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

Case #2019-1553-HDRB
Address – 1292 Lejano Lane
Agent’s Name – Thomas Hughes
Owner/Applicant’s Name – Linda Carey

THIS MATTER came before the Historic Districts Review Board ("Board") for hearing on March 10, 2020.

BACKGROUND

1292 Lejano Lane is currently an unbuilt residential site in the Downtown and Eastside Historic District. The site has a steep grade and sits at the corner of Lejano Lane and Lorenzo Road. It has public visibility from both roads. The Applicant presented a proposal to the Board on January 28, 2019, which was postponed with the request that the Applicant produce a more complete and convincing set of drawings and to address issues of design. Concerns were raised about visibility, in particular from the east (Lorenzo Road), which sits much lower than the property in question.

The Applicant proposes a 3551 square foot new single-family residence, reduced from the originally proposed 3,700 square feet. The maximum allowable height is 14 feet 5 inches. The height calculations exclude all non-contributing structures that are over 16 feet in height. However, the pattern of the immediate streetscape is of higher buildings. The house to the west (1290 Lejano) has a maximum height of 22 feet, and the houses directly across the street, 1291 and 1293 Lejano, are 16.5 feet and 21.1 feet high respectively.

In the redesign, the Applicant reduced the maximum proposed height to the top of the parapet from the lowest point of the existing grade on the east façade from 17 feet to 16 feet 6 inches; reduced the height of the garage a total of 18 inches; eliminated several retaining walls; reduced the size of the publicly visible large windows on the east façade; and slightly rotated the siting of the structure clockwise toward the hill and away from Lorenzo Road, reducing visibility from Lorenzo.

All exterior windows and doors will have a minimum of 3-inch stucco return from the finished wall plane. All doors and windows, except the entry door will be black aluminum clad. The building will be finished with smooth stucco in La Habra Belle Glade color, which is a brownish earth tone. The interior of the covered portals will be white. The entry door and transom will be painted Benjamin Moor White Dove. The garage doors will be clad with cedar stained to match the stucco color. The Applicant proposes to transplant large pinon trees on the site or plant new ones to the east side of the house to further screen visibility from Lorenzo Street.

FINDINGS OF FACT

After conducting a public hearing and having heard from the Applicant and all interested persons, the Board hereby FINDS, as follows:
1. Land Use Department Staff conducted a preliminary zoning review (PZR) and determined that the Application appears to meet the underlying zoning standards set forth in the Santa Fe City Code (SFCC).

2. Historic Preservation Division City staff reviewed the Application and related materials and information submitted by the Applicant for conformity with applicable SFCC requirements and provided the Board with a written report of its findings (Staff Report), which evaluates the factors relevant to the Application.

3. Historic Preservation Division Staff Recommendation: Staff recommended approval of the proposed project and found that the application complies with SFCC Sections 14-5.2(D)(9), General Design Standards for all Historic Districts - Height, Pitch, Scale, and Massing; and 14-5.2(E), Downtown and Eastside Design Standards.

4. The project is subject to requirements of the following sections of the SFCC:
   - Section 14-5.2(D)(9), General Design Standards, Height Pitch Scale and Massing (of any structure); and
   - Section 14-5.2(D), General Design Standards.

5. The property is located in the Downtown and Eastside Historic District and subject to Section 14-5.2(E) of the SFCC.

6. Staff determined that no exception would be required for approval of the Application, and the Applicant did not request an Exception Request.

7. Under SFCC Section 14-5.2(D)(9)(c)(ii)(F), the Board "may increase the allowable height for proposed buildings and additions located on a sloping site where the difference in the natural grade along the structure's foundation exceeds two (2) feet. In no case shall the height of a façade exceed four (4) feet above the allowable height of the applicable streetscape measured from natural or finished grade, whichever is more restrictive."

8. In this case, the Board finds that it is appropriate to grant additional height because there is a 13 foot elevation change over the footprint of the building.

9. Under SFCC Section 14-5.2(E)(1)(c) and (E)(2)(e), the publicly visible windows on the south and east facades cannot have single panes of glass that exceed thirty (30) inches unless the Applicant obtains an exception.

10. At the hearing, the Board expressed a preference for non-divided lite windows on the publicly visible windows due to the architectural style of the building and encouraged the Applicant to seek an exception to use all non-divided lite windows.

11. Under SFCC Sections 14-2.6(C), 14-2.7(C)(2), 14-5.2(A)(1), 14-5.2(C)(2)(a-d & f), 14-5.2(C)(3)(a-b), and 14-5.2(D), the Board has authority to review, approve, with or without conditions, or deny, all or some of the Applicant's proposed design to assure overall compliance with applicable design standards.

12. Under SFCC Section 14-5.2(C)(3)(b), the Board has the authority to approve an application for alteration or new construction on the condition that changes relating to exterior appearance recommended by the Board be made in the proposed work, and no permit is to issue until new exhibits, satisfactory to the Board, have been submitted.

13. The information contained in the Application, and provided in testimony and evidence establishes that all applicable requirements for Board review as herein described have been met.

14. The information contained in the Application and provided in testimony and evidence establishes that all applicable design criteria have been met.
CONCLUSIONS OF LAW

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

1. The Board has the authority to review and approve the Application.
2. The Board approves the Application with the condition that either (1) the four publicly visible windows on east and south façades must have divided lites, or (2) the Applicant must request and obtain an exception from the Board to install non-divided lite windows on the four publicly visible windows.

IT IS SO ORDERED ON THIS __ DAY OF ___________, 2020, BY THE HISTORIC DISTRICTS REVIEW BOARD OF THE CITY OF SANTA FE.

