



Landmarks & Urban
Conservation Commission



Agenda Number: 5
Case No.: 10-LUCC-50025
Project # 1008403
August 11, 2010

Supplemental Staff Report

Agent	Maryellen Hennessy
Applicant	City of Albuquerque
Request	Adoption of Specific Development Guidelines
Legal Description	Multiple tracts and multiple blocks of the Terrace Addition and the Buena Vista Heights Addition (see attached map)
Address/Location	Gold, Silver and Lead Avenues SE between Yale Blvd. and Sycamore St. SE
Zoning	SU2/SF, DR, UC
Historic Location	Silver Hill Historic Overlay Zone

Staff Recommendation

APPROVAL of Case #10-LUCC-50025 / Project # 1008403, an application to adopt specific development guidelines for the Silver Hill Historic District based on the 10 Findings beginning on page 7.

Maryellen Hennessy
Staff Planner

Summary and Background

This is an application filed by the City to adopt specific development (design) guidelines for the Silver Hill Historic Overlay Zone. A City Council Resolution (R-10-78) created the Silver Hill Historic Overlay Zone on June 21, 2010. The City Comprehensive Zoning Code Section 14-16-2-28 (D)(2)(f) provides that the Landmarks and Urban Conservation Commission shall adopt specific development guidelines within 60 days of the overlay zone designation.

Between 2006 and 2009 the Planning Department met with residents of the Silver Hill neighborhood while amendments to the sector plan and the creation of a historic overlay zone on the Silver Hill historic district were considered. In the course of those planning efforts, City planning staff and consultants discussed appropriate guidelines to preserve the historic character of the area numerous times and draft guidelines were developed.

In 2009, the LUCC developed a format for guidelines for overlay zones. The LUCC thought that guidelines for the various HOZ's should have a consistent format and that language be generally consistent between the HOZ's to facilitate the decision making process. Appended to this report are draft guidelines that were created using the LUCC proposed format, with modifications based on the previous planning work with Silver Hill neighborhood representatives, and the comments taken at the July 7, 2010 LUCC hearing on proposed guidelines.

This proposal to adopt specific development guidelines for the Silver Hill Historic Overlay Zone will have been considered at two public hearings in July and August, 2010. Individual property owners were notified of the hearings. The guidelines are organized in a format that was previously considered and approved by the LUCC. There is general consensus that the guidelines adequately articulate the preservation goals and provide standards for development that protects the cultural resources of the Silver Hill Historic District.

Development Review Division Report:

SUMMARY OF REQUEST

<i>Requests</i>	<i>A recommendation to the City Council to map the Historic Overlay Zone</i>
<i>Location</i>	<i>Silver Hill Historic District</i>

AREA CHARACTERISTICS AND ZONING HISTORY

Surrounding zoning, plan designations, and land uses:

	<i>Zoning</i>	<i>Comprehensive Plan Area; Applicable Rank II & III Plans</i>	<i>Land Use</i>
<i>Site</i>	SU-2	Central Urban; University Neighborhoods Sector Development Plan	Residential/ Commercial
<i>North</i>	SU-2	same	Residential
<i>South</i>	SU-2	same	Residential/ Commercial
<i>East</i>	SU-2	same	Residential
<i>West</i>	SU-2	same	Hospital

History and Context

This is an application filed by the City Planning Department to adopt development guidelines for the Silver Hill Historic Overlay Zone (HOZ). The HOZ includes multiple tracts and multiple blocks of the Terrace Addition and the Buena Vista Heights Addition and is located on Silver Ave. and portions of Gold and Lead Avenues SE between Yale Blvd. and Sycamore St. SE.

Overlay zones are mapped in addition to the provisions of another zone. The majority of properties in the Silver Hill HOZ are zoned SU2/SF (Single Family) and SU2/DR (Diverse Residential). A very few properties are zoned SU2/UC (University Commercial) and SU2/RDT (Residential Townhouse Duplex). The overlay zone does not change any permissive, conditional or prohibited uses of the underlying zoning, but the overlay zone applies the requirements of the Landmarks and Urban Conservation (LUC) Ordinance (§14-12) to development proposals.

Under the HOZ, design review of new construction and alterations to existing buildings by the Landmarks and Urban Conservation Commission (LUCC) or its staff is required. The HOZ also controls demolition of existing buildings in the zone. The design review is conducted in accordance with development guidelines adopted specifically for the zone. Approved projects are issued a "Certificate of Appropriateness" that certifies that the proposed development is in substantial compliance with the guidelines.

The Silver Hill Historic District was listed on the National Register of Historic Places and the State Register of Cultural Properties in 1986 as recommended in the 1986 University Neighborhoods Sector Development Plan for the area. The Plan also recommended that the City and affected property owners consider the development of a Historic or Urban Conservation Overlay Zone for the Silver Hill Historic District. The Silver Hill HOZ map amendment was considered and adopted by the City Council on June 21, 2010 (R-10-083 appended to this report).

§14-16-2-28 of the Comprehensive Zoning Code addresses Overlay Zones (appended to this report). If a HOZ change is approved by the City Council, the LUCC approves specific development guidelines for the area within 60 days of the approval by City Council. Those specific development guidelines should be consistent with the adopting resolution and are used to evaluate development and requests for a Certificate of Appropriateness.

The Silver Hill neighborhood was developed on the rolling hills leading to the foothills of the Sandia Mountains. The district straddles a ridge flanked by the remains of two small arroyos. Consequently, it has a distinct topography. Many lots have a ten to fifteen foot drop over their 142-foot length. On many properties this grade change was compensated for with retaining walls, and on other properties, houses are one-story at the upper end and two-story at the lower end.

Silver Hill Historic District is cited in the historic register nominations as the best-preserved example of Albuquerque's first suburban subdivisions built up on the mesa just after the First World War. The houses in the Silver Hill Historic District were built in a variety of architectural styles popular with middle class Anglo-Americans in the early twentieth century in Albuquerque. Buildings were centered on fifty-foot lots with a twenty-foot front setback and side setbacks of five to ten feet. These long rows of regularly spaced buildings contain fine examples of the Hipped Cottage, Craftsman Bungalow, Mediterranean and Southwest Vernacular architectural styles. The houses are elaborated with details that lend individuality to the modest houses. The district also contains some duplexes, which were designed for compatibility with the single-family houses.

Silver Avenue through the historic district is one of three landscaped "parkways" remaining from early 20th century Albuquerque. It contains trees uniformly planted in a generous median. Street trees are also found in the planting strip between the curb and the sidewalk on Silver, Gold, Lead and cross-streets.

There were a total of two hundred forty-six contributing buildings and 89 non-contributing buildings in the district at the time of its listing on the historic registers in 1987. The contributing buildings included one hundred and sixty two primary buildings built between 1915 and 1935 and 84 unaltered detached garages built before 1935.

The map appended to this report displays the buildings in the HOZ and their historic status at the time of the nominations to the historic registers in 1987. Since the creation of the HOZ by the City Council in June of this year, City Planning staff has done a site review of the existing buildings in the HOZ to evaluate changes since the buildings were assigned their historic status. Staff concludes that some buildings may warrant a change in status, but that any changes be implemented by an amendment to the State Register of Cultural Properties with the concurrence of the State Historic Preservation Division and Cultural Properties Review Committee. For the purposes of the HOZ, staff recommends that the status of the buildings remain the same within the new HOZ with limited

exceptions: 1510 and 1512 Gold SE and 2129 Lead Ave. are to be changed to non-contributing status because the historic buildings that existed in 1987 have been demolished.

