

City of Santa Fe, New Mexico

memo

DATE: February 11, 2025

TO: Historic Districts Review Board Members

VIA: Heather Lamboy, Planning & Land Use Department Director *HL*
Gary Moquino, Historic Preservation Division Director *GM*
Maggie Moore, Acting Assistant Land Use Director *MM*

FROM: Lani McCulley, Senior Planner, Historic Preservation Division *LM*

2024-009613-HDRB, 1182 Cerro Gordo Rd., Downtown & Eastside Historic District, Contributing. High Desert Contractors LLC, agent for Lanalee Lewis Rev. Trust, owner, proposes to remove the roof of a contributing structure, construct a new roof deck, exterior staircase, and install deck railing and fencing. Exceptions are requested to 14-5.2(D)(6) for replacing a roof not in-kind and to 14-5.2(D)(5)(b) for constructing an architectural feature on a primary facade.

REFERENCE ATTACHMENTS (Sequentially):

CITY SUBMITTALS

District Standards & yard wall
& fence standards.

Historic Inventory Form

Zoning Review Sheet

Other:

APPLICANT SUBMITTALS

Proposal Letter

Site Plan/Floor Plan

Elevations

Photographs

Other: [Exception Criteria]

STAFF RECOMMENDATION:

Staff finds that the exception criteria for Section 14-5.2(D)(6) to replace a roof not in-kind have been met and the exception criteria for Section 14-5.2(D)(5)(b) to place an architectural feature on an primary façade have been met; therefore, staff recommends approval of the application as it

complies with 14-5.2(D) General Design Standards for all Historic Districts, and 14-5.2(E) Downtown and Eastside Design Standards.

Sample motions:

- a. Approve or deny the exception to 14-5.2(D)(6) to replace roof materials not in-kind.
- b. Approve or deny the exception to 14-5.2(D)(5)(b) to construct the stairs on a contributing wall.
- c. Approve or deny Case #2024-009613-HDRB to allow those alterations to 1182 Cerro Gordo Road that do not require an exception.

Should the Board deny the exception request, the applicant shall return with an alternative proposal for review and approval prior to proceeding to building permit.

BACKGROUND & SUMMARY:

The single-family residence at 1182 Cerro Gordo is listed as contributing to the Downtown and Eastside Historic District. Tucked behind and below the grade of the residence sits an accessory structure and retaining walls which the HDRB designated as contributing in November 2024.

According to the HCPI, the main residence was constructed prior to 1914 in adobe with a stucco finish. It holds a red ribbed panel gabled roof. The building was originally constructed in a C-shape and remained in that form through the early 1960s. Additions were done in the 1960’s, 1970’s and in the early 2000’s.



Figure 1: Main Residence

To the rear of the residence there are several sections of stone retaining wall holding back the slope. The most extensive of these is 80 linear feet roughly 6' high wall section located directly below the house. Part of the wall is visible in a 1960 aerial photograph in the HCPI.

Attached to the upper retaining wall is a three-walled stone structure of indeterminate age, designated on plat maps as the "Rock Shed," according to the HCPI. The stone structure does not appear in the 1948 aerial photograph as indicated in the HCPI. A structure in this relative location is shown on the 1960 aerial but is smaller and narrower. It achieved its current size and shape by 1966 as shown in the HCPI.

According to the HCPI, the 84 sq. ft. building is constructed of quartzite and other local and imported stones. The entrance to the structure is on the east through double wood doors of an older vintage. The interior is one room with an earthen floor. The matter currently before the board involves the removal of the shed's red standing seam metal roof and installation under a new wood joist ceiling and deck (see Figure 2).



Figure 2: Exterior of the Shed

The applicant began construction of the deck which extends over the roof of the shed in 2024 without a permit and was issued a Stop Work Order (Red Tag) in June 2024. While at the site visit with the applicant staff identified that other work on the property had not been approved. Staff requested that the other unapproved work (items 1, 2, and 5 of the applicants' proposal) be a part of this application, even with the understanding that some of it was performed by the previous owner and had been completed years ago.

