



Landmarks & Urban Conservation Commission



Agenda Number: 6
Case No.: 10LUCC50029
Project # 1008441
August 11, 2010

Staff Report

Agent	Kells & Craig Architects
Applicant	Sandy Timmerman for Q Staff Theater
Request	Certificate of appropriateness for alteration
Legal Description	Lot 7, Block 6, Huning Highlands Addition
Address/Location	402 (400) Broadway SE
Size	
Zoning	SU2/CRZ
Historic Location	Huning Highland East Downtown UCOZ

Staff Recommendation

APPROVAL of Case # 10LUCC50029, Project #1008441, a request for a Certificate of Appropriateness for new construction, based on the Findings 1-X beginning on page X and subject to Conditions on page X.

Maryellen Hennessy
Staff Planner

Summary of Analysis

The application is for a Certificate of Appropriateness for the construction of a new mixed use building in the Huning Highland East Downtown Urban Conservation Overlay Zone. The 2544 square foot building would be located on a property with three existing buildings.

The proposed alterations are xxxxxxx and the historic architectural character of is sufficiently preserved to meet applicable guidelines.

PRIMARY REFERENCES:

Landmarks and Urban Conservation Ordinance; Regulatory Plan for the Huning Highland East Downtown Urban Conservation Overlay Zone.

City Departments and other interested agencies were given the opportunity to review this application from 7/26/10 to 8/10/10. Agency comments that were received were used in the preparation of this report, and begin on page XXXX.

Development Review Division Report:

SUMMARY OF REQUEST

<i>Requests</i>	<i>Certificate of Appropriateness for Alteration</i>
<i>Historic Location</i>	<i>Huning Highland East Downtown Urban Conservation Overlay Zone</i>

AREA HISTORY AND CHARACTER

Surrounding architectural styles, historic character and recent (re)development

	<i># of Stories</i>	<i>Roof Configuration, Architectural Style and Approximate Age of Construction</i>	<i>Historic Classification & Land Use</i>
<i>General Area</i>	1 - 2	Flat, pitched,	
<i>Site to the North</i>			
<i>Sites to the South</i>	1 1/2	Gable roofed; Folk Victorian; by 1902	Contributing Mixed use
<i>Sites to the East</i>	1	Gable roofed; Bungalow; 1923	Contributing residential
<i>Site to the West</i>	1-2		

Background

The subject building is a one-part commercial block building at the southeast corner of Broadway and Lead SE 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 in the neo-classical style while others, such as the aluminum awning at the entry bay, suggest a streamline moderne aesthetic. The building is designated as contributing in the Huning Highland Historic District.

The building has been vacant for several years.

The applicant proposes to rehabilitate the building for mixed use as is permissible under the CRZ zone designation. Two live/work units would be at the east end and the western end of the building would be used for theatrical performances and training. A small café is also included at the west end. The consists of interior alterations, new storefront windows and a second story addition at the southeast corner of the building to enhance the live-work units.

APPLICABLE PLANS, ORDINANCES, DESIGN GUIDELINES & POLICIES

Albuquerque-Bernalillo County Comprehensive Plan of 1988, amended 2003

The plan sets out goals and policies concerning land use, environmental protection and heritage conservation.

LAND USE

Section II.B.5 This site is located in the Established Urban Area as defined in the Comprehensive Plan. The Goal of the Established Urban Area is to "create a quality urban environment which perpetuates the tradition of identifiable, individual, but integrated communities within the metropolitan area and which offers variety and maximum choice in housing, transportation, work areas, and life styles, while creating a visually pleasing built environment." Applicable 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."

Policy o: "Redevelopment and rehabilitation of older neighborhoods in the Established Urban Area shall be continued and strengthened."

Section II.B.6 This site is also located in the Central Urban Development Area, a portion of the Established Urban Development Area as defined in the Comprehensive Plan, and is subject to the Central Urban policies as well as the Established Urban Area policies. The Goal of the Central Urban Area is to "promote the Central Urban Area as a focus for arts, cultural, and public facilities/activities while recognizing and enhancing the character of its residential neighborhoods and its importance as the historic center of the City."

