



Landmarks Commission



Staff Report

Agenda Item: 4
Case # SI-2024-00170
Project # PR-2018-001791
March 13, 2024

Agent	N/A
Applicant	Deborrah Ball/Candy Lady Shop
Request	Certificate of Appropriateness for New Construction – Accessory (shade structure)
Legal Description	Lot 206, Map 38, Original Town Site
Address/Location	424 San Felipe Street NW
Size	0.093 acres
Zoning	MX-T
Historic Location	Old Town Historic Protection Overlay Zone, (HPO-6).

Staff Recommendation

APPROVAL of Case # SI-2024-00170, Project # PR-2018-001791, a request for a Certificate of Appropriateness for New Construction, based on the Findings beginning on page 12 and subject to the conditions on page 13.

Silvia Bolivar, PLA, ASLA
Historic Preservation Planner

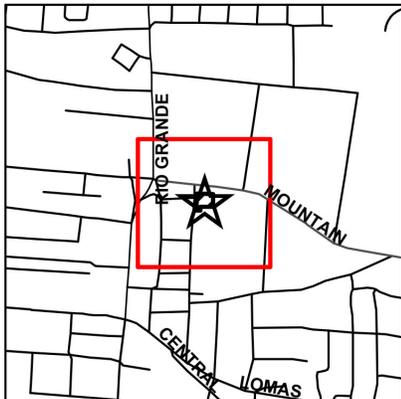
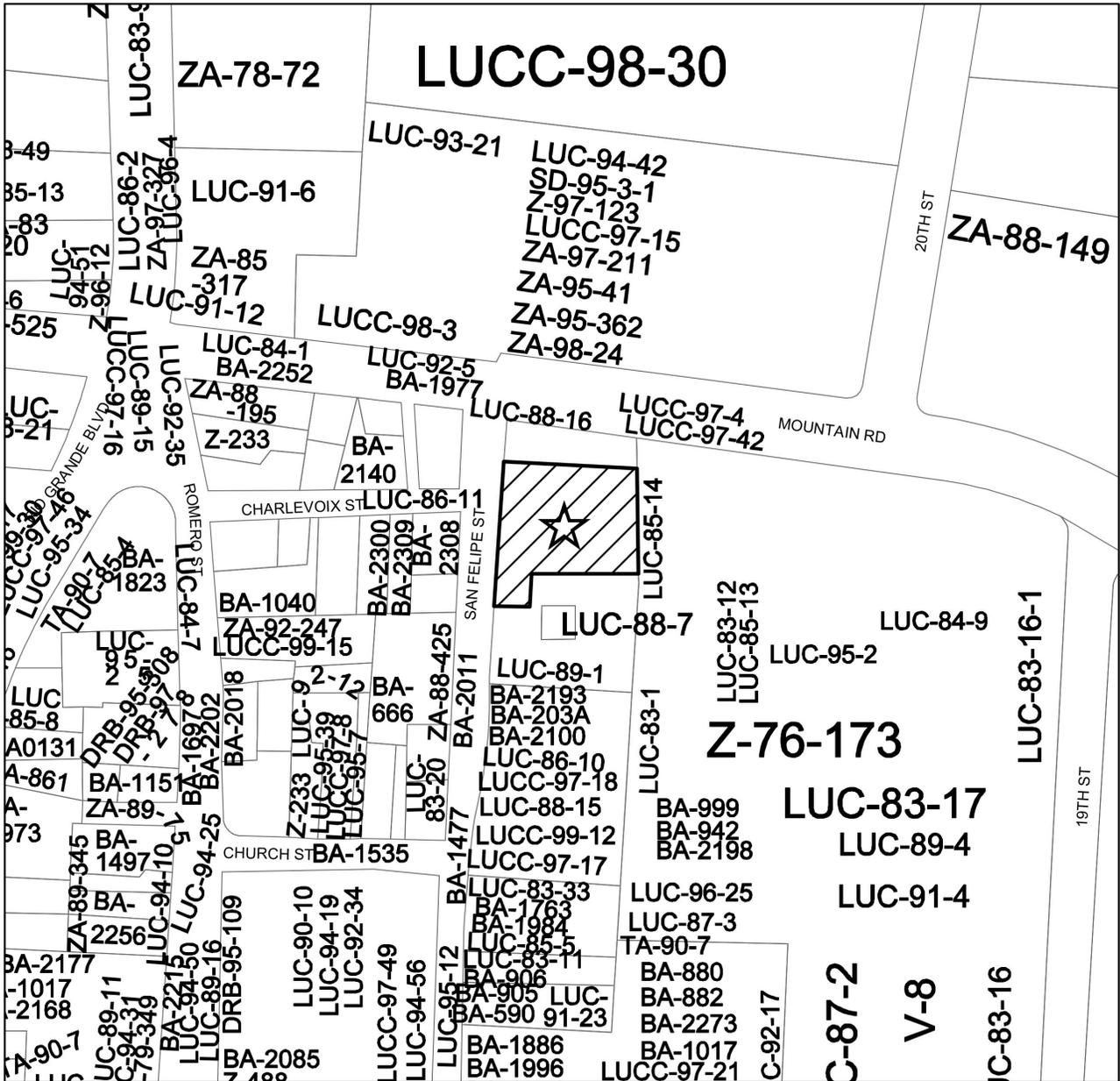
Summary of Analysis

