



Landmarks & Urban
Conservation Commission



Agenda Number: 4
Case No.: 12-LUCC-50040
Project # 1004967
October 10, 2012

Staff Report

Agent	Dekker/Perich/Sabatini (Chris Gunning)	<p>Staff Recommendation</p> <p>APPROVAL of Case # 12-LUCC-50040, Project #1004967, a request for a Certificate of Appropriateness for alteration.</p> <p>Maryellen Hennessy, Senior Planner Staff Planner</p>
Applicant	Old Town Plaza LLC	
Request	Certificate of Appropriateness for alteration	
Legal Description	Tract B Plat of the Lands of Casa de Armijo and Plaza Hacienda	
Address/Location		
Size	.	
Zoning	H-1	
Historic Location	Old Town Historic Zone	

Summary of Analysis

The application is for a Certificate of Appropriateness to make alterations to the masonry wall between the Plaza Hacienda property and the parking lot behind the Albuquerque Museum. This is the border between the H-1 Zone and the 300 foot buffer zone surrounding H-1.

The applicants propose to remove the southerly section of the wall and replace with metal fencing. They would create two new entries including a new masonry “gateway” to their property. Landscaping will be enhanced. Some portions of the wall will be lowered and a wooden gate added to the northernmost opening. The applicants would like to enhance the appearance of the rear of the buildings and create more visibility and connectivity to the east.

This request for a Certificate of Appropriateness for alteration has been reviewed against the Old Town Historic Zone Development Guidelines and the criteria for approval of a Certificate of Appropriateness contained in the LUC Ordinance. The applicant’s proposal to make alterations to the solid wall between the private property and the City’s parking lot does not conflict with the development guidelines and is eligible for a Certificate of Appropriateness.

PRIMARY REFERENCES:

Landmarks and Urban Conservation Ordinance; Design Guidelines for the Old Town Historic Zone.

Development Review Division Report:

SUMMARY OF REQUEST

<i>Requests</i>	<i>Certificate of Appropriateness for alteration</i>
<i>Historic Location</i>	<i>Old Town Historic 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 (gabled and hipped), Carpenter Gothic, Spanish-Pueblo Revival and contemporary interpretations; Territorial Revival, Brick Commercial, 1796 – 1990’s.	Contributing, Unclassified Residential and Commercial
<i>Site to the North</i>	1	Flat, Spanish Pueblo Revival, 1860’s - present	Contributing; Unclassified
<i>Sites to the South</i>	1	Old Town Road/parking lot	
<i>Sites to the East</i>		Parking lot	
<i>Site to the West</i>	2	Pitched, New Mexico Vernacular	Contributing

II INTRODUCTION

Proposal

The request is for a Certificate of Appropriateness to make alterations to the masonry wall between the Plaza Hacienda property and the parking lot behind the Albuquerque Museum. This is the border between the H-1 Zone and the 300 foot buffer zone surrounding H-1.

The applicants propose to remove the southerly section of the wall and replace with metal fencing. Two new openings to their property would be created including a new masonry “gateway”. Landscaping will be enhanced. Some portions of the wall will be lowered and a wooden gate added to the existing northernmost opening.

The applicants would like to enhance the appearance of the rear of the buildings and create more outdoor seating areas and connectivity to the east. Some buildings on the property are located behind other buildings on San Felipe Street and have little visibility from Old Town Plaza area. The proposed alterations are intended to add more visibility for these buildings and to create a more inviting interface between the Museum/Tiguex Park area and Old Town.

Context

The Historic Old Town Zone encompasses an area roughly between Mountain Road and Central Ave. on the north and south, and Rio Grande Blvd. and the 19th St. on the west and east. The historic zone was created with the adoption of the City's first zoning Code in 1959 to preserve and promote the educational, cultural and general welfare of the public through the preservation of protection of the traditional architectural character of historic old Albuquerque.

