



# Landmarks & Urban Conservation Commission



**Agenda Number: 4**  
**Case No.: 17-LUCC-50006**  
**Project # 1004847**  
**April 12, 2017**

## Staff Report

<b>Agent</b>	Alejandro Gonzales	<b>Staff Recommendation</b>  <i>Approval of Case # 17-LUCC-50006, Project #1004847, a request for a Certificate of Appropriateness for new construction based on the Findings beginning on page 13 and subject to the conditions on page 13 &amp; 14..</i>
<b>Applicant</b>	ModHab LLC	
<b>Request</b>	Certificate of Appropriateness for new construction	
<b>Legal Description</b>	Lot 1, Block 18 Huning's Highland Addition	
<b>Address/Location</b>	401 Walter. SE	
<b>Size</b>	0.10 acres	
<b>Zoning</b>	SU2/MR	
<b>Historic Location</b>	Huning Highland Historic Overlay Zone	<b>Leslie Naji, Senior Planner</b> <b>Staff Planner</b>

### Summary of Analysis

*The applicant proposes to construct a new house on a vacant lot at the corner of Walter Street and Lead Avenue. The previous application of March 8 was met with concern from the neighbors as not fitting into the scale of the neighborhood. The project was deferred until April 12 to allow the applicant to redesign the house to better blend with the Huning Highland Historic District. The new, amended design faces Walter St. with a 34' wide 1 ½ story single family house. It has a pitched roof with gabled end and a combination of horizontally aligned fiber cement plank siding and sand finished stucco. The building is set back 15' from the sidewalk and includes a front porch element with a balcony above. To the rear of the lot is a single story two car detached garage with stucco finish and two single car garage doors accessible from the alley and flat roof.*

*The applicant has incorporated gable ends and pitched roof element to address the traditional forms of the neighborhood while creating a contemporary house. Existing trees on the site are to be maintained and parking is accessed from the rear alley.*

*This project has been reviewed for compliance with the New Town Neighborhoods Development Guidelines and LUCC ordinance. Staff analysis follows.*

**SUMMARY OF REQUEST**

<b>Request</b>	<i>Certificate of Appropriateness for new construction</i>
<b>Historic Location</b>	<i>Huning Highland Historic Overlay Zone</i>

**AREA HISTORY AND CHARACTER**

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

	<b># of Stories</b>	<b>Roof Configuration, Architectural Style and Approximate Year of Construction</b>	<b>Historic Classification &amp; Land Use</b>
<b>General Area</b>	1-2	Craftsman Bungalow; Bungalow; Spanish Pueblo Revival; Prairie; Mediterranean Revival; Colonial Revival	Contributing; residential
<b>Site to the North</b>	2	Two-story Queen Anne cross gabled roof, 1896	Contributing, Residential
<b>Sites to the South</b>	1	One-story Hipped Box, 1908	Contributing, Residential
<b>Sites to the East</b>	1 1/2	One and a half-story Queen Anne with gabled and hipped roof, 1907	Contributing, Residential
<b>Site to the West</b>	1	One-story Simplified Queen Anne with cross gabled roof, 1892	Contributing, Residential

**INTRODUCTION**

**Proposal and History**

The applicant seeks a Certificate of Appropriateness to construct a new 2090 square foot house with one and two story elements on a vacant lot at the corner of Walter Street and Lead Avenue. Facing Walter St. is a 15' pitch roofed element with gabled end and horizontally aligned fiber cement plank siding. Set back from this and running along Lead Ave. is a two story, flat roofed element with both horizontal siding and stucco finish. To the rear is a single story two car attached garage with horizontal siding and flat roof.

The applicant has incorporated gable ends and a pitched roof element on the building mass on the south side of the lot which faces Walter Street. These qualities address the traditional forms of the neighborhood while creating a contemporary house. The elevation directed towards Lead Avenue is one of simple lines and single story cantilever elements and balconies to reinforce the pedestrian scale and experience. Existing trees on the site are to be maintained and parking is accessed from the rear alley.

The property is currently vacant and has been so for approximately 60 years. Historically, as shown on the 1898 Sanborn Map, one dwelling unit with two front porches and a rear porch occupied 401 Walter. An accessory building was located at the end of the property, along the alley; this was

possibly a coach or carriage house. The 1942 Sanborn Map shows that the main building had been divided into two dwelling units and the accessory building by the alley was a third dwelling unit. Sometime between the 1942 Sanborn map and the 1957 Sanborn Map the buildings were demolished/ destroyed. The site has remained vacant since then.