ENVIRONMENTAL PROTECTION AND HERITAGE CONSERVATION

Section II.C.5 The goal for Historic Resources is "to protect, reuse or enhance significant historic districts and buildings." Applicable Historic Resources policies include:

Policy a: "Efforts to provide incentives for the protection of significant districts and buildings shall be continued and expanded."

Possible techniques include the following:

"3) Amend City and County Ordinances to preserve designated structures."

Policy b: "Research, evaluation, and protection of historical and cultural properties in the City and County shall be continued where appropriate."

Policy c: Increase public and inter-agency awareness of historic resources and preservation concerns."

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: “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.

Huning Highland Sector Development Plan

The Huning Highland Sector Development Plan was first adopted in 1977, and revised in 1988. The Plan generally encompasses properties between Martin Luther King Boulevard and Coal Avenue and Broadway Boulevard and Locust Avenue; specific boundaries are shown on Map 2 on page 4 in the Plan. It sets forth goals and policies regarding land use:

The Goal of the Plan is “the continued development of Huning Highlands into a viable residential and commercial area, building on its unique historic character and location.” Plan objectives include, as related to this proposal:

1. To protect and enhance the unique residential character of the area.
2. To encourage appropriate neighborhood-oriented use of vacant lands and buildings.
3. To represent fairly all interests in the Huning Highland Sector Plan area.

Regulatory Plan for the Huning-Highland East-Downtown UCOZ

The subject site is located within the Huning Highland East Downtown Urban Conservation Overlay Zone (HH-EDo UCOZ) that was created by Resolution (R-032) in 2005. The Regulatory Plan contains guidelines for new development in the district. The Plan is administered by the LUCC and includes standards on building height, massing, proportion and scale, use of materials in new and existing buildings, relationship between buildings, landscaping, roadways and sidewalks. The HH-EDo UCOZ protects the historic and architectural characteristics of individual buildings and encourages revitalization in the district by specifying standards for new development. The Landmarks and Urban Conservation Commission (LUCC) has review authority over alterations to the exterior appearance of significant, contributing, and City Landmark buildings within the UCOZ. Alterations to existing buildings and new residential and non-residential construction on other properties are subject to review by an Architectural Review Committee composed of representatives from neighborhood associations, the LUCC, and City staff. The Plan was amended in 2009 to address technical issues.

Landmarks and Urban Conservation Ordinance

This site consists of a contributing property in the ***Huning-Highland East-Downtown Urban Conservation Overlay Zone*** and subject to certain provisions of the Landmarks and Urban Conservation Ordinance (Article 12, R.O.A., 1994). The purpose of this ordinance is to:

“Preserve, protect, enhance, perpetuate and promote the use of structures and areas of historical, cultural, architectural, engineering, archeological or geographic significance located in the city; to strengthen the city’s economic base by stimulating the tourist industry; to enhance the identity of the city by protecting the city’s heritage and prohibiting the unnecessary destruction or defacement of its cultural assets; and to conserve existing urban developments as viable economic and social entities.”

Section 14-12-8 (A) of the LUC ordinance provides that:

"Within the boundaries of a historic zone, urban conservation overlay zone, or landmark site, 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."

ANALYSIS

Huning-Highland East-Downtown Urban Conservation Overlay Zone Regulatory Plan

The table below provides an evaluation of the submittal as it relates to pertinent aspects of the **HH-Edo Regulatory Plan** as approved by the LUCC in 2005 and amended in 2009.