Between 2006 and 2009 the Planning Department met with residents of the Silver Hill neighborhood while amendments to the sector plan and the possibility of a historic overlay zone on the Silver Hill historic district were considered. In the course of those planning efforts, City planning staff and consultants discussed guidelines to preserve the historic character of the area numerous times. Draft guidelines and other documentation were developed.

In 2009, the LUCC developed a format for guidelines for the existing overlay zones. The LUCC thought that guidelines for the various HOZ's could have a consistent format and language that is generally consistent between the HOZ's to facilitate the decision making process. The LUCC and planning staff also thought that property owners and other applicants would benefit from more detail and direction provided in the development guidelines.

Appended to this report are draft guidelines that were created using the LUCC's recommended format, with modifications based on the previous planning work with Silver Hill neighborhood representatives and consultants, and incorporating comments received at the July 7, 2010 LUCC hearing on the proposed guidelines.

ANALYSIS OF APPLICABLE PLANS, ORDINANCES, DESIGN GUIDELINES & POLICIES

City of Albuquerque Comprehensive Zoning Code

§14-16-2-28 addresses Overlay Zones (appended to this report). If a HOZ change is approved by the City Council, the LUCC approves specific development guidelines for the area within 60 days of the approval by City Council. Those specific development guidelines should be consistent with the adopting resolution and are used to evaluate development proposals.

Landmarks and Urban Conservation Ordinance

The Landmarks and Urban Conservation Ordinance was first adopted by the City of Albuquerque in 1976 (§12, R.O.A., 1994). The intent 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.”

§14-12-6(D) describes the powers and duties of the Commission and provides that the Commission may “prepare and adopt specific development guidelines for any designated landmark, historic zone or urban conservation overlay zone.” The development guidelines are used for the evaluation of applications for Certificates of Appropriateness.

Additional Considerations

In addition to other legal advertisement requirements, property owners within the boundaries of the Silver Hill Historic Overlay Zone were individually notified by certified mail of the July 14 and August 11, 2010 LUCC public hearings regarding the adoption of the specific development guidelines.

CONCLUSIONS

The proposed guidelines for the Silver Hill Historic Overlay Zone were developed by city planning staff with the participation of the Silver Hill Neighborhood Association and other professional consultants. A public hearing was held and public comment was taken. Those comments have been considered and incorporated where appropriate in the attached guidelines.

The guidelines are organized in a format that was previously considered and approved by the LUCC. There is general consensus that the guidelines adequately articulate the preservation goals and provide standards for development that protects the cultural resources of the Silver Hill Historic District.

The City's Comprehensive Zoning Code requires that specific development guidelines be developed and approved by the LUCC within 60 days of the City Council's approval of the HOZ designation.

Staff recommends that any outstanding areas of concern or changes to the text be resolved and that the development guidelines be adopted.

FINDINGS for APPROVAL of Specific Development Guidelines for the Silver Hill Historic Overlay Zone - Case #10-LUCC-50025 / Project # 1008403 (August 11, 2010)

1. This is an application to adopt specific development guidelines for the Silver Hill Historic Overlay Zone, zoned SU-2/SF, SU2/DR and SU2/UC. The subject area contains multiple tracts and multiple blocks of the Terrace Addition and the Buena Vista Heights Addition and generally includes properties on Silver Ave. and portions of Gold and Lead Avenues SE between Yale Blvd. and Sycamore St. SE.
2. The Silver Hill Historic District was nominated to the National Register of Historic Places and the State Register of Cultural Properties in 1986. It was noted in the nomination to be Albuquerque's best preserved suburban subdivision of the early post-World War I period with a high percentage of historic district buildings built before 1940.
3. The Historic Overlay Zone designation was applied to the majority of the Silver Hill historic district by City Council resolution R-10-083 on June 21, 2010. R-10-083 identifies distinctive characteristics of the Silver Hill Historic District to be preserved and general preservation guidelines.
4. The Silver Hill Historic District includes Single-family houses, duplexes, and apartment buildings in the Pueblo Revival, Southwest Vernacular, Craftsman Bungalow, Mediterranean, English Cottage, Hipped Cottage, and Prairie Style Bungalow styles and types that are identified in R-10-083 as distinctive characteristics to be preserved.
5. The Silver Hill Historic District demonstrates a largely consistent pattern of lot sizes and building setbacks enlivened by architectural and topographic variety. It has a hilly topography with retaining walls where many yards meet street rights-of-way. These are identified in R-10-083 as distinctive characteristics to be preserved.
6. The Silver Hill Historic District contains historic accessory buildings including many garages, which show the evolution of this building type and its gradual integration with the house. These are identified in R-10-083 as distinctive characteristics to be preserved.
7. The adoption of specific development guidelines to provide standards and controls for conserving the distinctive character of the historic district by the Landmarks and Urban Conservation Commission are required by the City's Comprehensive City Zoning Code §14-12-6(D). These guidelines are to be developed and adopted within 60 days following the overlay zone designation by the City Council.

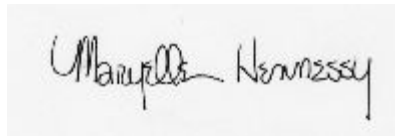
8. The proposed guidelines for the Silver Hill Historic Overlay Zone were developed by city planning staff with the participation of the Silver Hill Neighborhood Association. Two public hearings were conducted and public comment was taken.

9. Individual property owners within the Historic Overlay Zone were notified by certified mail of the LUCC public hearings to consider adoption of development guidelines on July 14, 2010 and August 11, 2010.

10. There is no known opposition to this request.

RECOMMENDATION - - Case #10-LUCC-50025 / Project # 1008403 (August 11, 2010)

APPROVAL of Case #10-LUCC-50025 / Project # 1008403, an application to adopt specific development guidelines for the Silver Hill Historic District based on the above 10 Findings.



**Maryellen Hennessy, Senior Planner,
Current Planning Division**

Attachments:

- A-1 §14-16-2-28 Comprehensive Zoning Code OVERLAY ZONES
- A-2 Adopting Resolution R-10-083
- A-3 Recommended preservation guidelines
- A-4 §14-12 Landmarks and Urban Conservation ordinance
- A-5 Map of building status

Development Guidelines for the Silver Hill Historic Overlay Zone

This document incorporates the comments from the July 14, 2010 LUCC hearing and additional recommendations from the SH Neighborhood Association received 8/3/10.

MATERIALS

POLICY

Primary historic building materials **should** be preserved in place whenever feasible. When the material is damaged, then limited replacement, matching the original, may be considered. Primary historic building materials should never be covered or subjected to harsh cleaning treatments.

Guidelines

1. Retain and preserve exterior wall materials and details.

- It is inappropriate to cover or replace historic wall materials, including wood, stucco, brick, cast stone and stonework with coatings or contemporary substitute materials. Synthetic materials such as stucco, panelized brick, masonite, vinyl, aluminum or other composite siding materials **should** not be applied as a covering over, or in place of, historic masonry or wood materials or over any significant architectural feature.

2. Synthetic siding may be appropriate if:

- The building is considered a non-contributing building within the historic district (as defined in the Glossary of Terms.)
- The substitute materials are installed on a new addition or on a secondary façade not visible from the public right-of-way without irreversibly damaging or obscuring the architectural features and trim of the building.

3. It is inappropriate to remove or cover any detail associated with exterior walls, including decorative shingles, panels, brackets, bargeboards and corner boards.

4. If replacement of deteriorated wall materials or details is necessary, replace only the deteriorated portion in kind rather than the entire feature. Match the original in design, dimension, detail, texture, pattern and material. Consider a compatible substitute material only if using the original is not feasible.

