



CITY OF LAS CRUCES

TO: Historic Preservation Committee

FROM: Caitlin Beesley, MHP, Historic Preservation Specialist

DATE: June 9, 2026

SUBJECT: Case 26CB1002226

Case 26CB1002226: A request for a Certificate of Appropriateness for the construction of a metal carport located at 442 E. Lohman Avenue on a corner lot at the intersection with Mesquite Street. The subject carport, constructed to the immediate south of Lujan Bakery on the bakery's property, is roughly 525 square feet; the property is zoned C-2 (General Commercial District). The carport was constructed outside the City's permitting process and is presented for retroactive approval to the Historic Preservation Committee by way of acquiring a permit. The property at 442 E. Lohman Avenue is contributing to the State Register listing of the Mesquite Street-Original Townsite Historic District; it is within the South Mesquite Overlay. An application for a retroactive permit for the carport's construction has been submitted by Patrick Vigil on behalf of the property owner, who employed a contractor out of Deming to complete the carport.

BACKGROUND

Lujan Bakery, first opened in April 1955, is one of the oldest continuously operated businesses in Las Cruces. Originally owned by Alfredo Lujan, the bakery operated on Church Street in downtown before moving to the commercial building at 442 E. Lohman Avenue prior to 1976, according to that year's Las Cruces Directory.¹ The business was purchased by long-time bakery employees Enrique and Delfina Sanchez around 1995 when Lujan retired.² The commercial building at 442 was constructed around 1930 and is contributing to State Register listing of the Mesquite Street-Original Townsite Historic District. The lot includes a second commercial building, currently occupied by a Catholic devotee shop, to the west and a small yard to the rear of both buildings; the property owners also own the L-shaped residential lot that borders the commercial lot to the south and the west, part of which is used as a parking area for the bakery and The Marian Shop.

The property owners constructed the carport to the south of the bakery space fronting Mesquite Street sometime between February and September of 2025; the carport is not directly attached to the building but is positioned close enough that the carport and building essentially act as a single system. The carport is over 120 square feet in plan

¹ "Bakers—Retail," Greater Las Cruces City Director, Polk's 1976, 58.

² Legacy.com, "Alfredo H. Lujan," obituary, November 18, 2009, accessed June 9, 2026.

<https://www.legacy.com/us/obituaries/lcsun-news/name/alfredo-lujan-obituary?id=25461270>; Las Cruces.com, "Traditional Local Flavor, Lujan's Bakery," November 4, 2020, accessed June 9, 2026.
<https://lascruces.com/traditional-local-flavor-lujans-bakery/>



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and was constructed at the lot line with no setback. The carport was constructed for use by the property owners, who own the commercial business on the corner of Lohman and Mesquite in addition to the residence just to the south of the bakery – it is not intended for customers of either business on the corner property. Longer vehicles parked in the carport extend into the sidewalk alongside the property, blocking access and forcing pedestrians into the street which may cause potential issues for the continued viability of the commercial space. The carport is constructed out of hollow metal beams with U-shaped corrugated metal panels for the roof, with a roofline of approximately 14 feet.

The carport was constructed outside the permitting process for building construction, as identified in the City’s development code. Permitting is required for structures or additions that are more than 120 square feet in floor area and taller than 13 feet in height. Regarding the design and construction of attached carports, which fall under garage or additions under the South Mesquite Overlay Zone requirements: The design of attached carports “should be consistent with the main building.”³ The carport would theoretically have gone through the design review process in order to receive a Certificate of Appropriateness from HPC because of its prominent placement and the designation status of the building that houses the bakery—this did not occur prior to the construction of the carport. The property owners, with the help of Patrick Vigil, have submitted the carport for proper permitting through the Community Development Department, which led to this retroactive petition for a Certificate of Appropriateness.

The construction of the carport and need to retroactively approve it presents several unusual issues. If the objective is to find a rationale to approve the constructed carport, a justification will have to be found in code; if the HPC chooses to not approve it, the carport will not be permitted and will likely have to be removed.

Following code standards, the carport as constructed does not meet the requirements of garages in the South Mesquite Overlay; as carports are not referenced in the Permitted Use Chart, garages are the nearest appropriate conforming use. Setbacks for garages are 5’ elsewhere in Las Cruces, but garages in the SMO must be 20’ to conform to the district, which was established prior to the automobile and doesn’t feature overtly automobile-influenced design in commercial or residential architecture.⁴ Design-wise, the carport is also explicitly prohibited from being constructed inside the front setback of the subject property within the SMO.⁵ The carport, therefore, when presented as a garage, does not conform to the requirements of a garage and would require a variance. It also does not conform to the code requirements of an addition to an existing building, which requires that additions be subject to the original construction and must

³ City of Las Cruces “Accessory Structure Requirements,” 2025 Development Code Sec. 36-4(B)(3), February 18, 2025, 266.

⁴ City of Las Cruces “SMO Development Standards,” 2025 Development Code Sec. 35-2-28 (7), February 18, 2025, 151. Using this justification, a carport is even more prominent than the garage because it is not enclosed.

⁵ City of Las Cruces “SMO Permitted Use Chart,” 2025 Development Code Sec. 36-2-30 (g) (iii), February 18, 2025, 159.



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be setback from the street-facing façade; the carport is flush with the façade facing Mesquite Street.⁶

If we considered the carport new construction and not a garage or an addition, setbacks would fall “within the range of existing setbacks and compatible with the surrounding area.”⁷ As a majority of the buildings on the 400th block of Mesquite Street are constructed with no setback, the carport meets the standards required of new construction in the SMO.

