that style of sunroom, to say the applicant has to keep it. There is no legal basis to deny the applicant; it isn't incompatible, and the façades are still all glass on the south but without a glass roof on the sunroom. As long as this meets Code there is no basis the applicant should be denied the right to have their house the way they want.

Chair Rios asked Vice Chair Katz his thoughts on the divided lights.

Vice Chair Katz thought the point was good that they shouldn't have divided lights and it should match the rest of the house.

Mr. Parker said they were more than happy to do no divided lights.

Member Guida apologized to the applicants. He said he appreciated and understood the confusion over the divided light windows. The Board has discussed that the last few hearings; when to follow the exact letter of Code when something is publicly visible. Or when they should decide it is a benefit to the harmony with the house. The Board has asked the applicant in several recent cases to return and to meet the exception criteria to have non divided light windows.

He said Member Katz raised a good question. He wouldn't advocate keeping the sunroom and would do something much different than the plan. Widening the windows comes down to the details. The current expression for the addition is not sensitive to the existing building. But that doesn't mean it could not be designed in a way that is sensitive.

Member Guida said he is looking beyond the undivided light windows, for massing that continues the original gesture of the house. Particularly in the kitchen with the elongated walls on either side of the windows. The picture of the suspended overhangs is not native or harmonious and most importantly is the window and wall color. So many of the passive solar houses were not a light color and didn't have light windows. He recommends the applicant look at that and use the floor plan and design to better complement the existing building that still fits the rules for design standards.

Member Bienvenu said he wanted to be clear that his position is consistent with Member Katz. He found nothing in the Ordinance permitting the Board to deny an application based on the perceived disharmony with the rest of the building unless it is significant for contributing. This is a noncontributing building. He completely respects that it may be unharmonious with the rest of the building and there may be valid reasons for liking the building and wanting it to be protected, But nothing in the Ordinance permits the Board to do that.

Chair Rios said she would guess that members were not going to change their minds. She asked Ms. Paez for suggestions.

Vice Chair Katz indicated in the past with a tie the case was postponed until a full Board was present and then took another vote.

Ms. Paez said she was thinking the same. It is always good to provide input on design if an applicant wants to take another look. It is a reason to postpone if the applicant is interested in considering changes, or the motion possibly would pass with a full Board vote, or the Board could try another motion.

Chair Rios asked if the applicant would need to file an exception if they wanted to do undivided lights to the windows that are currently divided.

Mr. Schwab indicated the house is at the end of a private lane and not visible.

Ms. Roach said no exception is required.

MOTION: In Case #2020-002171-HDRB, 1169 East Alameda Street, Member Guida moved to postpone. He asked that the applicant adjust their design per the recommendations to be more sensitive to the passive solar style of the house, specifically without changing the proposed floor plan; that the detailing and expression proposed be a darker color and more in line with the original house; that the undivided light windows be a style and a function sympathetic with the architecture of the house, such as casement rather than double hung; and that the expression on the south side be more consistent with the passive solar original house in some way, whether extending the east and west walls and mimicking massing, or eliminating the overhangs to be consistent and harmonious with the passive solar design of the house. Member Larson seconded the motion.

VOTE: The motion to postpone passed by majority (5-0) roll call vote with Members Biedscheid, Guida, Katz [with comment], Member Bienvenu [with comment and a change of vote from no to yes] and Larson voting in favor and none voting against.

Member Bienvenu prefaced voting against by saying that the motion was eloquent, and he agreed with everything, except he believes the Board does not have the legal authority to deny.

Vice Chair Katz indicated his vote in favor of postponement is for the applicant to consider redesign and the specific redesign requests. The applicants have the option not to do that. He would be happy if they consider a revision of the kitchen design. They are not obligated to change anything other than the windows they have agreed should be undivided.

Chair Rios asked staff if the postponement had to be to a date certain.

Ms. Paez explained it is three weeks until the next meeting on July 14, 2020.

Ms. Roach said a date certain is only needed because of public noticing when the applicant wanted to be heard the very next meeting.

Chair Rios asked Ms. Roach to work with the applicant to ensure they have everything ready.

Mr. Parker replied they will be ready.

Ms. Roach clarified that if the applicant wants to be heard at the July 14 meeting, they need to have everything submitted by the end of this week.

Mr. Parker said they could do that.

Member Bienvenu said he would change his vote in favor of the motion with clarification that the intentions of Member Guida, as maker of the motion, and the second, was asking that the applicant return with the ideas suggested, but it was not given as a directive.

Ms. Paez explained that a postponement is not a final action and the recommendations are not binding. They will pause and take another look at this and the suggestions and guidance.

Member Bienvenu said he was fine with the motion then and changed his vote to yes.

5. **Case #2020-001978-HDRB. 8 Camino Pequeño.** Downtown & Eastside Historic District. Kim Unger, agent for SFCP LLC, owner, proposes to partially demolish and to construct new additions, raise a roof, and replace windows on a non-contributing residential structure. (Daniel Schwab)

Mr. Schwab presented the staff report as follows:

STAFF REPORT:

8 Camino Pequeño is a single-family residence listed as non-contributing to the Downtown and Eastside Historic District. Because Camino Pequeño is a private road, the structure has no visibility from a public right of way. The structures face south onto the private road, and there is some visibility from the private drive to the east. Originally built in the 1960s, about 80 percent of the structure was demolished and reconstructed in 2011-2012. It is a single-story stuccoed residence with aluminum clad windows with divided lights.

At the front of the property are two structures: a guest house and storage structure that was converted into an expanded guest house, both finished around 2011-2012. These structures are closest to and most visible from the private street, while the main house sits behind. The most prominent is the guest house, which has clerestory windows facing the street. The main house and the guest structures form a courtyard in the middle. The maximum height of the structures on the property is 14 feet 4 inches. The rock wall with the Chimney is 16 feet 10 inches.

