



Landmarks & Urban
Conservation Commission



Agenda Number: 05
Case No.: 14-LUCC-50051
Project # 1009733
November 12, 2014

Staff Report

Agent		Staff Recommendation
Applicant	Sheri Crider,	<p>APPROVAL of Case # 14-LUCC-50051, Project #1009733, a request for a Certificate of Appropriateness for new construction based on the Findings beginning on page 19 and subject to the conditions on page 21.</p> <p style="text-align: right;">Petra Morris, Planner Staff Planner</p>
Request	Certificate of Appropriateness for new construction	
Legal Description	Lots 7 and 8A Block 53 New Mexico Town Company Original Townsite	
Address/Location	816 Tijeras NW & 898 Kent NW	
Size	.366 ac.	
Zoning	SU2/DNA-OR	
Historic Location	Fourth Ward Historic Overlay Zone	

Summary of Analysis

This application is for a Certificate of Appropriateness for new construction. The applicant proposes to construct an art gallery with nine studios, two townhouses, one with a detached secondary dwelling unit. This application follows the previous LUCC approval in September 2013 for the same request (1009733, 13-LUCC-50079). The previous approval has since expired and the applicant has made some changes to the application, particularly the addition of 25foot tall metal screens to the west elevation. Therefore this review is of the entire application.

This request for a Certificate of Appropriateness for new construction has been reviewed against the Fourth Ward Historic Zone Development Guidelines and the criteria for approval of a Certificate of Appropriateness contained in the LUC Ordinance. In general, the proposed site plan design, landscaping plan and elevations substantially meet the requirements of the Fourth Ward Historic Overlay Zone Development Guidelines, the LUCC Ordinance, and the underlying zoning (SU-2/DNA-OR) per the Downtown Neighborhood Area Sector Development Plan (DNA SDP).

Overall staff supports this project, it is an excellent use of the site and the design proposed is a successful contemporary contribution to the historic zone. However, the metal screens proposed conflict with several of the development guidelines in the Fourth Ward Historic Zone. The metal screens are designed to provide shade, visual variety, and articulation to the west elevation; the screens do some effectively, however staff is concerned that the scale, proportion and number of screens are inconsistent with the character of the historic zone and the general area. Staff recommends approval of this request, with a number of conditions to address minor edits to the site plans and removal of the metal window screens.

PRIMARY REFERENCES: Landmarks and Urban Conservation Ordinance; Design Guidelines for the Fourth Ward Historic Zone; Downtown Neighborhood Area Sector Development Plan.

Development Review Division Report:

SUMMARY OF REQUEST

<i>Requests</i>	<i>Certificate of Appropriateness for new construction</i>
<i>Historic Location</i>	<i>Fourth Ward Historic Overlay Zone</i>

AREA HISTORY AND CHARACTER

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

	<i># of Stories</i>	<i>Roof Configuration, Architectural Style and Approximate Age of Construction</i>	<i>Historic Classification & Land Use</i>
<i>General Area</i>	1-2	Flat; Pitched (gabled and hipped), Carpenter Gothic, Spanish-Pueblo Revival and contemporary interpretations; Territorial Revival, Brick Commercial, 1796 – 1990’s.	Contributing and non-contributing Residential and Commercial
<i>Site to the North</i>	1	Single story brick building with a hipped roof (originally flat), large parking area in front of the office faces the corner of Tijeras and 9 th , circa 1960.	Non-Contributing commercial
<i>Sites to the South</i>	2	Carpenter Gothic, 2-story house in use as an office. Hipped roof. Circa 1904. State and National registered Historic Property, J.H. O’Rielly House.	Contributing residential
<i>Sites to the East</i>		Parking area to serve the office building further east. Office building further east is outside the Fourth Ward and is a circa 1950, modernist office building with a flat roof.	Non-contributing commercial
<i>Site to the West</i>	1	Flat roofed modified Spanish Pueblo Revival, 1936 construction.	Contributing residential

II INTRODUCTION

Proposal

This request is for a Certificate of Appropriateness to construct three new buildings on a vacant lot. Until recently, the subject site was used as parking for offices in the general vicinity. One building consists of two townhouse units (2,919 total sq. ft.), a second building contains a detached secondary dwelling unit, otherwise known as a casita (577sq.ft.) and the third building is proposed as a gallery and nine artist studio spaces (7,170 sq. ft.). All three buildings are proposed to be two stories, though the heights of the buildings vary. The townhouses are proposed to be 23feet in height, the secondary dwelling unit is proposed to be 18 feet in height and the gallery is proposed to

be 33 feet in height at its highest point. The townhouses are proposed on the eastern portion of the site while the gallery and studio spaces are proposed on the western portion, fronting on Tijeras.

Three of the four elevations of the gallery/studio space front a public street. The proposed gallery building fronts Tijeras, with 9th St. to the west side and the rear of the building facing Kent. The townhouses are also both oriented towards Tijeras, with the secondary dwelling unit accessed from a central, shared courtyard. Parking access is located to the rear of the site, from Kent.

A replat was approved on November 6, 2013 (1009879) in order to create two lots. The eastern-most townhouse is to have its own lot, while the second lot will contain the other townhouse, the secondary dwelling unit (both for artists in residence) and the gallery and studio structure. Parking is provided on site, in a garage internal to the lot, as well as on-street parking on 9th St. and Kent. Each residential unit has one parking space provided. There are seven gallery/studio parking spaces provided on site, and six on-street spaces. One motorcycle parking space and three bicycle parking spaces are also provided.

The landscaping plan shows street trees to be planted between the curb and the sidewalk along Tijeras and 9th St. with landscaping between the sidewalk and the structures along Kent. Each of the two townhouses has a landscaped front yard, and the central residential courtyard is also landscaped. The landscape palette consists of low to medium water use plants. Elevations for the gallery and studio building were submitted for this application, as well as elevations for the townhouse buildings. The elevations for the townhouses have not changed since the previous application, and are in fact the same sheet of drawings, title Residential Elevation 3 of 4 dated 8/27/13, and are submitted as part of this application.

