

City of Santa Fe, New Mexico

memo

DATE: August 26, 2025

TO: Historic Districts Review Board

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

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

2025-010948-HDRB, 800 Gildersleeve St., Don Gaspar Area Historic District, Contributing, Jennifer Salimbene, agent for Shane Woods and Gabe Rippel, owners, request approval for the removal of historic material on a primary façade of a contributing structure. Exceptions are requested to 14-5.2(D)(1)(a) removal of historic material and 14-5.2(D)(5)(a)(i) historic windows shall be repaired or restored wherever possible.

REFERENCE ATTACHMENTS (Sequentially):

CITY SUBMITTALS

District Standards & yard wall
& fence standards.

Historic Inventory Form

Zoning Review Sheet

Other: Previous Case Documents

APPLICANT SUBMITTALS

Proposal Letter

Site Plan/Floor Plan

Elevations

Photographs

Other:

STAFF RECOMMENDATION:

Staff finds that all the exception criteria have not been met, but the Board may find that they have upon further testimony. Staff recommends the historic window openings be restored to their original conception as that would comply with 14-5.2(D) General Design Standards for all Historic Districts, and 14-5.2(H) Don Gaspar Area Design Standards.

Sample motions:

- a. Approve or deny Case #2025-010948 to allow these alterations to 800 Gildersleeve.
- b. Approve or deny Case #2025-010948 to allow these alterations to 800 Gildersleeve subject to conditions.
- c. Approve or deny the exceptions to 14-5.2(D)(1)(a) removal of historic material and 14-5.2(D)(5)(a)(i) historic windows shall be repaired whenever possible.
- d. Approve or deny Case #2025-010948 to allow those alterations to 800 Gildersleeve that do not require an exception.

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

BACKGROUND & SUMMARY:

The single-family residence and detached garage at 800 Gildersleeve are listed as contributing to the Don Gaspar Area Historic District. The primary facades designated on the main structure are the east and south facades and the garage's east façade. The main structure and garage were constructed sometime before 1928 in the Spanish Pueblo Revival design style as seen by the battered walls, stepped parapets, recessed openings, projecting viga tails, historic wood windows, and sculpted chimney (Rasch 2015:1).

The property was issued a Stop Work Order (Red Tag) due to non-permitted work on the property which resulted in the removal of four historic wood windows on the south primary façade. Staff has been working with the property owners and applicant to rectify the situation which has resulted in the request for two exceptions for the removal of historic material and for repairing historic windows on primary facades. Given the egregious act of removing historic material without a permit and not complying with what was previously approved by the HDRB, staff is requesting the historic windows that were removed be replaced in kind to what was previously preserved on the southern façade in the 2015 Historic Districts Review Board (Board) case (please see below).

Previous cases for 800 Gildersleeve include:

On October 24, 2004, in Case No. H-04-154, the Board approved the replacement of non-historic windows in an enclosed porch on a contributing structure using windows which the applicant now owns.

On August 25, 2015, in Case No. H-15-073A, the Board designated contributing status for the main residential structure and detached garage and designated the east and south façades as primary on the main structure and the east façade on the garage.

On October 13, 2015, in Case No. H-15-073B, the Board approved the addition on the south primary façade, an addition less than ten feet set back from the east primary façade, create an opening on the south primary façade, increase the maximum allowable height, increase the 50 percent historic footprint standard, with conditions to the existing stairs on the south elevation and entry portal be extended in width to match the same opening as the doors leading into the portal.

On May 24, 2016, in Case No. H-15-073C, the Board approved the installation of foam insulation on the main structure and garage and repair the chimney on the main structure.

APPLICANT’S REQUEST:

The applicant proposes the following exterior alterations:

- 1) Replace historic windows on the south primary façade with Sierra Pacific windows already in place throughout the residence and requests two exceptions to 14-5.2(D)(1)(a) removal of historic material and 14-5.2(D)(5)(a)(i) historic windows shall be repaired or restored wherever possible. Furthermore, replacements for historic windows shall match the design and style of the original windows.
- 2) Installation of a new mini-split HVAC system to improve energy efficiency.
- 3) Install exterior lighting, which will consist of classic style open-frame cylindrical fixtures housed within square diffusers.
- 4) Re-stucco around the window frames to match the existing cementitious stucco color in Adobe.
- 5) Request infilling the exterior door currently located on the west wall of the garage. This door is not located on a primary facade, and its removal would have no impact on the street-facing appearance of the structure.
- 6) Install a Martin Pinnacle garage door, featuring eight vertical v-groove panels in a walnut wood grain finish.