Chairperson

Date:

FILED:

Yolanda Y. Vigil
City Clerk

Date:

APPROVED AS TO FORM:

Sally A. Paez
Assistant City Attorney

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

**Case # 2020-1600-HDRB**
Address – 113 Washington Avenue
Agent’s Name – Martinez Architecture Studio PC
Owner/Applicant’s Name – Rosewood Inn of the Anasazi

THIS MATTER came before the Historic Districts Review Board (“Board”) for hearing on March 10, 2020.

**BACKGROUND**

113 Washington Avenue is a commercial hotel structure constructed after 1945 in the Territorial Revival style, when it was known as the State Securities Building. The building was substantially remodeled in 1989 in the Spanish Pueblo Revival style and was adaptively reused as the Inn of the Anasazi. In 2014, the Board approved window replacement throughout the structure (Case #H-14-025). The building is listed as non-contributing to the Downtown and Eastside Historic District. At the February 11, 2020, hearing of the Board, the applicant proposed to construct an addition to the rooftop level of the building, and after discussing several design details, the Board postponed the case, requesting redesign with particular attention to the street-facing west elevation.

The Applicant has now submitted revised drawings that reflect a few modifications to the design, as well as digital renderings, which capture the visual effects of the additions on the streetscape. The project is proposed as follows:

1. Construct an addition and improvements to the rooftop level of the hotel. The Applicant requests an exception to exceed the maximum allowable height of 20’1”, and exception criteria and responses were provided in the staff report. The Applicant proposes to build to a height of 56’ in the central portion of the existing roof level. This massing will rise a maximum of 14’ above the existing parapet and will be set back from the street-facing façade by more than 70’.

2. The front (street-facing) third of the space will be used as an outdoor event space with tile decking, seating, an informal lobby area, elevator overrun, stairwell, and storage space. The seating area will be set back further from the front façade of the building than originally proposed. The Applicant redesigned the chimney structures that are prominent on the proposed design, such that the central chimneys have been consolidated, made more massive, and set back further from the front façade, resulting in better integration of the chimneys into the architectural features of the existing building. The side chimneys have also been made more massive and sculptural so as to blend better with the existing hotel. The seating area will feature a 12’8” high tan canopy situated on dark bronze tracks on which the canopy can be extended or retracted depending on weather. The canopy tracks have been redesigned to be seated on top of the three chimney structures at the west end of the seating area, and the space will be framed by 5’ high stuccoed walls.

3. The central third of the space will feature an enclosed lounge and bar with required back-of-the-house spaces, including kitchen and restrooms. The stuccoed massing will match the
Spanish-Pueblo Revival style of the hotel, and windows will match those that are featured elsewhere on the hotel. As stated above, the height of this massing will rise 14’ above the existing parapet, resulting in a total height of 56’. Any rooftop appurtenances and skylights placed on the roof of this addition will not be publicly visible.

(4) The rear third of the space will include a rectangular pool and tile deck, set back approximately 4’ from the edge of the building. The perimeter of the pool deck will be framed by 4’ high stuccoed walls and a retractable tan canopy with dark bronze rails to a height of 12’8” above the existing parapet. The previously presented wood framed cabana structures have been modified to free-standing fabric structures. In this area, the chimneys have also been moved closer together from the previous design and incorporated into fewer, larger masses rather than having multiple smaller chimneys. A stairwell and mechanical and storage spaces will be located at the southeast corner of the pool deck, and the northwest corner of the pool deck will feature an outdoor fireplace and seating area.

**FINDINGS OF FACT**

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

1. Land Use Department Staff conducted a preliminary zoning review (PZR) and determined that the Application appears to meet the underlying zoning standards set forth in the Santa Fe City Code (SFCC).
2. Historic Preservation Division City staff reviewed the Application and related materials and information submitted by the Applicant for conformity with applicable SFCC requirements and provided the Board with a written report of its findings (Staff Report), which evaluates the factors relevant to the Application.
3. **Historic Preservation Division Staff Recommendation:** Staff found that the Applicant met the exception criteria and recommended approval of the proposed project because the application complies with SFCC Sections 14-5.2(D), General Design Standards for all Historic Districts; and 14-5.2(E), Downtown and Eastside Design Standards.
4. The project is subject to requirements of the following sections of the SFCC:
   - Section 14-5.2(D)(9), General Design Standards, Height Pitch Scale and Massing (of any structure);
   - Section 14-5.2(D), General Design Standards; and
   - Section 14-5.2(C), Regulation of Significant and Contributing Structures.
5. The property is located in the Downtown and Eastside Historic District and subject to the Section 14-5.2(E) of the SFCC.
6. Staff calculated the maximum allowable height to be 20’1”, and the Applicant proposes to exceed this maximum allowable height.
7. Staff determined that an exception would be required for approval of the proposed height, and the Applicant requested an exception.
8. The Board finds that the Applicant has failed to demonstrate that all of the exception criteria have been met with regard to the proposed height of the three (3) front chimneys massings.
9. Pursuant to SFCC Section 14-5.2(C)(5)(c)(i), the Board finds that the proposed location and height of the three (3) front chimney massings would damage the character of the streetscape.

10. Pursuant to SFCC Section 14-5.2(C)(5)(c)(ii), the Board adopts staff's finding that a height exception is required to present a hardship to the applicant.

11. Pursuant to SFCC Section 14-5.2(C)(5)(c)(iii), the Board adopts staff's finding that a height exception is required to strengthen the unique heterogeneous character of the city by providing a full range of design options to ensure that residents can continue to reside within the historic districts.

12. Pursuant to SFCC Section 14-5.2(C)(5)(c)(iv), the Board adopts staff's finding that a height exception is required due to special conditions and circumstances which are peculiar to the land or structure involved and which are not applicable to other lands or structures in the related streetscape.

13. Pursuant to SFCC Section 14-5.2(C)(5)(c)(v), the Board adopts staff's finding that a height exception is required due to special conditions and circumstances that are not a result of the actions of the Applicant.