The Spanish Colonial, Territorial or Western Victorian architectural styles of buildings and structures erected prior to 1912 in the area now constituted as the State of New Mexico comprise the traditional architectural character of the H-1 Zone.

Inside of this historic zone is the state registered "Old Albuquerque Historic District". The Old Albuquerque Historic District is a sub-set of the Old Town Historic Zone. The historic district is the core of the Hispano village of Albuquerque, founded in 1706, and the main village in the area until the arrival of the railroad in 1880. The church and plaza are at the center of the district, as in most Hispanic villages of New Mexico.

Of the buildings in the district, only San Felipe de Neri church can be shown to date to the Spanish Colonial period. A few buildings may be in whole or in part from the early nineteenth century, but the majority of the buildings in Old Albuquerque Historic District were built between 1870 and 1900.

Almost every building has seen some degree of remodeling, resulting from the area's growth as a tourist-oriented commercial center after 1940. Old Albuquerque became "Old Town", a district of shops, boutiques, galleries and restaurants. Many buildings acquired Pueblo Revival portals, protruding false vigas and other stylistic elements thought to be conducive to a tourist atmosphere.

History

The City constructed the existing wall in the late 1980's on an easement granted by the property owners. It was built using Urban Enhancement Trust Funds. The tile mosaic on the large gateway was a Mayor's Summer Art Institute project in 2004.

There is a history of negotiation with the property owners of Tract B, Lands of Plaza Hacienda regarding pedestrian access from the 19th St. parking lot and the plaza area.

The parking lot is managed by the Department of Cultural Affairs in association with the museum.

APPLICABLE PLANS, ORDINANCES, DESIGN GUIDELINES & POLICIES

III. ANALYSIS

Policies are written in regular text and staff analysis and comment in bold italic print.

Comprehensive Zoning Code

The Old Town Historic Zone was designated in 1959 with the adoption of the first Zoning Code for the City of Albuquerque. Old Town was recognized even then as a very special location within Albuquerque, and the H-1 Zone was designated specifically to address the development within Old Town. The H-1 Zone was later amended to include a 300 foot "buffer" zone surrounding Old Town to ensure a coherent visual character for the surrounding neighborhood. Signage, architectural style, and permissive uses are controlled through the H-1 Zoning. The code provides for Certificates of Appropriateness for development with the H-1 and the Buffer zones. Relevant sections of the H-1 Zone (§14-16-2-25, R.O.A., 1994) are attached.

Any construction, alteration or demolition, which would affect the exterior appearance of any structure within said Overlay Zone, shall not be undertaken until the Landmarks and Urban Conservation Commission has approved a Certificate of Appropriateness. The Code also provides that the adopted specific development guidelines may provide exemptions to the requirement or provide for City staff approval in lieu of Landmarks and Urban Conservation Commission approval. Procedures relating to the issuance of a Certificate of Appropriateness are prescribed in Chapter 14, Article 12, Landmarks and Urban Conservation.

An analysis of the proposal's conformance with the adopted specific development guidelines is provided below.

Development Guidelines for the Old Town Historic Zone

Design Guidelines (as amended through April 9, 1998) have been adopted by the Landmarks and Urban Conservation Commission for building projects in the H-1 Historic Old Town Zone. The Specific Design Guidelines for the Old Town Historic District also apply to the buffer zone within 300 feet of the historic district. The Guidelines are general, and along with standards applicable to the rehabilitation of historic properties, they address contemporary new buildings and pedestrian safety.

1. Every reasonable effort should be made to provide a compatible use for buildings which will require minimum alteration to the building and its environment.
2. Rehabilitation work should not destroy the distinguishing qualities or character of the property and its environment. The removal or alteration of any historic material or architectural features should be held to the minimum, consistent with the proposed use.
3. Deteriorated architectural features should be repaired rather than replaced, wherever possible. In the event replacement is necessary, the new material should match the material being replaced in composition, design, color, texture, and other visual qualities. Repair or replacement of missing

architectural features should be based on accurate duplications of original features, substantiated by physical or pictorial evidence rather than on conjectural designs of the availability of different architectural features from other buildings.