EXCEPTION CRITERIA AND RESPONSES:

Exception to 14-5.2(D)(1)(a) removal of historic material : Staff requests an exception to remove historic windows without Board approval or a construction permit in the historic districts.

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

Applicant Response: The proposed work will not damage the character of the historic district. All efforts have been made to preserve and maintain the historic integrity of the property, and any necessary changes will be made using materials and methods that are compatible with the historic fabric.

Staff Response: Staff has evaluated the applicant’s response and finds that the criterion has not been met. The removal of the historic windows has taken place, and the applicant is willing to restore the window openings to their historic conception. The expectation in the historic districts is to comply with historic preservation standards, which provide a roadmap to maintaining the character of the building and the area. By not complying with the standards and not giving Staff and the HDRB to evaluate whether the building’s character will be damaged, the applicant’s actions threaten the integrity of the historic streetscape.

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

Applicant Response: The proposed alterations are required to prevent undue hardship to the applicant. The current conditions present maintenance and livability challenges that, if left unaddressed, could negatively impact the long-term preservation of the structure and potentially pose safety concerns.

Staff Response: Staff has evaluated the applicant's response and finds that the criterion has not been met. Prior to the removal of the historic windows, the applicant should have come to the Board for approval and applied for a construction permit. All the options could have been evaluated by the HDRB, including the condition of the historic windows. Given that the work was done illegally, the applicant must restore the windows to their historic conception.

(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 proposed work supports the City's commitment to preserving its heterogeneous character. By allowing necessary updates that respect historic standards, the project enables continued residential use in the district, ensuring that historic properties remain viable homes for current and future residents.

Staff Response: Staff has evaluated the applicant's response and finds that the criterion has not been met. The removal of the historic windows without approval by the HDRB has de facto not considered all design options.

Exception to 14-5.2(D)(5)(a)(i) Windows: 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: Staff requests an exception to replace historic windows without Board approval or a construction permit in the historic districts.

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

Applicant Response: The proposed window work will not damage the character of the district. Where feasible, the windows will be restored using appropriate materials and methods.

Staff Response: Staff has evaluated the applicant's response and finds that the criterion has been met. The removal of the historic windows has taken place and the applicant is willing to restore the window openings to their historic conception.

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

Applicant Response: The replacement windows will match the size, style, and material of the existing windows throughout the property, and double-pane glazing will be used only where necessary for energy efficiency and resident comfort. These changes are required to ensure safety, comfort, and ongoing use of the property, and to prevent deterioration that would result in greater loss of historic material.

Staff Response: Staff has evaluated the applicant's response and finds that the criterion has been met. The removal of the historic windows has taken place and the applicant is willing to restore the window openings to their historic conception.

(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: By enabling sensitive upgrades to the building's windows, the project helps preserve the building's usability and appeal. This approach reflects the City's goal of offering a range of design solutions that allow residents to remain in historic homes, contributing to the diverse and living character of Santa Fe's historic districts.

Staff Response: Staff has evaluated the applicant's response and finds that the criterion has been met. The removal of the historic windows has taken place and the applicant is willing to restore the window openings to their historic conception.

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.
- (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.

(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.

(2) Additions

- (a) Additions shall have similar materials, architectural *treatments* and styles, features, and details as the existing *structure*, but shall not duplicate those of the existing *structure* in a manner that will make the addition indistinguishable from the existing *structure*.