History

In the 1957 Sanborn Insurance Map, two structures are shown on the 800 block of Tijeras. However by 1979, when photos for the Historic Building Inventory for 902 Tijeras were taken, 816 Tijeras is visible in the foreground, and it appears the structures were demolished and the lot is in use as parking.

In July 2013, Project Number 1009742, a Conditional Use request was approved for an art gallery and artist studios. Please see the Official Notice of Decision Attachment # 2. In September 2013, (Project Number 1009733, Case Number 13-LUCC-50079), the LUCC approved with conditions new construction of the art gallery with studios and townhouses, see Attachment #3 for the Official Notice of Decision. In November 2013, the applicant sought and received three variances to the window and door percentage requirements of the zoning for the site, for the gallery building. Attachment #4 contains the three Official Notices of Decision of the variances that the applicant received for the north, south and west elevations to the window and door percentages. Prior to submitting for the variances, in October 2013, the applicant submitted revised elevations to staff and the LUCC Chair, per the conditions of approval from Project #1009733, staff and the chair supported the revised window configurations, but not the metal screens proposed, see Attachment #5. The applicant was not issued a Certificate of Appropriateness for the original approval, as the metal screens went beyond the condition language suggested. Therefore this request seeks a Certificate of Appropriateness for the entire site. There are no significant changes between the plans

submitted for this request and the previous application in September 2013 (Project # 1009733, Case # 13-LUCC-50079), with the exception of the window configurations on all elevations of the gallery building and the metal screens for the gallery building. This application incorporates relevant analysis provided by staff for Project # 1009733, Case # 13-LUCC-50079 for the site as a whole. Staff will focus additional analysis in this staff report on the changes between the applications, generally the window configurations and the metal screens for the gallery and studio building. Additional analysis will be highlighted through a note.

Context

The Fourth Ward Historic District and Overlay Zone derives its name from the City's early system of political subdivisions called "Wards". This large historic district is bounded by Lomas Boulevard to the north; Tijeras, Kent and Central to the south; Keleher Avenue and Eighth St. on the east; and 14th and 15th Streets to the west. A small portion of the historic district at the southeast corner is not included in the boundaries of the historic overlay zone.

The district contains a variety of homes built between 1880 and 1930, with most of the development beginning in the early twentieth century. Prior to 1900, most new housing was concentrated in Huning's Highland to the east of the railroad tracks and the Fourth Ward has a few houses on large parcels of land. After the turn of the century, the Fourth Ward became the fashionable neighborhood for Albuquerque's growing business class. A wide variety of architectural styles are represented in the district including Queen Anne, Bungalow, Hipped Box, Prairie, Federal Revival style, Territorial Revival, Mission Revival, Spanish Pueblo Revival, Dutch Colonial Revival, Tudor Revival and Foursquare.

The area developed primarily as a residential neighborhood of mostly single-family dwellings, some multi-family apartments containing central landscaped courtyards, and a few commercial structures. Originally, the front yards were unfenced and street trees were planted in the strip between the curb and the sidewalk. The homes typically had a 20 foot front yard setback on the north-south streets and a 15 foot front yard setback on the east-west streets. The Fourth Ward Historic District was listed on the New Mexico Register of Cultural Properties in 1979 and the National Register of Historic Places in 1980.

The subject property is located one block north of Central Avenue where commercial properties are present, and the subject site is surrounded by a mix of multifamily residential, single family residential, single family residences in office use, and purpose built office structures. The eastern side of the subject site is bounded by a parking area for an office, the remaining three sides of the subject site face a public street on three sides- Tijeras along the north, 9th along the west and Kent along the south.

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 property is zoned SU2/DNA-OR (Office-Residential) in the Downtown Neighborhoods Area Plan. The intent of the DNA-OR zone as described in the Plan is to provide a transition between the higher intensity corridor of Central Ave and the neighborhood to the north. The SU2/DNA-OR zone recognizes the existing mix of residential and office present in the neighborhood and provides an opportunity for the development of a limited number of neighborhood-serving commercial uses through the Conditional Use process. A Conditional Use is required and has been received for the proposed gallery/artist studio use. Per the SU2/DNA-OR zone, the gallery and studios as designed meet the regulations on landscaping parking, setback, height, and building step-back.

Parking requirements for the new development are regulated by the zoning code. The applicant has consulted with zoning enforcement about the required number of spaces, and the interpretation has been that a “gallery/studio” use is a “grey area. The required parking provided on the site plan was developed by the applicant in consultation with zoning. Transportation comments note that only one-half of the on-street parking available may be credited towards required parking. Parking requirements will be set and approved by zoning code services.

The townhouses are regulated per the SU2/DNA-TH and the proposed design meets the zoning regulations on setbacks, height, step-backs, façade articulation, entries and porches, garages, parking, access, open space and street trees. The Plan provides that “Apartments and Townhouses- All building facades that face a public street shall contain a minimum of 30% of its surface in windows and/or doors...”. The townhouses face a public street on two facades, the front on Tijeras (north) and rear on Kent (south). The proposed design exceeds the 30% minimum surface of windows and/ or doors.