14. Pursuant to SFCC Section 14-5.2(C)(5)(c)(vi), the Board finds that approving the proposed location and height of the three (3) front chimney massings would not provide the least negative impact with respect to the purposes of SFCC Section 14-5.2, as set forth in SFCC Section 14-5.2(A)(1).

15. The Board finds that the potential damage to the character of the streetscape and negative impacts with regard to the purposes of SFCC Section 14-5.2 would be minimized by ensuring that the three (3) front chimneys do not exceed the height of the existing chimneys.

16. Under SFCC Sections 14-2.6(C), 14-2.7(C)(2), 14-5.2(A)(1), 14-5.2(C)(2)(a-d & f), 14-5.2(C)(3)(a-b), and 14-5.2(D), the Board has authority to review, approve, with or without conditions, or deny, all or some of the Applicant's proposed design to assure overall compliance with applicable design standards.

17. Under SFCC Section 14-5.2(C)(3)(b), the Board has the authority to approve an application for alteration or new construction on the condition that changes relating to exterior appearance recommended by the Board be made in the proposed work, and no permit is to issue until new exhibits, satisfactory to the Board, have been submitted.

18. The information contained in the Application, and provided in testimony and evidence establishes that all applicable requirements for Board review as herein described have been met.

19. The information contained in the Application and provided in testimony and evidence establishes that all applicable design criteria have been met.

**CONCLUSIONS OF LAW**

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

1. The Board has the authority to review and approve the Application.
2. The Board approves the Application and grants the requested height exception with the following conditions:
• the proposed three (3) front chimney massings shall be eliminated from the design, and the existing chimney stacks at the front west elevation shall remain in their current location and at their current height;
• the size of the event space shall be limited by the distance that the building code requires the space to be from the existing westernmost chimneys;
• Applicant shall submit new drawings to staff for approval before seeking permits.

IT IS SO ORDERED ON THIS ___ DAY OF __________________, 2020, BY THE HISTORIC DISTRICTS REVIEW BOARD OF THE CITY OF SANTA FE.

Chairperson

FILED:

Yolanda Y. Vigil
City Clerk

APPROVED AS TO FORM:

Sally A. Paez
Assistant City Attorney
City of Santa Fe  
Historic Districts Review Board  
Findings of Fact and Conclusions of Law

Case #2020-1736  
Address – 824 Canyon Road  
Agent’s Name – Architectural Alliance Inc.  
Owner/Applicant’s Name – Igor Choromanski

THIS MATTER came before the Historic Districts Review Board (“Board”) for hearing on March 10, 2020.

BACKGROUND

824 ½ Canyon Road is a group of two residential structures in the Downtown and Eastside Historic District. Both are shed-roof buildings displaying the 19th century Spanish pattern of building with contiguous rooms forming a low building with multiple doors. The site is open between the buildings with a yard wall along the west perimeter, forming a courtyard space. The structures are a rare example of Santa Fe building practices before the rise of the Revival Styles. The south structure is listed as significant, while the north structure is listed as contributing. All facades are primary on the south building, and the south elevation of the north building is primary.

The Historic Cultural Properties Inventory (HCPI) from 2010 states that there have been some changes to the doors and windows, however, the HCPI notes that this is less important than “the rhythm created by the openings in these long facades. The historic site layout is more important than in many properties, and has not been altered.”

In 2010, the Board approved an exception to construct an addition to the primary north-facing elevation of the south building, however this was never constructed. Another proposal to construct pergola roofs was proposed but likewise not realized.

At this hearing, the Applicant proposed the following items:

1. Construct a new garage in the middle of the courtyard area. This would be a 12 foot by 17 foot structure with a garage door on the east side and double barn doors on the courtyard side.

2. Construct a new 6 foot-high yard wall and coyote fence to create a parking area with two wooden gates. This would separate the inner courtyard from the outer space and from public view.

3. Construct an unroofed pergola over one parking space, using square post and bearing beams, round vigas and latillas.

Although the proposed new structures would not abut the adjacent structures, they would change the heretofore unaltered courtyard layout. The historically open courtyard with its rhythmic openings would be built over and split into parts.
FINDINGS OF FACT

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

1. Land Use Department Staff conducted a preliminary zoning review (PZR) and determined that the Application appears to meet the underlying zoning standards set forth in the Santa Fe City Code (SFCC).

2. Historic Preservation Division City staff reviewed the Application and related materials and information submitted by the Applicant for conformity with applicable SFCC requirements and provided the Board with a written report of its findings (Staff Report), which evaluates the factors relevant to the Application.

3. Historic Preservation Division Staff Recommendation: Staff deferred to the board as to whether the application complies with SFCC Sections 14-5.2(D)(9), General Design Standards for all Historic Districts – Height, Pitch, Scale, and Massing; and 14-5.2(E), Downtown and Eastside Design Standards.

4. The project is subject to requirements of the following sections of the SFCC:
   - Section 14-5.2(D)(9), General Design Standards, Height Pitch Scale and Massing (of any structure);
   - Section 14-5.2(D), General Design Standards; and
   - Section 14-5.2(C), Regulation of Significant and Contributing Structures.

5. The property is located in the Downtown and Eastside Historic District and is subject to SFCC Section 14-5.2(E).

6. Staff determined that no exception would be required for approval of the application, and the Applicant did not request an exception.

7. Under SFCC Section 14-12.1, the definition of a “contributing structure” is “a structure, located in a historic district, approximately fifty years old or older that helps to establish and maintain the character of that historic district. Although a contributing structure is not unique in itself, it adds to the historic associations or historic architectural design qualities that are significant for a district. The contributing structure may have had minor alterations, but its integrity remains.”

8. Under SFCC Section 14-2.1, the definition of a “primary façade” is one or more principal faces or elevations of a building with features that define the character of the building's architecture.

