



Landmarks Commission

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

Date: May 10, 2023

OFFICIAL NOTIFICATION OF DECISION

PR-2023-008524
SI-2023-00710
Application for Certificate of
Appropriateness

Ken Sandoval, agent for Luis D. Nolasco, requests approval of a Certificate of Appropriateness for Alterations at 509 Keleher Street NW, described as Lot 1A, Mitchell Subdivision in the Fourth Ward HPO-3 (J-14-Z).Park Addition, (K-14-Z).

On May 10, 2023 the Landmarks Commission voted to **APPROVE PR-2023-008524, SI-2023-00710**, based on the following Findings and Conditions of Approval.

1. The application is a request for a Certificate of Appropriateness for alterations at 509 Keleher Avenue NW, legally described as Lot 1A, Mitchell Addition, in the Fourth Ward Historic Protection Overlay Zone, zoned R-1A.
2. The two-story building was constructed in the mid-90s and is classified as a non-contributing building. The existing heated square footage is 1620 s.f. The applicant is proposing an increase to 2142 s.f. The portal square footage will be 234 s.f.
3. Alterations and additions to the non-contributing building are proposed. The proposal includes: relocation and replacement of windows and doors, a higher roofline, a new entryway that will measure 7'- 6" x 14'- 0", and a new portal that will be located towards the rear of the property. In addition, there will be interior demolition to rework the floor plan, and the property's exterior will be re-stuccoed.

The proposal will affect the elevations in the following manner:

East Elevation (front): At present, there are six blue-frame, single-hung windows, with four on the upper level and two at the bottom level. The proposal calls for adding a new entry and reconfiguring the windows and door.

Lower Level: The two-story entry will measure 7'-6" x 14'-0" and include a 2'-6" x 3'-0" aluminum-clad casement window. The front door will be relocated to the new entry, and the applicant proposes an aluminum-clad French door. A 3'-0" x 5'-0" aluminum-clad casement window will be in place of the current location of the front door. A new window opening is proposed that will measure 3'-0" x 3'-0"; the material will be aluminum.

Upper Level – The second-story single-hung windows will be replaced with one 6'-0" x 3'-0" aluminum-clad casement window. Currently, the height of the building is 21'-4", and the proposal calls for an increase of 3'-0" for a total height of 24'-4". The maximum allowable building height in R-1 zones is 26 feet.

West Elevation (rear): There are two single-hung windows that will be removed.

Lower Level: The request calls for adding a portal that will be 26'-1" wide with an 8'-0" ceiling height. A 6'-0 x 6'-8" aluminum-clad double French door is proposed.

Upper Level: Two 6'-0" x 5'-0" aluminum casement windows are proposed:

North Elevation: Minor alterations will affect the north elevation.

Lower Level: The lower level north elevation has no windows and none are proposed. Visible from this elevation will be the new entry that will measure 7'-6" x 14'-0" and the aluminum-clad French door.

Upper Level – There are two single-hung windows that will be replaced with 3'-0" x 3'-0" aluminum-clad casement windows.

South Elevation: The secondary entrance will be reconfigured along with the placement of new windows and doors.

Lower Level: Three aluminum-clad casement windows are proposed that measure 3'-0" x 5'-0" along with a 3'-0" x 6'-8" aluminum-clad French door.

Upper Level: Two aluminum-clad casement windows are proposed that measure 3'-0" x 5'-0" along with a 6'-0" x 5'-0" aluminum-clad casement window.

4. 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."

The addition of the entryway is of a simple architectural style with a flat roof that will complement the roofline of the square house design. The addition will use the same

materials as the two-story building and will barely be visible from the street due to the 5' CMU/5-panel horizontal fence. The addition of the 234 s.f. portal will be located towards the rear of the property and will complement the existing design. The change is consistent with the Fourth Ward Historic Protection Overlay Zone (HPO-3) development guidelines.

6-6(D)(3)(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 neighborhood has a mix of styles including New Mexico Vernacular, Simplified Mission, and is adjacent to the parking lot of a religious institution. The architectural character of the site and the neighborhood will not be diminished by this proposal.

6-6(D)(3)(c) The change qualifies as a "certified rehabilitation" pursuant to the Tax Reform Act of 1976, if applicable.

Not applicable.

6-6(D)(3)(d) The structure or site's distinguished original qualities or character will not be altered. For the purposes of Section 14-16-3-5 (Historic Protection Overlay Zones) and this Subsection 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 proposal will cause no harm to the non-contributing building.

6-6(D)(3)(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 proposal is for relocation and replacement of windows and doors, a higher roofline, a new entryway measuring 7'-6" x 14'-0", and a new portal located towards the rear of the property. In addition, there will be interior demolition to rework the floor plan, and the property's exterior will be re-stuccoed.

6-6(D)(3)(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.

The addition of the entryway and portal that is to be located towards the rear of the property will be of a contemporary design and will be compatible with the mix of architectural styles found in the block.

6-6(D)(3)(g) If the application is for a Historic Certificate of Appropriateness 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.

5. The Neighboring Association and neighboring properties within 100 feet excluding public rights of way were notified of this application. The requisite sign was posted at the property giving notification of this application.
6. As of this writing, Staff has not received any comments in support or opposition to the request.

RECOMMENDATION

Case SI-2023-00710/Project # PR-2023-08524, May 10, 2023.

APPROVAL of Case SI-2023-00710/Project # PR-2023-08524, an application for a Certificate of Appropriateness for Alterations at 509 Keleher Avenue NW, legally described as Lot 1A, Mitchell Addition, in the Fourth Ward Historic Protection Overlay Zone, based on the six (6) Findings and subject to the Conditions of Approval.

Recommended Conditions of Approval

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

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 10, 2023 WILL BE MAILED A CERTIFICATE OF APPROPRIATENESS, AFTER THE 15-DAY APPEAL PERIOD HAS EXPIRED ON **May 25, 2023**.**

Silvia Bolivar

Silvia Bolivar, PLA, ASLA
Senior Planner, Landmarks Commission