Now, the applicant proposes the following exterior alterations:

1. Partial demolition on the north and east sides of the main (northern) house and construction of a circa 200 square foot addition. The addition would have five-light folding doors with on the north and east sides;
2. Expand the laundry room on the north façade.
3. Demolish the 323 square foot bunkhouse on the southwest corner of the property, and construct a 738 square foot two-car garage in the same location with a height of 10 ft.-8 in. The garage doors will face north, away from the street, cedar clad, colored Old Masters "Dark Walnut". Facing the street, there will be three 24 x 28 inch two-over-two divided light windows
4. Construct a 100 square foot garden shed adjacent to the garage with a two-over-two divided light window;
5. Construct a 50 square foot addition to the master bedroom on the south façade of the main house.
6. All additions will be in cementitious El Rey "Buckskin"; all windows will be aluminum clad in "Hampton Sage"; and all exposed wood beams and decking will be stained in Old Masters "Dark Walnut."
7. Restucco all existing structures in cementitious El Rey "Buckskin";

STAFF RECOMMENDATION:

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

QUESTIONS FOR STAFF

Chair Rios asked to confirm that this is not publicly visible.

Mr. Schwab indicated it is a private lane with no public visibility.

APPLICANT'S PRESENTATION

Kim Unger, 25 Bishops Lamy Rd., Lamy, New Mexico, was sworn. Mr. Unger stated he is the agent and is trying to work with all the elements that are now part of the house. It was radically changed in the last renovation. He is trying to make as few changes as possible and make it function for the new owner who loves the way it now looks. This is a nice structure and he is trying to bring this up to the owner's standards.

Chair Rios asked the square footage.

Mr. Unger stated the garage is 750 ft.²; the extension of the master is about 50 ft.² and the bathroom in the range of 100-150 ft.²; the library is another 150-200 ft.² and the laundry about 150 ft.².

PUBLIC HEARING

Ms. Beninato said that sometimes what appears on the screen is not in the packet and it is hard to track with what is on the screen. She thought the Board would approve this. This is a fairly new structure, and almost totally redone about a decade ago. It is not visible, and she believed on a private street.

BOARD DISCUSSION

Chair Rios asked if the applicant would put anything on the roof that would protrude. Mr. Unger replied no.

MOTION: In Case #2020-001978-HDRB, 8 Camino Pequeño, Vice Chair Katz moved to follow staff's recommendation and approve the application as submitted. The motion was seconded by Member Guida

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

6. **Case #2020-002169-HDRB. 831 El Caminito.** Downtown & Eastside Historic District. Dale Zinn, agent for Joseph Dale and Heather Qualls, owners, proposes to demolish two non-historic carport/garage structures and partial portal, alter three non-historic window/door openings, alter a non-historic portal, and construct a detached garage and adobe entry gate at a significant residential structure. (Lisa Gavioli Roach, 955-6577, lxroach@santafenm.gov)

Ms. Roach presented the staff report as follows:

STAFF REPORT

831 El Caminito is a single-family residence listed as significant to the Downtown and Eastside Historic District. Known as the de la Peña / Frank Applegate House, the earliest date of record for the property is May 3, 1845, when it was sold by Tomás de Jesús López to Sergeant Francisco de la Peña for 114 pesos; however, it was likely to have been originally constructed in the early 1800s. According to chapter on the property in *Old Santa Fe Today*, the property purchased by de la Peña in 1845 consisted of farmland with a "house of four rooms and a portal" (see excerpt in the HCPI and report provided by Zinn). Noted for its early 19-century Spanish-Pueblo style architecture, the house was occupied by the de la Peña family for almost 80 years, during which time the family

constructed a bedroom addition that enclosed the original east portal which to this day still contains a traditional shepherd's bed.

In 1925, notable 20th-century writer and artist Frank Applegate purchased the home and land from the surviving de la Peña heirs. Applegate constructed a second story, two wings enlarging a central courtyard, and a garage, and set about renovating the residence with "authentic" Spanish-Pueblo Revival details such as carved square beams, small corbels, low ceilings, and thick adobe massing. Despite his early death in 1931, Applegate and his renovation of the de la Peña home had substantial influence over the development of the Spanish-Pueblo Revival style through the 1920s and 1930s. The Historic American Building Survey of 1941, published by the National Park Service, lists the house as one of eight Santa Fe buildings of historical importance to the United States, and photographs of the home taken in 1937 are located in the Library of Congress.

Between the years 1944 and 1963, Leo Wolmagood, an architect and associate of John Gaw Meem, and his wife Dorothy occupied the property, likely adding a large picture window to the south side of the sala/living room. Between 1963 and 1969, Jack and Louis Schaefer owned the residence, and no major changes occurred, although there is documentation that the east wing apartment was used by various artists and professionals. From 1969 to 1980, the property was owned by Linda and Hobart Durham and became the original site of the Linda Durham Gallery. And between 1980 and 2018, Gerald and Katy Peters owned the property and raised their family there. During this period, substantial modifications were made to the residence, including remodeling of the Applegate garage, construction of the eastern 2-car garage, a master bathroom addition, addition of the fireplace in the central courtyard, extensive interior upgrades and renovations, addition of a below grade wine cellar, first floor sitting room at the southwest corner of the home, extensive additions on the north (rear) side of the home, window and door replacements and changes to opening dimensions, addition of a "guard house," tennis courts, single car garage, and construction of a carport.

Since that time, major interior renovations have been ongoing, as well as maintenance, repair, and restoration of the exterior, much of which was approved administratively, including mechanical and electrical systems upgrades, restoration of original floor levels, re-roofing, rehab of exterior historic and non-historic wood features and restoration of windows and doors, restoration of historic balconies at the interior courtyard, and installation of security cameras (see attached administrative approvals from June 2019 and May 2020).

Now, the applicant proposes the following exterior alterations:

- 1) Demolish the non-historic carport, single car garage, and partial demolition of the non-historic west portal;
- 2) Removal of the non-historic fireplace within the inner courtyard of the home;

- 3) Minor alterations to the non-historic portions of the residence, including:
 - a. Infill a non-historic door on the north elevation, and stucco to match existing;
 - b. Modify a non-historic window opening on the north elevation, converting the three-panel window to two windows separated by infilled stuccoed massing;
 - c. Replace two non-historic doors with windows to match the existing wood windows and remove a small portal/eyebrow associated with a door on the south elevation.
- 4) Construct a new two-car garage out of adobe masonry with exposed wooden lintels and beams. Windows and stucco to match the existing non-historic windows and stucco color on the residence. The north face of the garage will have a portal that extends across the façade and ties in with the existing non-historic portal to provide extra protection from the elements for people exiting to the main house. Garage door will have the look and feel of the 1929 Applegate garage door. A new Dutch door style gate will be installed off the southwest corner of the compound in this area as well.