9. Under SFCC Section 14-12.1, the definition of a “significant structure” is a “structure located in a historic district that is approximately fifty years old or older, and that embodies distinctive characteristics of a type, 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, national or global level; or (B) if it is listed on or is eligible to be listed on the State Register of Cultural Properties or the National Register of Historic Places.”

10. The Board finds that adding the garage and the pergola to the space between buildings, as proposed in the Application, would have a negative impact on the historic site layout, which is important to the property and has not been altered.
11. The Board finds that the proposed height of the garage could be lowered while still accommodating the parking needs of the Applicant.

12. Under SFCC Sections 14-2.6(C), 14-2.7(C)(2), 14-5.2(A)(1), 14-5.2(C)(2)(a-d & f), 14-5.2(C)(3(a-b), and 14-5.2(D), the Board has authority to review, approve, with or without conditions, or deny, all or some of the Applicant's proposed design to assure overall compliance with applicable design standards.

13. Under SFCC Section 14-5.2(C)(3)(b), the Board has the authority to approve an application for alteration or new construction on the condition that changes relating to exterior appearance recommended by the Board be made in the proposed work, and no permit is to issue until new exhibits, satisfactory to the Board, have been submitted.

14. The information contained in the Application, and provided in testimony and evidence establishes that all applicable requirements for Board review as herein described have been met.

15. The information contained in the Application and provided in testimony and evidence establishes that all applicable design criteria have been met.

CONCLUSIONS OF LAW

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

1. The Board has the authority to review and approve the Application.

2. The Board approves Item 1 (new garage) with the following conditions:
   - the garage must have a flat roof;
   - the height of the garage shall be 9 feet, 6 inches; and
   - both ends of the garage must have carriage doors.

3. The Board approves Item 2 (wall and fence) as submitted in the Application.

4. The Board denies approval of Item 3 (pergola).

IT IS SO ORDERED ON THIS ___ DAY OF ____________, 2020, BY THE HISTORIC DISTRICTS REVIEW BOARD OF THE CITY OF SANTA FE.

_________________________ __________________________
Chairperson Date:

FILED:

_________________________ __________________________
Yolanda Y. Vigil Date:
City Clerk

APPROVED AS TO FORM:

_________________________ __________________________
Sally A. Paez Date:
Assistant City Attorney
City of Santa Fe  
Historic Districts Review Board  
Findings of Fact and Conclusions of Law

Case #2020-1737-HDRB  
Address – 325 Paseo de Peralta  
Agent’s Name – Architectural Alliance Inc.  
Owner/Applicant’s Name – Montgomery Andrew Co.

THIS MATTER came before the Historic Districts Review Board (“Board”) for hearing on March 10, 2020.

BACKGROUND

325 Paseo de Peralta is a non-contributing commercial structure in the Downtown and Eastside Historic District built in a Territorial Revival style. It is a rectangular two-story office building with a white wooden portals, white pedimented trim, and brick coping.

The Applicant proposes the construction of two new adjacent doors with trim on the east facade to accommodate entrance to separate offices and stucco patching. The doors will be white painted wood with six true divided lites to match other doors on the building. The stucco will be cementitious stucco, colored to match the building.

FINDINGS OF FACT

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

1. Land Use Department Staff conducted a preliminary zoning review (PZR) and determined that the Application appears to meet the underlying zoning standards set forth in the Santa Fe City Code (SFCC).
2. Historic Preservation Division City staff reviewed the Application and related materials and information submitted by the Applicant for conformity with applicable SFCC requirements and provided the Board with a written report of its findings (Staff Report), which evaluates the factors relevant to the Application.
3. Historic Preservation Division Staff Recommendation: Staff recommended approval of the proposed project and found that the application complies with SFCC Sections 14-5.2(D)(9), General Design Standards for all Historic Districts – Height, Pitch, Scale, and Massing; and 14-5.2(E), Downtown and Eastside Design Standards.
4. The project is subject to requirements of the following sections of the SFCC:
   • Section 14-5.2(D)(9), General Design Standards, Height Pitch Scale and Massing (of any structure); and Section 14-5.2(D), General Design Standards.
5. The property is located in the Downtown and Eastside Historic District and subject to SFCC Section 14-5.2(E).
6. Under SFCC Sections 14-2.6(C), 14-2.7(C)(2), 14-5.2(A)(1), 14-5.2(C)(2)(a-d & f), 14-5.2(C)(3)(a-b), and 14-5.2(D), the Board has authority to review, approve, with or without
conditions, or deny, all or some of the Applicant’s proposed design to assure overall compliance with applicable design standards.

7. Under SFCC Section 14-5.2(C)(3)(b), the Board has the authority to approve an application for alteration or new construction on the condition that changes relating to exterior appearance recommended by the Board be made in the proposed work, and no permit is to issue until new exhibits, satisfactory to the Board, have been submitted.

8. The information contained in the Application, and provided in testimony and evidence establishes that all applicable requirements for Board review as herein described have been met.

9. The information contained in the Application and provided in testimony and evidence establishes that all applicable design criteria have been met.

CONCLUSIONS OF LAW

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

1. The Board has the authority to review and approve the Application.

2. The Board approves the Application with the following conditions:
   • the pediment above the proposed doors shall be flat to match the pediment on the adjacent windows and doors; and
   • the Applicant shall use painted wood panel between the doors in lieu of stucco.

IT IS SO ORDERED ON THIS ___ DAY OF__________________, 2020, BY THE HISTORIC DISTRICTS REVIEW BOARD OF THE CITY OF SANTA FE.