Additional analysis: The subject site is challenging in that the gallery and studios are bound on three sides by public streets- Tijeras, 9th and Kent. The SU2/DNA-OR requires non-residential developments to provide “All ground floor building facades that face a public street shall contain a minimum of 50% of their surfaces in windows and/or doors... Second floor and above shall contain a minimum of 30% of its surface in windows.” As the subject site is bound by a public street on three sides, and one of the three sides is the west elevation, this proved a challenging requirement to meet. In November 2013, the applicant sought and received variances to the window requirements (see Attachment #4). The elevations submitted with this application reflect the variances sought and received. The separate sheet containing the window calculations show two differences with the plans submitted. The first difference is on the east elevation, the two windows flanking the central window are shown as a B1 window (per the schedule of windows, sheet A400), however the plans show the windows as B3; the difference on the east elevation is not significant as it does not need to meet a percentage per the underlying zoning, and either pattern of windows is appropriate. However, the second difference is more important; on the west elevation the calculations show three A windows at the ground floor level, while the plans submitted show only two A windows at the ground floor level. In order to meet the revised window percentages (per the variances sought and received) this third window should be added to the plans in order for the calculations submitted to match the plans submitted. All further analysis in this report of the west elevation windows is based on the window configuration provided with the calculations (plan dated 10.14.13) as this configuration meets the zoning requirements and variances received. All other elevations on the plans and calculations match, and the calculations meet the variances received. The north, south and east elevations match those reviewed and supported by staff in October 2013, see the email in Attachment 5. Staff recommends a condition to address the inconsistency between the west elevation windows and the calculations submitted. In general, the pattern and proportion of windows proposed for the building reflect the patterns and proportions seen in other contributing properties in the Fourth Ward.

In addition, staff received an agency comment from Zoning Code Services regarding the separation distance of the Secondary Dwelling Unit. Staff has provided a condition to address this concern and staff recommends the applicant work with LUCC and Zoning staff to address this relatively minor concern.

Development Guidelines for the Fourth Ward Historic Overlay Zone

III. Design Guidelines for New Construction.

These guidelines are designed to encourage new development that is compatible with the historic buildings in the district. Because the area contains a wide variety of buildings, including some of the oldest in the downtown area, the guidelines allow for flexibility of design, but do not allow duplication of existing structures. Compatibility and individuality are the driving concepts of these guidelines.

A. Standards for New Construction

1. Public facades of proposals for new buildings shall be more carefully reviewed than other sides. Street appearance is vital.
2. New construction should add visual interest and a sense of scale at the street level, and at the same time, be compatible with predominant general characteristics of contributing buildings in the vicinity. The new structure should reflect designs traditionally used in the area.
3. New buildings shall not be imitations of contributing buildings or of other new buildings, but shall be unique in design. Compatibility is appropriate, but imitation is not appropriate.
4. New construction shall have a scale, proportion, and massing similar to that of contributing buildings on the same block. If none exist, then it shall be similar to that of contributing buildings in the area. In all cases, the scale, proportion and massing of new construction will be compared with the scale of contributing buildings.

The subject site is located on an unusual and irregularly shaped lot with streets on three sides. The lot is relatively wide and shallow, which results in the main gallery and studio building running the full depth of the property. Therefore, the gallery and studio building faces three public streets- Tijeras Avenue at the front (north), 9th Street to the side (west), and Kent Avenue to the rear (south). The townhouses, which are located more internally to the block, face two public streets, Tijeras to the front (north), and Kent to the rear (south).

The front façade of the gallery features a wide entry-way framed with ceramic tile. The townhouse and secondary dwelling unit entrances are framed by porches, both of which lend pedestrian scale. Tijeras Ave. and 9th St. are lined with street trees between the curb and the sidewalk. Visual interest is added to the building facades with the varied stucco colors, awnings, and front and rear balconies. The sense of scale reflects other contributing structures in general area, which range from single-story to two-story, with pitched and flat roofs. The proposal reflects patterns found in the general area, yet the proposed new development is clearly a modern, unique collection of structures. The block contains no other structures.

Additional analysis: The applicant proposes six 25' x 7'8" metal mesh screens to shade the west elevation and the northwest corner of the gallery building. The screens are designed to have deciduous vines growing up them, in order to provide shade and visual interest along the western façade of the building. The buildings surrounding the subject site, both contributing, non-contributing and those outside the historic overlay are a mixture of one and two story buildings (See Attachment 6). The surrounding buildings lack any large vertical elements that could be considered a compatible area characteristic. At 25'x7'8" the scale, massing and proportion are also unlike any other architectural element in the immediate area. Staff finds that the proposed metal screens conflict with standards for new construction.

B. Scale, Proportion, and Massing

1. Scale: Scale is how we perceive the size of a building element or space relative to other forms. It can also be defined as the size of a new building and its mass in relation to open spaces. "Human Scale" is a dimension that relates to our own size.
2. Proportion: Proportion is the relationship between the height and width of a building or opening, or the amount and placement of openings compared to the amount of solid walls. In the Fourth Ward, the relationship between the height and width of a building is usually 1:1 or 2:1. There is a high proportion of windows and doors to walls.

3. Massing: Mass is the geometric bulk of the structure, usually rectangular in form. In the Fourth Ward, buildings are made up of regular larger masses, with smaller masses attached, such as porches or pitched roofs.

The proposed gallery and studio contains a high proportion of windows and doors to walls. The townhouses and secondary dwelling unit all contain a high number of windows and doors to walls. The scale of the structures is “human”, the relationship between the buildings reflects that of the general area. Of particular note is the strong relationship between the three residential units and the central courtyard. The massing of the structures reflects that of the general area, especially the number of porches, and balconies proposed.

Additional analysis: While the scale of the buildings remains the same, the configuration and proportion of the windows have changed. The window proportions on the north, south and east elevations though changed are still proportional. The west elevation has seen the most change between applications, with the proportion of windows decreasing significantly. However, due to the strength of the sun and the proposed use staff recognizes that a high percentage of windows on this elevation is challenging. In addition to the reduced number of windows on the west elevation, the applicant proposes six 25foot tall metal screens to provide further shade and visual interest. At 25’x7’8”, staff considers the scale and number of the metal screens an element of the building that is not to a “human” scale. Staff finds that the metal screens conflict with the scale, proportion and massing guidelines.