Guidelines	Analysis	Does the application satisfy the criteria?
A. General Guidelines Any alteration or new construction in the district shall:		
1. Height, mass and scale - shall be maintained as is, or as in relationship to other buildings on the block in the case of additions/alterations.		
2. Setback – shall be maintained as is to preserve the pattern of building fronts and setback from the street.	There is no change to these elements.	YES
3. Profiles - Maintain the geometry created by similar shapes and sized; i.e. pitched roofs and porches.		
4. Streetscape – buildings shall form, emphasize, protect and enhance the public realm of the street.	There is no opportunity to enhance or emphasize the streetscape components. Public right-of-way is limited adjacent to this commercial building.	
5. not applicable		
6. Materials (exposed) shall comply with the material codes (in the architectural standards).		
a. If an addition or alteration to a historic building, all materials shall be compatible with material on that building.		
d. Original exposed materials should not be covered by other materials.		
3. On-site parking shall be located in back or to the side of the building.	Parking to the rear and side.	
7. Special attention should be given to set-back, mass and scale in relation to adjacent buildings.		
C. Existing Commercial Building – Rehabilitation/Renovation/Alteration		
1. Setback- Existing setback shall be maintained		
2. Frontages- Storefronts shall be oriented towards the main pdeestrain way. Blank facades are not allowed, window openings should encourage and enhance pedestrian traffic.		

3. Parking- On-site parking shall be located in the rear of the property or to the side of the building when adjacent to a side street.		
4. Materials- shall comply with the material codes in the architectural standards.		
5. Altered facades shall closely resemble the architectural style of the original façade – the alteration of facades to resemble architectural styles not common to the era when the structure was built is not allowed.		

LUC Ordinance

The table below provides an evaluation of the submittal as it relates to the LUC Ordinance and the specific development guidelines as analyzed above.

LUC Ordinance (§14-12) Guidelines for New Construction	Analysis	Does the application satisfy the ordinance criteria?
§14-12-8-B-(1) The change is consistent with the designation ordinance and specific development guidelines for the historic overlay zone		
§14-12-8 (B) (2) The architectural character, historical value, or archaeological value of the structure or site itself or of any historic zone in which it is located will not be significantly impaired or diminished		
§14-12-8 (B) (3) The change qualified as a “certified rehabilitation: pursuant to the Tax Reform Act of 1976		
§14-12-8 (B) (4) The structure or site’s distinguished original qualities or character will not be altered. Original shall mean at the time of initial construction or developed over the course of history of the structure.		
§14-12-8 (B) (5) Deteriorated architectural features should be repaired rather than replaced, if possible. If replacement is necessary, the new material shall match the original as closely as possible in like material and design;		
§14-12-8 (B) (6) Additions to existing structure and new construction may be of contemporary design if such design is compatible with the historic zone in which it is to be located		
§14-12-8 (B) (7) Demolition shall only be permitted. . . .	Not applicable	

Additional Considerations

Neighborhood notification

Conclusions

***FINDINGS for a request for a Certificate of Appropriateness for XXXXXXXXX -
Case # / Project # (date)***

1. This application is a request for a Certificate of Appropriateness for demolition and new construction at 609 11th St. NW, described as Lots 1, Block 24 of the Perea Addition, a property in the Fourth Ward Historic Overlay Zone, zoned SU-2/SF.
2. The subject property contains a one-story modified bungalow style house built circa 1922 and an accessory garage building at the rear built between 1924 and 1931. Both buildings are designated as contributing to the historic overlay zone.
3. The applicant proposes to demolish the existing 486 sq. ft. garage/accessory building to develop a 797 sq. ft. studio/office building.
4. Section 14-12-8(A) of the Landmarks and Urban Conservation Ordinance states 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.
5. The LUC Ordinance Section 14-12(8)(B)(6) states that a Certificate of Appropriateness for demolition shall only be approved if it is determined that the property is incapable of producing an economic return as presently controlled and that no means of preserving the structure has been found. The existing accessory building does not contribute economically to the property and rehabilitation of the building to its historic character would not add economic value to the property.
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)(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. The proposed new building is consistent with the specific development guidelines for the Fourth Ward Historic Overlay Zone Section V.A. *Guidelines for new construction* as analyzed in the April 14, 2010 staff report. The new building is **compatible** with predominant general characteristics of contributing buildings in the vicinity and the massing and proportions are similar to contributing buildings. This accessory building is subordinate to the main building.