APPLICANT'S REQUEST:

The applicant requests retroactive approval for work that was done without approval:

1. Construction of an exterior staircase leading from the level of the residence to the lower level of the retaining walls. While the staircase is necessary to reach the lower section of the yard, it is constructed attached to the contributing retaining wall which was not designated at the time of the staircase construction. The applicant is requesting an exception to 14-5.2(D)(2)(5)(b) for constructing an architectural feature on a primary façade.
2. Remove the red metal roof from the contributing shed structure.
3. Install a brai or bitumen roof system on the shed structure under the deck system.
4. Construct a 134 sq. ft. deck on the south side of the residence which will serve as the new roof for the shed structure. The applicant is requesting an exception to 14-5.2 (D)(6) for replacing a roof not in-kind.
5. Replace 110 linear feet of coyote fencing and surround the new deck with a thin profile 42” high metal safety rail. This railing will be along the top of the retaining wall and on the deck serving as the roof to the shed.



Figure 3: Stairs constructed on yardwall and deck as roof on stone structure.



Figure 4: South Elevation as proposed.

EXCEPTION CRITERIA AND RESPONSES:

Exception to 14-5.2(D)(6): The applicant requests an exception to replace the roof of a contributing structure not in-kind.

(i) *Do not damage the character of the district*

Applicant Response: The design incorporates 2 x 8 stub roof rafters on 16-inch centers, with a quarter-inch slope per foot. The roofing consists of 5/8ths OSB, 30lbs roofing felt, and a BRAI layer overlapping onto the stone structure. The slope guarantees water will slide off the side and not erode the structure. This configuration ensures the protection and longevity of the structure.

Importantly, the roof joists are supported by four interior posts, eliminating any load bearing on the exterior stone walls. This measure prevents further deterioration of the original structure. The Trex deck will be installed only after the roof is completed and will not bear on any portion of the stone walls.

As the attached sketch illustrates, the design ensures that no additional load is placed on the stone walls, while providing a protective roof to preserve the structure. By preserving the structure we ensure that we do not damage the character of the district – we maintain it.

Staff Response: Staff finds that this criterion has been met. The roofing material and design of the roof will help to keep the structure from deteriorating. The trex for the deck construction will further prevent damage to the structure. The loss of the structure due to water damage would impact the district; however, the presented new roofing material and deck design will prevent the deterioration of the stone structure. The applicant has agreed to install a full roofing system as requested by staff. With this roofing system in place, the contributing structure should be safe from water damage and therefore, the roof would not damage the character of the district.

(ii) *Are required to prevent a hardship to the applicant or an injury to the public welfare*

Applicant Response: The change from pro-panel to trex is required to prevent a hardship to the applicant or an injury to the public welfare because the previous roof presented a sharp metal edge (cutting hazard) to people walking in the back yard and the ProPanel ridges presented a trip hazard for people walking on the “roof” of the stone structure, which roof was used as a deck by people walking in the backyard. This roof/deck was rimmed by an unprotected (no railing) 8’ drop. This structure violated multiple provisions of the building code (non-flat surface, unrailed 8’ drop/fall) and presented a serious safety hazard. The proposed bitumen roof covered by a flat deck meets present building codes, protects against serious injury and is in character with the property.

Staff Response: Staff finds that this criterion has been met. While walking on a roof has certain hazards, they are not normally walked on in a back yard. This yard is terraced and the shed sits on a lower terrace causing its roof to be at the level of the upper terrace. The change in the

roofing material will allow for a proper deck to be placed on the roof and further protect the roof and walls of the shed. Staff spoke with the applicant and encouraged a full roofing system, and that a structural engineer review the shed for the capacity to hold the weight of the deck and railing. The walls shall be protected from collapse from excessive weight on them per section 14-5.2(B)(7) “Members of ceilings, roofs, ceiling and roof supports or other horizontal members that are of insufficient size to carry imposed loads with safety;”. The applicant has provided an engineers’ report that shows that the members that support the deck and penetrate the roof of the shed are sufficient to keep the weight of the deck and its occupants off of the walls of the shed.

