



Landmarks Commission

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

Date: December 14, 2018

## NOTICE OF DECISION

**PR-2018-001685 SI-2018-00195**  
**Application for Certificate of**  
**Appropriateness**

**Clear Vision Construction**, requests approval of a Certificate of Appropriateness for New Construction at 814, 832, 840, 844, & 848 Tijeras Ave. NW, described as Tract 7 & 8a Block 53 in the Fourth Ward Historic Overlay Zone. (J-13)

On December 12, 2018 the Landmarks Commission voted to **Approve, Project PR-2018-001685, SI-2018-00195**, based on the following findings and conditions.

### **Findings for Approval:**

1. This application is a request for a Certificate of Appropriateness for new duplex development fronting Tijeras Ave, 9<sup>th</sup> Street & Kent Ave, described as Lots 7 & 8A, Block 53, Original Townhouse Site, in the Fourth Ward Historic Preservation Overlay Zone and zoned MX-T.
2. The subject site is approximately 0.3735 acres.
3. Construction of six duplex fronting Tijeras Avenue is proposed. Each unit is approximately 1800 sq. ft., with a double garage. The duplexes are two story, painted stucco buildings, styled to present a contemporary interpretation of the traditional 'Pueblo' form. A variety of architectural styles exists in the vicinity and the proposed approach references local examples of the Pueblo Vernacular without attempting historic replication.

The principal frontages have varying set-backs and they are active and well-articulated. The second floor of each unit is stepped back 6', allowing for a small open balcony, enclosed by a parapet wall. The balcony is covered with a small, concrete tiled canopy and a similar feature covers the main entrance to the unit.

The western and central duplexes have a private, open courtyard to the rear and accessory buildings containing garages with studios above. The second floor studios are accessed via an external stair from the courtyard area. The easternmost duplex units have connected garages to the rear and the garages to all six units are accessed from Kent Avenue.

The proposed pattern and intensity of development correspond with those elsewhere in Fourth Ward and the new built form is domestically scaled to complement local models. The materials - albeit modern - are of good quality and visually compatible with traditional materials typical of the historic district.

4. Section 14-12-8(A) of the Landmarks and Urban Conservation Ordinance states that within the boundaries of a historic zone, the exterior appearance of any structure shall not be altered, new structures shall not be constructed, and existing structures shall not be demolished until a Certificate of Appropriateness has been duly approved.

5. The LUC Ordinance 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”.

6. Subject to conditions, the project is compliant with designation ordinance -46-1991.

7. Subject to conditions, the project is compliant with the Guidelines for the Fourth Ward Historic Preservation Overlay Zone.

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”.

Subject to conditions, the proposed development will make a positive contribution to the distinctive qualities of the Fourth Ward Historic Preservation Overlay Zone and the key characteristics of the district will remain undiminished. However prior to approving the application subject to conditions, Staff recommends that the Commission give careful consideration to the issues described in paragraphs a) and b) above.

### **Conditions of Approval**

1. Applicant is responsible to acquire, and approval is contingent upon, approval of all applicable permits and related approvals.

2. Design details of all windows and doors shall be submitted and approved by LC staff prior to commencement of construction works.

3. A materials specification for the garage doors shall be submitted and approved by LC staff prior to commencement of construction works.
4. All CMU boundary walls shall be stuccoed.
5. East and West boundary walls shall be 5' high, with 8" railings above.

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APPEAL: IF YOU WISH TO APPEAL A **FINAL DECISION** YOU MUST DO SO IN THE MANNER DESCRIBED BELOW. A NON-REFUNDABLE FILING FEE WILL BE CALCULATED AT THE LAND DEVELOPMENT COORDINATION COUNTER AND IS REQUIRED AT THE TIME THE APPEAL IS FILED.

The applicant or any person aggrieved by decision of city staff may appeal the decision of the city staff designated by the Mayor relative to a Certificate of Appropriateness to the Commission. The applicant or any person aggrieved by decision of the Commission (LC) may appeal the decision to the City Council. Any city staff or Commission decision is final unless appeal is initiated by application to the city within 15 days of the decision. The date the determination is not included in the 15-day period for filing an appeal, and if the 15th day falls on a Saturday, Sunday or holiday as listed in §3-1-12, the next working day is considered as the deadline for filing the appeal. A building permit dependent on a case shall not be issued and a proposed project not requiring a building permit shall not be initiated until an appeal is decided or the time for filing the appeal has expired without an appeal being filed.

The City Council, after consideration of the appeal record, may decline to hear an appeal if it finds that all city plans, policies and ordinances have been properly followed. If it decides that there is substantial question that all City plans, policies and ordinances have not been properly followed or are inadequate, it shall hear the appeal.

ALL CASES THAT RECEIVED APPROVAL ON **December 12, 2018** WILL BE MAILED A CERTIFICATE OF APPROPRIATENESS, AFTER THE 15-DAY APPEAL PERIOD HAS EXPIRED ON **December 27, 2018**.

Sincerely,



Leslie Naji  
Planner, Landmarks Commission