8. The proposed new building is consistent with the specific development guidelines for the Fourth Ward Historic Overlay Zone Section V.C. *Pattern and Rhythm* as analyzed in the April 14, 2010 staff report. The new construction conforms to established rhythms on the buildings and on the sites. The new construction incorporates similar patterns of architectural details from existing contributing buildings and matches patterns of exterior materials and rooflines with those of contributing buildings.
9. The proposed new building is consistent with the specific development guidelines for the Fourth Ward Historic Overlay Zone Section V.F. Exterior materials as analyzed in the April 14, 2010 staff report. The design uses traditional materials and those newer materials compatible with contributing buildings in the area.
10. The proposed new building is consistent with the specific development guidelines for the Fourth Ward Historic Overlay Zone Section V.G. Architectural Detail as analyzed in the April 14, 2010 staff report. The new building does not duplicate a contributing building but utilizes similar shapes and materials.
11. The proposed new building is consistent with the specific development guidelines for the Fourth Ward Historic Overlay Zone Section V.H. *Windows* as analyzed in the April 14, 2010 staff report. The building has both traditional and non-traditional window shapes. Those windows on the façade visible from the street are sash windows of traditional proportion. Other windows, including the use of glass block are not going to be visible from the right-of-way.
12. The proposed new building is consistent with the specific development guidelines for the Fourth Ward Historic Overlay Zone Section V.J. *Rooflines* as analyzed in the April 14, 2010 staff report. The building has a pitched roof similar to the primary building and other contributing buildings in the vicinity.
13. The proposed new building is consistent with the specific development guidelines for the Fourth Ward Historic Overlay Zone Section V.K. *New Accessory Structures* as analyzed in the April 14, 2010 staff report. The style of the proposed building is generally consistent with the style of the house. It uses similar massing and materials and is subordinate to the primary building.
14. 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 removal of the contributing accessory building and the introduction of the proposed development will not significantly impact the Fourth Ward Historic District.

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15. The proposal supports the purpose of the Downtown Neighborhood Area Sector Development Plan or the policy “Selected buildings and areas which explain our past and which give Albuquerque identity, individuality, and cultural richness shall be preserved, enhanced, and reused where appropriate.” The primary contributing building is preserved and the property owner has no appropriate re-use for the accessory building.

 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 proposed new building supports Established Urban Area Policy d because the design of the new development is compatible with the cultural resources of the Fourth Ward 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 Fourth Ward historic district are not negatively affected.

 19. There is no known opposition to the request. The Downtown Neighborhood Association submitted a letter and testimony in support of the proposal.

RECOMMENDATION - Case No. XXXXX/ Project # XXXX – (date)

APPROVAL of **XXXXX/ Project # XXXX**, an application for a Certificate of Appropriateness for, located This property is more specifically described as, a property in the Fourth Ward Historic Overlay Zone, zoned SU-2/HDA, based on the above 10 Findings and subject to the following Conditions:

**Conditions of Approval Recommended for Case # xxxxx / Project xxxxxx
(date)**

Maryellen Hennessy, Senior Planner,
Current Planning Division

Attachments:

CITY OF ALBUQUERQUE AGENCY COMMENTS

ZONING CODE SERVICES DIVISION

NO RESPONSE

BUILDING & SAFETY SERVICES DIVISION

APPROVED. Permit submittal required.

HISTORIC PRESERVATION/ADVANCED PLANNING

NO RESPONSE

PNM

ENVIRONMENTAL HEALTH DEPARTMENT

SOLID WASTE MANAGEMENT DEPARTMENT

FIRE DEPARTMENT/Planning

COMMENTS FROM OTHER AGENCIES, WHEN APPLICABLE:

TRANSIT DEPARTMENT

POLICE DEPARTMENT

PARKS AND GENERAL SERVICES

OPEN SPACE DIVISION

BERNALILLO COUNTY

ALBUQUERQUE FLOOD CONTROL AUTHORITY

ALBUQUERQUE PUBLIC SCHOOLS

MIDDLE RIO GRANDE COUNCIL OF GOVERNMENTS