STAFF RECOMMENDATION

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

QUESTIONS FOR STAFF

Chair Rios clarified that portions of the building are 220 years old, from the 1800s.

Ms. Roach noted that a large portion of the north side of the home is non-historic as well as the portal that runs along the western side.

Chair Rios asked to confirm that the six proposed changes with the exception of the proposed two-car garage with a portal, are all being done on non-historic portions of the house.

Ms. Roach said correct, on the non-historic features and portions of the house.

Chair Rios asked to confirm that part of the home is plastered.

Ms. Roach explained part has been mud plastered.

APPLICANT'S PRESENTATION

Dale Zinn, PO Box 756, was sworn.

Chair Rios asked if the Mr. Zinn had ever calculated the square footage.

Mr. Zinn said it is about 9,000 ft.² plus the garage and a guest house. He disclosed that a piece of the history is missing and noted that for a short time in the 80s Frank Katz had lived in the house.

The projects are all on the Peters' additions and the north side and the west side has an entry and a wine cellar. They have discussed putting in a garage that allows the house to breathe that uses elements from the original 1937 photographs. In 1937 the home was shown in Better Homes and Gardens magazine. Many of the photographs are by Ansell Adams and one is by Jesse Nusbaum.

Mr. Zinn said he has heard the house goes back to the 1700s, but his best guess would be the 1800s. The house has had mud plaster throughout its history and has been remudded almost every year. They are working on some formulas, colors and sources for clay to do a better job. They will eliminate the copper flashing and do stucco at the top that matches closely to the mud.

QUESTIONS FOR APPLICANT

Member Larson said this is well done. She was curious why there are no canales.

Mr. Zinn said they did recover some historic canales made from one beam. He referenced a photograph with the original beam in the second story balcony. It was in the de la Pena purse book and had been raised to that level by Applegate. The corbels are not single but carved out of one beam and there are two canales above that. The parapet was raised too high in order to slope water to the north and will be lowered and two canales will be reinstalled as shown in the historic pictures.

Ms. Roach showed the fireplace built in the 80s proposed for elimination.

Mr. Zinn agreed. He thought it interesting that a book was commissioned by Gerald Peters and was by one of Applegate's great nieces. The book did not include history of who did what until about 1970.

PUBLIC HEARING

Stefanie Beninato appreciated that the non-historic additions would be removed. She wondered if Mr. Zinn had received permission to change the level of the parapet and include the canales of the de la Pena façade. She liked the design of the garage but thought the portal where the new garage will be should be more open. She thought on the west back blank wall of the garage that the applicant should repeat the triple windows or two small windows to make it more compatible.

Mr. Zinn responded they received permission as part of the administrative approval. They are giving a point of entry and have added a gate. The back of the garage is about 10 feet off the property line and the neighbors have a tall privacy fence. The applicant has made a place to sit looking west to a garden area.

BOARD DISCUSSION

MOTION: In Case #2020-002169-HDRB, 831 El Caminito, Member Guida moved to approve the project per staff's recommendation. The motion was seconded by Member Larson.

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

7. **Case #2020-002194-HDRB. 1160 Camino de Cruz Blanca.** Historic Review District. Sean Milks of Gravity Pad Partners, LLC, agent for St. John's College, owner, proposes to install a 75'-tall AT&T "monopine" telecommunications tower. A telecommunications waiver is requested to exceed the maximum allowable height, per Section 14-6.2(E)(8)(c). (Lisa Gavioli Roach)

Member Guida recused himself from this case.

Ms. Roach presented the staff report as follows:

STAFF REPORT

The applicant proposes to construct a 75-foot-tall "monopine" telecommunications tower on the campus of St. John's College. The proposed tower will have antennae which will be hidden by designed foliage, and ground equipment are to be screened behind a proposed 6-foot-high coyote fence to match an adjacent section of existing fencing. The purpose of the tower is to provide improved communications capability for emergency services and first responders, as well as enhanced personal wireless service in the surrounding area.

As described in the packet, the applicant worked with the Executive Board of St. John's College and explored the entire 250-acre campus, including the rooftops of all buildings, in order determine three possible locations for the proposed tower. After meeting with surrounding neighbors, a location next to the parking lot near the trailhead to Atalaya Mountain Trail was selected because of the density of trees and the adjacent 6-foot-high coyote fencing in order to blend into the surroundings as much as possible. The site was also selected to maximize coverage for the campus as well as the surrounding neighborhoods while still being able to communicate with the nearest tower, located at St. John's Methodist Church on Old Pecos Trail.

Under SFCC Section 14-6.2(E) Telecommunications Facilities, the Historic Districts Review Board must review the telecommunications application for compliance with the design requirements of Section 14-5.2 (Historic Districts) and relevant subsections of 14-6.2(E) and to ensure that the applicant has "demonstrated that no other less intrusive means or alternative to the proposed telecommunications facilities siting is practicable." The applicant provides lengthy discussion in the packet regarding the decision-making process around siting of the facility, which has been summarized above. In terms of the design standards of 14-5.2, staff has determined that the application is subject to the height limits and scale requirements, as specified in 14-5.2(D)(9), and that the design of the structure must adhere as closely as practicable to the design standards for the Historic Review District. The maximum allowable height for the site is 16 feet. Because the proposed tower height of 75 feet exceeds the maximum allowable height for the site, a waiver is requested as specified in Section 14-6.2 (E)(8)(c), and criteria and responses are provided in the packet.

She noted this is not an exception, it is a waiver that has been requested to exceed the allowable maximum height. The waiver uses most of the same exception criteria and is governed by Section 14-5.2(D)(9)(c). As specified, Section 14-6.2(E)(8)(c) the Board may grant a waiver with standards set forth in the Telecommunication Facilities subsection which refers to the standards in 14-5.2 for facilities located in historic districts if the board finds that the applicant has demonstrated it has explored alternatives to the proposed site, and that the applicant has met exception criteria 1,2,3,5 and 6 in Section 14-5.2(C)(5)(c).

Ms. Roach indicated she provided excerpts from the packet for all the waiver criteria including exception criteria.

STAFF RECOMMENDATION

Staff defers to the Board as to whether all criteria for the waiver of the maximum allowable height have been met, per Section 14-6.2(E)(8)(c), but otherwise recommends approval of the application in compliance with 14-5.2(D) General Design Standards for all Historic Districts, and 14-5.2(I) Historic Review District.

