



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



Landmarks & Urban
Conservation Commission

Date: August 12, 2010

OFFICIAL NOTIFICATION OF DECISION

Project # 1008403
10-LUCC-50025

Adoption of Specific Development Guidelines for the Huning Highland Historic Overlay Zone described as multiple tracts and multiple blocks of the Huning's Highland Addition zoned SU2/MR/RO/NCR, LCR/HC and SU1 Map K14 & K15. This area is located between Martin Luther King Jr. Ave. NE and Iron Ave. SE and between Broadway Blvd. SE and NE and Locust Ave. SE and NE.

On August 11, 2010 the Landmarks and Urban Conservation Commission voted to **DEFER** Project #1008403/10-LUCC-50025 to the LUCC October 13, 2010 Hearing.

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.

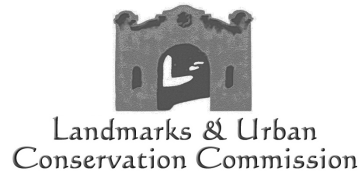
ALL CASES THAT RECEIVED APPROVAL ON **August 11, 2010** WILL BE MAILED A CERTIFICATE OF APPROPRIATENESS, AFTER THE 15-DAY APPEAL PERIOD HAS EXPIRED ON **August 26, 2010**.

Sincerely,

Maryellen Hennessy
LUCCS



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



Date: August 12, 2010

OFFICIAL NOTIFICATION OF DECISION

Project # 1008068
10-LUCC-50026

Adoption of Specific Development Guidelines for the Silver Hill Historic Overlay Zone described as multiple tracts and multiple blocks of the Terrace Addition and the Buena Vista Heights Addition zoned SU2/SF/DR/UC Map K-15. The area is located on Gold, Silver and Lead Aves. SE between Yale Blvd. and Sycamore St. SE.

On August 11, 2010 the Landmarks and Urban Conservation Commission voted to **CONTINUE** Project #1008068/10-LUCC-50026 to the LUCC August 18, 2010 Special Hearing.

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Date: August 11, 2010

OFFICIAL NOTIFICATION OF DECISION

Project # 1008441
10-LUCC-50029
Certificate of Appropriateness

Kells and Craig, Architects, agent for Q Staff Theater, requests approval of a Certificate of Appropriateness for alteration to 400 Broadway SE, described as Lot 7, Block 6 of the Huning Highland Addition.

Kells and Craig, Architects
400 Gold SW, Suite 880
Albuquerque, NM 87102

On August 11, 2010 the Landmarks and Urban Conservation Commission voted to **APPROVE** Project #1008441/10-LUCC-50029 based on the following findings and condition:

FINDINGS:

1. This application is a request for a Certificate of Appropriateness for alteration at 400/402 Broadway SE, described as Lot 7, Block 6 of the Huning Highland Addition, a property in the Huning Highland-East Downtown Urban Conservation Overlay Zone, zoned SU-2/CRZ.
2. The subject property contains a one-part commercial block building built between 1942 and 1950. It is a one-story brick building with cast stone cornice and quoins around the entry and a concrete belt course above the windows. The large display windows have aluminum mullions and brick sills. Some details are the neo-classical style while others, such as the aluminum awning at the entry bay, suggest a streamline modern aesthetic.
3. The building is designated as contributing in the Huning Highland Historic District and alterations are subject to the review and approval of the LUCC per the implementation matrix for the HH-Edo Regulatory Plan.
4. The applicant proposes to rehabilitate the building for mixed use as is permissive under the SU2/CRZ zone designation. Two live/work units would be at the east end and the western end of the building would have a public use. A small café is also included at the west end. The alterations consist of interior alterations, new storefront windows and a second story addition at the southeast corner of the building to enhance the live-work units.