5. The painting of unpainted brick and masonry does require a Certificate of Appropriateness. Painting brick or masonry is not considered a change of color, but a change to the character of the building and will not be permitted except under special circumstances:

- **A building was first painted prior to the establishment of the Historic Overlay Zone.**
- **An instance where a building has poorly matched additions or repair work and the painting is designed to unify the disparate parts of the building.**

6. When a stuccoed building is to be re-stuccoed, the original textures, if known, are recommended.

7. If masonry requires repair or repointing, any new units or mortar shall match the original as closely as possible in strength and appearance.

8. If masonry requires cleaning, the gentlest possible method shall be used to avoid harm to masonry units. Sandblasting is not appropriate as it is likely to cause damage to the masonry.

For more information see:

Preservation Brief #8: Aluminum and Vinyl Siding of Historic Buildings: The Appropriateness of Substitute Materials for Resurfacing Historic Wood Frame Buildings

Preservation Brief #16: The Use of Substitute Materials on Historic Building Exteriors

FOUNDATIONS

POLICY

Where the foundation is a character-defining feature of a building, this **should** continue. Exposed materials **should** remain exposed.

Guidelines

1. Retain and preserve original foundations.

- Avoid removing or altering original foundations to prevent weakening of the structural system.
- Avoid enclosing or infilling between original pier foundations with concrete block, brick, vinyl, metal or other material that would not have been used historically. If solid infill is necessary, the infill should be recessed at least four (4) inches from the front of the pier and should consist of a smooth finish and painted a dark color to diminish its visual impact.
- Consider lattice panels as infill between piers. Wood lattice should not touch the ground. Vinyl or composite lattice may be considered as alternatives.

2. Protect and maintain original foundations.

- Vines and plant materials should not be allowed to grow on foundation walls since plants tend to retain moisture and keep the wall from properly drying.
- Soil or pavement next to a foundation should slope away from the wall.
- Gutters and downspouts should carry water away from the foundation.
- Masonry foundation systems should be inspected, cleaned and re-pointed as needed according to masonry guidelines.

3. Repair deteriorated or damaged foundations through recognized maintenance and preservation methods.

- Repair deteriorated materials in kind, matching the original in scale, configuration, detail and material. Consider a compatible substitute material only if using the original is not feasible.

For more information see:

Preservation Brief #17: Architectural Character: Identifying the Visual Aspects of Historic Buildings as an Aid to Preserving Their Character.

ROOFS

POLICY

The character of a historical roof should be preserved, including its form. Materials should be preserved whenever feasible.

Guidelines

1. Retain and preserve the original roof forms.

- Avoid altering the pitch of a historic roof.
- Preserve the original eave depth. It is not appropriate to alter, cover, or remove the traditional roof overhang.

2. Retain and preserve original details, features and materials.

- It is inappropriate to remove character-defining roof features such as dormers, gables, vents, turrets and chimneys.
- Original roof materials such as tile or metal shingle with textured appearance should be retained and preserved when feasible. Asphalt shingles are an acceptable replacement for wood shingles.
- Avoid introducing new roof features or details to a historic building that may result in creating a false sense of history. New features may be approved if historically appropriate to a building's style.

3. Repair deteriorated or damaged roof features and materials through recognized maintenance and preservation methods.

- Repair deteriorated roof features and materials in kind, matching the original in design, pattern, detail, color and material. Compatible substitute materials can be considered if using the original material is not feasible.
- If replacement of a roof feature or material is necessary, replace it to match the original, based on physical or documentary evidence, or replace it with a new feature or material that is compatible with the original. Select new roofing materials that are appropriate for the building's architectural style.

4. Introduce new gutters and downspouts as needed, with care so that no architectural features are damaged or lost.

- **Routinely clear clogged gutters and downspouts to prevent moisture damage to the building. Properly design downspouts so that water is diverted away from the building.**

5. Minimize the visual impact of skylights, solar panels and other roof top devices.

- **The addition of features such as skylights and solar panels should be installed so as not be easily visible from the street. It is not appropriate to introduce new roof features in locations that compromise the architectural integrity of the building.**
- **Flush mounted or flat skylights may be appropriate on the sides or rear roof planes.**
- **Solar panels and accessory components should be designed to integrate the panels into the overall building pattern with emphasis on preserving roof slope and shape.**

6. Chimneys should be retained, particularly on primary facades

- **Unstable or damaged chimney located behind the roof peak visually as seen from the street may be removed.**

For more information see:

Preservation Brief #4: Roofing for Historic Buildings

Preservation Brief #19: The Repair and Replacement of Historic Wood Shingle Roofs

Preservation Brief #30: The Preservation & Repair of Historic Clay Tile Roofs

PORCHES AND STOOPS

POLICY

Where a porch or a stoop is a character-defining feature of a front facade, it **should** be retained in its' original form. If a new (replacement) porch or stoop is proposed, it should be in character with the historic building in terms of scale, materials and detailing.

Guidelines

1. Retain and preserve porches and related entrances.

- Existing materials, location, configuration, and dimensions of porches and stoops should not be altered, covered, or removed.
- Deteriorated materials should be replaced to match the original in design, dimension and material. Consider a compatible substitute material only if using the original material is not technically feasible.
- If replacement of an entire porch or stoop is necessary because of deterioration, replace it in kind, matching the original in design, form, dimension, details, texture and material. Consider a compatible substitute material only if using the original material is not technically feasible.
- Where a historic porch or stoop does not meet current code requirements and alterations are required, sensitive modifications can be considered. Do not replace an original porch or stoop that can otherwise be modified to meet code requirements.

2. Retain and preserve functional and decorative details, such as porch columns, balustrades, brackets, steps, piers, rails, ceilings, floors, entrance sidelights, transoms, pilasters and pediments.

- Original decorative elements should not be altered or removed, such as spindle work, latticework, or beaded board, unless accurate restoration requires it.
- If replacement of a deteriorated detail of an entrance or porch is necessary, replace only the deteriorated detail in kind. New details should match the original in design, material, dimension and historic placement on the building.
- Avoid introducing new features or details that do not complement the historic architectural style or may result in creating a false sense of history.

3. Protect and maintain historic materials.

- Porches and entrances should be inspected regularly for signs of moisture: damage, rust, structural damage or settlement and fungal or insect infestation.
- Porches and entrances should be adequately maintained through recognized preservation methods.

4. Avoid enclosing open front porches.

- It is not recommended to enclose a front porch or balcony.
- Consider the enclosure of a historic porch to accommodate a new use only if the enclosure can be designed to preserve the historic character of the porch and façade. All porch enclosures should be plausibly reversible.
- When a porch is enclosed or screened, it should be done with a clear, transparent material. Enclosing a porch with opaque materials that destroys the openness and transparency of the porch is not allowed.
- The original roof and supporting structure should remain visible and define the enclosure. The material should be placed behind supporting structure and should have a minimum number of vertical and horizontal framing members.

5. A rear porch may be a significant feature. Historically, these served a variety of utilitarian functions and helped define the scale of a back yard. Preservation of a rear porch should be considered as an option, when feasible; at the same time it is recognized that such a location is often the preferred position for an addition.

6. When no documentation of a historic porch or entrance exists, a new feature may be considered that is similar in character to those found on comparable buildings.

- **Design of the feature and materials utilized should complement the original building. Buildings that historically did not have porches or pronounced entrance, should not introduce a new feature on a primary or secondary façade that may result in creating a false sense of history.**

7. When installation of new features for accessibility are necessary, see guidelines on site features .

For more information see: Preservation Brief #45: Preserving Historic Wooden Porches

WINDOWS and DOORS

POLICY

The character-defining features of historic windows & doors and their distinct arrangement should be preserved. In addition, new windows & doors should be in character with the historic building. This is especially important on primary facades.