Ms. Roach recommended the Board explore additional testimony from the applicant with regard to the waiver criteria.

Ms. Roach stood for questions.

Chair Rios said this is a very tall, tree-like tower. She asked the location exactly and if publicly visible.

Ms. Roach referenced the site plan showing the proposed location by the parking lot, next to the trail easement. She asked that the applicant provide additional information

about the determination of the site. The tower location and public visibility on the site was shown in photographs.

Chair Rios asked to confirm that the antenna would stick out and was visible.

Ms. Roach replied it appears that way, but foliage is designed to camouflage the antenna and painted green to match.

APPLICANT'S PRESENTATION

Sean Milks was sworn in. He clarified that the antennas will not be visible and will be hidden by the foliage of the trees. They will use the best technology in the industry and have done "trees" in Ruidoso and other places. The antenna is not invisible but cannot be easily seen.

QUESTIONS FOR APPLICANT

Chair Rios asked if the tree is made of composition similar to artificial Christmas trees that have the appearance of a real tree.

Mr. Milks said that was correct.

Vice Chair Katz said the tower is really big and very visible, probably for most of Santa Fe. He understood the need to be big but being so close to the road made it seem bigger. He was unclear why this wasn't in a location like in the back of the dorms, that wouldn't be as imposing from the road.

Mr. Milks said he personally has worked on this since 2009 and has looked at several locations, including behind the dorms. That location was denied by the landlord from the College. In the last year and a half, they have looked at three locations and ultimately everyone agreed this is the best location with the least amount of issues. They cannot make this invisible and it is tall but there is not another verticality to use that exists. They have looked at all of the buildings, at the top of the mountain and the site has to be able to communicate with sites existing in and around the area.

Vice Chair Katz asked what that meant.

Mr. Milks explained it is called triangulation. If sites are too tall, they interfere with other sites in the area, if too short or blocked by topography/buildings, etc. they cannot communicate with one another. It is essential the tree can communicate with other sites. This site specifically communicates with St. John's Church.

He asked the Board to keep in mind that he and his business partner are from New Mexico and understand the issues. This was a painstakingly long process. This tree is

designed and is capable of providing services for all of the wireless carriers on this tree in the future. The main goal is coverage for the College in an emergency. This is a First Net site; a nationally funded project for first responders and is being pushed from a federal standpoint.

Vice Chair Katz asked if the other carriers would be there because Mr. Milks thought the College wants all of the carriers available.

Mr. Milks said it is almost a "build it and they will come". They talked with Verizon, T-Mobile /Sprint, and have contracts to build for them as well. If this is built, the other carriers will come. The area is extremely problematic. The campus has no coverage and students have complained for years. He discussed with the president of the College the issues with an active shooter on campus or an emergency. That is the reason they have been working with the neighborhood, neighbors, students and faculty to find the right location. This is the right location.

Chair Rios clarified that St. John's College computers don't have capacity to work.

Mr. Milks explained the computers work but cell phone service is hit and miss. The main goal is to have emergency services in the area. Currently there is no cell site near this location and there are spots on campus where people cannot make a call.

Member Bienvenu asked who the applicant is and the relationship between St. John's, AT&T and Mr. Milk's company.

Mr. Milks replied Gravity Pad is the vendor for AT&T/First Net. They have a lease with St. John's College and a relationship between the three. The College provides an area off the parking lot.

Member Bienvenu asked if St. John's came to Mr. Milks looking for coverage or if he went to the College looking for a site.

Mr. Milks said he approached the College in 2009 trying to build for AT&T and that was never agreed on. They continued discussion several years ago with better ideas and improved technology and the fake tree. He showed St. John's examples of other parts of the State and the College visited those and this project came to be.

Member Bienvenu asked if the College asked Mr. Milks for help with better coverage between 2009 when they said no, until a year and half ago.

Mr. Milks said, yes. They have always wanted coverage for the College, but it was a difficult process going through the historic and with the City of Santa Fe. They wanted to be good neighbors and he met with some of the neighbors and received feedback. They held several meetings before coming up with a plan to meet everyone's needs.

Member Bienvenu asked if Gravity Pad would be leasing and paying for the site from St. John's and as owner of the tower, if Mr. Milks would then lease it out.

Mr. Milks said yes, he is co-owner of Gravity Pad that actually owns the tower.

Member Bienvenu said the presentation had a lot of qualitative information but he didn't see anything quantitative. He asked if there were studies to substantiate the need.

Mr. Milks said they have propagation studies he could share. They show the lack of coverage in the area with the tower and without the tower and it is substantial.

Member Bienvenu thought that should be shared with the Board to meet the burden to address the numbers. He is interested in the numbers for the gap in coverage and what this provides that would fill that gap, and what the alternatives would provide.

Mr. Milks explained the gap in coverage is off of DB levels. It is more a map of percentages showing the areas in colors. He could confirm probably 88% of the area is not covered or lacks full coverage. Furthermore, there is a capacity issue. The sites around the College are not only unable to make a phone call but to communicate with social media, text, or reach emergency services.

Member Bienvenu thought that sounded qualitative. He asked if Mr. Milks had a number attached to that gap.

Mr. Milks replied coverage is about 88% without the tower and with the tower almost 98% of the area, which is significant.

Member Bienvenu asked how much is covered by alternatives.

Mr. Milks stated there really is no alternative. The alternatives he provided the College were not approved and they looked at different areas on campus. They never got to the point of providing propagation studies.

Member Bienvenu confirmed that was because the College rejected it for other reasons. He said Gravity Pad doesn't actually know if the other alternatives would meet coverage requirements, other than this site.

Mr. Milks said that was correct.

Member Bienvenu asked how much coverage there would be if the pole was three quarters of the height of what is proposed.

Mr. Milks explained it would be significantly lower, and it also has to be able to communicate with St. John's Church about 1.8 miles away.

Member Bienvenu asked if he could put numbers to the difference with a lower pole.

Mr. Milks said the propagation studies from their RF Department dictated the current height of this tower. If the pole was lower, it would not work because it couldn't communicate with the other site.

Member Bienvenu asked if it would literally be of no value.

Mr. Milks explained they cannot just have island sites that don't communicate. The sites have to speak to other sites, and there would be no line of sight to the others.

Mr. Bienvenu asked how high the highest tree is within 300 yards of this "tree".