C. Pattern and Rhythm

Pattern and Rhythm: Pattern is the form of the building, space, or object grouped together. Rhythm is the regular occurrence of those patterns that organize and harmonize a series of like forms or spaces. In Fourth Ward, lot sizes, building sizes, pitched roofs, porches, window and door openings, and street trees all create rhythm. Other patterns and rhythms are window configuration (such as 6/1 panes, grouped in threes) that are repeated throughout the house. Rhythms can be formed using more than one pattern.

1. New construction shall conform to established rhythms on the buildings and on the sites.
2. New construction shall employ at least two of the following methods:
 - (a) Incorporate similar patterns of architectural details from existing contributing buildings. Texture and scale of those details are important considerations, without duplicating a historically accurate detail.
 - (b) Match patterns of exterior material with those of contributing buildings.
 - (c) Match rooflines with those of contributing buildings.
 - (d) Incorporate historically accurate patterns of existing doors and windows from contributing buildings.

The pattern of windows and doors for the gallery reflect the hierarchy of the elevation, the front elevation has the highest percentage of openings, with the door surrounded by windows, with horizontal cut travertine tile framing the space. The townhouses and secondary dwelling unit also have a predictable pattern of windows and doors, with consistent sizes and styles. The consistent use of defined entry-ways, balconies, awnings, and window sizes and styles throughout the project create a clear rhythm to the site. There are no other buildings on this block, and the eastern end of the block is the boundary of the Fourth Ward Historic Overlay. The patterns and

rhythms reflect those of contributing structures in the area, and provide a good transition from the Fourth Ward to the downtown core.

Additional analysis: The revised window configuration for the north, south and east elevations provide an appropriate pattern and rhythm for the building and the immediate area. The revised west elevation contains a reduction in the number of windows, and doors, a change in the orientation of the stairs and the addition of six 25foot tall metal screens. The revised (and reduced) pattern of windows and doors, and the reorientation of the stairs remain consistent with the patterns and rhythms of the surrounding area. The metal screens are unlike any other architectural detail or exterior material found in the immediate area. While the screens create a pattern and rhythm of their own on the building, of the six metal screens the northern and southern most screens do not cover any windows. A possible reduction in the number of screens could lessen the impact of the scale of screens, while retaining some of the pattern and rhythm of the screens.

D. Siting and Setback

The underlying zoning category controls the setbacks on the parcel. In the Fourth Ward, the setbacks are traditionally 20 feet on north-south streets and 10-15 feet on east-west streets. These setbacks determine the building's siting, or position on the lot. Lot widths vary considerably in the Fourth Ward. The underlying zoning category setback may be different than the original setback. These guidelines shall be used where the traditional setback already exists on the site.

1. The established, traditional setback shall be maintained, unless demonstrated by the applicant to be unattainable.
2. If there is no established setback for the block, the setback for new construction shall be determined by using the average setback of the block. If between two buildings, new construction shall match the setback of the adjacent buildings. Where the adjacent buildings do not have a uniform setback, the average setback between the two adjacent buildings shall be used.
3. Where no setback is required in the underlying zoning category, none shall be required on that parcel.

There is no other development on the block but the building setbacks reflect those in the general area. Both the gallery and the townhouses front along Tijeras, which is the busiest of the three streets. The gallery and studios are setback 10 feet from the property line at the front while the townhouses are setback 15 feet. This staggering reflects the hierarchy of uses for the structures as well as the angular nature of the site which widens from east to west and also provides a sense of visual interest. Both the townhouses and the secondary dwelling unit have access to a central courtyard. All parking is accessed from the rear of the site, off of Kent. On street parking is provided on Kent and 9th St. Street trees are located between the curb and the sidewalk on Tijeras and 9th, and there is landscaping between the sidewalk and the structures on Kent. At the rear of the site the trash enclosure and the HVAC units are screened with landscaping.

Additional analysis: There are no changes to the setbacks proposed; therefore there is no additional analysis.

E. Height

The Zoning Code underlying zoning category controls height requirements for the parcel.

1. The height of any new construction shall be as controlled by the Zoning Code and compatible to nearby properties.
2. Where the allowable height as controlled by the underlying zoning exceeds that traditionally found in the neighborhood, incorporate design features that are compatible with surrounding properties.

The heights of the proposed structures vary, creating some visual interest. The heights proposed reflect the hierarchy in intensity of each structure, with the gallery and studios (33-30 feet) are taller than the townhouses (21-23feet), which in turn are taller than the secondary dwelling unit (18 feet). All of the proposed structures are two stories; the general area contains a mixture of one and two story structures.

Additional analysis: There are no changes to the heights proposed; therefore there is no additional analysis.

F. Exterior Materials

1. The use of traditional materials and those newer materials compatible with contributing buildings in the area is strongly encouraged. Traditional materials include wood, stucco, brick, adobe, stone and cast stone.
2. Plastic, vinyl, aluminum siding or other metals shall not be used, with the exception of metal window frames.

The exterior materials proposed are neutral color stucco (Buckskin and Montecito) with metal awnings (Patina Bronze), metal railings and stairs, stained wood slat rails for balconies, stained wood door (for the residences) and aluminum clad windows. Wood lintels are proposed as a detail above the windows on the residential units, with all windows inset at least 1 ½ inches minimum from the exterior face of the wall. Horizontal travertine tile is proposed around the door for gallery and studios. Tiled entry-ways are featured on a number of properties in the Fourth Ward, defining the entry-way. Stucco as an exterior finish is heavily used throughout the Fourth Ward area.

