



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

Date: March 12, 2025

### OFFICIAL NOTIFICATION OF DECISION

**PR-2025-020010**  
**HCOA-2025-00003**  
**Certificate of Appropriateness- Major**

**Phillip Martinez, request approval for a Certificate of Appropriateness Major, located at 1016 Lomas Blvd NW, described as Lot 8 & 9, Block 7, Luna Place, between Luna Blvd NW and 11th St NW, zoned MX-L, 0.14 acres. (J-13).**

On March 12, 2025, the Landmarks Commission voted to **Approve** Project # **PR-2025-020010/HCOA-2025-00003** based on the following Findings and Conditions.

1. The application is a request for a Certificate of Appropriateness for the existing gate/ door and window replacement, built without a Certificate of Appropriateness, located at 1016 Lomas Blvd. NW.
2. The subject site is approximately 0.14 acres. The legal description for the subject site is Block 7, Lots 8 & 9 Luna Place in the Fourth Ward Historic Protection Overlay Zone (HPO-4). The property is zoned MX-L.
3. The applicant applied for a Certificate of Appropriateness – Major following the issuance of a Notice of Violation by Code Enforcement.
4. The applicant installed a roll-up metal door within an existing wood fence.
5. Windows of the house were replaced with inappropriate sliding windows.
6. Section 14-16-6-6(D) of the Integrated Development Ordinance states that within the boundaries of an HPO 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. Section 14-16-6-6(D)(3)(a) The change is consistent with Section 14-16-3-5 (Historic Protection Overlay Zones), the ordinance designating the specific HPO zone where the property is located, and any specific development guidelines for the landmark or the specific HPO zone where the property is located.
  - (a) The change is consistent with §14-16-3-5 (Historic Protection Overlay Zones), the ordinance designating the specific HPO zone where the property is located, and any specific development guidelines for the landmark or the specific HPO zone where the property is located.

The proposal for new replacement windows on the street facing façade will remedy the placement of inappropriate sliding windows with triple banks of double hung windows

to match the windows removed. Replacement windows to the sides and rear may remain.

The roll-up door in lieu of a sliding gate is not consistent with the historic character of the Fourth Ward.

- (b) The architectural character, historical value, or archaeological value of the structure or site itself or of any HPO zone in which it is located will not be significantly impaired or diminished.

The reinstallation of the triple bank windows to the front of the house will maintain the architectural character of the house. The roll-up door, though not in keeping with the historic character of the Fourth Ward, will not significantly impair nor diminish the character of the neighborhood due to its location.

The new metal roll-up gate was installed in the alley, and though it is not visible from the front of the property, is of such a height as to be a detriment to the historic character of the neighborhood.

- (c) The change qualifies as a “certified rehabilitation” pursuant to the Tax Reform Act of 1976, if applicable.

Not applicable.

- (d) The structure or site’s distinguished original qualities or character will not be altered. For the purposes of §14-16-3-5 (Historic Protection Overlay Zones) and this §14-16-6-6(D), “original” shall mean as it was at the time of initial construction or as it has developed over the course of the history of the structure.

The new windows will enhance the original character of the house by replicating the original windows.

The installed metal roll-up gate is not within a historic feature; however, exceeds the 8 foot height of the fence in which it is placed.

- (e) Deteriorated architectural features shall be repaired rather than replaced, if possible. If replacement is necessary, the new material shall match the original as closely as possible in material and design.

The new windows will be of a metal clad Fibrex window, custom made to match the original dimensions. The windows will be 4 over 1 with grids on the inside and outside with internal spacers.

- (f) Additions to existing structures and new construction may be of contemporary design if such design is compatible with its landmark status (if any) or the HPO zone in which it is to be located.

Not applicable.

- (g) If the application is for a Historic Certificate of Appropriateness – Major for demolition of a landmark or a contributing structure in an HPO zone, demolition shall only be allowed 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 LC or City Council 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.

8. The application has been reviewed against Development Standards for Fourth Ward Historic District in the areas of:

#### WINDOWS AND DOORS:

Replacement of windows and doors that have been altered and no longer match the historic appearance is recommended.

- If a window or a door is completely missing, replace it with a new unit based on accurate documentation or a new design compatible with the original opening and the historic and architectural character of the building.

Having previously installed a window style that is not in line with the historical aesthetic of the house, this application calls for the removal of the inappropriate windows on the front façade. The new replacement window will be a triple window set of narrow double sash one over one windows that match the original windows of the house. Although all windows of the house have been replaced, windows at the sides and rear, which are not visible from the street, may stay in place.

#### SITE FEATURES AND STREETSCAPES:

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

- Simple designs consistent with historic iron fencing, wood picket fencing, and other historic types are recommended over more contemporary styles. In all cases, the fence components should be similar in scale to those seen historically in the neighborhood.

The neighborhood has mainly used wood and iron fencing and gates. The gate scale and design are not historically similar to those of the neighborhood.

9. The roll-up metal gate is at a height of over eleven feet. The gate scale and design are not historically similar to those of the neighborhood. Therefore, the roll-up metal gate should be removed and replaced with an 8-foot high gate, which is the maximum fence height allowed.
10. The Downtown Neighborhoods Area Association and neighboring properties within 100 feet, excluding public rights of way, were notified of this application. The requisite sign was posted on the property, giving notification of this application, Staff has received two letters in support of the roll-up door from neighbors. (see Attachment D Public Comment). There has been some opposition to the request.
11. Staff has reviewed the project and finds that the proposed window replacement will not harm the locally distinctive qualities of the Fourth Ward (HPO-4). The eleven foot height of the roll-up door does harm the distinctive qualities of the Fourth Ward and should be replaced with an eight foot high gate. The request was reviewed against the relevant development guidelines for New Town Neighborhoods and the criteria for approval of a Certificate of Appropriateness – Major found in the Integrated Development Ordinance (IDO).

### ***Recommendation***

***Approval of Project #: 2025-020010 / HCOA-2025-00003, a request for Certificate of Appropriateness – Major Alterations at 1016 Lomas Blvd NW, legally described as Block 7, Lots 8 & 9 in the Fourth Ward Historic Protection Overlay (HPO-4) zone, based on the above 11 Findings and subject to the following Conditions.***

### ***Recommended Conditions approval***

***Project #: 2025-020010 / Case #: HCOA-2025-00003, Application Description***

1. Applicant is responsible to acquire, and approval is contingent upon, all applicable permits and related approvals
2. The windows facing Lomas Blvd. will be four over 1 with grids on the inside and outside with internal spacers.
3. Overhead roll-up door shall be replaced with a gate of a maximum height of eight feet, and maximum width of 12 feet, painted to match the fence.

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Notice of Decision list:

Cc: Phillip Martinez

Rachelle Mechenbier

Kim Perrier

LC File

Legal Department

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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 the decision of the 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 MARCH 12 WILL BE MAILED A CERTIFICATE OF APPROPRIATENESS AFTER THE 15-DAY APPEAL PERIOD HAS EXPIRED ON MARCH 27, 2025.**

*Nasima Hadi*

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Nasima Hadi  
Planner, Historic Preservation  
**Urban Design and Development Division**