The LUCC approved a Certificate of Appropriateness for construction of a duplex building on this site in May of 2006 (project#1004847 06-LUCC-00531) for the same applicant. That project was never built.

### ***Context***

Upon the arrival of the Railroad in the Rio Grande Valley in 1880, tracks were laid two miles east of the small *Villa de Albuquerque*, and a “new town” was established. Rather than the traditional adobe structures of the villa, the brick wood and stone buildings of “new town” reflected the architecture, platting, tastes and lifestyles of the Midwesterners who came along with the railroad. Huning Highland is named for Franz Huning, a German immigrant who made New Mexico his home in the mid-1860s. By 1880 he was a prominent citizen with land holdings east of the town. Lands that Huning owned east of the railroad were platted and sold as building lots beginning the Huning Highlands Subdivision. The new subdivision east of the railroad tracks became the early home for Albuquerque’s many prominent business and professional citizens.

The architectural environment of the Huning Highlands, including its streetscape and landscaping, is significant not only for its nineteenth and early twentieth-Century styles of building, but also for the variety and scale of its architecture. It is not a neighborhood of large mansions, but one of a variety of substantial homes and modest cottages. Styles range from the early Victorian to the more modest period revival cottage styles of the early part of this twentieth-century. During the 1920’s the California bungalow gained prominence in popularity and examples of this style can also be found in the district.

Many of the houses are of wood frame with horizontal siding and corner trim boards. Other houses are constructed of brick; windows are graced with segmental arches, corners decorated with vertical dentils, adding the soft red color of brick to the streetscape. Cast stone also adds its own color and large textured scale to the variety of materials. Various roof pitches and styles, dormers, leaded windows, broad front porches with Doric columns, tall brick chimneys with a variety of capping patterns, warm stucco with Spanish tiles, and an array of decorative frieze boards, gable wall patterns and brick bracketry—most of which came to the area over the railroad from eastern mail order houses—add up to a neighborhood that is a cultural and historical resource of great value to any city and worth conserving. The Huning Highland Historic District was accepted to the National Register of Historic Places in 1978 and the Historic Overlay Zone was created by the City Council in 1980.

The historic district continued to grow and develop through the first half of the twentieth-century. The district contains numerous commercial buildings, concentrated primarily on Broadway and Central Ave, but also found on the east-west arterials of Lead and Coal. These commercial buildings include one and two-part commercial block buildings, commercial compounds, service stations, motels, drive-in restaurants and a bank of Modernist design. Institutions such as the St. George Greek Orthodox Church and Immanuel Lutheran Church and School and a former fire station all contribute to the eclectic mix of buildings in the district. New multi-family buildings on Central Ave. near Old Albuquerque High School and on Silver and High Streets have been added circa 2000. There are additional industrial types of commercial buildings near the southeastern corner of the historic district. Lead Ave. is a two-lane one-way street that was upgraded as part of an extensive City project completed in the past few years to beautify both Lead and Coal with landscaping and improve conditions for all modes of transportation. A new sidewalk, street trees and on-street parking are adjacent to the subject property.

## ***APPLICABLE PLANS, ORDINANCES, DESIGN GUIDELINES & POLICIES***

### ***ANALYSIS***

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

#### ***Comprehensive Zoning Code***

The subject property is zoned SU-2/MR Mixed Residential under the Huning Highland Sector Development Plan. It corresponds to the R-1 Residential zone in the Zoning Code with minimal exceptions. One is the minimum front setback, which is 10 ft. instead of 20 ft. for buildings other than garages or carports.

The subject property is located within the Huning Highland Historic Overlay Zone. The Comprehensive Zoning Code §14-16-2-28 establishes controls and procedures for Overlay Zones. §14-16-2-28 (D) (1) states that the area's distinctive characteristics and general preservation guidelines for the area shall be identified by the City Council in the resolution applying the Historic or Urban Conservation Overlay Zone to any given area. The Landmarks and Urban Conservation Commission shall adopt specific development guidelines for each Overlay Zone area. 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 have 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.