Additional analysis: The application includes the addition of six 25foot tall metal screens on the west elevation of the gallery building. The immediate area contains no examples of similar materials. However, the building is to be a contemporary addition to the Fourth Ward. In considering the metal screens, and other buildings in the historic zones around Albuquerque there are two examples that come to mind (See Attachment 7), the side screens at 515 Central and the window screens at 311 14th Street NW. The screens at 515 Central were approved by the Architectural Review Committee for the Edo Urban Conservation Overlay Zone (1009237), they are attached to the side of a commercial building, located on Central Avenue. The screens at 311 14th Street NW were initially installed though they were not shown on the original plans for new construction that the LUCC approved. A retroactive staff decision was issued, but the neighborhood association appealed the staff decision to the LUCC. The LUCC in turn denied the screens, and this decision was then appealed to the City Council. The City Council granted the appeal, allowing the screens, however their Findings include #7 “Because of procedural

problems and inconsistent decisions arising from this matter, this decision shall not be used as a precedent for future LUCC applications.” (1001304, AC-07017). While examples exist of metal screen details on modern buildings in historic zones, the screens were approved in different contexts and under different conditions. Staff is concerned that the scale and number of the proposed metal screens runs contrary to the guideline for appropriate exterior materials.

The color illustrations provided show horizontal metal railings for the stairs, while the elevations in the drawings show the same metal mesh as the window screens. In the plans showing the balcony level it is not clear whether the railings of the balcony are to be metal or wood. Staff recommends two conditions to address treatment of these architectural details, to provide consistency in the plans for the building, and to bring the plans into conformance with the plans previously approved by the LUCC. In addition, the previous plans included a note on the window inset. Staff recommends that this window inset language be added to the revised plans, through a condition.

G. Architectural Details

1. New construction shall not duplicate or replicate any contributing buildings, but rather use them as examples of appropriate style and design features.
2. Large blank walls are not appropriate.
3. Details and massing shall be on a human scale.
4. Front porches are encouraged on all residential structures.

The proposed gallery and studios, townhouses and secondary dwelling unit are all designed at a human scale with a high proportion of windows and doors. There are no blank walls proposed, which is significant as the subject site is bounded on three sides by public streets. The doorway for the gallery and studios is defined by tile, while the residential units all have 5-foot deep porches and balconies at the front.

Features that help to create a rhythm for the development include the metal awnings, the wood lintels, and the horizontal railings on the balconies and the stairway. The proposed new construction is clearly not a replica of any buildings in the area, yet reflects the rhythm and patterns of contributing structures in the area.

Additional analysis: Between the previous application and the current application, the west elevation has seen the greatest degree of change. The number of windows on the west elevation has decreased, and six 25-foot tall metal screens have been added to the west elevation. While the screens are effective in breaking up the mass of the west elevation (which now includes more blank wall than previously proposed), the scale and mass of the screens is not to a human scale. The stairs add further visual variety. On the north elevation, the awning previously ran the full length of the north elevation, currently it is only located above the entrance. Staff recommends that the north elevation awning run the full length at the ground level, to emphasize the horizontal rhythm of the building and the surrounding area and to provide additional shade. Staff has addressed this as a recommended condition.

H. Windows

All buildings in the district are marked by an abundance of openings, because when these buildings were constructed, electric lighting was a luxury. The pattern of a high proportion of windows and doors, regularly placed, creates a pleasing rhythm and maintains a human scale.

1. Residential properties shall have approximately 30% of the wall surface in windows on the ground floor façades (specifically, the front façade).
2. Commercial, office, or multi-family structures shall allow approximately 50% of the ground-floor front façade to window and door openings.
3. Use of traditional window shapes and types is encouraged, with clear glass predominating. Lightly tinted glass may be used on upper stories.
4. Stained glass, beveled glass, or other architectural glass may be used.

Not Appropriate:

1. Unpainted metal windows are not allowed.
2. Darkly tinted or reflective glass is not allowed.

As stated previously in this report the percentage of windows and doors for the townhouses and secondary dwelling unit exceeds the minimum requirement for fenestration (per the development guidelines). The windows proposed are aluminum clad- Sierra Pacific "Gull Gray". The windows proposed are traditional in proportion and shape, reflecting those in the general area, in particular the structure on the corner of Tijeras and Keleher. There are no unpainted metal windows or darkly tinted windows proposed.

Additional analysis: The window configurations on all elevations of the gallery building have changed in this application. However, the proportion of windows and their regular placement on the north, south and east elevations maintain an appropriate proportion of windows and doors, though not as high a proportion as could be desired. The west elevation contains the lowest percentage of windows and doors, however it is also the longest elevation facing the public right of way and faces the west, which receives a lot of sun. The applicant received variances for the window percentages in the zoning for the north, west and south elevations. Staff analysis for the west elevation is based on the window calculations (date 10.14.13) submitted with the application rather than the west elevation submitted with the plans, in order to meet the variances received.

I. Entries and Doors

A defining feature of the district is the emphasis on entries of the historic houses. They are always oriented to the street and are one of the most significant elements of the house. Entries of single-family houses are usually defined and enhanced by a porch.

1. Primary building entrances shall be oriented to the street. The use of architectural detail to highlight the entry is preferred.
2. Front entry porches are strongly encouraged on single-family dwellings.
3. Use a combination of wood and glass door with an historic design is encouraged.

Not Appropriate: Shiny aluminum doors are not allowed for front entry or any entry visible from any street.

Both the residential and non-residential portions of the proposal are oriented towards Tijeras Avenue. The secondary dwelling unit (which is required to be in the rear of the property) orients

to a central courtyard that is accessible to all residential units. For the residential units, front porches with balconies define the entrances. While the entrance to the gallery is defined by travertine tile, both at the front on Tijeras and at the side, accessed from the parking area. The residential doors are proposed to be wood, while the gallery doors are framed glass, as is appropriate for a commercial structure.