_________________________  ______________________
Chairperson                   Date:

FILED:

_________________________  ______________________
Yolanda Y. Vigil             Date:
City Clerk

APPROVED AS TO FORM:

_________________________  ______________________
Sally A. Paez               Date:
Assistant City Attorney
City of Santa Fe
Historic Districts Review Board
Findings of Fact and Conclusions of Law

Case #2020-1663-HRDB
Address – 908 Old Santa Fe Trail
Agent’s Name – Woods Design Builders, Inc.
Owner/Applicant’s Name – Christy and JC Butler

THIS MATTER came before the Historic Districts Review Board (“Board”) for hearing on March 10, 2020.

BACKGROUND

908 Old Santa Fe Trail, known as the Bronson Cutting House, was constructed in 1910 and designed in the Spanish Colonial Revival Style by Thomas MacLaren for Bronson M. Cutting, a United States Senator who represented New Mexico from 1927 to 1935. The home features classical baroque elements, including curvilinear corniced parapets, wooden shell and glass lunettes, and applied pilasters. The historic status of the home was designated as significant, and the free standing office and yardwalls were designated as non-contributing by the Board in 2017 (Case #H-17-007A). Also in 2017, the Board approved the construction of a new free-standing garage, establishment of a new driveway on the south side of the property, new yardwalls, and repainting of the main residence.

In 2018, staff approved the addition of non-publicly visible HVAC and reorientation of the garage structure. In January 2020, staff approved the gate design, having been under the assumption that the location of the gate and the front fence were included in the original approval, which is unclear from case records. The Applicant subsequently requested retroactive approval to construct the front fence to a height of 6 feet, where the maximum allowable fence height is 59 inches. At this hearing, the Applicant requested an exception from the Board to exceed the maximum allowable wall and fence height, per Section 14-5.2(D)(9)(c). The Applicant’s responses to the exception criteria were provided in the Staff Report.

FINDINGS OF FACT

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

1. Land Use Department Staff conducted a preliminary zoning review (PZR) and determined that the Application appears to meet the underlying zoning standards set forth in the Santa Fe City Code (SFCC).
2. Historic Preservation Division City staff reviewed the Application and related materials and information submitted by the Applicant for conformity with applicable SFCC requirements and provided the Board with a written report of its findings (Staff Report), which evaluates the factors relevant to the Application.
3. Historic Preservation Division Staff Recommendation: Staff found that the Applicant had failed to meet all exception criteria but acknowledged that the Board may find the criteria
met upon further testimony. Otherwise, staff recommends approval of the application as it complies with 14-5.2(D) General Design Standards for all H Districts, and 14-5.2(E) Downtown and Eastside Historic District.

4. The project is subject to requirements of the following sections of the SFCC:
   - Section 14-5.2(D)(9), General Design Standards, Height Pitch Scale and Massing (of any structure); and
   - Section 14-5.2(D), General Design Standards.

5. The property is located in the Downtown and Eastside Historic District and subject to the related Section 14-5.2(E) of the SFCC.

6. The drawings submitted in 2017 and 2018 did not depict the fence, gate, or pilasters at issue in this case.

7. At the hearing, the Applicant clarified that the gate had originally been located on the property, prior to the Board's consideration of Case #H-17-007A; that the gate had been moved with staff approval; and that the pilasters had been rebuilt to the same height as the old pilasters.

8. The Applicant moved the gate and pilasters without the required building permit.

9. The Applicant constructed the fence without approval from the City and without the required building permit.

10. Staff determined that an exception would be required for retroactive approval the requested height of 6 feet, and the Applicant requested an exception in the Application.

11. The Board affirms those findings by staff with regard to the exception criteria and responses.

12. Pursuant to SFCC Section 14-5.2(C)(5)(c)(i), the Board adopts staff's finding that granting the height exception would not damage the character of the streetscape.

13. Pursuant to SFCC Section 14-5.2(C)(5)(c)(ii), the Board adopts staff's finding that the Applicant has failed to conclusively demonstrate that a height exception is required to present a hardship to the Applicant.

14. Pursuant to SFCC Section 14-5.2(C)(5)(c)(iii), the Board adopts staff's finding that the Applicant has failed to conclusively demonstrate that a height exception is required to strengthen the unique heterogeneous character of the city by providing a full range of design options to ensure that residents can continue to reside within the historic districts.

15. Pursuant to SFCC Section 14-5.2(C)(5)(c)(iv), the Board adopts staff's finding that it would be appropriate to grant an exception due to the special conditions and circumstances that are peculiar to the land or structure involved and that are not applicable to other lands or structures in the related streetscape.

16. Pursuant to SFCC Section 14-5.2(C)(5)(c)(v), the Board adopts staff's finding that the Board adopts staff's finding that the Applicant has failed to conclusively demonstrate that a height exception is required due to special conditions and circumstances that are not a result of the actions of the Applicant.

17. Pursuant to SFCC Section 14-5.2(C)(5)(c)(vi), the Board finds that the height of the fence does not provide the least negative impact with respect to the purposes of SFCC Section 14-5.2, as set forth in SFCC Section 14-5.2(A)(1).

18. To protect the character of the streetscape and provide the least negative impact with respect to the purposes of Section 14-5.2, the Board finds that where the fence curves away from the street to meet the gate, the fence should be tapered from the maximum allowable
height of 59 inches up to the existing height of 6 feet, which will help balance the height and scale of the gate with the height of the fence.

19. Under SFCC Sections 14-2.6(C), 14-2.7(C)(2), 14-5.2(A)(1), 14-5.2(C)(2)(a-d & f), 14-5.2(C)(3)(a-b), and 14-5.2(D), the Board has authority to review, approve, with or without conditions, or deny, all or some of the Applicant’s proposed design to assure overall compliance with applicable design standards.

20. Under SFCC Section 14-5.2(C)(3)(b), the Board has the authority to approve an application for alteration or new construction on the condition that changes relating to exterior appearance recommended by the Board be made in the proposed work, and no permit is to issue until new exhibits, satisfactory to the Board, have been submitted.