Presented as new construction, the carport would be permissible and would not need a variance. As new construction, the carport does not directly reflect the materials of neighboring buildings or the commercial building it is next to, which is constructed out of fired brick; the question of feasibility regarding a carport constructed out of alternative materials that are in keeping with the district’s character is not an option at this time. The carport does, however, meet massing requirements: its roofline approximates the roofline of the bakery and does not extend above it.

DECISION CRITERIA

To ensure quality property development and renovation and to protect the historic character of the South Mesquite neighborhood, HPC shall evaluate and determine the exterior design appropriateness of proposals for new construction, additions, exterior alterations, and rehabilitation of properties within the historic district.

Applicable development must ultimately utilize architectural styles, methods, and materials that are visually compatible with surrounding structures (especially where new construction is proposed), and the overall character of the historic district. This should not be interpreted as a requirement to mimic existing styles or construction materials, but as a means for these types of projects to result in a visually compatible transition between old and new structures within the general neighborhood and/or on a single parcel of land. In addition to the standards stated in the 2025 Realize Las Cruces Development Code, as amended, and the Historic Preservation Ordinance projects shall be reviewed based upon *The Secretary of the Interior’s Standards and Guidelines for the Treatment of Historic Properties with Guidelines for Preserving, Rehabilitation, Restoring and Reconstructing Historic Buildings*, and *The New Mexico Historic Building Inventory Manual*, 1980.⁸

Violations of the City’s Building Code are subject to a penalty for violation as outlined in Section 30-141 and Section 1-10 of the City’s Municipal Code; a violation refers to the

⁶ City of Las Cruces “Criteria for Requesting and Granting Building Height Exceptions,” 2025 Development Code Sec. 36-2-28 (v) (b), February 18, 2025, 163.

⁷ City of Las Cruces “SMO Development Standards,” 2025 Development Code Sec. 35-2-28 (7), February 18, 2025, 151.

⁸ National Park Service, “The Secretary of the Interior’s Standards for Rehabilitation,” <https://www.nps.gov/subjects/taxincentives/secretarys-standards-rehabilitation.htm>



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failure “to perform an act that is required to be performed by ordinance or by rule or regulation authorized by ordinance.” Individuals who violate code are guilty of a petty misdemeanor and may be subject to a fine not exceeding \$500.00 and/or imprisonment for a term not exceeding 90 days. For violations of the Building Code that are continuous with respect to time, each day the violation continues is a separate offense.⁹ Violations of the City’s Development Code are subject to the penalties and enforcement outlined in Sec. 34-1.H. Violations and Enforcement. Individuals who violate the Development Code may be subject to the revocation of permits or the issuance of a stop-work order; other penalties are provided for dependent on a case-by-case basis.¹⁰

STAFF RECOMMENDATION

Staff has reviewed this request and recommends **APPROVAL** for the project based on the following finding:

1. The carport was constructed with hollow steel beams topped with corrugated metal roofing panels. While these materials were not historically present in the Mesquite Street Historic District, their use could be interpreted as a representation of the neighborhood’s organic design, where construction was often dictated by materials available or affordable to property owners. The neighborhood has established via City Ordinance that this carport is not their preferred interpretation for modern construction, however, it may be excused, allowed, and limited to this instance. Furthermore, the design of the carport maintains a compatible roofline and massing with the bakery building and is not out of scale with the surrounding streetscape.
2. While the carport was not constructed following proper setbacks for the South Mesquite Overlay Zone requirements of a garage or an addition, it does meet the setback requirements of new construction.
3. The carport’s construction does not impinge on the existing building and could be removed in the future without inflicting damage to the building.
4. The carport has already been constructed. This retroactive Certificate of Appropriateness process is an opportunity to publicly reiterate the need for construction projects in the South Mesquite Overlay to properly permit, in addition to participating in the Design Review process.

NOTE: Recommendations by the Committee must be based on “findings.” Findings for *DENIAL* of the nomination should be articulated by the Committee and may be based on policies found in the City of Las Cruces Development Code, and/or other City plans and policies. Findings may also be based on information presented at the public hearing or information obtained through a site inspection.

⁹ City of Las Cruces, “General penalty for violations; injunctive relief authorized,” Las Cruces Municipal Code Sec. 1-10 (Code 1988 § 1-10), April 27, 2026.

¹⁰ City of Las Cruces, “Violations and Enforcement,” 2025 Development Code Sec. 34-1 (H), February 18, 2025, 3.



Figure 1: The carport at 442 E. Lohman Avenue, outlined in red.

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Figure 2: Lujan Bakery at 442 N. Lohman Avenue, carport to the rear (south) of the main building.



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Figure 3: Carport to the rear (south) of the main building. The carport mirrors the roof-plane of the bakery building and is not higher than the surrounding buildings.



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Figure 4: Detail of the carport construction.



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Figure 5: Detail of the carport where it meets the building. While the carport does not appear to be directly fixed to the bakery building, it's placement is close enough to describe it as an addition to the main building; the two roofs will also work in tandem when shedding water, meaning the carport will become an extension of the building system.



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Figure 6: An example of the carport's post footer with base plate and anchor bolts on top of a concrete pad.



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Figure 7: Carport against the bakery building.



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Figure 8: Central post on the west side of the carport, supported by a knee brace.

