

# City of Santa Fe, New Mexico

# memo

**DATE:** March 25, 2025

**TO:** Historic Districts Review Board

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

**FROM:** Paul A. Duran, Senior Planner, Historic Preservation Division

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**2025-009946-HDRB, 329 Otero St.,** Downtown and Eastside Historic District, Contributing. Lisa Martinez, agent for Mike and Christine Foster, owners, propose to replace all doors and windows and requests an exception to 14-5.2(D)(5)(a)(i) historic windows shall be repaired or restored whenever possible.

**REFERENCE ATTACHMENTS (Sequentially):**

**CITY SUBMITTALS**

District Standards & yard wall  
& fence standards.

Historic Inventory Form

Zoning Review Sheet

**Other:** Façade Diagram

**APPLICANT SUBMITTALS**

Proposal Letter

Site Plan/Floor Plan

Elevations

Photographs

**Other:** PNM Utility Bills and Previous  
Administrative Approval Documentation

**STAFF RECOMMENDATION:**

Staff finds that the exception criteria have not been met and recommends denial of an exception to replace historic windows on the primary facades of the contributing structure.

**Sample motions:**

- a. Approve, conditionally approve, or deny Case #2025-009946 to allow the proposed alterations to 329 Otero Street.

- b. Approve, conditionally approve, or deny the exception to 14-5.2(D)(5)(a)(i) historic windows shall be repaired or restored whenever possible.