21. The information contained in the Application, and provided in testimony and evidence establishes that all applicable requirements for Board review as herein described have been met.

22. The information contained in the Application and provided in testimony and evidence establishes that all applicable design criteria have been met.

CONCLUSIONS OF LAW

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

1. The Board has the authority to review and approve the Application.

2. The Board concludes that the Applicant failed to conclusively demonstrate that all exception criteria have been met.

3. The Board denies the Application as submitted and orders the Applicant to lower the fence to the maximum allowable height of 59 inches with coyote latillas of irregular heights; provided, however, that from the point where the fence curves away from the street to the point where the fence meets the pilasters next to the gate, the height of the fence shall taper upward from 59 inches to 6 feet.

IT IS SO ORDERED ON THIS __ DAY OF __________________, 2020, BY THE HISTORIC DISTRICTS REVIEW BOARD OF THE CITY OF SANTA FE.

________________________  __________________________
Chairperson  Date:

FILED:

________________________  __________________________
Yolanda Y. Vigil  Date:
City Clerk

APPROVED AS TO FORM:

________________________  __________________________
Sally A. Paez  Date:
Assistant City Attorney
City of Santa Fe
Historic Districts Review Board
Findings of Fact and Conclusions of Law

Case #2020-1734-HDRB
Address – 200 Block West San Francisco Street
Agent’s Name – Sommer, Karnes & Associates, LLP
Owner/Applicant’s Name – G.E. Senlic, LLC

THIS MATTER came before the Historic Districts Review Board ("Board") for hearing on March 10, 2020.

BACKGROUND

225 West San Francisco Street (also referred to as the 200 Block Hotel and 211 West San Francisco Street) comprises the parcel that is currently used as a parking lot at the corner of West San Francisco and Sandoval Streets. A two-story commercial building previously existed on the site until the 1970s, when it was demolished during the expansion of Sandoval Street.

Adjacent to the parcel to the east are two significant structures. 211 West San Francisco Street, known as the Lensic Performing Arts Center, was constructed in 1930 in the Moorish Revival style. Infill on the west side and a rear addition constructed to 65 feet in height have been determined to have not impacted the significant status of the structure. 219-223 West San Francisco Street, originally known as the Santa Fe Vogue College and known today as the Lensic Commercial Building, was constructed in the Spanish Baroque Revival style, also in 1930. Minor non-historic alterations have taken place at this structure but have likewise not affected the structure’s significant status.

In this case, the Applicant requests approval to construct a four-story, 70-room hotel structure with two underground levels of parking. A previous iteration of the project with a similar footprint, style, and height was brought before the Board in May and June of 2008 and was approved with conditions. In that case, the Board found that the proposal met the criteria for granting all three exceptions needed for approval. The development plan for the current proposal was reviewed by the Planning Commission on February 20, 2020, and was recommended for approval to the Governing Body, which it expected to review and approve or deny the development plan for the project on March 25, 2020.

The four-story hotel building is proposed at a height of 49 feet with intermediate step-backs of 36.5 feet at the third story and 26.5 feet at the second story, providing balcony space and plantings to mitigate the height at the streetscape and create a two-story visual effect that is compatible with the adjacent streetscape on the block. The proposed building has been designed in Spanish Baroque Revival style, and arched elements at the first level reflect similar detailing on the adjacent Lensic Commercial Building. Although Spanish Baroque Revival style is allowable by the design standards in the underlying Business Capitol District – Lensic Block Subdistrict, the architectural design standards of the Downtown and Eastside Historic District do not specifically allow this style. Rooftop appurtenances, including a chiller, a stairwell for rooftop access, and an
elevator overrun, will exceed the requested height by 8 feet but are excluded from the measured height, per Section 14-5.2(D)(9)(c)(iii) and 14-7.1(C)(2).

The Applicant requests three exceptions: (1) an exception to exceed the maximum allowable height of 26 feet, 2 inches, per SFCC Section 14-5.2(D)(9)(c); (2) an exception to utilize a pitched roof design in a streetscape in which fewer than 50% of the surrounding structures have a pitch roof, per SFCC Section 14-5.2(D)(9)(d); and (3) an exception to deviate from the design standards for the Downtown and Eastside Historic District, per SFCC Section 14-5.2(E). The Applicant’s responses to the exception criteria were provided in the Staff Report.

In addition to the proposed construction, the Applicant asks to demolish existing structures on the site, including an elevator formerly serving the adjacent commercial building, an exterior stair well, an ATM building, a guard shack for the parking lot, and a stuccoed concrete block wall around the perimeter. Demolition of these structures will be required by the proposed project.

**FINDINGS OF FACT**

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

1. Land Use Department Staff conducted a preliminary zoning review (PZR) and determined that the Application appears to meet the underlying zoning standards set forth in the Santa Fe City Code (SFCC).
2. Historic Preservation Division City staff reviewed the Application and related materials and information submitted by the Applicant for conformity with applicable SFCC requirements and provided the Board with a written report of its findings (Staff Report), which evaluates the factors relevant to the Application.
3. Historic Preservation Division Staff Recommendation: Staff found that the exception criteria for all three exceptions had been met and recommended approval of the Application for construction and demolition as it otherwise complies with SFCC Sections 14-5.2(D), General Design Standards for all H Districts; and 14-5.2(E), Downtown and Eastside Historic District Standards.
4. The project is subject to requirements of the following sections of the SFCC:
   - Section 14-5.2(D)(9), General Design Standards, Height Pitch Scale and Massing (of any structure); and
   - Section 14-5.2(D), General Design Standards.
5. The property is located in the Downtown and Eastside Historic District and subject to the Section 14-5.2(E) of the SFCC.
6. The information contained in the Application, and provided in testimony and evidence establishes that all applicable requirements for Board review as herein described have been met.