Guidelines

1. Retain and preserve the position, number, size and arrangement of historic windows and doors.
 - It is inappropriate to enclose, cover or fill in a historic window or door opening.
 - If additional openings are necessary for a new use, install them on a rear or non-character defining façade of the building. New window and door openings on front facades shall be permitted only in locations where there is evidence that original openings have been filled with other material. New openings should never compromise the architectural integrity of the building. The design of new window units should be compatible with the overall character of the building, but should not replicate the original.
2. Replacement of windows and doors that have been altered and no longer match the historic appearance is recommended.
 - If a window or a door is completely missing, replace it with a new unit based on accurate documentation or a new design compatible with the original opening and the historic character of the building.
3. Retain and preserve functional and decorative features such as transoms and sidelights.
 - If replacement of a historic window or door feature is necessary, consider replacing only the deteriorated feature in kind rather than the entire unit.
 - Snap-in muntins and mullions may be acceptable for new or replacement window units on facades not visible from the public right-of-way. Snap in features should be made of wood and convey the scale and finish of true muntins and

mullions. Snap-in muntins and mullions should be used on both the interior and exterior of the window.

- The use of plastic, vinyl, metal or other unsympathetic materials is discouraged; excepting those wood windows with exterior aluminum cladding may be approved.

7. Storm windows and doors are appropriate for energy conservation, provided that the existing window or door remains visible from the exterior.

- Features should be wood (painted or unpainted) or anodized metal. Metal screen, storm or security doors without paint or an anodized finish are not appropriate.

8. Exterior shutters, operable or otherwise, shall not be added unless appropriate to the style of the building and sized and placed to fit the window openings they flank.

For more information see:

Preservation Brief #9: The Repair of Historic Wooden Windows

Preservation Brief #10: Exterior Paint Problems on Historic Woodwork

Preservation Brief #13: The Repair & Upgrading of Historic Steel Windows

Appendix: Resources / information

DETAILS AND ORNAMENTATION

POLICY

Details are important because they contribute to a historic building's distinct visual character and should be preserved whenever feasible. If ornamental or architectural details are damaged beyond repair, replacement matching the original detailing is recommended.

Guidelines

1. Protect and maintain significant stylistic elements.

- **Distinctive stylistic features and examples of skilled craftsmanship should be treated with sensitivity. The best preservation procedure is to maintain historic features from the outset so that intervention is not required. Protection includes maintenance through rust removal, caulking, limited paint removal and reapplication of paint.**

2. If replacement is necessary, design the new element using accurate information about original features.

- **The design should be substantiated by physical or pictorial evidence. In historic districts, intact structures of similar age may offer clues about the appearance of specific architectural details or features. Replacement details should match the original in scale, proportion, finish and appearance.**

3. Develop a new design for the replacement feature that is a simplified interpretation when the original element is missing and cannot be documented.

- **The new element should relate to comparable features in general size, shape, scale and finish. Such a replacement should be identifiable as being new. Use materials similar to those that were used historically, if feasible.**

ADDITIONS

POLICY

Additions to contributing historic buildings have a responsibility to complement the original structure, ensuring that the original character is maintained. They should reflect the design, scale and architectural type of the original building. Older additions that have significance in their own right should be considered for preservation.

Guidelines

1. Retain and preserve original features and elements.

- Minimize damage to the historic building by constructing additions to be structurally self-supporting and attach the addition to the original building carefully to minimize the loss of historic fabric.
- Consider the reuse of original features and elements in the new construction where removal was required to accommodate an addition.
- One-story additions should be constructed on secondary facades or to the rear of the original building. Additions constructed on secondary facades should be set back from the primary façade. Two-story additions may be appropriate if attached at the rear of the building and if the addition's height, mass and scale maintains an overall relationship to other buildings on the block.

2. Design new additions to be in proportion, but subordinate to, the original building's mass, scale and form.

- Additions should not visually overpower the original building.
- New additions should not exceed 50% of the original building's square footage.
- Design an addition to complement existing elements and features, such as roof shape and slope. Shed roofs may be appropriate on some additions.
- New additions should not convert a secondary façade into a primary façade.
- Roof additions, such as dormers, should be added to rear and secondary facades.

3. Design new additions to be compatible yet discernible from the original building.

- **New additions should have similar materials and details, however; there should be a clear distinction between the historic building and new addition.**
- **Consider simplifying details or slightly changing materials.**
- **Additions should not reflect historic styles that pre-date the original building.**
- **Contemporary design for an addition may be appropriate if the original building's characteristic historic and architectural features are retained and the addition's exterior materials are similar to or the same to those of the original building.**

4. Exterior materials used on new additions should complement those materials found on the historic buildings in the neighborhood.

5. Windows should be similar in character to the historic building.

- **New windows should be of a similar type and materials.**
- **On primary facades of an addition, the solid to void ratio (percentage of windows to walls) should be similar to the historic building.**

6. Existing additions to historic buildings may be removed if not associated with the period of significance, or if they detract from the architectural character of the building.

For more information see:

See Preservation Brief #14: New Exterior Additions to Historic Buildings

design guidelines to protect
Neighborhood Character

Non-contributing Buildings

New Construction

Accessory Buildings

Other Site Features

Painting

Demolition

Non-contributing Buildings

Buildings are classified as non-contributing to the historic character of the district when their construction date is outside of the district's period of significance, or when they have been altered to an extent that they no longer reflect their historic architectural character. Consult City Planning staff to determine the status of a building in the historic district. Non-contributing buildings are not eligible for tax credit rehabilitation programs.

While buildings may be considered as non-contributing to the historic character of the district, like new construction, they have a responsibility to blend in with the historic character and scale of the historic district in which they are located. A Certificate of Appropriateness is required for alteration and additions to non-contributing buildings in order to further their compatibility within the historic district's streetscape. Such alterations should be compatible with other buildings in the district, but should not copy or re-create, in detail or in whole, historic building design.

Generally, it is intended that alterations to non-contributing buildings be compatible with any historic features that they may retain, as well as with neighboring contributing buildings and with the overall neighborhood character.

Some non-contributing buildings can be rehabilitated to reflect their historic architectural character. Alterations can offer an opportunity to remove unsympathetic later additions and "modernizations" that may result in the building being re-classified as contributing.

The guidelines for New Construction apply to alterations and additions to non-contributing buildings. The guidelines for Site Features also apply to non-contributing buildings and sites.

NEW BUILDINGS

POLICY

New buildings should add visual interest and a sense of scale to the streetscape and be compatible with the general characteristics of contributing buildings in the vicinity. New buildings should reflect designs traditionally used in the area.

Guidelines

- 1. Design new buildings to appear similar in height, mass and scale to contributing buildings on the block.**
 - Break large masses into smaller segments similar to contributing buildings.
 - The perceived mass of buildings from the street shall be reduced by details such as windows, doors and entry porches.
- 2. Design a new building to reinforce a sense of human scale. This can be achieved with the use of:**
 - Building materials of traditional dimensions.
 - One-story porches.
 - Solid to void ratios that are similar to traditional buildings. Window openings should be recessed and similar in size to surrounding buildings.
- 3. Design the front elevation to appear similar in scale to contributing buildings on the block.**
 - On a two-story building, there should be a one-story element such as a porch.
- 4. Infill construction should enhance the pedestrian character of the district.**
 - Entrances to new buildings shall be oriented towards the street.
 - Maintain patterns of window and door proportions and placement found in the vicinity.
 - Maintain the front setback most common on the block.
 - The space between adjacent buildings should be the same as the average space between other buildings on the block.
 - Parking should be located towards the rear of the property whenever possible.