Mr. Milks said he doesn't have a number off the top of his head. That is something they could measure possibly with an inclinometer, but he wasn't sure.

Member Bienvenu said judging from the photo it doesn't appear to have any significant tree coverage nearby. He asked if Mr. Milks agreed.

Mr. Milks replied the photo he was looking at doesn't show it, but there are other tall trees. He asked Ms. Roach to show one of the other propagation photo simulations, which could be 40-45 feet.

Member Biedscheid asked the applicant to elaborate on the other location options for the tree. She could understand it is difficult to disguise, but this seemed particularly incongruent with the location. It is a trailhead on the way to an extensive trail system and is very unnatural. She noted it appeared other locations were considered farther from the street but unclear why those wouldn't work.

Mr. Milks said both the neighbors and the College objected, and the site didn't perform as well as this one. They are trying to balance the appearance and having to build just one tree that could accommodate the other carriers. The other RF systems are very difficult and to get an agreement on a site. Especially for St. John's, this was the only location their board approved.

Member Biedscheid asked if other locations would work.

Mr. Milks said a location near the dorms would work but studies show the performance would be half as good. Also, the pole would be blocked by buildings and trees and due to the location, could only support one carrier. This site accommodates all of the carriers with FCC wireless DNCC contracts. This was working over a decade and 250 acres to try to find the right location.

Chair Rios asked if this could be put in a chimney location, something not as prominent as the tree.

Mr. Milks said they looked at every building on campus including the existing bell tower and nothing came close. They also looked at the high school down the road. This

is now candidate G, and they started with A. He thought if this site is not approved, they would give up.

Member Larson said this project doesn't blend with the vegetation, but it may be the closest they will get. She wasn't sure in this case that it will impact the views from the trails or the streetscape as much as they think. This is somewhat of a compromise situation that has to be made for public safety. The alternatives have all been explored and isn't that bad in terms of visibility of the landscape.

Vice Chair Katz said he appreciated the safety factor and along the lines of Member Bienvenu's comments, the letter talks about the propagation maps. It would help a lot if the Board could see those maps. Having some visual display of what this tower, versus alternatives would do would help.

Mr. Milks said they do provide that when going before the Planning Board or City Council. He understood this was only aesthetic. He didn't realize the Board would need the studies or the RF Engineering. He offered to provide that to Ms. Roach, but explained it looks like chicken scratch unless they were engineers. It is the DB levels before and after and difficult to comprehend.

Vice Chair Katz said he appreciated that. The Board recognizes that this would not be beautiful. Their grief is whether there is another location that would be less prominent.

Mr. Milks said he has been all over the campus. He is very confident in saying there is not a better spot to hide the tree and meet coverage objectives for AT&T, First Net and the other carriers and the main objective for emergency services. The campus is in dire need and there is not a better location.

Member Bienvenu said the applicant has a burden to demonstrate all other alternatives have been explored. The Board is asking for factual data to back up the assertions. He said one of his questions wasn't just the propagation study, but what the coverage objective is of AT&T. The Board doesn't know what that is, and it could be beyond the needs of St. John's College getting emergency services. Without that level of information, the Board doesn't know if the tower is necessary.

PUBLIC HEARING

Ms. Beninato, previously sworn, said she appreciates the questions asked by the Board. She thought it symbolically inappropriate to put a fake tree by a trailhead. And if this had been such a big problem at St. John's they would have done something 10 years ago. Gravity Pad has tried a number of times to get access. She thought the College doesn't want a tree located close to their buildings but are fine if it is close to the road. The tower is about three times the size of any tree nearby. She said it might be the best

the applicant could do but considering alternatives the burden of proof is on this company. They need to show this is the only location and a hardship if this cannot serve the other carriers. She asked the Board to postpone and require the applicant to submit the data to back up their assertions.

Mr. Eddy, previously sworn, said Member Bienvenu had a salient point, to get proof from the applicant that the tower doesn't go beyond the needs of the median area. He suspects it probably does and serves a greater need for a corporation. The structure is completely inappropriate in this landscape and a fake tree is a fake tree. He agreed St. John's College was probably more than happy to have the tower on the side of the road. It is undeniably an obstacle in the landscape and to see it will cut down on the quality of life of those in Santa Fe and those visiting.

Kevin Winter, PO Box 2755, Corrales, New Mexico, was sworn. He indicated he works with Mr. Milks on a lot of the sites. He has hiked the Atalaya Mountain Trail and suggests the Board members should also do that. Standing at the base of the tree or coming around the bend a person would notice the tower. The design is not to make it not noticeable, but to blend in with the existing area from a distance. Saying that a tree is not a compatible use in an area that has other trees is an oxymoron. As you walk the trail and look down the valley below the tree, it blends with the other trees. Looking across the valley, because it is below the ridge line, you do not see a silhouette. They worked with the City of Santa Fe on a silhouette study. A taller tree could be built on the top of the mountain, but the silhouette would be seen by a larger area. The bottom of the tree is designed to be near the base of the canyon at a lower point and because the elevation is lower, the tree needs to be taller. Therefore, the tree does need to extend above the height of the adjoining trees, so the signals are not blocked.

Mr. Winter encouraged the Board to do additional research. He noted they built the same kind of tree in the Albuquerque Four Hills Country Club and others in Ruidoso and Durango. They have received a lot of favorable comments in the design and it is the most appropriate for the area. They are open to mitigation and planting additional trees or designing something that would not stand out as much as the simulation shows. Also, they are looking at how to mitigate the view with the coyote fence and are open to options.

Every tree built is not created equal. This one will have faux bark at the base and antennas are covered by socks that have actual needles. Technology has come a long way for more visible locations, and they have spent a lot of time and money on the design.

Ms. Paez indicated Mr. Winter had passed the two-minute time limit, but she was treating him as part of the applicant's presentation.

Mr. Winter said that is true. He said the only other comment he had was to brief the Board on the Telecommunications Act of 1996 that speaks to the location and siting of wireless communication sites.

Chair Rios asked if there are other trees in Santa Fe like the one proposed.

Mr. Winter said he built one at the Jaguar High School, but it is not a good design. It is 100 feet tall and more like a pipe cleaner with visible antennas. It is an example of a bad tree. There are also a couple on Highway 599. The technology has improved greatly over the last 10 or 15 years. Last year they built an 85-foot tree in Tijeras that received a lot of favorable response from the neighbors.