The application for a Certificate of Appropriateness seeks approval for the redesign of a shade structure that was originally installed without the appropriate authorization. The proposed changes aim to align the structure with the historic design standards and guidelines and ensure its compatibility with the surrounding architecture within the Old Town Historic Protection Overlay Zone (HPO-6). The structure is to shade the paved, open space facing San Felipe Street NW and the request is aimed at improving the use of the subject site by providing shade for visitors to Old Town. The materials and approach proposed are appropriate and will not impair the form or integrity of the contributing building. The request will not harm the locally distinctive quality of the Old Town HPO-6.

The property contains a 1 ½ story, New Mexico Vernacular style building, one of three on the site, built circa 1918, with a high pitched, single ridge, metal roof. The building has a hipped, one-story, enclosed front porch with plain posts and flat wood railings.

The request for a Certificate of Appropriateness for new construction of a shade structure has been reviewed against the relevant guidelines for the Old Town Historic Overlay Zone and the criteria for approval of a Certificate of Appropriateness. Subject to conditions, Staff considers the proposal consistent with the guidelines and criteria.

PRIMARY REFERENCES: Integrated Development Ordinance; Design Guidelines for Old Town HPO-6.



HISTORY MAP

Note: Gray shading indicates County.



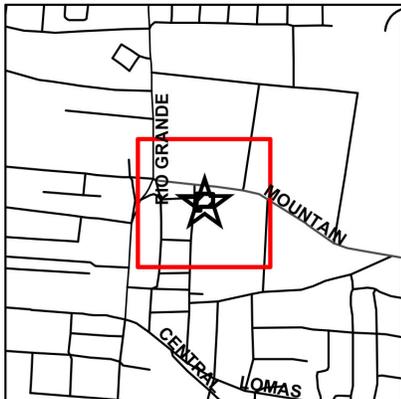
1 inch = 150 feet

Hearing Date:

Project Number:

Case Numbers:

Zone Atlas Page:



LAND USE MAP

Note: Gray shading indicates County.

Key to Land Use Abbreviations	APRT Airport
LDRES Low-density Residential	TRANS Transportation
MULT Multi-family	AGRI Agriculture
COMM Commercial Retail	PARK Parks and Open Space
CMSV Commercial Services	DRNG Drainage
OFC Office	VAC Vacant
IND Industrial	UTIL Utilities
INSMED Institutional / Medical	CMTY Community
ED Educational	KAFB Kirtland Air Force Base



1 inch = 150 feet

Hearing Date:

Project Number:

Case Numbers:

Zone Atlas Page:

SUMMARY OF REQUEST

<i>Request</i>	<i>Certificate of Appropriateness for New Construction – Shade Structure</i>
<i>Historic Location</i>	<i>Old Town Historic Protection Overlay Zone (HPO-6)</i>

I AREA HISTORY AND CHARACTER

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

	<i># of Stories</i>	<i>Roof Configuration, Architectural Style and Approximate Age of Construction</i>	<i>Historic Classification & Land Use</i>
<i>General Area</i>	1-2	Flat; Pitched (gabled and hipped), Carpenter Gothic, Spanish-Pueblo Revival and contemporary interpretations; Territorial Revival, Brick Commercial, 1796 – 1990’s	Contributing; Unclassified, Residential & Commercial
<i>Site to the North</i>	1	Gabled, New Mexico Vernacular	Contributing;
<i>Site to the South</i>	1	Flat, Spanish-Pueblo Revival	Contributing
<i>Sites to the East</i>	1	Flat, Contemporary (Albuquerque Museum)	Contributing
<i>Site to the West</i>	1	Flat, Spanish-Pueblo Revival	Contributing

II INTRODUCTION

Proposal and History

The application for a Certificate of Appropriateness seeks approval for a shade structure, initially built without proper authorization. Built in 2023 to mitigate heat ingress into the shop via its glazed front, the metal structure presently serves visitors to Old Town. A violation notice was issued in May of 2023 due to the absence of a Certificate of Appropriateness. The applicant aims to rectify this by proposing the encasement of the structure in stained wood, harmonizing it better with its surroundings.

The New Mexico Vernacular style building was constructed in approximately 1918. The building has a high pitched, single ridge, metal roof with exposed rafters. The building has a hipped, one-story, enclosed front porch with plain posts and flat wood railings. The front gable has plain, random shingles with a 1/1 double hung window. The front door has a flat frame with a paneled reveal and beveled glass. There is a shed roof addition to the rear.

In Old Town, particularly along San Felipe Street, numerous shading devices are present. One example is located at 306 San Felipe Street, where a hipped shade structure/gazebo stands. Notably, this shading feature mirrors the architectural elements and design of the main structure, demonstrating a harmonious integration of materials and aesthetics within Old Town HPO-6.