5. Use building forms that are similar to those of contributing buildings on the block.

- **Rectangular masses are the typical building form.**

6. Use roof forms that are similar to contributing buildings on the block.

- **Hip and gabled roofs are appropriate in most settings.**
- **Flat roofs should be used only where appropriate to the context. Flat roofs should have a parapet.**

7. Exterior materials used on new buildings should complement those materials found on the historic buildings in the neighborhood.

- **The use of wood, masonry and stucco is encouraged. If wood is used, it must be laid in a historic manner such as beveled (clapboard) or drop (shiplap).**
- **Synthetic siding materials, such as cementitious products, may be appropriate if they are similar to traditional materials.**
- **Wood is the preferred choice for window and doors. Metal window frames are discouraged other than exterior cladding for wood windows.**
- **Roofing materials shall be similar in appearance to other buildings in the district.**

8. Imitation of older historic styles is discouraged.

- **Interpretations of historic styles may be appropriate if they are subtly distinguishable as new buildings.**
- **Incorporate details and ornamentation found on historic buildings within the context of new construction.**

9. Contemporary interpretations of traditional detail are encouraged.

- **New designs for details such as window and door trim, porch railings, columns add interest while remaining compatible with the historic buildings.**

10. See site features and streetscape section for guidelines on parking areas, site grading and lot pattern.

ACCESSORY BUILDINGS

POLICY

Historic accessory buildings should be preserved when feasible. This may include preserving the structure in its present condition, rehabilitating it or executing an adaptive use.

GUIDELINES

- 1. Contributing accessory buildings should be preserved when feasible. The Landmarks and Urban Conservation Commission recognizes that these buildings are inadequate to serve the needs of today's families and businesses. Rehabilitation and adaptive use to serve a new function is encouraged. A Certificate of Appropriateness is required for demolition (see demolition section).**
- 2. Alterations to contributing accessory buildings are to follow guidelines for historic buildings.**
- 3. New garages and accessory buildings should compliment the historic resource.**
 - Accessory buildings must be subordinate to the main building.**
 - The main building should inspire design for new garages with building details derived from the main building.**
 - Building materials and finishes should be compatible with the main building, although some contemporary materials are acceptable substitutes for wood siding. Unfinished concrete block and plywood are not appropriate materials for new accessory buildings.**
- 4. New accessory buildings should be sited towards the rear of the property and may not be located in front or side yards.**
- 5. Access to these structures such as driveways shall be consistent with other existing driveways in the neighborhood.**

6. Garage doors that are substantially visible from the public street must be of a style and material appropriate to the main building and the district.

- **Stamped metal or vinyl is not considered to be appropriate materials.**
- **Two single doors on two car garages are preferable to a single door. This presents a less “blank” appearance.**

7. Carports may be considered if they compliment the primary structure in building materials and design and are accessed by an existing driveway or by an alley. All other guidelines apply including location. Carports attached to the main building are considered additions to the building and follow guidelines for additions.

8. Prefabricated storage sheds can be used in locations where they are not substantially visible from any street.

SITE FEATURES AND STREETSCAPES

POLICY

Historic site features should be retained. New site features should be compatible with the architectural character of the historic district.

Guidelines

1. Preserve historically significant site features which may include:
 - Historic retaining walls, gardens, driveways and walkways. Some fences and street trees are also examples of original site features that should be preserved.
 - Sidewalks, parking (planting) strips, street trees and street lighting are examples of historic streetscape elements that should be considered in all civic projects.
 - Street medians and other landscaped, public rights-of-way shall be maintained by the City of Albuquerque. Routine maintenance and repair do not require a Certificate of Appropriateness. Any alteration of the public rights-of-way is subject to approval by the Landmarks and Urban Conservation Commission.

Site grading and lot patterns

2. The historic lot pattern creates a rhythm of buildings and the spaces between them and should be maintained
 - Lot sizes should not be consolidated or subdivided except, where lots have been consolidated in the past; replatting to traditional lot size is desirable.
3. Preserve the historic grading design of the site.
 - Altering the overall appearance of the historic grading is inappropriate. While some changes may be considered, these should remain subordinate and the overall historic grading character shall be preserved.
4. Any change of more than one foot in existing grade at any point within the front yard setback requires a Certificate of Appropriateness from the LUCC. In cases where a site's grading is a character-defining feature that establishes the visual shape and

visual appearance of the Historic District, significantly altering or removing the grade is prohibited.

5. Any existing retaining wall within the front yard setback area that faces a public right-of-way shall be maintained, repaired or restored in place, except that existing retaining walls constructed of materials not common to the period of construction may be replaced with more appropriate materials.
6. Grading and drainage plans required for new construction shall show both existing and proposed grades.

Parking (Planting) Strips

7. Maintain the Parking (planting) strip between the sidewalk and the curb.
 - Impervious materials such as brick pavers, concrete pavers and concrete are prohibited.
 - City Ordinance prohibits the planting or removal of street trees in the parking strip or other public right-of-way without a permit from the City Forester. Refer to Chapter 6-6-1 (R.O.A. 1994) for information on the removal of street trees.

Fences and Free Standing Walls

8. Preserve historic fences and yard walls when feasible.
 - Replace only those portions that are deteriorated beyond repair.
9. When constructing new fences, use materials that appear similar to those used historically.
 - Simple designs consistent with historic iron fencing, wood picket fencing and other historic types are recommended over more contemporary styles. In all cases, the fence components should be similar in scale to those seen historically in the neighborhood.
 - Where an ornate style of fencing can be documented as having been present at the property, that historic fencing may be replicated.

- A simple metal fence, similar to traditional “wrought iron” or wire, also may be appropriate.
- Coyote fencing, split rail fencing, bamboo and chain link fencing are not appropriate materials for the historic districts and are prohibited.
- Vinyl and other synthetic fencing are reviewed on a case-by -case basis. In some instances, it may be allowed if it is not seen from the street, if the style of the fence is compatible with the house and if the vinyl fence is not replacing a historic fence or landscape feature.
- The use of extruded vinyl fencing material is not permitted in the front yard. Cellular vinyl fencing may be appropriate if painted.

10. A front yard fence should have a “transparent” quality, allowing views into the yard from the street.
- Using a solid fence, with no spacing between boards, is inappropriate in a front yard.
 - A front yard fence should not obscure the character defining features of the house.
11. Fences taller than three feet may be appropriate in side or rear yards. The fence should not begin before the midpoint of the house.
12. Concrete block walls shall be stuccoed and architecturally integrated into the building.

Retaining Walls

13. Any existing retaining wall within the front yard setback area that faces a public right-of-way shall be maintained, repaired or restored in place, except that existing retaining walls constructed of materials not common to the period of construction may be replaced with more appropriate materials. Railroad ties are not an appropriate material for new retaining walls or fencing.
14. Maintain the historic height of a retaining wall.

Increasing the height of an existing wall is inappropriate. If a fence is needed for security, consider using a wrought iron one that is mounted on top of the wall. This will preserve the wall, allow views into the yard and minimize the overall visual impact of the new fence

15. Preserve the materials and the historic finish of a historic masonry retaining wall when feasible.

- If portions of the wall are deteriorated, consider replacing only those portions that are beyond repair if a suitable material is available. Any replacement material shall match the original in color, texture and finish. Masonry units of a size similar to that used historically shall be employed.
- If re-pointing is necessary, use a mortar mix that is similar to that used historically and apply it in a joint design that matches the original.
- Painting a historic masonry retaining wall or covering it with stucco or other cementitious coating is generally not appropriate. Painting of previously unpainted masonry requires a Certificate of Appropriateness.