Additional analysis: *There are no changes to the entries and doors proposed; therefore there is no additional analysis.*

J. Rooflines

Existing Conditions: Single-family homes traditionally had intricate rooflines and facades punctuated by porches, dormers, and other elements. Historic roof shapes include: flat with a parapet, gabled, gambrel, hipped, or a combination of some of these shapes. Multi-family dwellings and nonresidential buildings traditionally had flat roofs. However, since both flat and pitched roofs are historically present, either may be appropriate on a new structure, depending on location of the new structure.

1. Historic roof shapes shall be used on all new structures. Both flat and pitched roofs are historically correct, depending upon the overall design of the structure.

Not Appropriate:

1. Hyperbolic, partial mansard, or barrel vault roofs are not allowed.
2. Metal roofing is not allowed.

Flat roofs with a parapet are proposed throughout, with some variety in height. Metal awnings (in Patina Bronze) are proposed above the front windows of the gallery and above the balconies on the residential development. The metal awnings, while clearly modern, have been considered appropriate material in new development in historic districts.

Additional analysis: *There are no changes to the roofing proposed; therefore there is no additional analysis.*

IV. Parking for Multi-family or Commercial Structures.

1. Service and parking areas shall be located to the rear of the property.
2. Parking shall not be visible from the public right of way, if possible. If this is not possible, visible parking lots shall have a wall or well-maintained landscaped screen to buffer them from the public right of way.
3. When a parking lot borders a residential structure, there shall be an opaque wall and landscaped screen between the properties.
4. Eliminate or reduce parking on the street-facing side of corner buildings.

All on-site parking is to be located between the buildings, internal to the lot and accessed at the rear of the property. There does not appear to be any screening indicated between the gallery parking area and the townhouse. Three existing driveways will be removed and replaced with three new but more appropriately located driveways- providing more space for on-street parking and an appropriate distance between the driveways. Limited garage parking is also provided for the gallery and townhouse number 1.

Additional analysis: There are no changes to the parking proposed; therefore there is no additional analysis.

V. Mechanical and Ground Level Equipment.

1. Roof or building mounted mechanical or solar equipment shall be screened and not visible from the sidewalk or street across from the building.
2. Refuse containers and ground level mechanical or solar equipment shall be located at the rear of the structure and screened with an appropriate wooden or stucco wall and/or landscaping. Satellite dishes shall be placed so as to be minimally visible from the front street. Rolling trash receptacles shall be contained in a screened area, to either the side or rear of the structures. Front yard locations are not appropriate.

HVAC equipment is located on the ground and screened by a 2'6" stuccoed wall.

Additional analysis: The screen wall remains in the plans submitted, but it does not indicate what it is screening. Staff assumes that it continues to screen the future HVAC equipment. For the sake of clarity, staff proposes a condition for a note be added to the site plan.

VI. Miscellaneous Features

As with other aspects of both Contributing and non-contributing buildings in the Fourth Ward, compatibility is the major focus of the guidelines. The size, scale, proportion and materials used should be compatible with the style and character of the neighborhood.

A. Area Features to be preserved:

- Original sidewalk paving
- Buggy steps
- Horse rings
- Lawn curbs

1. All site and right-of-way alterations shall be reviewed by the LUCC for a Certificate of Appropriateness.

B. Fences and Walls

1. Front yard fences are not encouraged. If a fence is necessary in the front yard, it shall be no taller than 3 feet, as established by zoning, and shall continue to the rear of the yard. Please consult with the Zoning Code and with LUCC Staff for fencing. The Zoning Hearing Examiner hears special exception variances to the height of front yard fences.
2. If a taller, privacy fence is desired, it shall be located in the rear yard, with the fence beginning at the rear edge of the house.
3. Concrete blocks walls shall be stuccoed and architecturally integrated to the building.

Not Appropriate: Unstuccoed, smooth-faced block walls, chain link fencing, chicken wire and coyote/patio fencing shall not be approved.

There are no front yard fences proposed, though the central courtyard is enclosed by a 4-foot tubular steel fence.

Additional analysis: *There are no changes to the fencing proposed; therefore there is no additional analysis.*

C. Landscaping

Landscaping is a matter in which the LUCC has an advisory role. These guidelines are recommendations for property owners, but they are not requirements.

1. Retention and maintenance of existing street trees is highly encouraged, unless the trees are seriously diseased. If a diseased tree must be removed, replacement with an appropriate type of tree is encouraged. A planting list is available from the City of Albuquerque Parks Department for appropriate plants for disease resistance and drought tolerance. Before landscaping, please check with a local nursery/gardening center for important information on appropriate trees for this climate and for restrictions regarding pollen producing plants and high water use plants.
2. Where evidence of an historic landscape can be demonstrated through documentary evidence, maintenance and restoration of that historic landscape is appropriate (i.e. conversion to drought-tolerant or other planting schemes is inappropriate)
3. Front and side-yard improvements should not include total coverage with concrete, gravel, stone, or other hard, non-plant material. A minimum of 50% of the front and side yards should consist of live plant material such as shrubs, flowering plants, trees, and grass. Although xeriscaping is not required, the use of appropriate low water use plants is strongly encouraged
4. Evergreen trees, shrubs and low-branching trees are not recommended for the planting strip between street and sidewalk.

A landscape plan has been provided, and the new development must meet the general landscape requirements of the Comprehensive Zoning Code. The proposed development shows deciduous street trees between the sidewalk and the curb along Tijeras and 9th St., with plantings between the sidewalk and the structures along Kent. The central courtyard, front yards of the townhouses and the front corner and side of the gallery and studio are all proposed to be landscaped with low to medium water use plants.

Additional analysis: *The landscaping plan on the western edge of the site shows the footprints of the metal screens and the proposed vines. However, the landscaping calculations have not been revised to reflect this change. The landscaping plan should be revised and updated, whether the metal screens are approved or not, to show that the landscaping meets the requirements of the zone code. Staff proposes a condition to address this. In addition, staff is concerned that the vines are unlikely to reach 25feet in height, especially given the New Mexico climate.*

D. Lighting

Site lighting is addressed in the Zoning Code under the General Provisions: Area Lighting Requirements section. All lighting must meet Federal, State and local regulations regarding wattage, lighting spill, reflectance, and night sky protection.