Context

The Old Town Historic Protection Overlay Zone encompasses an area roughly between Mountain Road and Central Avenue on the north and south and Rio Grande Boulevard and 19th Street. on the west and east. The historic zone was created with the adoption of the City's first zoning Code in 1959 to preserve and promote the educational, cultural and general welfare of the public through the preservation of protection of the traditional architectural character of historic old Albuquerque.

The Spanish Colonial, Territorial or Western Victorian architectural styles of buildings and structures erected prior to 1912 in the area now constituted as the State of New Mexico, comprise the traditional architectural character of the Old Town Historic Preservation Overlay Zone (MX-T).

Inside this historic zone is the state registered "Old Albuquerque Historic District". The Old Albuquerque Historic District is a sub-set of the Old Town Historic Preservation Overlay Zone. The historic district is the core of the Hispano Village of Albuquerque, founded in 1706, and the main village in the area until the arrival of the railroad in 1880. The church and plaza are at the center of the district, as in most Hispanic villages of New Mexico.

Of the buildings in the district, only San Felipe de Neri church can be shown to date to the Spanish Colonial period. A few other buildings may be in whole or in part from the early nineteenth century, but the majority of the buildings in Old Albuquerque Historic District were built between 1870 and 1900.

Almost every building has seen some degree of remodeling, resulting from the area's growth as a tourist-oriented commercial center after 1940. Old Albuquerque became "Old Town", a district of shops, boutiques, galleries and restaurants. Many buildings acquired Pueblo Revival portals, protruding false vigas and other stylistic elements thought to be conducive to a tourist atmosphere.

The Old Town Historic Zone was designated in 1959 with the adoption of the first Zoning Code for the City of Albuquerque. Old Town was recognized even then as a very special location within Albuquerque, and the H-1 Zone was designated specifically to address the development within Old Town.

III. APPLICABLE PLANS, ORDINANCES, DESIGN GUIDELINES & POLICIES

ANALYSIS

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

Integrated Development Ordinance (IDO)

In May 2018, The Integrated Development Ordinance (IDO) replaced the City's Zoning Code and the property was zoned MX-T.

In 2018, the Old Town Historic Zone became the Old Town Historic Protection Overlay Zone and it was expanded to include a primarily residential area to the south-east. The block was developed in the early 20th century and it is bounded by Old Town Road and Lomas Blvd to the north and south, and San Pasquale Ave. and 19th Street to the west and east. The zoning district classification was changed from H-1 to MX-T. Signage, architectural style and permissive uses are controlled through the MX-T Zoning.

Any construction, alteration or demolition, which would affect the exterior appearance of any structure within the Old Town Historic Protection Overlay Zone shall not be undertaken until the Landmarks Commission has approved a Certificate of Appropriateness.

The Integrated Development Ordinance Part 15-16-3-5 establishes controls and procedures for Historic Protection Overlay Zones (HPO). Part 14-16-3-5(K) identifies standards and guidelines for HPO-5 Old Town.

The Integrated Development Ordinance – Part 14-16-6-6(D) establishes procedures and review criteria for a Certificate of Appropriateness – Major in Historic Protection Overlay Zones (HPO) and for City Landmarks.

6-6(D)(3) Review and Decision Criteria

An application for a Historic Certificate of Appropriateness – Major shall be approved if it complies with all of the following criteria:

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.

Subject to Conditions, the proposal is consistent with the designation ordinance and specific development guidelines for the historic protection overlay zone.

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.

Subject to Conditions, the proposal will not impair or diminish the architectural character, historical value, or archaeological value of the Old Town historic zone.

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 building is a 1 ½-story New Mexico Vernacular structure and its original spatial qualities will be preserved.

6-6(D)(3)(e) Deteriorated architectural features shall be repaired rather than replaced, to the maximum extent practicable. If replacement is necessary, the new material shall match the original as closely as possible in like material and design.

Not applicable.

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 in which it is to be located.

The addition of the shade structure will reference traditional and characteristic features found within the HPO.

6-6(D)(3)(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.

An analysis of the proposal's conformance with the adopted specific development guidelines is provided below.

Development Guidelines for the Old Town Historic Zone

Design Guidelines (as amended through December, 2022) have been adopted by the Landmarks Commission for building projects in the Old Town History Protection Overlay Zone (HPO-6). The guidelines 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.

1. Every reasonable effort should be made to provide a compatible use for buildings which will require minimum alteration to the building and its environment.

The proposal will blend the existing building with the new structure, offering a shading alternative in the absence of nearby trees. The integrity of the building will not be undermined by the proposal.

2. Rehabilitation work should not destroy the distinguishing qualities or character of the property and its environment. The removal or alteration of any historic material or architectural features should be held to the minimum, consistent with the proposed use.

The distinctive character of the buildings will be unaffected by the proposal.

3. Deteriorated architectural features should be repaired rather than replaced, wherever possible. In the event replacement is necessary, the new material should match the material being replaced in composition, design, color, texture, and other visual qualities. Repair or replacement of missing architectural features should be based on accurate duplications of the original features, substantiated by physical or pictorial evidence rather than on conjectural designs of the availability of different architectural features from other buildings.

Not applicable. There are no deteriorated architectural features that will be replaced.

4. Many changes to buildings and environments which have taken place in the course of time are evidence of the history of the building and the neighborhood. These changes may have developed significance in their own right, and this significance should be recognized and respected.