- (b) Additions to *buildings* that meet the standards of Subsection 14-5.2(E) shall continue to meet those standards set forth in Subsection 14-5.2(E) in addition to the standards set forth in this section.
 - (c) Additions are not permitted to *primary façades*.
 - (d) Additions are not permitted to the side of the existing footprint unless the addition is set back a minimum of ten (10) feet from the primary facade. The addition shall not exceed fifty percent of the square footage of the existing footprint, and shall not exceed fifty percent of the existing dimension of the primary facade. To the extent architecturally practicable, new additions shall be attached to any existing noncontributing portion of *structures* instead of attaching them to the significant or contributing portion.
 - (e) The height of additions:
 - (i) For significant and *landmark structures* shall be a minimum of six (6) inches less than the parapet or equivalent roof-feature of the existing adjacent connecting facade.
 - (ii) For contributing *structures* shall be no more than one additional *story* higher than the existing *structure*. To the extent architecturally practicable, two-story additions shall be set to the rear or the side rear of the *structure*. When an additional *story* is to be placed upon an existing contributing *structure*, that footprint may be no greater than fifty percent of the footprint of the existing *structure*, subject to the provisions of Subsection A(1) above. For the purposes of this paragraph, an additional *story* shall not exceed twelve (12) feet from the existing rooftop to the highest point of that *story*.
- (3) Remodeling to Increase Height; Rooftop Appurtenances
- (a) For *remodeling* of existing significant and *landmark structures*, no increase in height of the *structures* is permitted. (For standards relating to additions to existing *structures*, see paragraph (2) above.)
 - (b) For significant and *landmark structures*, *publicly visible* roof top appurtenances, including but not limited to solar collectors, clerestories, decks, or mechanical equipment, shall not be added nor shall the parapet be raised to conceal the *rooftop appurtenances*. For contributing *buildings* solar collectors, clerestories, decks, or mechanical equipment if *publicly visible* shall not be added.
- (4) Porches and Portals
- Existing *porches* or *portals* shall not be enclosed.
- (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.

(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*.

(8) Archaeological Resources

Discovery of archaeological resources made during the historic districts review process shall be referred to the archaeological review committee.

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

The height, pitch, *scale*, and massing of any *structure* in an historic district, as defined in this section, shall be limited as provided for in this section, unless further restricted within this chapter.

(a) Applicability

The following sections identify specific areas and specific *projects* subject to this section. Planning and land use department staff shall determine whether or not properties are included within this section. (Ord. No. 2007-45 § 30; Ord. #2020-22, § 16)

F. When the proposed *building*, *yardwall*, or fence is located in a *streetscape* that includes no *buildings*, *yardwalls*, or fences, the height of the proposed *building* shall not exceed sixteen (16) feet. *Yardwalls* and fences in this *streetscape* shall not exceed five (5) feet in height.

(c) Height

(ii) In exercising its authority under this section, the board shall limit the height of *structures* as set forth in this section. Heights of existing *structures* shall be as set forth on the official map of *building* heights in the historic districts.

A. If a proposed *building* has a parapet, the façade shall not be in excess of two (2) feet of the average of the height of the façades in the *streetscape*.

- B. If the proposed *building* has a pitched roof, the ridge height of the proposed *building* shall not be in excess of two (2) feet of the average of the ridge height of the pitched roofs in the *streetscape*.
- C. *Yardwalls* and fences shall be limited to a height that does not exceed the average of the height of other *yardwalls* and fences in the *streetscape*.
- D. Pursuant to Section 14-7.4(C), the height of any other *structure* shall be limited to the allowable *building* height within the applicable *streetscape*, as defined in this section. (Ord. No. 2002-37 § 26)
- E. The height and dimension of signage are as set forth in Section 14-8.10(H).
- 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. This increase in height shall be constructed only in the form of *building* setbacks from the *street*.

(d) Pitch

If the determined *streetscape* includes over fifty percent of *buildings* with pitched roofs, the proposed *building* may have a pitched roof. A pitched roof is defined as a gable, shed, or *hipped roof*. The pitch of the roof shall match the predominant pitch extant in the *streetscape*.

(e) Scale

The height of a proposed *building* or addition, its façade length, and its roof form and pitch shall appear to be in proportion to the height, façade length, and roof form and pitch of *buildings* in the applicable *streetscape*, or the *building* on which the addition is proposed.