(iii) *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*

Applicant Response: High Desert Contractors wishes to confirm that the proposed project will not alter the height, scale, massings, or floor step backs of the existing stone structure, thus preserving the unique and historic shed. As the deck is located in the backyard and out of public view, the proposed changes will not impact the public or surrounding neighbors within the historic district.

High Desert Contractors is dedicated to preserving the City's historic character. We will be using BRAI/Bitumen because it is a common material used in the historic area. Modified bitumen roofing can withstand both high and low temperatures. The bitumen roofing systems offer greater thickness and redundancy to protect the assets of the shed building. When property is installed and maintained, bitumen system can last up to 20 years.

The ability to construct a full roof system under the deck is essential for maintaining the residential character and vitality of the Historic District by protecting the stone structure. The earth-toned color of the deck will harmonize with the existing house, and the design of the addition is consistent with the architectural vocabulary of the surrounding area.

Staff Response: Staff finds that this criterion has been met. There is an unusual aspect to the property in the way it is terraced and the location of the roof at what would be the “back yard” area of the residence. Placing a roofing system so that it protects the structure is crucial and the planned system will prevent damage to the shed. The floating deck above the roof will give further protection and will give the residents a place to meet without putting weight on the roof of the shed. Please see the engineers’ report in the applicant packet for details.

EXCEPTION CRITERIA AND RESPONSES:

Exception to 14-5.2(D)(5)(b): The applicant requests an exception to add an architectural feature to a primary facade.

(i) *Do not damage the character of the district*

Applicant Response: The stairs do not damage the character of the district because the steps have been there at least 15 years and have not hurt anything yet. The stairs are only visible from the rear yard of the property immediately downhill from the subject residence, and that

property has gone undergone a complete remodel over the last three years and has a new occupant.

Staff Response: Staff finds that this criterion has been met. While the age of the stairs is in question, staff recognize that there is no other means in which to get to the lower terraced area of the property. The stairs are not publicly visible and are sensitively constructed so as not to damage the retaining wall. The contributing wall was designated after the construction of the stairs and the stairs do not diminish the value of the retaining wall.

(ii) *Are required to prevent a hardship to the applicant or an injury to the public welfare*

Applicant Response: the exception is required to prevent a hardship to the applicant or an injury to the public welfare because the steps allow a fire exit to the rear should the house catch on fire, providing a second fire exit (front and rear) mandatory for life safety.

Staff Response: Staff finds that this criterion has been met. The stairs are the only means for exiting the top terrace to the lower terraced area of the rear yard. The applicant would not be able to use the yard if they did not have an access point.

(iii) *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*

Applicant Response: The steps are only there for life safety (fire exit) and are consistent with construction in this cul-de-sac. Any other form of rear exit could impact the rumored “acequia” to the rear of the subject property. Therefore, the steps preserve the character of the community.

Staff Response: Staff does not feel that this addresses the criteria. However, staff agree that the design and location of the stairs are sensitive to the retaining wall.

RELEVANT CODE CITATIONS:

14-5.2 HISTORIC DISTRICTS

(A) General Provisions

(1) General Purpose

In order to promote the economic, cultural, and general welfare of the people of the *city* and to ensure the harmonious, orderly and efficient growth and *development* of the *city*, it is deemed essential by the *governing body* that the qualities relating to the history of Santa Fe, and a harmonious outward appearance, which preserve *property* values and attract tourists and residents alike, be preserved, some of these qualities being:

- (a) The continued existence and *preservation* of historical areas and *buildings*;
- (b) The continued construction of *buildings* in the historic styles; and
- (c) A general harmony as to style, form, color, height, proportion, texture and material between *buildings* of historic design and those of more modern design.