Not applicable.

5. The design and general appearance of any development or alteration in the Old Town Historic District should be limited to the range of design options possible and commonly chosen in Albuquerque prior to the opening of the Santa Fe Railroad in April 1880. The design of any alteration to currently existing structures erected between 1880 and 1912 should be limited to the range of design options possible and commonly chosen at the time of the building's construction.

The design of the shading device, once the new design is approved, will reference characteristic features of the original building and the shade structure will remain subordinate to the original building.

6. Wherever possible, new additions or alterations to buildings should be done in such a manner that if they were removed in the future, the essential form and integrity of the original building would be unimpaired.

The new construction will reference traditional and characteristic features of the original building. The essential form and integrity of the original building would be unaltered if the addition were to be removed in the future.

7. Every effort should be made to safeguard the public welfare along vehicular and pedestrian traffic ways. Placement of walls, building projections, fences, planters, shrubs, signs, ramps, steps, etc. should be planned and positioned so that they do not present a potential hazard. Provisions for the handicapped should be planned so that the essential character of the property is not damaged.

Every effort has been made to safeguard the public welfare and the design presents no potential hazards. The structure will offer a shading alternative in the absence of nearby trees.

8. Any security devices that prevent major features of doors and windows such as ornament, panels, glass panes, and mullions from being seen are prohibited.

Not applicable.

9. Property owners who are considering installing security devices are urged to contact LUCC staff for advice and a free handout on how to increase security without detracting from the historic character of the building.

Not applicable.

POLICY – Accessory Buildings (Shade Structure)

Historic accessory buildings should be preserved when feasible. This may include preserving the structure in its present condition, rehabilitation it or adapting it to a new use.

8. Shading devices shall be historically appropriate to the period of historic significance for a district. Shade sales are not permitted.

The current courtyard shade structure spans 24'-6", supported by four, 3" x 3" 14-gauge posts standing at a height of 12 feet. The ledger rests on the main building but is not attached. The applicant intends to cover the four support posts with 1" x 4" wood, 2" x 6" timber will be added to each side of the metal ledgers, and the 1" x 2" metal rafters will be encased with 2" x 6" wood (see attachments).

Neighborhood Notification

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. No comments on this application have been received to date.

Conclusions

As discussed in the analysis above and subject to the Conditions of Approval, the project complies with the applicable guidelines for the Old Town Historic Protection Overlay Zone and the criteria for approval of a Certificate of Appropriateness. The new shade structure will allow for a comfortable climatic condition on hot summer days by providing a shady place for visitors to Old Town.

Staff concludes that the project is eligible for a Certificate of Appropriateness, subject to the Conditions of Approval.

FINDINGS for APPROVAL of a request for a Certificate of Appropriateness – Major - Case SI-2024-00170/Project #PR-2018-001791 – March 13, 2024.

1. The application is a request for a Certificate of Appropriateness for alterations and additions to a contributing building, located at 424 San Felipe Street NW, described as Lot 206, Map 38, Original Town Site, a property in the Old Town Historic Protection Overlay Zone (HPO-6), zoned MX-T.
2. The subject property is approximately 0.093 Acres.
3. The New Mexico Vernacular style building was constructed in approximately 1918. The building has a high pitched, single ridge, metal roof with exposed rafters. The subject site has a hipped, one-story, enclosed front porch with plain posts and flat wood railings.
4. The application for a Certificate of Appropriateness seeks approval for a shade structure, initially built without proper authorization. Built in 2023 to mitigate heat ingress into the shop via its glazed front, the metal structure presently serves visitors to Old Town. A violation notice was issued in May of 2023 due to the absence of a Certificate of Appropriateness.
5. 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.
6. The IDO Section 14-16-6-6(D) 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 proposal will not impair or diminish the architectural character, historical value, or archaeological value of the Old Town historic zone.

7. The IDO Section 14-16-6-6-(D)(3)(d) states that a Certificate of Appropriateness shall be approved if *“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”*.

The building is a 1 ½ story, structure and its original spatial qualities will be preserved.

8. The proposal complies with the relevant development guidelines for the historic zone as described in the Staff report.

RECOMMENDATION

Case SI-2024-00170/Project # PR-2018-001791, March 13, 2024.

APPROVAL of *Case SI-2024-00170/Project #PR-2018-001791*, an application for a Certificate of Appropriateness for New Construction, located at 424 San Felipe Street NW, described as Lot 206, Map 38, Original Town Site, a property in the Old Town Historic Protection Overlay Zone (HPO-6), based on the above eight (8) Findings and subject to the following Conditions:

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 March 13, 2024 WILL BE MAILED A CERTIFICATE OF APPROPRIATENESS, AFTER THE 15-DAY APPEAL PERIOD HAS EXPIRED ON March 28, 2024.

Silvia Bolivar

Silvia Bolivar, PLA, ASLA
Historic Preservation Planner
Urban Design and Development Division



Figure 1: Subject site without shade structure (Google Earth image)

Figure 2: Existing shade structure.



Figure 3: Subject site.



Figure 4: Subject site.

Figure 5: Subject site.



Figure 6: Porch enclosure.