**Item 1: Construction**

7. Staff determined that three exceptions would be required for approval of the Application, and the Applicant requested three exceptions in the application.
8. Based on the information set forth in the Staff Report and presented at the hearing, the Board adopts Staff’s finding that the Applicant has conclusively demonstrated that the criteria for granting all three exceptions have been met.

9. Under SFCC Sections 14-2.6(C), 14-2.7(C)(2), 14-5.2(A)(1), 14-5.2(C)(2)(a-d & f), 14-5.2(C)(3)(a-b), and 14-5.2(D), the Board has authority to review, approve, with or without conditions, or deny, all or some of the Applicant’s proposed design to assure overall compliance with applicable design standards.

10. Under SFCC Section 14-5.2(C)(3)(b), the Board has the authority to approve an application for alteration or new construction on the condition that changes relating to exterior appearance recommended by the Board be made in the proposed work, and no permit is to issue until new exhibits, satisfactory to the Board, have been submitted.

11. The information contained in the Application and provided in testimony and evidence establishes that all applicable design criteria have been met.

Item 2: Demolition Request

1. Pursuant to SFCC Section 14-3.14(C), Staff provided the Board with information about structures under consideration for demolition, including an elevator, an exterior stair well, an ATM building, a guard shack, and a stuccoed concrete block wall.

2. There has not been a condemnation citation for any of these structures.

3. Under SFCC Sections 14-2.6(C)(1) and 14-5.2(A)(1), the Board has authority to review, approve, with or without conditions, or deny, all or some of the Applicant’s proposed demolition in a historic district in accordance with the standards and procedures set out in SFCC Sections 14-3.14 and 14-5.2.

4. Under SFCC Section 14-3.14(G), in determining whether a request for demolition in a historic district should be approved or denied, the Board shall consider whether the structure is of historical importance, whether the structure is an essential part of a unique street section/block front, whether the street section/block front will be reestablished by a proposed new structure, and the state of repair and structural stability of the structure.

5. In this case, the Board finds that the structures which are proposed for demolition are less than fifty years old, lack historic significance, and do not constitute essential parts of a unique street section or block front.

6. The information contained in the Application, and provided in testimony and evidence at the hearing, establishes that all applicable requirements for Board approval for demolition as herein described have been met.

CONCLUSIONS OF LAW

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

1. The Board has the authority to review and approve the Application.

2. The Board grants the three exceptions requested in the Application.

3. The Board approves the construction proposed in the Application as recommended by Staff, with the following conditions:

   - the railings shall be the proposed color of gunmetal gray, as set forth in the Application; and
• the Applicant is encouraged to make the curved portal pedestrian friendly, for example, by incorporating tile or more detail under the recessed or portals or by using planters with an open railing.

4. The Board approves the demolition proposed in the Application as recommended by Staff.

IT IS SO ORDERED ON THIS ___ DAY OF ________________, 2020, BY THE HISTORIC DISTRICTS REVIEW BOARD OF THE CITY OF SANTA FE.

_________________________                     _________________________
Chairperson                      Date:

FILED:

_________________________                     _________________________
Yolanda Y. Vigil                  Date:
City Clerk

APPROVED AS TO FORM:

_________________________                     _________________________
Sally A. Paez                    Date:
Assistant City Attorney
City of Santa Fe  
Historic Districts Review Board  
Findings of Fact and Conclusions of Law

Case #2020-1731-HDRB  
Address – 492, 494, 496 West Water Street  
Agent’s Name – Perez-Daple Architects  
Owner/Applicant’s Name – The Orchard, LLC

THIS MATTER came before the Historic Districts Review Board (“Board”) for hearing on March 10, 2020.

BACKGROUND

492, 494 and 496 West Water Street is presently a 22,012 square foot vacant parcel, which was previously the location of the Carpenters and Joiners Union Local No. 1353 Hall (Carpenters Hall) and associated garages. In 2014, the HDRB designated noncontributing status to these structures and approved their demolition (Case #H-14-084).

In this case, the Applicant requests an exception to exceed the maximum allowable height, in advance of a full application for new construction of non-residential structures comprising 15 guest units to be associated with the Las Palomas lodging properties, including Las Palomas at 111/119 Park Avenue, La Tienda at Las Palomas and Duran House at Las Palomas on West San Francisco Street, and the Territorial at Las Palomas at 450 West San Francisco Street. The design of the 4 proposed structures will be reviewed at a later date and is intended to compliment the character of these and other surrounding structures. The purpose of this application is to have the Board review the height exception request and provide initial feedback on the design. Exception criteria and responses are provided below.

The proposed height of the new structures is 24 feet, 6 inches above finished grade at the highest massing, where the allowable height has been calculated at 14 feet 3 inches, per SFCC Section 14-5.2(D)(9)(c). The height permitted by the underlying zoning for the BCD-Alameda Subdistrict is 56 feet. The structures are designed in clustered massing, the height of which is mitigated by balconies and slightly stepped massing, and connected by open decks elevated above the parking area and driveway to provide outdoor gathering and lounge spaces for guests. Conceptual design of the proposed structures was included in the packet for review and feedback to inform finalization of the design.

FINDINGS OF FACT

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

1. Land Use Department Staff conducted a preliminary zoning review (PZR) and determined that the Application appears to meet the underlying zoning standards set forth in the Santa Fe City Code (SFCC).

2. Historic Preservation Division City staff reviewed the Application and related materials and information submitted by the Applicant for conformity with applicable SFCC
requirements and provided the Board with a written report of its findings (Staff Report), which evaluates the factors relevant to the Application.