(B) Minimum Maintenance Requirements

All *buildings* and *structures* in the historic district over which the board has jurisdiction to determine whether a demolition *permit* should be approved or denied and all *landmark structures* over which the *governing body* has such jurisdiction shall be preserved against decay and deterioration and free from certain structural defects in the following manner, by the *owner* thereof or such other *person* or *persons* who may have the legal custody and control thereof. The *owner* or other *person* having legal custody and control thereof shall repair such *building* or *structure* if it is found to have any of the following defects:

- (1) Those which have parts thereof which are so attached that they may fall and injure members of the public or *property* ;
- (2) Deteriorated or inadequate foundation;
- (3) Defective or deteriorated flooring or floor supports or flooring for floor supports of insufficient size to carry imposed loads with safety;
- (4) Members of *walls*, partitions or other vertical supports that split, lean, list or buckle due to defective material or deterioration;
- (5) Members of *walls*, partitions or other vertical supports that are of insufficient size to carry imposed loads with safety;
- (6) Members of ceilings, roofs, ceiling and roof supports or other horizontal members which sag, split or buckle due to defective material or deterioration;
- (7) Members of ceilings, roofs, ceiling and roof supports or other horizontal members that are of insufficient size to carry imposed loads with safety;
- (8) Fireplaces or chimneys which list, bulge or settle due to defective material or deterioration;
- (9) Fireplaces or chimneys which are of insufficient size or strength to carry imposed loads with safety;
- (10) Deteriorated, crumbling or loose plaster;
- (11) Deteriorated or ineffective waterproofing of exterior *walls* , roofs, foundations or floors, including broken windows or doors;
- (12) Defective or lack of weather protection for exterior *wall* covering, including lack of paint, or weathering due to lack of paint or other protective covering; or
- (13) Any fault or default in the *building* or *structure* that renders the same structurally unsafe or not properly watertight.

(C) Regulation of Significant and Contributing Structures in the Historic Districts

(Ord. No. 2004-26)

(1) Purpose and Intent

It is intended that:

- (a) Each *structure* to be recognized as a physical record of its time, place, and use. Changes that create a false sense of historical *development*, such as the addition of conjectural features or architectural elements from other *buildings*, shall not be undertaken;
- (b) Changes to *structures* that have acquired historic *significance* in their own right shall be retained and preserved, recognizing that most *structures* change over time;
- (c) Distinctive features, finishes, and construction techniques or examples of craftsmanship that characterize a *structure* be preserved; and
- (d) New additions and related or adjacent new construction be undertaken in such a manner that if removed in the future, the original form and integrity of the historic *property* and its environment would be unimpaired.

(4) Compliance with General and Specific Design Standards Required

All *development* located within the historic districts and subject to this Section 14-5.2 shall comply with all applicable general *development* standards set forth in Subsection 14-5.2(D), as well as any applicable specific *development* standards set forth in Subsections 14-5.2(E) through (I).

(5) Exceptions

Staff shall determine whether an exception to this section is required. The historic board may grant an exception to the regulations set forth in this section provided that such exception does not exceed the underlying zoning.

(D) General Design Standards for All H Districts

In any review of proposed additions or alterations to *structures* that have been declared significant or contributing in any historic district or a *landmark* in any part of the *city*, the following standards shall be met:

(1) General

- (a) The status of a significant, contributing, or *landmark structure* shall be retained and preserved. If a proposed alteration will cause a *structure* to lose its significant, contributing, or *landmark* status, the *application* shall be denied. The removal of historic materials or alteration of architectural features and spaces that embody the status shall be prohibited.

(5) Windows, Doors, and Other Architectural Features

- (b) For all façades of significant, contributing and *landmark structures*, architectural features, finishes, and details other than doors and windows, shall be repaired rather than replaced. In the event *replacement* is necessary, the use of new material may be approved. The new material shall match the material being replaced in composition, design, color, texture, and other visual qualities. *Replacement* or duplication of missing features shall be substantiated by documentation, physical or pictorial evidence.

(6) Roofs

The existing roof styles and materials shall be maintained or replaced in kind if necessary. The addition of dormers or other roof features should only be considered when they are an existing or historical feature of the *structure*.

(E) Downtown and Eastside Design Standards

The *governing body* recognizes that a style of architecture has evolved within the *city* from the year 1600 to the present characterized by construction with *adobe*, hereafter called "old Santa Fe style", and that another style has evolved, hereafter called "recent Santa Fe style", which is a *development* from, and an elaboration of the old Santa Fe style, with different materials and frequently with added decorations.