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

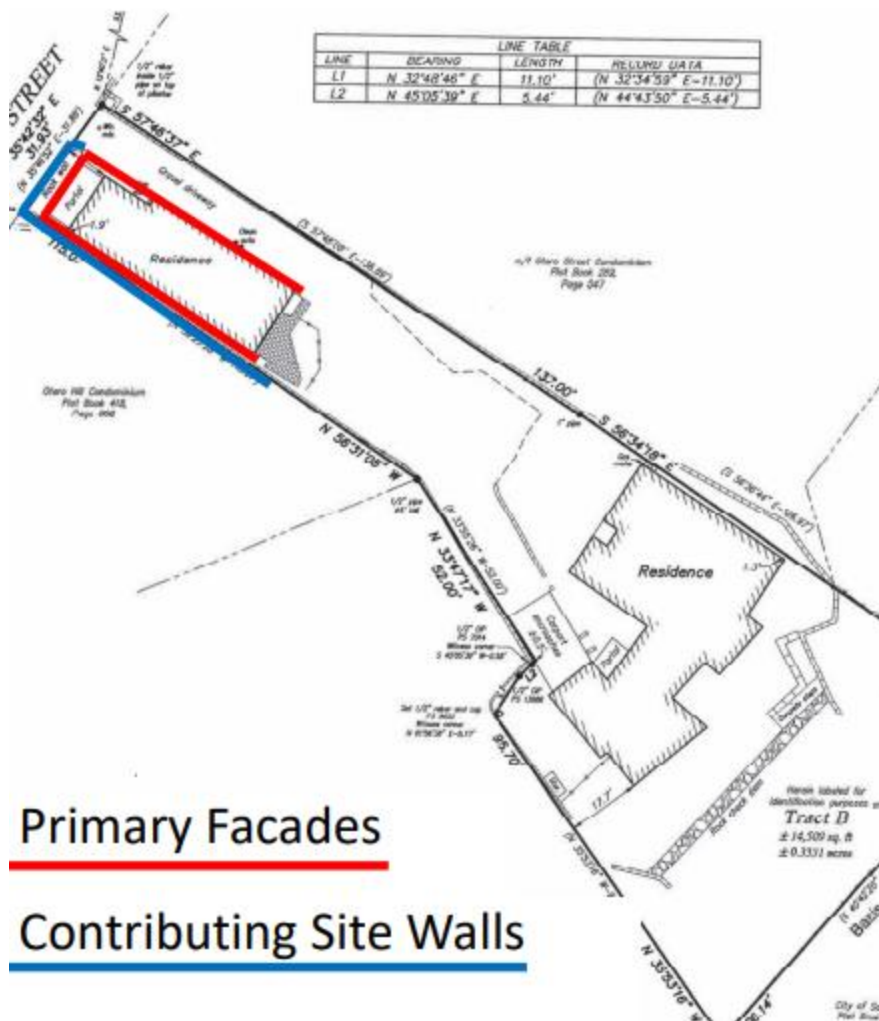
**BACKGROUND & SUMMARY:**

The single-family residence and site walls at 329 Otero Street are listed as contributing to the Downtown and Eastside Historic District with the north, south and west facades designated as primary. The structure is a modest 1,048 sq. ft. and constructed between 1935-36 in the Territorial Revival architectural design style as seen by the adobe block construction material, brick coping (stretcher, dentil, stretcher courses) and an entry porch facing Otero Street to the west. There was an addition to the southern portion of the structure in 1945.

On September 10, 2024, Case No. 2024-008868-HDRB, the Board adopted staff's recommendation that the exception criteria has not been met for replacement of historic windows and that the request is therefore denied on the primary façades, but that all other aspects to the application be approved with a friendly amendment to the non-historic non-primary façade windows that to clarify replacement of windows shall not be vinyl as it says in this packet and that the windows will be wood windows, and is accepted. The motion passed unanimously.

On February 27, 2024, Case No. 2024-007886-HDRB, the Board adopted staff's recommendation that the historic status of the structure be maintained as contributing; the north, south, and west facades be designated as primary; and that the river stone retaining sidewall along the west and south be designated contributing. The motion passed by (3-2) roll call vote with Members Valdo, Aguilar-Medrano and Bienvenu voting in favor and Members Biedscheid and Guida voting against.

Recently the property received two Administrative Approvals for solar panels (2021-004566-Admin) and for a vehicle gate, stucco, and parapet repair (2023-007664-Admin).



Primary Facades

Contributing Site Walls

**APPLICANT’S REQUEST:**

The applicant proposes the following exterior alterations:

- 1) Installation of new doors and windows for which an exception is requested. Cut sheets that have been provided illustrate the applicant is proposing an Anderson vinyl window, which received negative feedback by the HDRB when the last case was denied. It was suggested that for those windows considered as not repairable or needing better egress, that a wood clad or wooden window should be chosen.

A window assessment has been provided by Ra Patterson. In short, most historic windows were listed as in “fair” condition. A classification of fair is determined by having the following characteristics: exterior finishes have cracked and peeled, putty glazing cracking and missing in 30-40% of the sashes, and frames and casings have some members 30-40% deterioration. In general, the HDRB only considers replacement when more than 60% of the window is deteriorated. In 2022, the HDRB adopted guidance as to the consideration of whether windows could be repaired or replaced. Please see the guidance included as part of this staff report packet.

## **EXCEPTION CRITERIA AND RESPONSES:**

Exception to 14-5.2(D)(5)(a)(i): Staff requested an exception for removal of historic windows and doors on a primary façade.

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

Applicant Response: The proposed replacement windows will not damage the character of the Downtown and Eastside Historic District in that they will reproduce the true-divided lite patterns of all existing windows (and lite structure of historic windows conforming to district standards) and the color (white - new wood (interior), w/white metal exterior cladding), so the public visibility of the residence will not look different from today's street view. Therefore, the current streetscape will remain unchanged, thus, preserving the aesthetics of Territorial Revival buildings with the most common use of white or cream trim color. We would, however, request to replace the North-B window (Non-Historic) with a replacement window to match the other true-divided lite patterns. The proposed replacement doors will not damage the character of the Downtown and Eastside Historic District in that they will reproduce the wood + true-divided lite pattern of the door on the west, street facing façade. The proposed natural wood stain color will support Santa Fe style design which utilizes exposed natural wood colors, both inside and outside of structures.