Figure 7: Subject site.



Figure 8: Neighborhood context.



Figure 9: Neighborhood context.



Figure 10: Neighborhood context.

Figure 11: 306 San Felipe Street NW – shade structure/gazebo



Figure 12: Shade structure/existing context.

ZONING

Please refer to IDO Sub-section 14-16-2-4(A) for the Mixed-Use – Transition Zone District
(MX-T)

Please refer to IDO Sub-section 15-16-3-5(L) for the Old Town Historic Protection Overlay
Zone (HPO-6)p



Please check the appropriate box and refer to supplemental forms for submittal requirements. All fees must be paid at the time of application.

Administrative Decisions	<input checked="" type="checkbox"/> Historic Certificate of Appropriateness – Major (Form L)	<input type="checkbox"/> Wireless Telecommunications Facility Waiver (Form W2)
<input type="checkbox"/> Archaeological Certificate (Form P3)	<input type="checkbox"/> Historic Design Standards and Guidelines (Form L)	Policy Decisions
<input type="checkbox"/> Historic Certificate of Appropriateness – Minor (Form L)	<input type="checkbox"/> Master Development Plan (Form P1)	<input type="checkbox"/> Adoption or Amendment of Comprehensive Plan or Facility Plan (Form Z)
<input type="checkbox"/> Alternative Signage Plan (Form P3)	<input type="checkbox"/> Site Plan – EPC including any Variances – EPC (Form P1)	<input type="checkbox"/> Adoption or Amendment of Historic Designation (Form L)
<input type="checkbox"/> WTF Approval (Form W1)	<input type="checkbox"/> Site Plan – DRB (Form P2)	<input type="checkbox"/> Amendment of IDO Text (Form Z)
<input type="checkbox"/> Minor Amendment to Site Plan (Form P3)	<input type="checkbox"/> Subdivision of Land – Minor (Form S2)	<input type="checkbox"/> Annexation of Land (Form Z)
Decisions Requiring a Public Meeting or Hearing	<input type="checkbox"/> Subdivision of Land – Major (Form S1)	<input type="checkbox"/> Amendment to Zoning Map – EPC (Form Z)
<input type="checkbox"/> Conditional Use Approval (Form ZHE)	<input type="checkbox"/> Vacation of Easement or Right-of-way (Form V)	<input type="checkbox"/> Amendment to Zoning Map – Council (Form Z)
<input type="checkbox"/> Demolition Outside of HPO (Form L)	<input type="checkbox"/> Variance – DRB (Form V)	Appeals
<input type="checkbox"/> Expansion of Nonconforming Use or Structure (Form ZHE)	<input type="checkbox"/> Variance – ZHE (Form ZHE)	<input type="checkbox"/> Decision by EPC, LC, DRB, ZHE, or City Staff (Form A)

APPLICATION INFORMATION

Applicant: <i>Deborah Ball</i>	Phone: <i>505 220-9314</i>
Address: <i>424 San Felipe St NW</i>	Email: <i>carlylady84@gmail.com</i>
City: <i>Albuquerque</i> State: <i>NM</i>	Zip: <i>87104</i>
Professional/Agent (if any):	Phone:
Address:	Email:
City:	State:
Proprietary Interest in Site: <i>Tenant</i>	List all owners: <i>Rumi Muenala</i>

BRIEF DESCRIPTION OF REQUEST

SITE INFORMATION (Accuracy of the existing legal description is crucial! Attach a separate sheet if necessary.)

Lot or Tract No.: <i>206</i>	Block: <i>—</i>	Unit:
Subdivision/Addition: <i>Historic Town Site</i>	MRGCD Map No.: <i>38</i>	UPC Code: <i>101305816639001509</i>
Zone Atlas Page(s):	Existing Zoning: <i>MX-T</i>	Proposed Zoning:
# of Existing Lots:	# of Proposed Lots:	Total Area of Site (acres): <i>0.3857</i>

LOCATION OF PROPERTY BY STREETS

Site Address/Street: *424 San Felipe* Between: *Mountain Rd.* and: *Old Town Rd.*

CASE HISTORY (List any current or prior project and case number(s) that may be relevant to your request.)

PR-2018-001791

Signature: <i>Deborah Ball</i>	Date: <i>1-20-24</i>
Printed Name: <i>Deborah A. Ball</i>	<input checked="" type="checkbox"/> Applicant or <input type="checkbox"/> Agent

FOR OFFICIAL USE ONLY

Case Numbers	Action	Fees
-		
-		
-		

Meeting/Hearing Date:	Fee Total:
Staff Signature:	Date:
	Project #

Form L: Historic Preservation and Landmarks Commission (LC)

Please refer to the LC hearing schedule for public hearing dates and deadlines. Your attendance is required.

A single PDF file of the complete application including all plans and documents being submitted must be emailed to PLNDRS@cabq.gov prior to making a submittal. Zipped files or those over 9 MB cannot be delivered via email, in which case the PDF must be provided on a CD.