Landmarks and Urban Conservation Ordinance

This site consists of a contributing property in the Fourth Ward 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 new construction does not conflict with the designation ordinance or the development guidelines. The proposed new construction furthers the purpose of the ordinance through appropriate infill development, supporting the historic fabric of the neighborhood.

Additional analysis: *As discussed in the additional analysis above, while the project as a whole, as new construction, does not conflict with the development guidelines, the proposed six 25foot tall metal screens are at a scale, mass, proportion and number that conflict with several of the Fourth Ward Historic Overlay Zone Development Guidelines. While the window configurations differ from the previous application, the pattern and proportion are consistent with 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 by the proposed new construction as analyzed above. The subject site is on a block with no other structures, and is at the boundary of the Fourth Ward Historic Overlay Zone. The new development provides a transition from the downtown business core to the Fourth Ward, both in terms of proposed use, as well as design. The wider area is very varied in terms of styles of architecture, yet the request successfully blends elements of contributing buildings from the wider area, including the window styles, flat roof, defined entrances and scale of the structures.

Additional analysis: While the project as a whole will provide an excellent example of a contemporary addition to the architectural character of the historic zone, staff is concerned that the metal screens are an architectural detail that through their number and scale will be inconsistent with the character of the area. Staff feels that the combined changes to west elevation, especially the metal screens merit a public discussion that the LUCC provides.

§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.

The proposed new construction is of a contemporary design, however the window proportions and sizes, patterns of openings, use of porches and scale reflect those of the general area.

Additional analysis: The window proportions and patterns have been revised, however they still reflect those of the general area. The proposed metal window screens are of a contemporary design and add articulation, visual variety and shade to the west elevation however, staff is concerned that the scale, proportion, number and material are not compatible with the historic zone or the general area.

§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

Proper legal notice was provided in the newspaper. Two signs were posted on the property with notice of the LUCC application. The applicant notified all of the associations on the downtown neighborhood associations list, which includes the Downtown Neighborhood Association and the Downtown Action Team. No comments specific to this request were received, however; the applicant support for the Conditional Use request. That request included conceptual drawings of the project.

Conclusions

This request for a Certificate of Appropriateness for new construction has been reviewed against the Fourth Ward Historic Zone Development Guidelines and the criteria for approval of a Certificate of Appropriateness contained in the LUC Ordinance. The proposed site plan design, landscaping plan and elevations meet the preponderance of the specific development guidelines for the Fourth Ward Historic Overlay Zone, and the criteria in the LUC Ordinance.

Overall staff supports this project, it is an excellent use of the site and the design proposed is a successful contemporary contribution to the historic zone. However, the metal screens proposed conflict with several of the development guidelines in the Fourth Ward Historic Zone. The metal screens are designed to provide shade, visual variety, and articulation to the west elevation; the screens do some effectively, however staff is concerned that the scale, proportion and number of screens are inconsistent with the character of the historic zone and the general area. Staff recommends approval of this request, with a number of conditions to address minor edits to the site plans and removal of the metal window screens.

The project is consistent with the underlying zoning (SU-2/DNA-OR) per the Downtown Neighborhood Area Sector Development Plan. In addition, the proposed new development supports DNA SDP Implementation Policy 5, calling for the redevelopment of existing commercial parking lots, the policy discusses how there is a “higher and better use for those properties that contain commercial parking lots. These are excellent locations for new infill development that fits with the character of the neighborhood and helps to fulfill community goals.”

FINDINGS for APPROVAL of a request for a Certificate of Appropriateness for new construction - Case 14-LUCC-50051 / Project # 1009733 (November 12, 2014)

1. This application is a request for a Certificate of Appropriateness for new construction at 816 Tijeras Avenue NW and 898 Kent Avenue NW, described as Lots 7 and 8A, Block 53, New Mexico Town Company Original Townsite, zoned SU-2/DNA-OR (Office Residential) and in the Fourth Ward Historic Overlay Zone.
2. A Special Exception for a Conditional Use for art gallery and artist studios was issued by the Zoning Hearing Examiner on July 31, 2013. The Downtown Neighborhoods Association and the Downtown Action Team provided letters of support for the zoning application.
3. Three Special Exceptions for a Variance, one each for the north, west and south elevations of the gallery and studio building, were issued by the Zoning Hearing Examiner on December 4, 2013.
4. The subject property currently does not contain any structures and is in use as a commercial surface parking lot. There are no other structures on the block, the property to the east of the site is used for parking.
5. The proposal is to construct three buildings: a gallery with nine artist studios, two townhouses and a detached secondary dwelling unit. The application includes a site plan, landscaping plan, and elevations of for the gallery and studio building and the townhouse buildings.
6. 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.
7. 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*”. In general, the proposed new construction does not conflict with the designation ordinance or the development guidelines.
8. The proposed new construction is consistent with the Development Guidelines for new construction in the Fourth Ward Historic Overlay Zone. The buildings have a high

proportion of windows and doors to wall area, the pattern and proportions of the windows are similar to contributing buildings in the area, and the building elevations are articulated with porches, balconies and details. The buildings and parking areas are sited consistent with the guidelines. The exterior materials are similar to materials common to historic buildings in the Fourth Ward historic district. The proposed new construction does not imitate historic buildings, but reflects the rhythm and patterns of contributing buildings in the area. The proposed development is consistent with the guidelines with respect to parking, mechanical equipment and fences as analyzed in the staff report.