16. *Trellises and decks*

- A new trellis or deck should be located at the side or rear of the house.
- A new trellis or deck should be compatible with the historic resource in material and design.
- It is not appropriate to introduce a new feature that may introduce a false sense of history. New features should be easily distinguished.

17. *Mechanical equipment such as HVAC systems*

- Rear yards are the preferred location for mechanical units.
- Mechanical units are not allowed in the front yards of residential buildings unless the LUCC determines that there is no feasible alternative.
- Mechanical units are permitted in side yards, but only if screened from the street and adjoining properties.

18. *Satellite dishes*

- Property owners should utilize the smallest dish possible to meet their needs and place it out of the public sight line.

19. *Playhouses* constructed for use by children do not require a Certificate of Appropriateness.

Parking areas and driveways

20. Avoid large expanses of parking

- Divide large parking lots with planting areas. Large parking areas are those with more than five cars.
- Locate parking areas to the rear of the property when physical conditions permit.
- An alley should serve as the primary access to parking when physical conditions permit.
- Parking shall not be located in the front yard, except in driveways. Existing driveways shall not be widened or expanded. Paving in the front yard setback other than for driveways is prohibited.

21. Screen parking areas from view of the street.

- Automobile headlight illumination should be screened from adjacent lots and the street. Fences, walls and planting, or a combination of these should be used to screen parking.

Accessibility

- 22.

When accessibility accommodations are contemplated for historic buildings, the new work shall be designed and installed to be a compliment to the existing structure and not a detraction.

- Designs for new ramps or other structures should be simple.
- Design should be sensitive to the character and massing of the existing building, however, it should not mimic the historic design.
- Landscaping, choice of building materials and compatible color choices are ways of minimizing the visual impact of a new feature.

- **Installation of new ramps or other structures should be done in a manner that is reversible, and the work should be removed when the need is passed**
- **Existing door openings may be made wider to create an accessible path into a building.**
- **Extensive modification of existing porches and stoops should be avoided.**

23. Accessibility requirements for commercial and multi-family buildings shall incorporate materials and styling that complement the building. Commercial quality landscaping may be required.

Demolition

The Landmarks and Urban Conservation Ordinance Chapter 14-12-8 (B)(7) states that demolition of buildings within a historic overlay zone requires a Certificate of Appropriateness unless exempted by the specific development guidelines. The following standards apply to the demolition of buildings in the historic overlay zones:

- Demolition of contributing buildings shall only be permitted if the LUCC determines, based on evidence from the property owner, that the property is incapable of producing a reasonable economic return as presently controlled and that no mean of preserving the structure has been found.
- In making a determination of reasonable economic return, the LUCC may consider the estimated market value of the building, land and any proposed replacement structures and financial details of the property as cited in the LUC Ordinance.
- Demolition of non-contributing primary buildings is permitted without a Certificate of Appropriateness if plans for a replacement building have been approved by the LUCC and a building permit has been issued for the new construction.
- Demolition of non-contributing buildings without approved plans for a replacement building shall only be permitted if the LUCC determines, based on evidence from the property owner, that the property is incapable of producing a reasonable economic return as presently controlled and that no mean of preserving the structure has been found.
- Demolition of a non-contributing accessory building (as defined in the glossary of terms) is permitted without a Certificate of Appropriateness.

H.O. Zone ends at Sycamore SE and Yale SE

Change buildings' status to Non-Contributing

(1510 & 1512 Gold SE (due to demolition)

2129 Lead SE



Silver Hill Historic District
January 1986

State Register of Cultural Properties # 1254

**CITY OF ALBUQUERQUE
NINETEENTH COUNCIL**

COUNCIL BILL NO. F/S R-10-78

ENACTMENT NO. R. 2010-083

SPONSORED BY: Isaac Benton

RESOLUTION

APPLYING THE HISTORIC OVERLAY ZONE TO THE SILVER HILL HISTORIC DISTRICT; IDENTIFYING DISTINCTIVE CHARACTERISTICS AND PROVIDING GENERAL PRESERVATION GUIDELINES.

WHEREAS, pursuant to Section 3-22-3 NMSA 1978 of the Historic District and Landmark Act the City Council, the governing body of the City of Albuquerque, has the authority to adopt zoning districts designating certain areas as historical areas and to adopt and enforce regulations and restrictions within such district relating to the erection, alteration and destruction of those exterior features of buildings and other structures subject to public view from any public street, way or other public place; and

WHEREAS, the authority conferred by the Historic District and Landmark Act is consistent with the authority of the City Council to amend the Zone Map for the physical development of areas within the planning and platting jurisdiction of the City as authorized by Section 3-19-3, NMSA 1978, and by the City of Albuquerque's home rule powers; and

WHEREAS, the protection, reuse, and enhancement of significant historic buildings and districts is a goal of the Albuquerque/Bernalillo County Comprehensive Plan; and

WHEREAS, the rehabilitation of older neighborhoods is an important element of the City's commitment to creating a high-quality urban environment; and

WHEREAS, the Comprehensive City Zoning Code provides for the creation of Historic Overlay Zones in areas that are suitable for preservation and have historical, architectural and cultural significance; and

1 **WHEREAS, the Silver Hill Historic District has been recognized as an area**
2 **of historic and cultural significance through its listing on the New Mexico**
3 **Register of Cultural Properties and the National Register of Historic Places, citing**
4 **significance in architecture and landscape architecture, and the importance of the**
5 **Silver Avenue median; and**

6 **WHEREAS, the Silver Hill Historic District contains historic buildings and**
7 **landscape features that characterize Albuquerque’s suburban development, and**
8 **the work of self-employed builders, during the period between World War I and**
9 **World War II; and**

10 **WHEREAS, the Landmarks and Urban Conservation Commission, in its**
11 **advisory role on historic preservation matters, and the Environmental Planning**
12 **Commission, in its advisory role on land use and planning matters, have**
13 **recommended City Council approval of the Silver Hill Historic Overlay Zone; and**

14 **WHEREAS, the Environmental Planning Commission found the request to**
15 **map the Silver Hill Historic Overlay Zone justified per R-270-1980, in keeping with**
16 **the Zoning Code, and consistent with applicable goals and policies of the**
17 **Comprehensive Plan.**

18 **BE IT RESOLVED BY THE COUNCIL, THE GOVERNING BODY OF THE CITY OF**
19 **ALBUQUERQUE:**

20 **Section 1. The City Council adopts the following Findings as**
21 **recommended by the Environmental Planning Commission and with minor**
22 **amendments:**

23 **1. The Landmarks and Urban Conservation Commission and the**
24 **Environmental Planning Commission have recommended that the City Council**
25 **approve a Historic Overlay Zone on the major portion of the Silver Hill Historic**
26 **District zoned SU-2/SF, SU2/DR and SU2/UC. The subject area contains multiple**
27 **tracts and multiple blocks of the Terrace Addition and the Buena Vista Heights**
28 **Addition and generally includes properties on Silver Ave. and portions of Gold**
29 **and Lead Avenues SE between Yale Blvd. and Sycamore St. SE.**

30 **2. The Albuquerque/Bernalillo County Comprehensive Plan, the City of**
31 **Albuquerque Zoning Code, and the University Neighborhoods Sector**
32 **Development Plan are hereby made a part of this record in their entirety.**

1 **3. The Silver Hill Historic District was nominated to the National Register of**
2 **Historic Places and the State Register of Cultural Properties in 1986. It was noted**
3 **in the nomination to be Albuquerque’s best preserved suburban subdivision of**
4 **the early post-World War I period with a high percentage of historic district**
5 **buildings built before 1940.**