(1) Old Santa Fe Style

Old Santa Fe style, characterized by construction with *adobe*, is defined as including the so-called "pueblo" or "pueblo-Spanish" or "Spanish-Indian" and "territorial" styles and is more specifically described as follows:

- (a) With rare exception, *buildings* are of one *story*, few have three stories, and the characteristic effect is that the *buildings* are long and low. Roofs are flat with a slight *slope* and surrounded on at least three sides by a firewall of the same color and material as the *walls* or of brick. Roofs are never carried out beyond the line of the *walls* except to cover an enclosed *portal* or *porch* formed by setting back a portion of the *wall* or to form an exterior *portal*, the outer edge of the roof being supported by wooden columns. Two- *story* construction is more common in the territorial than in other sub-styles, and is preferably accompanied by a balcony at the level of the floor of the second *story*. Façades are flat, varied by inset *portales*, exterior *portales*, projecting vigas or roof beams, canales or water-spouts, flanking buttresses and wooden lintels, architraves and cornices, which, as well as doors, are frequently carved and the carving may be picked out with bright colors. Arches are almost never used except for nonfunctional arches, often slightly ogive, over gateways in freestanding *walls*;
- (b) All exterior *walls* of a *building* are painted alike. The colors range from a light earth color to a dark earth color. The exception to this rule is the protected space under *portales*, or in church-derived designs, inset panels in a *wall* under the roof, in which case the roof overhangs the panel. These spaces may be painted white or a contrasting color, or have mural decorations;
- (c) Solid *wall* space is always greater in any façade than window and door space combined. Single panes of glass larger than thirty (30) inches in any dimension are not permissible except as otherwise provided in this section;
- (d) The rule as to flat roofs shall not be construed to prevent the construction of skylights or installation of air conditioning devices, or any other necessary roof *structures*, but such *structures* other than chimneys, flues, vents and aerials, shall be so placed as to be concealed by the firewall from the view of anyone standing in the *street* on which the *building* fronts;
- (e) True old Santa Fe style *buildings* are made of *adobe* with mud plaster finish. Construction with masonry blocks, bricks, or other materials with which the *adobe* effect can be simulated is permissible; provided, that the exterior *walls* are not less

than eight (8) inches thick and that geometrically straight façade lines are avoided. Mud plaster or hard plaster simulating *adobe*, laid on smoothly, is required; and

- (f) It is characteristic of old Santa Fe style commercial *buildings* to place a *portal* so that it covers the entire sidewalk, the columns being set at the curb line.

(2) Recent Santa Fe Style

Recent Santa Fe style intends to achieve harmony with historic *buildings* by *retention* of a similarity of materials, color, proportion, and general detail. The dominating effect is to be that of *adobe* construction, prescribed as follows:

- (a) No *building* shall be over two stories in height in any façade unless the façade shall include projecting or recessed *portales*, *setbacks* or other design elements;
- (b) The combined door and window area in any *publicly visible* façade shall not exceed forty percent of the total area of the façade except for doors or windows located under a *portal*. No door or window in a *publicly visible* façade shall be located nearer than three (3) feet from the corner of the façade;
- (c) No cantilevers shall be permitted except over projecting vigas, beams, or wood corbels, or as part of the roof *treatment* described below;
- (d) No less than eighty percent of the surface area of any *publicly visible* façade shall be *adobe* finish, or stucco simulating *adobe* finish. The balance of the *publicly visible* façade, except as above, may be of natural stone, wood, brick, tile, terra cotta, or other material, subject to approval as hereinafter provided for *building permits*;
- (e) The *publicly visible* façade of any *building* and of any adjoining *walls* shall, except as otherwise provided, be of one color, which color shall simulate a light earth or dark earth color, matte or dull finish and of relatively smooth texture. Façade surfaces under *portales* may be of contrasting or complimentary colors. Windows, doors and *portals* on *publicly visible* portions of the *building* and *walls* shall be of one of the old Santa Fe styles; except that *buildings* with *portals* may have larger plate glass areas for windows under *portals* only. Deep window recesses are characteristic; and
- (f) Flat roofs shall have not more than thirty (30) inches overhang.