9. 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)(2) states that a Certificate of Appropriateness shall be approved if *“The architectural character of the site or the historic zone will not be significantly impaired or diminished.”* The architectural character of the historic zone or the site will not be diminished by the proposed development. The subject site is on a block with no other structures, and the block is at the boundary of the Fourth Ward Historic Overlay Zone. The area is a transition from the downtown business core to the Fourth Ward historic district, both in terms of proposed use, as well as design. The wider area is very varied in terms of styles and age of architecture. The proposed new development blends elements of contributing buildings from the wider area, including the window styles, flat roof, defined entrances and human scale.

10. The LUC Ordinance specifies that an application for a Certificate of Appropriateness shall be approved if it complies with several specified criteria. The LUC Ordinance Section 14-12-8(B)(6) states that *“Additions to existing structures and new construction may be of contemporary design if such design is compatible with the historic zone in which it is located.”* The proposed new construction is of contemporary design, but is compatible with the historic zone in that the patterns and proportions of window openings, the use of porches and the general scale of the new buildings reflect those of the general area.

11. Due to the scale, proportion, number and material, the six 25’ x 7’8” metal mesh screens proposed for the northwest corner and west elevation of the gallery and studio building are inconsistent with the following Development Guidelines in the Fourth Ward Historic Overlay Zone, III. Design Guidelines for New Construction: A. Standards for New Construction, B. Scale, Proportion and Massing, F. Exterior Materials, and G. Architectural Details. In addition, the screens conflict with Section 14-12-8(B)(1) and Section 14-12-8(B)(2) of the LUC Ordinance as the proposed screens are not consistent with the development guidelines for the historic zone or the architectural character of the historic zone.

12. The revised Code of Ordinances of Albuquerque New Mexico, 1994, including the Zoning Code, and the Downtown Neighborhood Area Sector Development Plan are incorporated herein by reference and made part of the record for all purposes.

RECOMMENDATION - Case No. 14-LUCC-50051/ Project # 1009733 – (November 12, 2014)

APPROVAL of an application for a Certificate of Appropriateness for new construction, located at 816 Tijeras Avenue NW and 898 Kent Avenue NW, described as Lots 7 and 8A, Block 53, New Mexico Town Company Original Townsite, zoned SU-2/DNA-OR and in the Fourth Ward Historic Overlay Zone, based on the above twelve Findings and subject to the following conditions.

Conditions of Approval Recommended for 14-LUCC-50051/ Project # 1009733

1. Applicant is responsible for acquiring, and approval is contingent upon, approval of all applicable permits and related approvals.
2. Sheet A001, Date 3-20-14, the applicant shall revise one Key Note 3 notation to read Key Note 4, for the notation addressing the plat line.
3. The applicant shall revise the west elevations on Sheet A100, Date 4-1-14 and Sheet 200, Date 4-1-14, to match the west elevations shown on the elevations dated 10-14-13 in order to meet the revised window percentages. This will require the inclusion of 3 “A” windows at the ground floor level per the window schedule on Sheet A400, Date 4-1-14.
4. The applicant shall work with LUCC and Zone Code Services staff to address the 10 foot separation distance from a dwelling unit. This may require a further variance or a revision to site plan lay out.
5. On Sheet L001, Date 5-9-14, the applicant shall revise the landscaping calculations to match the landscaping shown on the site plan, to ensure that the Landscaping provided meets the requirements of the Zone Code.
6. The second floor plan shows the balcony guardrail as wood and as steel. The applicant shall revise Sheet A100, Date 4-1-14, to show the balcony guardrail as wood in order to conform with the site plans previously approved by the LUCC.
7. The color renditions show horizontal stair railings while the elevations in the site plan packet show steel mesh along the stair railings. The applicant shall revise the stair railing on the Sheet A200, Date 4-1-14, to show horizontal steel railings, to conform with the site plans previously approved by the LUCC.
8. The applicant shall add the following General Note to the Gallery elevations (currently Sheet A200): Windows to be inset 1 1/2” minimum from the exterior surface of the wall.
9. The applicant shall add a note or symbol to Sheet A001, Date 3-20-14, showing the location of the HVAC unit(s). The screen wall for the ground mounted HVAC units shall be equal to or higher than the top of the units.

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10. The applicant shall revise Sheet A200, Date 4-1-14, for the north elevation, showing the ground floor awning covering the full length of the north elevation, per the plans previously approved by the LUCC.
 11. The applicant shall remove the proposed 25'x7'8" metal mesh screens from all the site plan sheets, including but not limited to Sheet A001, Sheet L001, Sheet A100, Sheet A200.

P.M.

**Petra Morris, Senior Planner,
Urban Design and Development Division**

Attachments

- 1) Excerpt from the Landmarks and Urban Conservation Ordinance
- 2) Official Notice of Decision for Project #1009742
- 3) Official Notice of Decision for Project #1009733
- 4) Official Notice of Decision for Project #1009866
- 5) Email from staff
- 6) Site Visit photos taken August 2013
- 7) Examples of other metal screens- 515 Central NE and 311 14th Street NW.
- 8) Relevant sections of the Downtown Neighborhood Area Sector Development Plan.

CITY OF ALBUQUERQUE AGENCY COMMENTS

ZONING CODE SERVICES DIVISION

- The secondary dwelling must have a minimum separation of 10 ft from a dwelling unit per page 97 of the DNA SDP and Section 14-16-3-3(B)(2)(e) of the Comprehensive Zone Code.

TRANSPORTATION DEVELOPMENT

- On street parking is shown on 9th and Kent Street, you will need to apply for a 'Request for On-Street Parking' from our office (Transportation Development Section, Traffic Engineer – Kristal Metro) for proposed parking within City ROW in order to comply with parking requirements for the Gallery & Studio. The applicant will be allowed to count a percentage (50%) of the parking available along the site's frontage toward their required on-site parking.
- All easements must be shown and labeled on Site Plan.

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