4. Distinctive stylistic features or examples of skilled craftsmanship which characterize older structure and often predate the mass production of building materials should be treated with sensitivity.
5. Many changes to buildings and environments which have taken place in the course of time are evidence of the history of the building and the neighborhood. These changes may have developed significance in their own right, and this significance should be recognized and respected.
6. All buildings should be recognized as products of their own time. Alterations to create an appearance inconsistent with the actual character of the building should be discouraged.
7. The design and general appearance of any development or alteration in the Old Town Historic Zone should be limited to the range of design options possible and commonly chosen in Albuquerque prior to the opening of the Santa Fe Railroad in April 1880. The design of any alteration to currently existing structures erected between 1880 and 1912 should be limited to the range of design options possible and commonly chosen at the time of the building ' s construction.
8. Contemporary design for new buildings and additions to existing buildings or landscaping in the 300 foot transition zone surrounding the Old Town Historic Zone should not be discouraged if such design is compatible with the size, scale, color, material, and character of the neighborhood, buildings, or its environment.
9. Wherever possible, new additions or alterations to buildings should be done in such a manner that if they were to be removed in the future, the essential form and integrity of the original building would be unimpaired.
10. Every effort should be made to safeguard the public welfare along vehicular and pedestrian traffic ways. Placement of walls, building projections, fences, planters, shrubs, signs, ramps, steps, etc. should be planned and positioned so that they do not present a potential hazard. Provisions for the handicapped should be planned so that the essential character of the property is not damaged.
11. Any security device that prevents major features of doors and windows such as ornament, panels, glass panes, and mullions from being seen are prohibited.
12. Property owners are considering installing security devices are urged to contact LUCC staff for advice and a free handout on how to increase security without detracting from the historic character of a building.
13. An application for a Certificate of Appropriateness for work, which does not require any type of building or construction permit, may be approved by staff.

Guidelines 7, 8 and 10 are most applicable to this application. The remainder of the guidelines refers to alterations to buildings.

The proposed alteration leaves the existing two gateways intact, and it does not affect the banco seating or trellis structure. The alterations would remove a section of the existing

blank wall and add a metal fence, two new openings and enhanced landscaping. Staff concludes that these changes will add visual interest and enhance the connection to Old Town and the museum/Tiguex Park area. The design of the fencing might be considered “contemporary” as referenced in Guidelines #8, however; the site is the boundary between the H-1 zone and the buffer zone, and staff does not see this as a significant issue.

Landmarks and Urban Conservation Ordinance

This site consists of a contributing property in the Old Town Historic Zone and the project is 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.”

Section 14-12-8 (A) of the LUC ordinance provides criteria for approval of a Certificate of Appropriateness:

§14-12-8-B- (1) The change is consistent with the designation ordinance and specific development guidelines for the historic overlay zone.

As discussed in the analysis above, the proposed alterations do not conflict with the designation ordinance or the development guidelines.

§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.

The architectural character of the site or the historic zone will not be significantly impaired or diminished as analyzed above.

§14-12-8 (B) (3) The change qualified as a “certified rehabilitation: pursuant to the Tax Reform Act of 1976.

Not applicable.

§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.

Not applicable.

§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.

Not applicable

§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.

Not applicable.

§14-12-8 (B) (7) Demolition shall only be permitted if it is determined that the property is incapable of producing a reasonable economic return as presently controlled and that no means of preserving the structure has been found. In making a determination regarding reasonable economic return the Commission may consider the estimated market value of the building, land and any proposed replacement structures, financial details of the property including, but not limited to income and expense statements, current mortgage balances and appraisals, the length of time that the property has been on the market for sale or lease, potential return based on projected future market conditions, the building's structural condition, and other items determined to be relevant to the application.