Staff Response: Staff finds that the exception criteria has been considered but not addressed. The current windows and doors in the window assessment identified as windows C, D, E, G, H and I are all historic windows and can be restored. Removing repairable and restorable windows damages the character of the historic district by replacing them with metal clad windows. Staff recommends the windows be repaired and restored in-kind keeping the integrity of the structure and providing the insulation needed for the future. As for the non-historic windows and doors, staff recommends they be repaired or replaced with windows and doors in the same character as the historic windows and doors. This will provide uniformity and enhance the aesthetics as well as the needed upgrade the applicant is requesting.

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

Applicant Response: The requirement to repair and retain the historic windows that are not in premium condition will require additional cost and effort through the years to restore and maintain the aging wood. The window assessment identifies four historic windows that are only in fair condition and need a lot of specialized expert workmanship, i.e., the exterior finishes are cracked and peeled, putty glazing is cracking and missing in 30% - 40% of the sashes, and all sashes, frames, and casings have some members that are 30% - 40% completely deteriorated. The proposed new metal-clad wood windows will present less of a hardship to the applicant with easier maintenance (if the wood interior, metal clad option is approved) and longer durability especially because half of the building's windows are located on a south-facing façade where wood preservation and maintenance is very challenging due to the intense sunlight which is a major source of damage to wood. Further, they will reduce climate control costs by providing better seals. This will follow the City of Santa Fe's sustainability programs, including the Climate Action Plan.

Staff Response: Staff finds that the criterion has not been met. The term “Public Welfare” is not defined in Chapter 14; however, the Governing Body has implemented the General Plan and ordinances in order to establish minimum standards for health, safety and welfare affecting land uses and development. The window assessment clearly states that windows C, D, E, G, H and I are all historic windows, are in satisfactory or fair condition and can be restored. Staff also understands that the proposed metal clad windows will provide less maintenance however if the historic windows are properly restored they will also need less maintenance and provide the insulation desired.

(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 request to replace historic windows with new windows that require less monitoring and maintenance will allow residents to live comfortably in the house without needing to have the specialized knowledge of the effects of deterioration and methods of preservation. Citizens of the 21st century may not be as versatile as the jack-of-all-trades from previous centuries, and they may not have the financial resources that old wood windows can require. As described, the proposed new windows are wood w/metal cladding on the exterior. This is especially important for the south elevation with intense sunlight that will dry out wooden surfaces leading to cracking and warping. The use of metal cladding is a design option that addresses the importance of sustainability in the 21st century. The Downtown and Eastside Historic District design standards generally do not discourage nor disallow the use of metal cladding on new windows.

Staff Response: Staff finds that the criteria has not been addressed. Removing repairable and restorable historic windows including all historic construction material, architectural features and elements is the owner’s responsibility living in the historic districts. Staff understands the time and cost that goes into living and owning a contributing structure in the historic districts, and it is important to maintain the structures integrity for future generations.

## **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.

**(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.

**(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.
- (b) If a proposed alteration or new construction will cause an adjacent *structure* to lose its significant, contributing, or *landmark* status, the *application* may be denied.

(5) Windows, Doors, and Other Architectural Features

- (a) For all facades of significant and *landmark structures* and for the primary facades of contributing *structures*:
  - (i) Historic windows shall be repaired or restored wherever possible. Historic windows that cannot be repaired or restored shall be duplicated in the size, style, and material of the original. Thermal double pane glass may be used. No opening shall be widened or narrowed.
  - (ii) No new opening shall be made where one presently does not exist unless historic documentation supports its prior existence.
  - (iii) No existing opening shall be closed.

- (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.

**(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.

## DEFINITIONS

### 14-12 Contributing Structure:

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.

**14-12 Primary Façade:**

One or more principal faces or elevations of a building with features that define the character of the building's architecture.