*The proposed project complies with the Comprehensive Zoning Code on matters of height, setbacks and fencing.*

*A discussion of the proposal's conformance with the adopted specific development guidelines is provided below.*

**Resolution –132-1980 Designating the Huning Highland Historic Overlay Zone**

This resolution designated and mapped the Huning Highland Historic Overlay Zone. The resolution included the adoption of design guidelines (revised 1998 and 2010). The Huning Highland Historic Overlay Zone was established and adopted by the Council on June 2, 1980. Development guidelines were adopted with the resolution. The guidelines were amended by the LUCC in 2010. The development guidelines are administered by the LUCC, and include direction on such issues as building height, massing, proportion and scale, use of materials in new and existing buildings, relationship between buildings, landscaping, roadways, sidewalks, and the overall neighborhood character.

*The proposal does not conflict with the designation ordinance.*

**Development Guidelines for the Huning Highland Historic Overlay Zone**

The (design) development guidelines were revised and adopted by the LUCC in October 2010. The development guidelines to protect neighborhood character, specifically those relating to new buildings, are applicable to this request. The proposal is analyzed with regard to relevant sections

**POLICY – New Buildings**

New construction 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.

*The Huning Highland Historic Overlay Zone, while offering a variety of architectural types and styles, is predominantly one and two story houses. Along Walter Street, houses run the gamut of finish materials, including brick, wood lap siding and stucco. The majority of roofs are pitched and gabled, hipped or a combination of the two. One block down from the project site, at the corner of Walter and Coal, there is a flat roofed stucco house.*

Guidelines

1. Design new buildings to appear similar in scale to other buildings on the block:
  - a. Break large masses into smaller segments similar to other buildings.

- b. The perceived mass of buildings from the street shall be reduced by details such as windows, doors and entry porches.

*The project design utilized breaks in the building mass through various setback, porch elements and window sizes along street front elevations consistent with neighboring houses.*

2. Design a new building to reinforce a sense of human scale. This can be achieved with the use of:
  - a. Building materials of traditional dimensions
  - b. One-story porches
  - c. Solid to void ratios that are similar to traditional buildings.
  - d. Windows should be recessed and similar in size to surrounding buildings.

*The choice of building materials, although not always traditional, is of traditional appearance. The lap siding and stucco used are seen throughout Huning Highland. Elevations from both Walter and Lead have single story porch elements or balcony overhangs.*

*The solid to void patterns of windows are similar to those on traditional building. The size and placement of windows varies but overall the human scale is satisfied. The building plans do not show adequate detail for the windows to determine if they are set back or to be installed flush with the exterior wall; however they do appear to be flush mounted. This is counter to the recommendation that windows be recessed.*

3. Design the front elevation to appear similar in scale to contributing buildings on the block.
  - a. On a two-story building there should be a one-story element such as a porch.

*The Walter Street elevation has a one-story porch as well a one-story building mass. The Lead Avenue elevation also benefits from the one-story porch. The scale and roof line is similar to other houses on the street.*

4. Infill construction should enhance the pedestrian character of the district.
  - a. Entrances to new buildings shall be oriented towards the street.
  - b. Maintain patterns of window and door proportions and placement found in the vicinity.
  - c. Maintain the front setback most common on the block.
  - d. The space between adjacent buildings should be the same as the average space between other buildings on the block.
  - e. Parking and garages should be located towards the rear of the property whenever possible.

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*The front entrance faces Walter St. Door and window sizes are proportional to those found in the neighborhood.*

*Front setbacks along the block range from 15' – 18'. The proposed house with the pitched roof is set back 15' from the sidewalk. The setback between the proposed house and the neighbor appears to be typical of the area.*

*Parking and garage is located to the rear of the property with access from the alley.*

5. Use building forms that are similar to those of contributing buildings on the block.
  - a. Rectangular masses are the typical building form.

*Typical building forms are utilized with the project.*

6. Use roof forms that are similar to contributing buildings on the block.
  - a. Hip and gabled roofs are appropriate in most settings.
  - b. Flat roofs should be used only where appropriate to the context and should have a parapet.