(f) Massing and Floor Setbacks

The Board may require that upper floor levels be stepped back, to carry out the intent of this section; provided that the board in making such determinations shall take into account whether the height of the proposed *building*, *yardwall*, fence, or proposed setback of upper floor levels is in harmony with the massing of the applicable *streetscape* and *preservation* of the historic and characteristic visual qualities of the *streetscape*. The Board shall also require that the *publicly visible* façades of the *structure* be in conformance with Subsections 14-5.2(E) through (H), and in meeting those requirements, may require that different floor levels be stepped back.

(H) Don Gaspar Area Historic District

(1) District Standards

Compliance with the following structural standards shall occur wherever those exterior features of *buildings* and other *structures* subject to public view from any public *street*, way, or other public place are erected, altered, or demolished:

- (a) Slump block, stucco, brick, stone, or wood shall be used as exterior *wall* materials. Aluminum siding, metal panels, mirrored glass and unstuccoed concrete block or unstuccoed concrete shall not be used as exterior *wall* materials. The painting of *buildings* with a color that causes arresting or spectacular effects or with bold repetitive patterns, or using *building* as signs is prohibited. Murals, however, are permitted and may be referred to the city arts board for an advisory recommendation.
- (b) Roof forms including but not limited to flat, gabled, shed, and *hipped roofs* are allowed. Folded plate or hyperbolic roofs are not allowed.
- (c) The use of solar and other energy collecting and conserving strategies is encouraged. The use of large glazed areas on south facing *walls* for trombe *walls* or other solar collectors, *greenhouses*, garden rooms, direct gain, or other energy collecting purposes is allowed. When in view from any public *street*, way, or other public place, solar equipment shall be screened by the following methods:
 - (i) raising the parapet;
 - (ii) setting back from the edge of the roof;
 - (iii) framing the collector with wood;
 - (iv) in the case of pitched roofs, by integrating the collector into the pitch;
 - (v) in case of ground solar collectors by a *wall* or vegetation;
 - (vi) in the case of *wall* collectors by enclosing by end or other *walls*;
 - (vii) other means that screen the collector or integrate it into the overall *structure*.
Non-glare materials shall be used in solar collectors.
- (d) Mechanical, electrical, telephone equipment, microwave satellite receiving dishes, and other obtrusive equipment shall be architecturally screened by opaque materials by raising the parapet, framing in the equipment, or other appropriate means. The equipment shall be of a low profile to minimize the *screening* problems.
- (e) *Walls* and fences shall be of brick, *adobe*, masonry, rock, wood, coyote fencing, or similar materials. Wrought iron fences and slump block *walls* are allowed. *Walls* of unstuccoed concrete, chain-link, metal wire, or similar materials are prohibited, except where the *wall* or fence is not in view from any public *street*, way, or other public place.
- (f) *Greenhouses*. Attached *greenhouses* that front on the *street* shall give the appearance of being integrated into the *structure* of the *building* or of being a substantive addition rather than having a lean-to-effect. The use of corrugated fiberglass or rolled plastic for the external surface of attached or freestanding *greenhouses* that front on the *street* is prohibited. *Greenhouses* with slanting sides shall be bracketed at the ends and the *greenhouses* made from enclosed *porches* or *portales* shall maintain the shape of the *porch* or *portal*.

- (g) For *residential* uses, paving with asphalt or parking is not allowed in the front *yard* except in the sidewalk or driveway.
- (h) For commercial uses zoned C-1 front *yards* are required to be landscaped, and no required front *yard* shall be used for *off-street parking*.
- (i) As a condition of any rezoning all *applicants* shall provide evidence of sufficient *off-street parking* and an intent to maintain the architectural integrity of the existing *building* or to conform to the architectural style of the district if constructing a *building* on a vacant *lot*.

(2) Walls; Fences; Solar Collectors; Administration

Applications for erection, alteration, or destruction of *walls*, fences, and solar collectors and required submittals shall be reviewed by the planning and land use department. Approval, disapproval, or referral shall be indicated by the division on the *application* for the *building permit* and on each of the required submittals, all of which shall be signed by the division staff assigned to the review. The division shall report approvals, disapprovals, or referrals to the board at its next regular meeting as an informational item. (Ord. No. 2007-45 § 30; Ord. #2020-22, § 16)

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.