Vice Chair Katz was concerned that the Board wasn't getting more information like the pictures described of wonderful new trees built or a multicolored map of the area with the current and possible service - good, medium, bad. That would help the Board understand the difference this would make and why Santa Fe Prep or Los Miradores Condos across the street wouldn't work. The Board is reluctant just to accept the word that they tried everything, and this is the only thing that could be done.

Mr. Winter said he welcomed the opportunity. He suggested postponing the matter for time to provide the Board with more information. As Mr. Milks mentioned, he has spent 11 years on this and feels this is the best design. He said he wasn't sure there has been a tower built in Santa Fe in the last 10 years under the Ordinance.

Mr. Winter said they knew this would be a difficult location. There are a lot of national companies that would not invest this amount of time and resources to get this approved.

Mr. Winter said he was happy to table the discussion and return with propagation maps and provide the tree and tree design.

Regarding the focus why not Santa Fe Prep or some other place; because there are a lot of residential homes in the area and as far as landlords, not a lot of options. The Board should keep in mind this is a commercial opportunity. There may be easier locations or a better location coverage wise, but unless they have a willing landowner, there is no certainty. They would be happy to discuss why this location and the types of design and how the views could be mitigated. But a discussion on why they didn't go here or there is a tougher discussion. They don't have domain abilities and it is a balancing act between the landlord, the community, the college and the companies.

Mr. Winter said he would be happy to get the information and reconvene on July 14th and could provide staff the information as early as next week.

Chair Rios thanked Mr. Winter for his comments.

She acknowledged another person from the public who wanted to speak.

Art McHaffie, 2220 Wilderness Meadow Rd., was sworn. He is a neighbor of St. John's College. He thought that Board members were not familiar with the cell phone service on the southeast side of Santa Fe. It is terrible. They are living more and more in an electronically connected world and public safety is a big concern. When their telephone goes out, they have no way to communicate with the outside world unless they drive out passed St. John's College to get a signal. He isn't able to give his cell phone number out because it doesn't work at his house. His messages go to voicemail and he doesn't get them for a couple of weeks. He has to depend on a landline that is about 95% reliable but when doing transactions online he isn't able to do a two-step verification. They want to send a text and he can't receive one. Also, the resale value might appeal to the City. Without modern telecommunication capabilities, the land value in this corner of Santa Fe will reflect that. The City will get more taxes if resale is higher and this would be beneficial to move forward with the tree. The tree is well disguised. He drives by the area multiple times every day, and to be honest, he is looking at the road, not the trees. He didn't think it would be objectionable to anyone unless they were standing at the base looking up. He said it is essential for the City to allow improved telecommunication coverage in this quadrant of the City.

BOARD DISCUSSION

Member Larson said the applicant had offered to do more vegetation screening in addition to fencing. She hoped to see that in the next proposal. She mentioned that she works with the National Park Service and they have seen a lot of proposals for cell phone towers in international parks. This proposal is in line with the Park Service standards and screening and the absolute need to provide for the safety factor. She looked forward to seeing additional data to help her make the best decision. She appreciated the applicant's openness and willingness and found it an interesting discussion.

Ms. Roach said before more discussion, she wanted to enter into the record two written comments. She read the first letter from Oshana Spring attached as Exhibit "1" and the second letter from Arthur Firstenberg, attached as Exhibit "2".

Member Biedscheid thought no one liked the design of the structure but this might be the reality of how Santa Fe could get this kind of service. She said she could attest to the need because she doesn't live far from the proposed location. There are four or five schools in the area that need reliable cell phone coverage for safety. And Mr. McHafee has commented on the hardship of the neighborhoods that are closer to the mountains and the problem for those who live in that area.

She hoped they could reach an agreement, and although it may not be perfect, it might be what is necessary. She would appreciate a more thorough presentation of the realities of the situation from the applicant.

MOTION: In Case #2020-002194-HDRB, 1160 Camino de Cruz Blanca, Vice Chair Katz moved to postpone until the hearing on July 14, 2020 for additional information. The motion was seconded by Member Biedscheid.

VOTE: The motion passed by unanimous (4-0) roll call vote with Members Biedscheid, Bienvenu [with comment], Katz and Larson voting in favor and none voting against. Member Guida had recused himself from this hearing.

Member Bienvenu commented by way of explanation of his vote in favor: The propagation maps the applicant plans to return with would not be sufficient. What is important to him is to know what the gap in coverage is and if this is the last intrusive alternative to meet only that gap, not any other objectives.

Chair Rios addressed the applicants and said the Board looks forward to seeing them at the next meeting.

Ms. Roach noted it was important that the applicants provide the additional information no later than Monday.

Chair Rios asked the applicant to kindly consider the information requested by Member Bienvenu.

Chair Rios noted a discussion item is next.

H. DISCUSSION ITEMS

1. **Case #2020-002188-HDRB. 500 Montezuma Avenue.** Westside-Guadalupe Historic District. Jenkins-Gavin, agent for the New Mexico School for the Arts, State of New Mexico, owner, proposes to construct a 7,550 square foot cafeteria addition and 8,830 square foot adjacent courtyard, following the previously approved partial demolition at a non-contributing, non-residential structure. The applicant requests review and comment, per Section 14-5.2(M). (Lisa Gavioli Roach)

Ms. Roach said she would present her report followed by a presentation by Ms. Jenkins. The Board will provide review and comment on the case per sub section M, 14-5.2 in that it contains design requirements in subsection M, Capital Outlay Projects. She said no motion is required.

Ms. Roach presented her staff report as follows:

STAFF REPORT

500 Montezuma Avenue is the former Sanbusco Market Center, located in the Westside Guadalupe Historic District. The Sanbusco Market Center building and the parking sheds on the north side of the building are listed as non-contributing, and the Butler & Foley Building at 550 Montezuma Avenue is listed as contributing to the district.

The Sanbusco Market Center served as a boutique mall for nearly 30 years. Prior to the establishment of the mall, the buildings on the property comprised two building supply companies – the Dudrow Coal and Lumber Yard, established in the 1880s, and the Santa Fe Building Supply Co., established in the 1920s and operated through the 1970s. The building styles of the supply company buildings varied over time and include the Italianate brick building at the southeast corner of the building, vernacular style sheds, and Spanish Pueblo Revival elements. The Butler & Foley Building, constructed in the Territorial Revival style, was constructed in approximately 1930, and the south second story elevation with its clerestory windows and the east elevation along Montezuma Avenue are designated as primary.