*The new proposal provides a gable end pitched roof. A small shed roof element accommodates an interior stairway and adequately blends with the structure. The garage has a flat roof which is very common in the area.*

7. Exterior materials used on new buildings should complement those materials found on contributing buildings in the neighborhood.
  - a. 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).
  - b. Synthetic siding materials, such as cementitious products, may be appropriate if they are similar to traditional materials.
  - c. Wood is the preferred choice for window and doors. Metal window frames are discouraged other than exterior cladding for wood windows.
  - d. Roofing materials shall be similar in appearance to other buildings in the district.

*Materials on the project, as mentioned previously, complement those materials used in the neighborhood on historic properties. Fiber cement lapboard panels, laid horizontally, are visually similar to what is currently found on houses, as is the stucco.*

*The specified roof material is onyx black asphalt 3 tab shingles and is similar to other roof material in the area.*

*Windows specified are bronze colored fiberglass windows with single pane, casement and single hung windows.*

8. Imitation of older historic styles is discouraged.
  - a. Interpretations of historic styles may be appropriate if they are subtly distinguishable as new buildings.
  - b. Incorporate details and ornamentation found on historic buildings within the context of new construction.

*The proposed project very clearly expresses itself as new construction and from contemporary times.*

9. Contemporary interpretations of traditional detail are encouraged.
  - a. New designs for details such as window and door trim, porch railings, columns add interest while remaining compatible with the historic buildings.

*This project for new construction does incorporate traditional detailing.*

10. See Site Features and Streetscape section for additional guidelines in parking areas, site grading and lot patterns.

**POLICY – Site Features & Streetscapes**

*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.

*The proposed site has been vacant for more than 60 years. It is currently fenced with a flat lot and some trees. The site plan calls for maintaining existing large caliper trees and cedar wood fence around the rear yard. It does not disregard existing features.*

*Site Grading and Lot Pattern*

2. The historic lot pattern creates a rhythm of buildings and the spaces between them and should be maintained.
  - a. Lots should not be consolidated or subdivided except, where lots have been consolidated in the past; replatting to traditional lot size is desirable.

*This project utilized a five foot setback from the property line maintaining the standard pattern of the block.*

3. Preserve the historic grading design of the site.
  - a. Altering the overall appearance of the historic grading is not appropriate. While some changes may be considered, these should remain subordinate and the overall historic grading character shall be preserved.
  - b. Any change of more than one foot in existing grade at any point within the front yard setback requires a Certificate of Appropriateness. 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.
4. Grading and drainage plans required for new construction shall show both existing and proposed grades.

*No changes to the site grade are proposed*

5. Maintain the planting strip.

*The existing planting strip shows no improvements to be made.*

#### *Fences and Free Standing Walls*

7. When constructing new fences, use materials that appear similar to those used historically.

*The proposed fence material is 6'X8' cedar vertical plank fence panels with a flat top. Such material is not contrary to historic materials and the flat top is more in keeping with the contemporary design of the house.*

9. Fences taller than three feet may be appropriate in the side or rear yards. However, the fence should not begin before the midpoint of the house.

*There is no fence proposed for the front yard. The side and rear yards do have a fence. Fencing is setback from the front of the house but begins before the midpoint of the house. The nature of the position along Lead with fairly heavy traffic warrants the placement of the fence for nearly the full length of the house. In addition, this is new construction and is not covering or blocking from view historical detailing.*

*Parking areas and driveways*

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

***Project parking is via the rear alley and includes a paved driveway leading to a two car garage.***

20. Screen parking areas from view of the street.
  - a. 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.

***The site provides a 20' space between the public right-of-way and the driveway.***

**Landmarks and Urban Conservation Ordinance**

This site consists of a contributing property in the Huning Highland Historic Overlay 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.

§14-12-8 (B) (2) The architectural character, historical value, or archaeological value of the structure or site itself or of any historic zone in which it is located will not be significantly impaired or diminished.

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

§14-12-8 (B) (4) The structure or site’s distinguished original qualities or character will not be altered. Original shall mean at the time of initial construction or developed over the course of history of the structure.

§14-12-8 (B) (5) Deteriorated architectural features should be repaired rather than replaced, if possible. If replacement is necessary, the new material shall match the original as closely as possible in like material and design.

§14-12-8 (B) (6) Additions to existing structure and new construction may be of contemporary design if such design is compatible with the historic zone in which it is to be located.