Type of Request		Historic Zone or Designation	
<input checked="" type="checkbox"/> Alteration	<input type="checkbox"/> Sign (see note below)	<input type="checkbox"/> East Downtown – HPO-1	<input type="checkbox"/> Downtown Area
<input type="checkbox"/> Demolition	<input type="checkbox"/> City Landmark Designation	<input type="checkbox"/> Eighth & Forrester – HPO-2	<input type="checkbox"/> Downtown Neighborhood Area – CPO-3
<input type="checkbox"/> New Construction	<input type="checkbox"/> City Overlay Designation	<input type="checkbox"/> Fourth Ward – HPO-3	
Number and Classification of Structures on Property		<input type="checkbox"/> Huning Highland – HPO-4	<input type="checkbox"/> East Downtown – CPO-4
Contributing Structures: 2		<input checked="" type="checkbox"/> Old Town – HPO-5	<input type="checkbox"/> Nob Hill/Highland – CPO-8
Noncontributing Structures:		<input type="checkbox"/> Silver Hill – HPO-6	<input type="checkbox"/> City Landmark
Unclassified Structures:		Residential Property? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	

***PLEASE NOTE: Approval of signs in the overlay zones may also require a sign permit from Zoning in addition to LC approval.**

HISTORIC CERTIFICATE OF APPROPRIATENESS – MINOR Administrative Decision

- All materials indicated on the project drawing checklist and required by the Historic Preservation Planner
- Letter detailing the scope of the proposal and justifying the request per the criteria in IDO Section 14-16-6-5(D)(3)
- Zone Atlas map with the entire site clearly outlined and labeled
- Letter of authorization from the property owner if application is submitted by an agent
- Required notices with content per IDO Section 14-16-6-4(K)(6)
- Office of Neighborhood Coordination notice inquiry response and proof of emailed notice to affected Neighborhood Association representatives
- Sign Posting Agreement

INFORMATION REQUIRED FOR ALL LANDMARKS COMMISSION PUBLIC HEARING APPLICATIONS

- Interpreter Needed for Hearing? if yes, indicate language: _____
- Proof of Pre-Application Meeting with City staff per IDO Section 14-16-6-4(B)
- Zone Atlas map with the entire site clearly outlined and labeled
- Letter of authorization from the property owner if application is submitted by an agent
- Required notices with content per IDO Section 14-16-6-4(K)(6)
- Office of Neighborhood Coordination notice inquiry response, notifying letter, and proof of first class mailing
- Proof of emailed notice to affected Neighborhood Association representatives
- Buffer map and list of property owners within 100 feet (excluding public rights-of-way), notifying letter, and proof of first class mailing
- Sign Posting Agreement

DEMOLITION OUTSIDE OF HPO Requires Public Hearing

- Proof of Neighborhood Meeting per IDO Section 14-16-6-4(C)
- Letter describing, explaining, and justifying the request per the criteria in IDO Section 14-16-6-6(B)(3)

HISTORIC CERTIFICATE OF APPROPRIATENESS – MAJOR Requires Public Hearing

- All materials indicated on the project drawing checklist (8 packets for residential projects or 9 for non-residential or mixed-use)
- Letter detailing the scope of the proposal and justifying the request per the criteria in IDO Section 14-16-6-(D)(3)

HISTORIC DESIGN STANDARDS AND GUIDELINES Requires Public Hearing

- Proposed Design Standards and Guidelines
- Letter describing, explaining, and justifying the request per the criteria in IDO Section 14-16-6-6(E)(3)

ADOPTION OR AMENDMENT OF HISTORIC DESIGNATION Requires Public Hearing

- Proof of Neighborhood Meeting per IDO Section 14-16-6-4(C)
- Letter describing, explaining, and justifying the request per the criteria in IDO Section 14-16-6-7(C)(3)

I, the applicant or agent, acknowledge that if any required information is not submitted with this application, the application will not be scheduled for a public meeting or hearing, if required, or otherwise processed until it is complete.

Signature: <i>Deborah A Ball</i>	Date: <i>1-30-24</i>
Printed Name: <i>Deborah A Ball</i>	<input checked="" type="checkbox"/> Applicant or <input type="checkbox"/> Agent
FOR OFFICIAL USE ONLY	
Project Number:	Case Numbers
	-
	-
	-
Staff Signature:	
Date:	

SIGN POSTING AGREEMENT

REQUIREMENTS

POSTING SIGNS ANNOUNCING PUBLIC HEARINGS

All persons making application to the City under the requirements and procedures established by the City Zoning Code or Subdivision Ordinance are responsible for the posting and maintaining of one or more signs on the property which the application describes. Vacations of public rights-of-way (if the way has been in use) also require signs. Waterproof signs are provided at the time of application. If the application is mailed, you must still stop at the Development Services Front Counter to pick up the sign.

The applicant is responsible for ensuring that the signs remain posted throughout the 15-day period prior to public hearing. Failure to maintain the signs during this entire period may be cause for deferral or denial of the application. Replacement signs for those lost or damaged are available from the Development Services Front Counter at a charge of \$3.75 each.

1. LOCATION

- A. The sign shall be conspicuously located. It shall be located within twenty feet of the public sidewalk (or edge of public street). Staff may indicate a specific location.
- B. The face of the sign shall be parallel to the street, and the bottom of the sign shall be at least two feet from the ground.
- C. No barrier shall prevent a person from coming within five feet of the sign to read it.