In 2016, the applicant received approval from the HDRB to conduct an extensive Phase 1 remodel of the buildings for the purpose of adaptive re-use as the New Mexico School for the Arts. Then, in August of 2019, the applicant received approval from the HDRB to complete Phase 1, including demolition of a portion of the main building at the south elevation and construction of a new exterior wall in that location, which would form the north wall of a proposed courtyard. At that same hearing, the Board denied the request to demolish the former Pranzo Restaurant building, suggesting that they would need to see the design of the proposed replacement structure in order to determine if the unique street section or block front would be re-established following demolition.

Now, due to a change in funding (and ownership as well) for Phase 2A, the project comes before the Board for review and comment under Section 14-5.2(M) State Capital Outlay Projects. In reviewing the project, the Board should specifically address compatibility of the project with the design standards, considering reasonable costs and preserving essential functionality.

The applicant proposes to construct a 7,550 square foot cafeteria addition accessed from the west music wing corridor of the existing structure, which will open on to an 8,830 square foot courtyard to the east. The design of the addition matches the style of previously approved alterations to the exterior of the existing structure in scale, height, and materials. The “storefront” door and window patterns of the previously approved east and south elevations are repeated in the design of the east elevation of the proposed cafeteria, and the same Centria metal panel siding in Chromium Grey is proposed for the

exterior finish of this elevation. A horizontal trellis or fin is proposed to provide shade and design interest at this elevation, and the proposed height of 18-feet-9-inches on the east and 20-feet on the west lower grade matches the adjacent roofline. The central portion of the cafeteria addition's east elevation will bump up to just over 25-feet in height and features extensive fenestration. This portion of the design does not comply with the design standards in that the glazing exceeds 40 percent of the total elevation; however, the Board may find that the proposal is in keeping with the overall architectural style of the renovated structure.

Opposite the proposed courtyard, the western façade of the historic brick structure will be refurbished to its original finish once the demolition of Phase 1 is complete. An existing first floor doorway is proposed to be infilled with a glass door in this area, and an attic opening will be filled in with brick to match the surrounding façade.

Within the courtyard itself, the existing grade change will be accommodated by a raised, scored concrete patio which steps down to the west. A large lawn will be created to allow for outdoor school activities and gathering. The courtyard will be enclosed by 6-to-8-foot-high fencing and gates to match the existing fencing located on the southeast corner of the music wing.

STAFF RECOMMENDATION

Staff defers to the Board for review and comment on the proposed project, addressing compatibility of the project with the design standards, considering reasonable costs and preserving essential functionality, per Section 14-5.2(M) State Capital Outlay Projects.

QUESTIONS FOR STAFF

Chair Rios asked if any of the project calls for solar panels.

Ms. Roach said she is unaware of that portion of the project but didn't believe so.

Vice Chair Katz wondered if notice was given to other historic preservation organizations as required by Code.

Ms. Roach wasn't aware of that portion of the Code.

Vice Chair Katz read in section 2, Procedures, B, *"The Board and the applicant conducts a public meeting to receive public input. Notice of the public meeting should be given to any identified community groups involved in historic preservation in Santa Fe."* Then there is a 60-day period to review and make comments and discussion with the applicant to resolve issues. City Council then has the opportunity of invoking a State review of the H-Board, if matters are not resolved.

Ms. Roach said she wasn't aware of specific requirements to reach out to individual groups. This was properly publicly noticed through the standard noticing procedures and there is a 60-day period, starting today.

Vice Chair Katz read, "*The notice of the public meeting shall be given to any identified community groups involved in historic preservation in Santa Fe.*" He thought at minimum OSFA would qualify and there may be others.

Colleen Gavin, the owner's representative, asked to be acknowledged so she could answer that question.

Chair Rios asked Ms. Paez if she wanted to comment first.

Ms. Paez said she intended to ask if that responsibility fell on the City or the State.

Ms. Roach thought Vice Chair Katz was looking at the Ordinance in State Capital Outlay Projects, Procedures, 2A, "*The state shall make every reasonable effort to obtain input from members of identifiable community groups involved in historic preservation in Santa Fe.*" She agreed they should inquire with the applicant.

Chair Rios asked if other Board members had any comments at this time. Seeing none, the applicant was sworn in.

APPLICANTS PRESENTATION

Colleen Gavin, 130 Grant Ave., was sworn in. Ms. Gavin introduced others present, Eric Crites Head of the New Mexico School for the Arts (NMSA), Howard Tabett, Secretary of the Governing Board, Mary Sloan, board member of the Art Institute and Erick Neese project architect and his team.

Ms. Gavin addressed Member Katz's question in regard to the notification of other historic groups. She did reach out to the two identified groups, the Old Santa Fe Association and the Historic Guadalupe Neighborhood Association. They were provided a two-week notification in advance of a meeting on June 10, 2020. The GoToMeeting was Live for 30 minutes, and meeting minutes were submitted to the City for the record along with a copy of their notice. Also available is the slide presentation that was sent to the City the day after their meeting, identifying the members of their team present at the meeting. Also showing that the meeting was live for 30 minutes with no other attendees from the public.

Ms. Roach added that is in the Board packet.

Ms. Gavin said she also reached out again to both parties and to the State Board as a reminder, but never heard back. But they did comply with the requirement.

Ms. Gavin presented a PowerPoint presentation reviewing the locations of the site, elevations and surrounding area, the floor plan and parking lot and materials used. Areas previously approved were shown, before, during and after the work and commentary was made on the status of the work.

Ms. Gavin said the purpose is to create a sense of reciprocity between all of the spaces. The gallery opening to the courtyard, the main entrance of the school spilling out into the courtyard, the cafeteria connecting to the paseo and the music wing connected to the cafeteria. The cafeteria is located to serve as the heart of the school for meals, assemblies, activities, and events with the Art Institute, and to provide outdoor space for NMSA.

Renderings were shown of the proposal from different perspectives.

Chair Rios thanked Ms. Gavin for the presentation. She asked if there were others from the team who wanted to speak.

Eric Crites, 11 Sombrero Alto, head of the New Mexico Art Institute, was sworn. He said the school is excited about adding a cafeteria courtyard space to the school. It is essential for one of the school's great strengths, their community. Having the space to provide food service, performance, engagement and other school activities will be essential. He thanked the Board for their consideration.