Not applicable.

V. Neighborhood/Public Concerns

The application was legally advertised in the newspaper. Two signs were posted on the property was posted with notice of the application.

The applicant notified the Historic Old Town Property Owners Association of the request. The Department of Cultural Affairs was notified of the application.

There is no known objection to this request.

Conclusions

This request for a Certificate of Appropriateness for alteration has been reviewed against the *Old Town Historic Zone Development Guidelines* and the criteria for approval of a Certificate of Appropriateness contained in the *LUC Ordinance*. The applicant's proposal to make alterations to the solid wall between the private property and the City's parking lot does not conflict with the development guidelines and is eligible for a Certificate of Appropriateness.

FINDINGS for APPROVAL of a request for a Certificate of Appropriateness for alteration - Case 12-LUCC-50040 / Project # 1004967 (October 10, 2012)

1. This application is a request for a Certificate of Appropriateness for alteration to the wall at the eastern property line of Tract B, Lands of Casa de Armijo and Plaza Hacienda MRGCD Map 38. The subject wall divides the private property from the City of Albuquerque parking lot behind the Albuquerque Museum.
2. Section 14-16-2-25(D)(1) of the Comprehensive Zoning Code states “Any construction, modification, addition, alteration, moving or destruction which would affect the exterior appearance of any structure or place in the H-1 zone requires a Certificate of Appropriateness which must be approved by the Landmarks and Urban Conservation Commission.”
3. The proposal is to make alterations to the existing wall that was built circa 1988 by the City of Albuquerque on property belonging to the applicant. The City was granted an easement to construct the wall.
4. The proposal is to remove a section of the lower wall to the south of the large gateway and to replace it with metal fencing. A new gateway entrance to the applicant’s property would be created. Another portions of the wall will be lowered slightly. Landscaping will be enhanced.
5. 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.
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 work is consistent with the designation ordinance and the development guidelines for the H-1 Historic Old Town Zone. No historic buildings are affected. The alterations will add visual interest and connectivity between Old Town and the City’s parking lot.

8. 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”.
13. The architectural character of the H-1 Historic Zone will not be impaired or diminished by the proposed alterations. The design maintains the Pueblo Revival character but adds a new material that is compatible with the surroundings.
14. The City’s legal department is responsible for the easement agreement associated with the construction and maintenance of the wall and landscaping. The City Engineer’s office has been consulted and assisted with the required legal agreements.
15. The revised Code of Ordinances of Albuquerque New Mexico, 1994, including the Zoning Code, is incorporated herein by reference and made part of the record for all purposes.

RECOMMENDATION - Case No. 12-LUCC-50040/ Project # 1004967 – (October 10, 2012)

APPROVAL of an application for a Certificate of Appropriateness for alteration, located at the rear of Plaza Hacienda, described as Tract B of the Lands of Casa Armijo and Plaza Hacienda, zoned H-1 based on the above 15 Findings and subject to the following condition.

Conditions of Approval Recommended for 12-LUCC-50040/ Project # 1004967

1. Applicant is responsible to acquire, and approval is contingent upon, approval of all applicable permits and related approvals.
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**Maryellen Hennessy, Senior Planner,
Urban Design and Development Division**

Attachments

- 1) Excerpt from the Landmarks and Urban Conservation ordinance
- 2) Draft legal agreement provided by City Legal Dept.

CITY OF ALBUQUERQUE AGENCY COMMENTS

ZONING CODE SERVICES DIVISION

BUILDING & SAFETY SERVICES DIVISION

HISTORIC PRESERVATION/ADVANCED PLANNING

COMMENTS FROM OTHER AGENCIES, WHEN APPLICABLE:

PNM

ENVIRONMENTAL HEALTH DEPARTMENT

SOLID WASTE MANAGEMENT DEPARTMENT

FIRE DEPARTMENT/Planning

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