

City of Santa Fe, New Mexico

memo

DATE: May 13, 2025

TO: Historic Districts Review Board

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

FROM: Amanda L. Romero, Senior Planner, Historic Preservation Division *ALR*

2025-010331-HDRB, 137 E. Santa Fe Ave., Don Gaspar Area Historic District, Contributing, Gayla Bechtol, agent for Paige Prescott and Robert Merker, owners, request a status review and primary façade designation(s) if applicable for residence, garage and yard wall.

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:

STAFF RECOMMENDATION:

Staff recommends the historic status of the main residential structure be upgraded to significant status, excluding the mudroom addition on the north facade, the garage to maintain contributing status with the south façade designated as primary excluding the garage doors, and the east yard wall designated as contributing, per 14-5.2(C) Designation of Significant and Contributing Structures.

BACKGROUND & SUMMARY:

Sample Motions:

- a. Approve or deny Case #2025-010331-HDRB to 137 E. Santa Fe Ave. to allow status upgrade of the main residence to be significant, excluding mudroom addition on the north facade, maintain garage as contributing status with the south as the primary façade excluding the garage doors, designate status of east wall as contributing.
- b. Approve or deny Case #2025-010331-HDRB to 137 E. Santa Fe Ave. allow status of the main residence to remain contributing excluding the mudroom addition on the north façade, maintain the garage doors, designate status of the east wall as contributing.

The single-family residence and garage at 137 E. Santa Fe Avenue are currently listed as contributing to the Don Gaspar Area Historic District. In 2025 John Murphey Historic Cultural Properties Inventory Form (HCPI) identifies the main residential structure was built pre-1920s in the Craftsman architectural design style. The structure was constructed in a common bond pattern with red brick and wood frame, cross and gabled dormers, a combination of three over one, four over one, six over one, eight over one, ten over one, wood framed windows, as well as bay window and shingle pitched roof. The front structure has a flat roofed porch, and a solid brick balustrade, topped with cement coping. The structure also has pigeonhole brick features.

The garage structure is recorded as being a Pueblo Revival design style constructed in adobe block material and was built in the 1930s to late 1940s. The parapets are unguledated and with robust buttresses.

The east side rubble stone rock wall was built to prior to the mid 1950s, it is approximately 60' in length and ranges from 3' to 4' in height. The wall is currently not stasured.

The neighborhood in which the building is located was developed in the late 1880s in response to immigrants settling in Santa Fe due to economic activity associated with the railroad. The subject building was constructed for the Romero family, whose ranch was located in San Miguel County. The subject property served as a "town home" for this family as well as the subsequent Baca family whose ranch was located in Harding County. The residence is also associated with Malouff family, who immigrated from Lebanon and settled in Santa Fe as merchants. Zelma Shaya, Youssef Malouff's daughter, lived in the house for over 50 years. Zelma Shaya managed the Shaya Jewelry store that was located on West San Francisco St.

In 2004 a request was granted by the HDRB (case # H-04-014-4248) to re-roof the residence with the conditions the roof be finished in asphalt shingles. In 2022 administrative approval (2022-005142-ADMIN) was issued for roof-top solar atop the garage.



Façade Diagram

Non-Primary



Primary



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.

(2) Designation of Significant, Contributing, or Noncontributing Status within Historic Districts

(a) Status Designation

Structures within historic districts may be designated a status of "significant," "contributing," or "noncontributing" based upon the definitions of these terms in Article 14-12. Staff shall maintain a record as to the current status of *structures* located in the Historic Districts.

(b) Board Authority to Review Status Designation

- (i) The Board is authorized to change the status of a *structure* or to designate a status for a *structure* with no status designated.

(ii) A change in status or the designation of a status shall be based upon an evaluation of data provided through survey or other relevant sources of information and the definitions of "significant," "contributing," or "noncontributing."

(e) Appeals (Ord. No. 2009-42 § 16)

Decisions made by the historic districts review board may be appealed to the *governing body* as set forth in Section 14-3.17.

(f) Restoration of Status

If a *property owner* makes changes to a *structure* without the proper *city* approvals which result in the lowering of the *structure's* status, staff or the board may require the *property owner* to restore the *structure* such that its former status is restored.

(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.

(a) Height

If the *applicant* requests approval of a height in the historic district that exceeds the underlying zoning district requirement, the *applicant* shall first receive an exception to this Section 14-5.2. If approved by the historic board, the *applicant* shall proceed to the board of adjustment or other applicable *city* body for consideration of the proposed variance.

(b) Design Standards and Signage

The board may recommend exceptions to Subsections 14-5.2(D)(1-8, 10-11) and 14-5.2(E) through (I) for construction or alterations within the historic district. The recommendation for exceptions shall be made to the *governing body*. Procedures for public notice and hearing before the *governing body* shall be as set forth in Section 14-3.6(B)(3). Exceptions are *project* specific and do not apply to the subject *property* in perpetuity. If approved by the *governing body*, the inspections and enforcement *office* shall accept and review an *application* for, and issue, as appropriate, a *building permit*. The *applicant* for such exceptions shall conclusively demonstrate and the board shall make a positive finding of fact that such exceptions comply with all the criteria listed as follows:

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

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

(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.

(c) Height, Pitch, Scale, Massing, and Floor Stepbacks

The board is the *city* administrative board reviewing and granting or denying requests for exceptions from regulations set forth in Subsection 14-5.2(D)(9). When requesting exceptions the *applicant* shall use the procedures for public notice and hearing set forth in Section 14-3.6(B)(3), unless the *applicant* also requests a variance to the underlying zoning. In such a case the *applicant* for the H ordinance exception shall not be required to publish a legal ad in the local newspaper. Exceptions are *project* specific and do not apply to the subject *property* in perpetuity. The board may grant exceptions and impose conditions thereon to Subsection 14-5.2(D)(9) for height of *structures* within the historic districts as specified in Subsection 14-5.2(D)(9)(a). The *applicant* for such exceptions shall conclusively demonstrate and the board shall make a positive finding of fact that such exceptions comply with all the criteria listed as follows:

- (i) Do not damage the character of the *streetscape*;
- (ii) Prevent a hardship to the *applicant* or an injury to the public welfare;
- (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;
- (iv) Are 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*;
- (v) Are due to special conditions and circumstances which are not a result of the actions of the *applicant*; and
- (vi) Provide the least negative impact with respect to the purpose of this section as set forth in Subsection 14-5.2(A)(1).

14-12 Significant Structure:

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.

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.