BOARD DISCUSSION

Vice Chair Katz said the presentation was nicely done and he could see how this enhances the circulation and it will all work. He had a question on how necessary the added height of the cafeteria is because he thought the added height would show.

Ms. Gavin said the proposed height 25 feet 2½" and is in development now. This volume is to create a multipurpose space and the key is the cafeteria. It is not currently able to prepare food or serve food or lunch. A slide of the roof of the cafeteria was shown showing the slope and they have to tie into the existing parapet height. The building is old and has been added on to multiple times and nothing matches. The south facing parapet sticks up 4-6 inches. The height of 25'2" comes from the minimum slope requirement.

Ms. Gavin asked Mr. Neese if he wanted to add to her comments.

Erik Neese, 908 De Solito, Albuquerque, was sworn. He said Ms. Gavin did a great job. He would only add that the opportunity to bump that higher also provides an opportunity to bring in more natural light to the space. The windows are currently only from the east and elevating that portion is an opportunity to bring in more light through clerestory windows. There is 3 foot drop in topography going west toward the cafeteria from the east elevation. The Gallery building will remain the prominent façade and the cafeteria would not take away that presence.

Member Guida thanked everyone. He thought the design was great; it is sympathetic with the rest of the project which has been very successful. In terms of solving the problem, this is a straightforward smart design and he was happy to see it leaves a nice courtyard.

He asked about the material of the fence that would enclose the courtyard.

Ms. Gavin presented the material pallet. She explained the fence is a steel frame in a bronze finish. The plan is to use the same pattern and keep the fencing in place with an access gate continued with the same material.

Member Guida said he liked the detail of the fence a lot. He shared Member Katz's concerns on the height of the cafeteria volume. The elevation shows the perspective of height around it and a perspective of the courtyard. That solves a lot of the problem for him and he could see now that it is not a problem. The height of the volume is important and unlike the elevations, the perspective shows the dimension as a glass box that can be lit at night. It makes a lot of sense in terms of scale, statement and shading and will let a lot of light in and would not be visible outside the courtyard. He thought this very successful.

Member Larson agreed it is a beautiful addition and is clear it is needed. She likes that it echoes the surrounding architecture and will be a beautiful space for the school. She congratulated them on the design.

Chair Rios said the project is very well thought out and because of the different architectural styles, the historic buildings, and other styles of buildings. The designers had the freedom to create something compatible and yet stand on its own merit. She said in her view they have accomplished that. She wished them good luck.

She opened the floor to public comment. There was none.

Vice Chair Katz said the Board needs to decide whether to engage in further conversation. He thought a motion was needed to accept the design. The procedure is they can discuss it in 60 days, but he thought the Board was ready to recommend this go forward.

Chair Rios asked Ms. Roach, in reference to the Board's favorable comments if they could make a motion.

Ms. Roach said she believed the Board's role is to recommend to the City whether or not further discussion is needed.

Vice Chair Katz said the Board should decide in the form of a motion to recommend this move forward.

MOTION: In Case #2020-002188-HDRB, 500 Montezuma Avenue, Vice Chair Katz moved that the Historic Design Review Board approves the design and recommends to City Council it move forward. The motion was seconded by Member Guida.

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

I. MATTERS FROM THE BOARD

Chair Rios thanked members and staff and said she liked that they were a very thorough board and not looking at their watches.

J. ADJOURNMENT

Chair Rios adjourned the meeting at approximately 11:20 p.m.

Approved by:


Cecilia Rios, Chair

Submitted by:

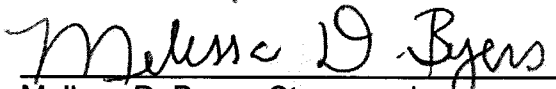

Melissa D. Byers, Stenographer
For Byers Organizational Support Services

EXHIBIT 1

Pending approval of cell tower

Oshana Spring <heavn2erth@gmail.com>

Mon 6/22/2020 10:44 AM

To: ROACH, LISA X. <lxroach@santafenm.gov>

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Cell phone towers, no matter how camouflaged, are indigenously ugly. The spot chosen for this megalith will not be appreciated by hikers, St Johns' students and the many visitors to that area. Surrounding neighborhoods are likely to see a property value decline.

No matter what the telecoms tell you, you as our Historic Preservation Board have the right to say, "NO".

I thank you for a No vote on this issue.

Sincerely, Oshana Spring 989-7224 3 Montecito SF 87506

--

All truth passes through three stages:

First, it is ridiculed;

Second, it is violently opposed; and

Third, it is accepted as self-evident.

Arthur Schopenhauer (1788-1860)

EXHIBIT 2

⏪ Reply all ▾ 🗑 Delete 🚫 Junk Block ...

HDRB June 23, 2020, Item 7, Case # 2020-002194-HDRB

ⓘ Flag for follow up.

AF

Arthur Firstenberg <bearstar@fastmail.fm>
Fri 6/19/2020 4:12 PM



To: Land Use Public Comment

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

The HDRB must review this application for conformity with **all** requirements of SFCC Section 14-5.2 and with **all** requirements of Section 14-6.2(E).

"A [tower](#) or [antenna](#) that is located in a historic district and is not otherwise permitted or administratively approved shall be reviewed and approved by the historic districts review board in accordance with applicable requirements of [Section 14-5.2](#) (Historic Districts) and in accordance with this Subsection [14-6.2\(E\)](#)..."

This tower is in a residential R-1 district. It is not "otherwise permitted" under any of the exceptions listed in Section 14-6.2(E)(2)(b)(i) to (ix). It is not eligible for administrative approval under Section 14-6.2(E)(3)(a) because it is not:

- the addition of an antenna to an existing structure
- the relocation of an existing tower
- a new tower in a C-2, I-1 or I-2 district
- a face-mounted or roof-mounted antenna
- a tower-alternative **outside** of residentially zoned districts.

The City Code therefore requires H-Board review for conformity with **all** requirements of sections 14-5.2 and 14-6.2(E). This applicant has not complied with Section 14-6.2(E)(6)(b)(ii), (iv), (v), (vi), (vii), (viii), (ix), and (x).

All development within the City must also further "health" and the "general welfare." SFCC Section 14-1.3(A). This project damages health and the general welfare, which is why I oppose it.

Arthur Firstenberg
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Santa Fe, NM 87502
(505) 471-0129