2. NUMBER

- A. One sign shall be posted on each paved street frontage. Signs may be required on unpaved street frontages.
- B. If the land does not abut a public street, then, in addition to a sign placed on the property, a sign shall be placed on and at the edge of the public right-of-way of the nearest paved City street. Such a sign must direct readers toward the subject property by an arrow and an indication of distance.

3. PHYSICAL POSTING

- A. A heavy stake with two crossbars or a full plywood backing works best to keep the sign in place, especially during high winds.
- B. Large headed nails or staples are best for attaching signs to a post or backing; the sign tears out less easily.

4. TIME

Signs must be posted from 2.27.24 To 3.13.24.

5. REMOVAL

- A. The sign is not to be removed before the initial hearing on the request.
- B. The sign should be removed within five (5) days after the initial hearing.

I have read this sheet and discussed it with the Development Services Front Counter Staff. I understand (A) my obligation to keep the sign(s) posted for (15) days and (B) where the sign(s) are to be located. I am being given a copy of this sheet.

Deborah A. Ball 1.30.24
(Applicant or Agent) (Date)

I issued 1 signs for this application, 1.30.24, [Signature]
(Date) (Staff Member)

PROJECT NUMBER: _____

February 2, 2024

RE: Certificate of Appropriateness for Shade structure at 424 San Felipe

To Whom It May Concern:

I am the tenant at 424 San Felipe ST NW, The Candy Lady. I have been in business in Old Town for more than 40 years and have a strong interest in the growth and strength of Old Town businesses.

Last year, a metal shade structure was constructed at the front of my shop. The shop is in a bungalow style house constructed in 1936 and not a Pueblo style building. The structure was installed to control the heat entering the shop through the glazed front as well as to provide a shaded spot for Old Town shoppers to rest.

Unfortunately, neither me nor the property owner applied for a certificate of appropriateness for the structure which is now in violation. In an effort to comply with the character of Old Town as well as the character of the bungalow architecture of the site, I am proposing cladding the existing structure with stained wood to be more in character with the surroundings. Drawings are attached.

I believe that to remove the structure would be a disservice to the shoppers of Old Town, especially at this end of San Felipe. There is very little shade available and in the heat of the summer, it makes the north end of San Felipe very uninviting for tourists.

I am currently applying for a Certificate of Appropriateness Major to be heard by the Landmarks Commission on March 13, 2024 at 3PM at Plaza Del Sol. I appreciate your support of this application.

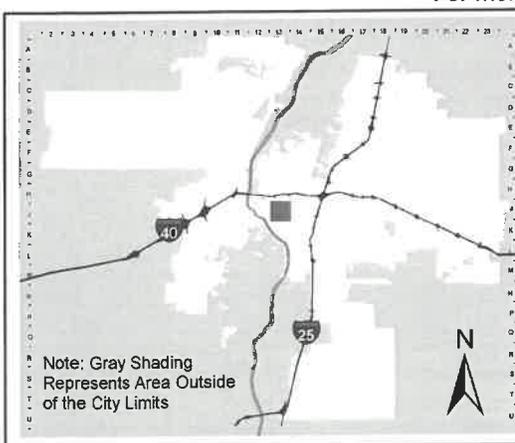
Sincerely,



Deborah Ball
The Candy Lady
424 San Felipe NW



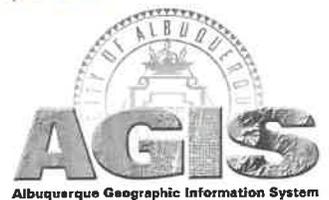
For more current information and details visit: www.cabq.gov/gis



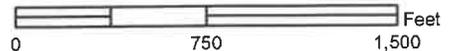
Address Map Page: **Site: 424 San Felipe NW**

J-13-Z

Map Amended through:
3/17/2017



These addresses are for informational purposes only and are not intended for address verification.



Email @cabq.gov mail to @wewson@cabq.gov

[Note: Items with an asterisk (*) are required.]

**Public Notice of a Proposed Project in the City of Albuquerque
for Decisions Requiring a Meeting or Hearing
Mailed/Emailed to a Neighborhood Association**

Date of Notice*: 1.30.24

This notice of an application for a proposed project is provided as required by Integrated Development Ordinance (IDO) [Subsection 14-16-6-4\(K\) Public Notice](#) to:

Neighborhood Association (NA)*: OLD TOWN N.A.

Name of NA Representative*: _____

Email Address* or Mailing Address* of NA Representative¹: _____

Information Required by [IDO Subsection 14-16-6-4\(K\)\(1\)\(a\)](#)

1. Subject Property Address* 424 San Felipe NW.

Location Description _____

2. Property Owner* Rumi

3. Agent/Applicant* [if applicable] Debbie Ball

4. Application(s) Type* per IDO [Table 6-1-1](#) [mark all that apply]

- Conditional Use Approval
- Permit _____ (Carport or Wall/Fence – Major)
- Site Plan
- Subdivision _____ (Minor or Major)
- Vacation _____ (Easement/Private Way or Public Right-of-way)
- Variance
- Waiver
- Other: Certificate of Appropriateness

Summary of project/request²*:

Adjust front shade device to be more historically appropriate

¹ Pursuant to [IDO Subsection 14-16-6-4\(K\)\(5\)\(a\)](#), email is sufficient if on file with the Office of Neighborhood Coordination. If no email address is on file for a particular NA representative, notice must be mailed to the mailing address on file for that representative.

