



City of Albuquerque  
Planning Department  
Landmarks and Urban Conservation  
Commission  
P.O. Box 1293  
Albuquerque, New Mexico 87103



Landmarks & Urban  
Conservation Commission

Date: September 15, 2011

## OFFICIAL NOTIFICATION OF DECISION

Project #1008919  
11-LUCC-50038  
Decision for a Certificate of Appropriateness

**McElheney ARCHITECTS, agent for Marie Coleman**, requests approval of a Certificate of Appropriateness for alterations and new construction at **2111 Church Street NE, Tract 217, M.R.G.C.D. Map No. 38**, Lands of Coleman and Sanzari in **the Old Town Historic Overlay Zone. (J-13)**

On September 14, 2011 the Landmarks and Urban Conservation Commission voted to **APPROVE** Project #1008919/11-LUCC-50038 based on the following findings and conditions:

### FINDINGS OF APPROVAL:

1. This application is a request for a Certificate of Appropriateness for alteration at 2111 Church St. NW, described as Tract 217 MRGCD Map 38, a property in the Old Town Historic Zone, and zoned H-1. Tract 217 and adjacent lots Tract 216, and Lots A & B, Lands of Coleman and Sanzari are held in single ownership.
2. The subject property, Tract 217, contains a structure that incorporates a one-story house built after 1957 with an attached accessory building built circa 2003. The property is not within the State Registered Old Albuquerque Historic District and the subject building is not a historic building.
3. The applicant proposes to alter the one-story structure and construct a two-story building that incorporates the existing eastern garage element. The existing building is approximately 1,731 sq. ft. The new structure would include two new residential units. The new building is proposed to be 3,522 sq. feet. The total square footage proposed on the premise is less than the .75 FAR required by the underlying zone.
4. The new two-story building occupies almost the entire building lot and is one parcel in a larger premise as described above and as provided in the Comprehensive Zoning Code. The proposed building will be constructed per the existing setbacks. The scale and character of the proposed

building is similar to the development on adjacent properties and other properties in the area as analyzed in the staff report.

5. The Comprehensive Zoning Code §14-16-2-28 and the Landmarks and Urban Conservation Ordinance §14-12-8 state that within the boundaries of a historic zone, the exterior appearance of any structure shall not be altered, new structures shall not be constructed, and existing structures shall not be demolished until a Certificate of Appropriateness has been duly approved. §14-12-8(B) provides criteria for approval of a Certificate of Appropriateness.
6. The LUC Ordinance specifies that an application for a Certificate of Appropriateness shall be approved if it complies with several specified criteria. §14-12(8)(B)(1) states that a Certificate of Appropriateness shall be approved if “The change is consistent with the designation ordinance and specific development guidelines for the landmark or historic zone”.
7. As proposed, the request contains elements that both do and do not comply with applicable criteria §14-12(8)(B)(1) as analyzed in the staff report. The Spanish-Pueblo Revival style new building is substantially in conformance with the Design Guidelines for the Old Town Historic Zone, however; the proposed metal trellis, window awnings and stair details are not compliant with the design guidelines. Such details would not have been among the range of design options possible and commonly chosen in Albuquerque prior to the opening of the Santa Fe Railroad in April 1880.
8. The project includes the removal of the existing wood frame residential portion of the building. The existing garage/storage area will be retained in this proposal. §14-12(8)(B)(7) states that demolition shall only be permitted if it is determined that the property is incapable of producing a reasonable economic return as presently controlled and that no means of preserving the structure has been found. The LUCC finds that this project is not a demolition as defined in §14-12, and that the subject building is not a historic building. The intent of the Landmarks and Urban Conservation Ordinance is fulfilled.

#### **CONDITIONS OF APPROVAL:**

1. The proposed metal window awnings, trellises and stair details are not included in this approval. Wood should be substituted for the metal material on the exterior stair and trellis. The window awnings are to be deleted.
2. Approval is contingent upon conformance with all applicable zoning regulations.
3. The applicant shall submit window samples to staff for review and approval.
4. The applicant shall submit the revised stair, trellis and rail design to staff for review and approval.
5. The applicant shall submit revised drawings indicating the void below the proposed vent, that fills in the space between the underside of the vent and the ground, covered with stucco to match the building finish.
6. The applicant shall reduce the height of the parapet west of the central trellis towards the property line to a maximum height that is 18 inches minimum below the highest parapet.

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APPEAL: IF YOU WISH TO APPEAL A **FINAL DECISION** YOU MUST DO SO IN THE MANNER DESCRIBED BELOW. A NON-REFUNDABLE FILING FEE WILL BE CALCULATED AT THE LAND DEVELOPMENT COORDINATION COUNTER AND IS REQUIRED AT THE TIME THE APPEAL IS FILED.

The applicant or any person aggrieved by decision of city staff may appeal the decision of the city staff designated by the Mayor relative to a Certificate of Appropriateness to the Commission. The applicant or any person aggrieved by decision of the Commission (LUCC) may appeal the decision to the City Council. Any city staff or Commission decision is final unless appeal is initiated by application to the city within 15 days of the decision. The date the determination is not included in the 15-day period for filing an appeal, and if the 15th day falls on a Saturday, Sunday or holiday as listed in §3-1-12, the next working day is considered as the deadline for filing the appeal. A building permit dependent on a case shall not be issued and a proposed project not requiring a building permit shall not be initiated until an appeal is decided or the time for filing the appeal has expired without an appeal being filed.

The City Council, after consideration of the appeal record, may decline to hear an appeal if it finds that all city plans, policies and ordinances have been properly followed. If it decides that there is substantial question that all City plans, policies and ordinances have not been properly followed or are inadequate, it shall hear the appeal.

ALL CASES THAT RECEIVED APPROVAL ON **September 15, 2011** WILL BE MAILED A CERTIFICATE OF APPROPRIATENESS, AFTER THE 15-DAY APPEAL PERIOD HAS EXPIRED ON **September 29, 2011**.

Sincerely,

Maryellen Hennessy  
LUCCS