***The LUC ordinance criteria have been reviewed for compliance against this proposal. The site is currently vacant and has been for many years. This project is one for new construction and not restoration of a historic property. It is the intention of this ordinance to guard against incompatible construction in historic overlay zones and not to freeze them in time. This proposal complies with a significant number of the ordinance requirements.***

### ***Additional Considerations***

The applicant notified the Huning Highland Historic District Association and the Broadway Central Corridors partnership of this request. Verbal comment has been received from the neighborhood association in favor of the new proposed design.

### ***Conclusions***

***As discussed in the analysis above, the proposed project is one of new construction. Its overall design is one of simplistic contemporary design, although some effort has been made to incorporate the rhythms and roof shapes of the neighboring properties. It is substantially compliant with the guidelines.***

***FINDINGS for APPROVAL of a request for a Certificate of Appropriateness for new construction - Case 17-LUCC-50006 / Project # 1004847 (April 12, 2017)***

1. This application is a request for a Certificate of Appropriateness for new construction at 401 Walter St. SE described as Lot 1, Block 18 of the Huning Highlands Addition, a property in the Huning Highland Historic Overlay Zone, zoned SU-2/MR.
2. The subject site is a vacant lot of approximately 0.16 acres.
3. The proposal is to construct a new single family house. The proposed house would have one and two-story elements, 2,090 sq. feet, including the detached garage. The proposal has both flat roof and pitched roof masses. Exterior wall finishes are stucco and fiber cement horizontal siding. An entry porch is located at the front of the proposed building with a balcony above.
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. The proposed work is consistent with the designation ordinance R-132-1980. The proposed work does not conflict with the relevant development guidelines for the historic zone as described in the staff report and in Findings 7 through 10 below.
7. The proposal is predominantly consistent with the guidelines for new construction #1, 2, 3 and 5 in that the proposed scale is similar, in part, to other buildings along Walter St. Building forms are similar to those in the neighborhood and material dimensions, i.e. siding, are traditional to the area. The proposal is not consistent with guideline #2 in that the window openings fail to demonstrate the required setback from the exterior wall face.

8. The proposal enhances the pedestrian character of the district by adding development to a vacant dirt lot fronting both Walter St. and Lead Ave. It is consistent with the guidelines for new construction #4 in that the entrance is oriented to the street, the front setback is appropriate for the block and the space between adjacent primary buildings is typical to the block. Parking is located at the rear and accessible from the alley.
9. The proposal is substantially compliant with guideline #6 for roof design. The design includes a 1 ½ story pitched element.
10. The proposal is consistent with guidelines # 7 in that the exterior materials are stucco and lap siding that complement materials found on contributing buildings in the neighborhood. Windows are fiberglass pultrusion in a bronze tone finish. The roofing proposed for the southern pitched roof is onyx black asphalt 3 tab shingles.
11. The proposal is consistent with applicable guideline #10 *Site Features and Streetscape*. Parking is located at the rear and the historic grading of the site is not affected. New fencing on the site plan is 6' high cedar vertical panels.
12. The LUC Ordinance Section 14-12(8)(B)(2) states that a Certificate of Appropriateness shall be approved if "*The architectural character, historical value, or archaeological value of the structure or site itself or of any historic zone or urban conservation overlay zone in which it is located will not be significantly impaired or diminished*". The architectural character, historical value of the Huning Highland Historic Overlay Zone will not be significantly impaired or diminished due to the proposal's conformance with the specific development guidelines.

***RECOMMENDATION - Case No. 17-LUCC-50006/ Project # 1004847- March 8, 2017***

**APPROVAL of 17-LUCC-50006/ Project # 1004847**, an application for a Certificate of Appropriateness for new construction, located at 401 Walter St. SE, described Lot 1, Block 18 of the Huning Highlands Addition, a property in the Huning Highland Historic Overlay Zone, zoned SU-2/MR based on the above twelve findings and subject to the following conditions.

**Conditions of Approval Recommended**

1. Applicant is responsible to acquire, and approval is contingent upon, approval of all applicable permits and related approvals.
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2. Window placement within the wall needs to be detailed and approved by staff to determine compliance with recess requirements.
  3. Final drawings must be submitted for approval by staff prior to building permits application.
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**Leslie Naji, Senior Planner  
Urban Design and Development Division**