6 **4. The Silver Hill Historic District includes single-family houses, duplexes,**
7 **and apartment buildings in the Pueblo Revival, Southwest Vernacular, Craftsman**
8 **Bungalow, Mediterranean, English Cottage, Hipped Cottage, and Prairie Style**
9 **Bungalow styles and types.**

10 **5. The Silver Hill Historic District demonstrates a largely consistent pattern of**
11 **lot sizes and building setbacks enlivened by architectural and topographic**
12 **variety. It has a hilly topography with retaining walls where many yards meet**
13 **street rights-of-way.**

14 **6. The Silver Hill Historic District contains historic accessory buildings**
15 **including many garages, which show the evolution of this building type and its**
16 **gradual integration with the house.**

17 **7. The Silver Hill Historic District remained largely intact and unaltered in the**
18 **decades between its listing on the historic registers in 1986 and 2006.**

19 **8. In 2006 and 2007, two historic houses were demolished and replaced with**
20 **new development that is inconsistent with the character of the historic district.**

21 **9. Registered historic district status provides no mandatory design review or**
22 **other regulatory control to prevent the destruction of the resources that are**
23 **recognized as having architectural, historic and cultural significance to the city.**

24 **10. In November of 2006, a City Council resolution (R-06-135) set a six-month**
25 **moratorium on building permits for dwelling units in a large portion of the Silver**
26 **Hill neighborhood. During the moratorium, the City was to conduct a study to**
27 **consider amendment of the University Neighborhoods Sector Development Plan.**
28 **The amendment was intended to “involve standards and controls to prevent**
29 **inappropriate new development in the (study) area.”**

30 **11. The Comprehensive City Zoning Code provides for the creation of Historic**
31 **Overlay Zones in areas that are suitable for preservation and have historical,**
32 **architectural and cultural significance.**

1 **12. The Silver Hill Historic District has been recognized as an area of historic**
2 **and cultural significance through its listing on the National Register of Historic**
3 **Places and State Register of Cultural Properties.**

4 **13. An Historic Overlay Zone map amendment would provide standards and**
5 **controls for conserving the distinctive character of the historic district by**
6 **application of the Landmarks and Urban Conservation Ordinance.**

7 **14. The Landmarks and Urban Conservation Commission conducted a public**
8 **hearing on the application to apply the Historic Overlay Zone on the subject area**
9 **on February 24, 2010, in accordance with §14-16-2-28 ROA 1994. Timely notice of**
10 **that hearing was given to each and every landowner within the proposed Historic**
11 **Overlay Zone. The Commission recommended to the City Council that the overlay**
12 **be applied to the subject area.**

13 **15. Creating an Historic Overlay Zone in the Silver Hill Historic District furthers**
14 **the Established Urban Area goal of the Albuquerque/Bernalillo County**
15 **Comprehensive Plan “to create a quality urban environment which perpetuates**
16 **the traditions of identifiable, individual, but integrated communities within the**
17 **metropolitan area and which offers variety and maximum choice in housing,**
18 **transportation, work areas, and life styles, while creating a visually pleasing built**
19 **environment.” Silver Hill is a distinct, identifiable community within the**
20 **metropolitan area. Designating an Historic Overlay Zone on Silver Hill Historic**
21 **District would serve to perpetuate the architectural traditions that have**
22 **distinguished this area from other neighborhoods in the city.**

23 **16. Creating the Historic Overlay Zone in the Silver Hill Historic District**
24 **further policies d, g, l and o for an Established Urban Area as provided in the**
25 **Albuquerque/Bernalillo County Comprehensive Plan:**

26 **Policy d:** **“The location, intensity, and design of new development shall**
27 **respect existing neighborhood values, natural environmental conditions and**
28 **carrying capacities, scenic resources, and resources of other social, cultural, and**
29 **recreational concern.” Specific development guidelines associated with an**
30 **Historic Overlay Zone can control the design of new development to respect the**
31 **existing cultural resources.**

32 **Policy g:** **“Development shall be carefully designed to conform to**
33 **topographical features and include trail corridors in the development where**

1 appropriate.” This policy can be implemented through ordinances to create a
2 zoning overlay to guide development in the Silver Hill Historic District where
3 there is a distinct topography.

4 **Policy l:** “Quality and innovation in design shall be encouraged in all new
5 development; design shall be encouraged which is appropriate to the Plan area.”
6 Recent redevelopment has not been appropriate to the Plan area. Appropriate
7 design can be accomplished with specific development guidelines associated
8 with an Historic Overlay Zone.

9 **Policy o:** “Redevelopment and rehabilitation of older neighborhoods in the
10 Established Urban Area shall be continued and expanded.” This policy
11 emphasizes the redevelopment and rehabilitation of older neighborhoods, not the
12 teardown approach to new development. Controls on demolitions and
13 appropriate new development can be accomplished with the application of an
14 Historic Overlay Zone.

15 **17. Creating the Historic Overlay Zone in the Silver Hill Historic District**
16 **furtheres the Central Urban Area goal of the Albuquerque/Bernalillo County**
17 **Comprehensive Plan to “promote the Central Urban Area as a focus for arts,**
18 **cultural, and public facilities/activities while recognizing and enhancing the**
19 **character of its residential neighborhoods and its importance as the historic**
20 **center of the City.” Protection of historic neighborhoods that qualify as registered**
21 **historic districts and that retain much of their original character serves to**
22 **recognize and enhance individual neighborhoods.**

23 **18. Creating the Historic Overlay Zone furtheres Policy b for a Central Urban**
24 **Area as provided in the Albuquerque/Bernalillo County Comprehensive Plan:**

25 **Policy b:** “In each Community Area, strategic planning, neighborhood
26 planning, development and redevelopment shall be evaluated in light of its
27 relationship to an effect upon” many factors, including the natural environment,
28 including topography and landscape features, the built environment, setbacks,
29 placement of windows and doors, local history and architectural styles and
30 traditions and historic significance to Albuquerque. The Silver Hill neighborhood
31 was developed on the rolling hills leading to the foothills of the Sandia Mountains
32 and it has a distinct topography. On many historic properties, this grade change
33 was compensated for and incorporated into the streetscape. The built

1 environment contains historic houses with relatively consistent patterns of
2 windows and doors and a range of architectural styles popular at a specific time
3 in Albuquerque's history. Recent redevelopment in the neighborhood has not
4 exhibited a similar incorporation of the natural topography or a relationship to the
5 existing architectural styles. Maintaining the historic development patterns
6 including height and massing of buildings, setbacks and architectural features
7 could be achieved with development guidelines that are specific to the historic
8 district. The LUCC and its staff are qualified to assess the effect of a proposed
9 development on the noted characteristics.

10 19. Creating the Historic Overlay Zone in the Silver Hill Historic District
11 supports the Historic Resources goal of the Albuquerque/Bernalillo County
12 Comprehensive Plan "to protect, reuse, or enhance significant historic districts
13 and buildings" by providing controls on new development to achieve appropriate
14 changes and placing controls on the demolition of historic properties.

15 20. Creating the Historic Overlay Zone in the Silver Hill Historic District
16 supports the Community Identity and Urban Design goal of the
17 Albuquerque/Bernalillo County Comprehensive Plan "to preserve and enhance
18 the natural and built characteristics, social, cultural and historical features that
19 identify Albuquerque and Bernalillo County sub-areas as distinct communities
20 and collections of neighborhoods" and specifically policy b. The Silver Hill
21 neighborhood has a distinct topography that resulted in the use of retaining walls
22 and houses that have differing floor levels, both of which contribute to the
23 architectural character of the neighborhood. Recent redevelopment in the
24 neighborhood has not exhibited a similar incorporation of the natural topography.
25 Maintaining the historic development patterns, including height and massing of
26 buildings, setbacks and architectural features, can be achieved with development
27 guidelines that are specific to the historic district.