3. **Historic Preservation Division Staff Recommendation:** Staff found that the exception criteria had been met and recommended approval of the exception request, with the condition that the design of the proposed structure shall return to the Board at a later date for review of compliance with SFCC Sections 14-5.2(D), General Design Standards for all H Districts; and 14-5.2(I), Westside-Guadalupe Historic District.

4. The project is subject to requirements of the following sections of the SFCC:
   - Section 14-5.2(D)(9), General Design Standards, Height Pitch Scale and Massing (of any structure); and
   - Section 14-5.2(D), General Design Standards.

5. The property is located in the Westside-Guadalupe Historic District and subject to the Section 14-5.2(I) of the SFCC.

6. Staff determined that an exception would be required for approval of the proposed height, and the Applicant requested an exception.

7. Based on the information presented in the Staff Report and in testimony and evidence at the hearing, the Board adopts staff's findings with regard to the exception criteria.

8. Under SFCC Sections 14-2.6(C), 14-2.7(C)(2), 14-5.2(A)(1), 14-5.2(C)(2)(a-d & f), 14-5.2(C)(3)(a-b), and 14-5.2(D), the Board has authority to review, approve, with or without conditions, or deny, all or some of the Applicant's proposed design to assure overall compliance with applicable design standards.

9. Under SFCC Section 14-5.2(C)(3)(b), the Board has the authority to approve an application for alteration or new construction on the condition that changes relating to exterior appearance recommended by the Board be made in the proposed work, and no permit is to issue until new exhibits, satisfactory to the Board, have been submitted.

10. The information contained in the Application, and provided in testimony and evidence establishes that all applicable requirements for Board review as herein described have been met.

**CONCLUSIONS OF LAW**

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

1. The Board has the authority to review and approve the Application.
2. The Board concludes that the Applicant has conclusively demonstrated that all of the exception criteria have been met for a proposal similar to the scale and massing of the conceptual design submitted at this hearing.

**IT IS SO ORDERED ON THIS ____ DAY OF ________________, 2020, BY THE HISTORIC DISTRICTS REVIEW BOARD OF THE CITY OF SANTA FE.**

_________________________  
Chairperson

_________________________  
Date:
FILED:

Yolanda Y. Vigil  
City Clerk

APPROVED AS TO FORM:

Sally A. Paez  
Assistant City Attorney
City of Santa Fe
Historic Districts Review Board
Findings of Fact and Conclusions of Law

**Case # 2020-1781-HDRB**
Address – 868 and 868 ½ East Alameda
Agent’s Name – Liaison Planning Services
Owner/Applicant’s Name – Christina Halaburka

THIS MATTER came before the Historic Districts Review Board ("Board") for hearing on March 10, 2020.

**BACKGROUND**

This case refers to a wall running parallel to the public right of way at 868 and 868 ½ East Alameda Street. The wall is constructed out of stone set in concrete mortar, adobe brick, and stucco finish. It is approximately 62 feet in length, it parallels nearly the entire west elevation of the house and is on average 6 feet high. It is terminated at the south by a gravel driveway leading to a one-bay garage. It is penetrated at three points – by two gate openings and one window.

An architectural survey concluded that a wall has been in place since 1958 and that it had openings where they are today since at least 1966 and into the 1970’s, though it appears to have originally been lower in height than the current six foot high wall. The wall at its current height dates back at least to 1985, when it was photographed in a survey.

Recently a truck knocked over part of the wall. In this case, the Applicant requests a status designation for the wall.

**FINDINGS OF FACT**

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

1. Historic Preservation Division City staff reviewed the Application and related materials and information submitted by the Applicant for conformity with applicable Santa Fe City Code (SFCC) requirements and provided the Board with a written report of its findings (Staff Report), which evaluates the factors relevant to the Application.
2. **Historic Preservation Division Staff Recommendation:** Staff recommended that the Board designate the historic status of the structure as contributing per SFCC Sections 14-5.2(C) and 14-12.1, Designation of Significant and Contributing Structures.
3. The project is, without limitation, subject to requirements of the following sections of the SFCC:
   - Section 14-5.2(D)(9), General Design Standards, Height Pitch Scale and Massing (of any structure);
   - Section 14-5.2(D), General Design Standards; and
   - Section 14-5.2(C), Regulation of Significant and Contributing Structures in the Historic Districts.
4. The property is located in the Downtown and Eastside Historic District and subject to Section 14-5.2(E) of the SFCC.

5. Under SFCC Section 14-12.1, the definition of a “contributing structure” is “a structure, located in a historic district, approximately fifty years old or older that helps to establish and maintain the character of that historic district. Although a contributing structure is not unique in itself, it adds to the historic associations or historic architectural design qualities that are significant for a district. The contributing structure may have had minor alterations, but its integrity remains.”

6. SFCC 14-5.2(C)(2)(a-c) gives the Board authority to review and approve “significant,” “contributing,” or “noncontributing” status designations.

7. The Board, in response to the application, finds the structure meets the SFCC Section 14-12.1 criteria for designation as contributing, as provided in the presentation and Staff Report.

8. The Board further finds that the wall is over fifty years old, retains historic integrity, and that the style of the wall has been mimicked on other properties on the streetscape.

9. The information contained in the Application, and provided in testimony and evidence establishes that all applicable requirements for Board review have been met.

CONCLUSIONS OF LAW

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

1. The Board has the authority to review and approve the Application.
2. The Board grants the Applicant’s request to review historic status.
3. The Board designates the historic status of the wall as contributing.

IT IS SO ORDERED ON THIS ___ DAY OF ________________, 2020, BY THE HISTORIC DISTRICTS REVIEW BOARD OF THE CITY OF SANTA FE.

_________________________  _______________________
Chairperson                      Date:

FILED:

_________________________  _______________________
Yolanda Y. Vigil                  Date:
City Clerk

APPROVED AS TO FORM

_________________________  _______________________
Sally A. Paez                          Date:
Assistant City Attorney