Landmarks Commission

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

Date May 11, 2022

**OFFICIAL NOTIFICATION OF DECISION**

**PR-2021-006235 SI-2021-01904 - Certificate of Appropriateness**

**Zack Cook, agent for Old Town ABQ LLC,** requests approval of a Certificate of Appropriateness for alterations at 301 Romero Street NW, described as Tract 186, Old Town HPO-5 (J-13).

On May 11, 222 the Landmarks Commission voted to **Approve Project # PR-2021-006235, SI-2021-01904**, based on the following Findings and Conditions of Approval.

**Findings for Approval:**

1. The application is a request for a Certificate of Appropriateness for alterations at 301 Romero Street NW, described as Lot 186, Block 000, in the Old Town Historic Protection Overlay Zone (HPO-5), zoned MX-T.

2. The subject property is approximately 0.71 acres and contains the historic Charlie Mann Store/Old Town Basket Shop, a contributing building and Plaza Don Luis, a non-contributing building.

3. The application for a Certificate of Appropriateness is for changes made to Old Town Basket Shop, a contributing building in the Old Town Historic Protection Overlay Zone (HPO-5) without prior approval. The change includes:
    - Guardrail fencing was added to the first-floor area east of the Old Post Office building to create a new patio area for controlled outdoor alcohol sales as required by the State of New Mexico.

4. The application for a Certificate of Appropriateness is for changes made to Plaza Don Luis, a non-contributing building in the Old Town Historic Protection Overlay Zone (HPO-5) without prior approval. The changes include:
    - A new mural was added that is visible from Rio Grande Boulevard. A second mural was added that is visible from within Plaza Don Luis.

5. The IDO Section 14-16-6-6(D)(1) requires that all development and modification of structures in any HPO zone and all development or modification of a city landmark site first receive a Certificate of Appropriateness.

6. The IDO Section 14-16-6-6(D)(3)(a) states that a Certificate of Appropriateness shall be approved if "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."

7. Subject to the Conditions of Approval, the addition of the guardrails will be consistent with the designation ordinance. Subject to Condition of Approval #2, the proposed work will comply with the relevant development guidelines for the historic zone as described in the staff report.

8. Subject to the Conditions of Approval, the addition of the murals at Plaza Don Luis, a non-contributing building, will not be inconsistent with the designation ordinance. Subject to Condition of Approval #3, the proposed work will comply with the relevant development guidelines for the historic zone as described in the Staff report.

9. The architectural character and historical value of Old Town HPO-5 will not be significantly impaired or diminished, once the proposed corrections are made to the buildings.

**Conditions of Approval:**

1. Applicant is responsible to acquire, and approval is contingent upon, all applicable permits and related approvals.
2. Staff recommends that the gate at the south entrance should remain closed so that more patio tables/chairs may be placed in that location. The entrance to the outdoor patio area along Romero Street should have the entrance gates moved where the stars begin-terminate and that handrails be added in order for the guardrails to be ADA compliant. The relocation of the entrance guardrails will allow for the distinguishing features of the Old Town Basket Shop to be visible from the street.

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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 MAY 11, 2022 WILL BE MAILED A CERTIFICATE OF APPROPRIATENESS, AFTER THE 15-DAY APPEAL PERIOD HAS EXPIRED ON **MAY 26, 2022.**

Sincerely,

*Silvia Bolivar*

Silvia Bolivar, PLA, ASLA
Planner, Landmarks Commission