28 21. Creating the Historic Overlay Zone in the Silver Hill Historic District was
29 recommended for consideration in the University Neighborhoods Sector
30 Development Plan.

31 22. Creating the Historic Overlay Zone in the Silver Hill Historic District is
32 justified per R-270-1980. More specifically, it is justified per Section A; the
33 proposed overlay zone will promote the welfare of the community by protecting

1 historic and cultural resources. It is justified under Section B; the overlay zone
2 will not change existing underlying zoning, but will contribute to the stabilization
3 of the area by promoting a cohesive architectural character and continuity of land
4 use. It is justified under Section C; the Comprehensive Plan is specific with
5 reference to the importance of evaluating, conserving and enhancing historic and
6 cultural resources and neighborhoods as analyzed in the staff report. The request
7 is consistent with the University Heights Sector Development Plan. It is justified
8 under Section D.3; a change in zoning is more advantageous to the community
9 because it furthers goals and policies in the governing ranked plans as
10 articulated above in Findings #15-21. The request is justified under Section E; the
11 permissive uses remain the same and therefore can be no more harmful than the
12 existing zoning. It is justified under Section F, as it does not result in any un-
13 programmed capital expenditures. It is justified under Section G in that the
14 applicant does not have economic considerations related to the request. It is
15 justified under Section H; the requested change is not associated with location
16 on a major street. And finally, the request is consistent with Sections I & J, the
17 request is not a spot zone or a strip zone.

18 23. Eighteen residents attended the Lucc hearing on this application on
19 February 24, 2010, to comment. Twelve persons were in support of the
20 application, one was opposed to the application, and five persons provided
21 comment neither opposing nor supporting.

22 24. Timely notice of the EPC's hearing on this application to apply the historic
23 overlay zone in the Silver Hill Historic District was given to each and every
24 landowner with the proposed HOZ.

25 25. There was no opposition to the application brought to the attention of the
26 EPC during its hearing on April 8, 2010.

27 Section 2. The Historic Overlay Zone designation is adopted for the Silver Hill
28 Historic District within the boundary shown on the attached map, Exhibit A.

29 Section 3. The City Council identifies the following distinctive characteristics
30 of the Silver Hill Historic District to be preserved in the Historic Overlay Zone:
31 buildings, streets, and related features as recognized by the National Register of
32 Historic Places and New Mexico Register of Cultural Properties that make this
33 area Albuquerque's best preserved suburban subdivision of the early post-World

1 War I period with a high percentage of historic district buildings built before 1940,
2 a largely consistent pattern of lot sizes and building setbacks enlivened by
3 architectural and topographic variety, single-family houses, duplexes, and
4 apartment buildings in several historic styles and types, including Pueblo
5 Revival, Southwest Vernacular, Craftsman Bungalow, Mediterranean, English
6 Cottage, Hipped Cottage, Prairie, Bungalow (Sears, Roebuck and Company mail-
7 order house), historic accessory buildings, including many garages, which show
8 the evolution of this building type and its gradual integration with the house, hilly
9 topography with retaining walls where many yards meet street rights-of-way, and
10 the Silver Avenue boulevard design.

11 Section 4. The following general preservation guidelines apply to the Silver
12 Hill Historic Overlay Zone and provide a basis for more specific development
13 guidelines to be adopted by the Landmarks and Urban Conservation Commission
14 for the zone:

15 A. Building alterations, additions, and new construction should not
16 significantly impair or diminish the historic architectural character of the Silver
17 Hill Historic Overlay Zone.

18 B. Contributing accessory buildings should not be altered so as to impair or
19 diminish the architectural character and historic value of the Silver Hill Historic
20 Overlay Zone.

21 C. Lot sizes, setbacks, and buildings of similar scale should be maintained as
22 these define the character of the Silver Hill Historic Overlay Zone.

23 D. The topographic character of the Silver Hill Historic Overlay Zone should
24 not be significantly impaired or diminished.

25 E. The distinctive design of Silver Avenue should be maintained.

26 F. Alterations and new construction that serve owner needs, including water
27 and energy conservation should be balanced against preservation. The Secretary
28 of the Interior's Standards for Rehabilitation should be considered in this
29 balancing process.

30 G. Special consideration should be given to the preservation of historic
31 houses, duplexes, and apartments.

32 Section 5. A Certificate of Appropriateness for demolition per § 14-12-8 ROA
33 1994 is not required and a demolition permit may be issued for a building within

1 the proposed Historic Overlay Zone without approval from the Landmarks and
2 Urban Conservation Commission if and only if plans for a replacement structure
3 have been approved and a building permit has been issued by the City prior to
4 the adoption of this resolution.

5 Section 6. EFFECTIVE DATE. This resolution shall take effect upon adoption
6 by the City Council.

7 Section 7. SEVERABILITY CLAUSE. If any section, paragraph, sentence,
8 clause, word or phrase of this resolution is for any reason held to be invalid or
9 unenforceable by any court of competent jurisdiction, such decision shall not
10 affect the validity of the remaining provisions of this resolution. The Council
11 hereby declares that it would have passed this resolution and each section,
12 paragraph, sentence, clause, word or phrase thereof irrespective of any
13 provisions being declared unconstitutional or otherwise invalid.

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1 PASSED AND ADOPTED THIS 21st DAY OF June, 2010
2 BY A VOTE OF: 9 FOR 0 AGAINST.

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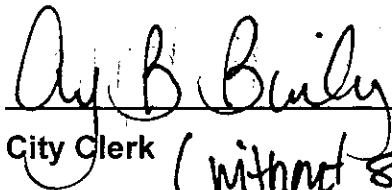
7 _____
8 Ken Sanchez, President
9 City Council

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12 APPROVED THIS 2nd DAY OF July, 2010

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15 Bill No. F/S R-10-78

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18 _____
19 Richard J. Berry, Mayor
20 City of Albuquerque

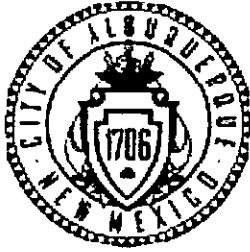
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24 ATTEST:

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26 _____
27 City Clerk

(without signature of Mayor Berry)

[+Bracketed/Underscored Material+] - New
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Office of the City Clerk
P.O. Box 1293
Albuquerque, NM 87103
Phone (505) 768-3030 Fax (505) 768-2845
www.cabq.gov/clerk

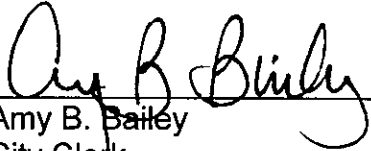
Amy B. Bailey, City Clerk

July 9, 2010

To: City Counsel
From: Amy B. Bailey, City Clerk
Subject: Bill No. R-10-78 Enactment No. R-2010-083

I hereby certify that on July 2, 2010, the Office of the City Clerk received Bill No. R-10-78 as signed by the president of the City Council, Ken Sanchez. Enactment No. R-2010-083 was passed at the June 21, 2010 City Council. Mayor Berry did not sign the approved Resolution within the 10 days allowed for his signature and did not exercise his veto power. Pursuant to the Albuquerque City Charter Article XI, Section 3, this Resolution is in full effect without Mayor's approval or signature. This memorandum shall be placed in the permanent file for Bill No. R-10-78.

Sincerely,



Amy B. Bailey
City Clerk