5. Section 14-12-8(A) of the Landmarks and Urban Conservation Ordinance states that within the boundaries of an Urban Conservation Overlay 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.
6. The LUC Ordinance specifies that an application for a Certificate of Appropriateness shall be approved if it complies with several specified criteria. The LUC Ordinance Section 14-12(8)(B)(6) states that a Certificate of Appropriateness shall be approved if the change is consistent with the designation ordinance and specific development guidelines of the landmark or historic zone.
7. The proposed alterations are consistent with the development guidelines for the Huning Highland-East Downtown Urban Conservation Overlay Zone found on page 9 of the Plan and as analyzed in the August 11, 2010 staff report. The alterations do not affect the building setbacks, the height mass and scale of the original are maintained.
8. The proposed alterations are consistent with the specific development guidelines for the Huning Highland-East Downtown Urban Conservation Overlay Zone with regard to exterior materials as addressed on pages 12, 13 and 16 of the Plan.
9. The proposed alterations are consistent with applicable development standards for the Huning Highland-East Downtown Urban Conservation Overlay Zone as shown on page 11 of the Plan and as analyzed in the August 11, 2010 staff report. The development supports the mixed-use goals of the Plan.
10. The proposed alterations are not consistent with the applicable development standards for the Huning Highland-East Downtown Urban Conservation Overlay Zone as shown on page 11 of the Plan with regard to the height of the roof addition. As analyzed in the August 1, 2010 staff report, because the roof slopes down, this condition exists only on a small portion of the structure. This is a minimal departure from the standard and should not interfere with the enjoyment of other land in the vicinity and is consistent with the intent of the Regulatory Plan as it is worded for the HH-EDo UCOZ. Restricting the roof height to 24' may impose a hardship and financial consideration is not the primary reason for approving the deviation.
11. The proposed alterations are not consistent with the applicable development standards for the Huning Highland-East Downtown Urban Conservation Overlay Zone as shown on page 11 of the Plan with regard to street trees. No street trees will be placed because the available right-of way is too narrow to accommodate this feature.
12. The proposed signage is consistent with the applicable development standards for the Huning Highland-East Downtown Urban Conservation Overlay Zone as shown on page 18 of the plan.
13. The LUC Ordinance Section 14-12(8)(B)(2) states that a Certificate of Appropriateness shall be approved if "The architectural character, historical value, or archaeological value of the structure or site itself or of any historic zone or urban conservation overlay zone in which it is located will not be significantly impaired or diminished". The proposed alterations do not diminish the architectural character of historic value of the building or site.
14. The proposal supports the purpose of the Plan to encourage mixed use and revitalization on the Broadway and Central Corridors.

15. The proposal supports the goal of the Huning Highland Sector Development Plan to encourage appropriate neighborhood oriented use of vacant lands and buildings.
16. The Albuquerque/Bernalillo County Comprehensive Plan Established Urban Area policies include: Policy d: “The location, intensity, and design of new development shall respect existing neighborhood values, natural environmental conditions and carrying capacities, scenic resources, and resources of other social, cultural, and recreational concern.” The proposal supports Established Urban Area Policy d because the design of the new development is compatible with the cultural resources of the Huning Highland Historic District.
17. The Albuquerque/Bernalillo County Comprehensive Plan contains goals and policies related to Environmental Protections and Heritage Conservation. Section 11.C.5 Historic Resources goal is to protect reuse or enhance significant historic districts and buildings. The proposal supports the Historic Resources goal or policy b and c because the primary contributing building is preserved and the new development is consistent with the specific development guidelines.
18. The Albuquerque/Bernalillo County Comprehensive Plan Section 11.C.9 Community Identity and Urban Design goal is “to preserve and enhance the natural and built characteristics, social, cultural and historical features that identify Albuquerque and Bernalillo County sub-areas as distinct communities and collections of neighborhoods.” Policy b states “In each Community Area, strategic planning, neighborhood planning, development and redevelopment shall be evaluated in light of its relationship to and effect upon (3) Local history, specifically architectural styles and traditions and current and historic significance to Albuquerque. The Community Identity and Urban Design goal is supported by the proposal because the new development reflects the building traditions of the historic neighborhood and the built characteristics and historical features that characterize the Huning Highland Historic District are not negatively affected.
19. There is no known opposition to the request.

CONDITIONS OF APPROVAL:

1. Applicant is to comply with all other applicable City permit requirements.
2. Detail of the proposed trellis on the south façade is to be provided and subject to the review and approval of LUCC staff.
3. Existing storefront windows may remain as an alternate treatment.
4. The bi-folding windows as shown on the revised western elevation dated August 4, 2010 are approved as an alternate treatment.

PROTEST: IT IS NOT POSSIBLE TO APPEAL LUCC RECOMMENDATIONS TO CITY COUNCIL; RATHER, A FORMAL PROTEST OF THE LUCC RECOMMENDATION CAN BE FILED WITHIN THE 15-DAY PERIOD FOLLOWING THE LUCC’S DECISION.

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