² Attach additional information, as needed to explain the project/request.

Em

[Note: Items with an asterisk (*) are required.]

5. This application will be decided at a public meeting or hearing by*:

- Zoning Hearing Examiner (ZHE)
- Development Review Board (DRB)
- Landmarks Commission (LC)
- Environmental Planning Commission (EPC)

Date/Time*: March 13, 2024 @ 3 PM.

Location*³: Plaza Del Sol - basement

Agenda/meeting materials: <http://www.cabq.gov/planning/boards-commissions>

To contact staff, email devhelp@cabq.gov or call the Planning Department at 505-924-3860.

6. Where more information about the project can be found*⁴:

call 505 ~~924~~ 924-3927

Information Required for Mail/Email Notice by [IDO Subsection 6-4\(K\)\(1\)\(b\)](#):

1. Zone Atlas Page(s)*⁵ J-13-2
2. Architectural drawings, elevations of the proposed building(s) or other illustrations of the proposed application, as relevant*: Attached to notice or provided via website noted above
3. The following exceptions to IDO standards have been requested for this project*:

- Deviation(s)
- Variance(s)
- Waiver(s)

Explanation*:

4. A Pre-submittal Neighborhood Meeting was required by [Table 6-1-1](#): Yes No

Summary of the Pre-submittal Neighborhood Meeting, if one occurred:

³ Physical address or Zoom link

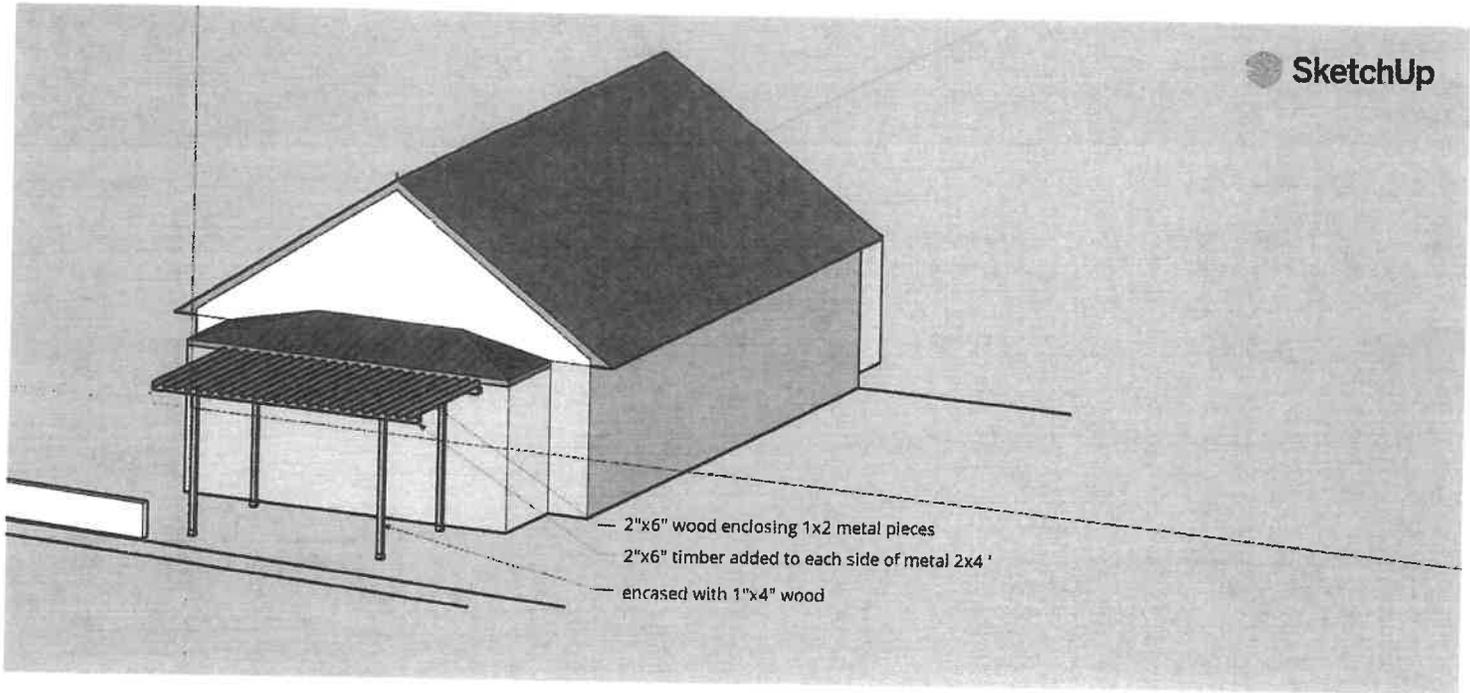
⁴ Address (mailing or email), phone number, or website to be provided by the applicant

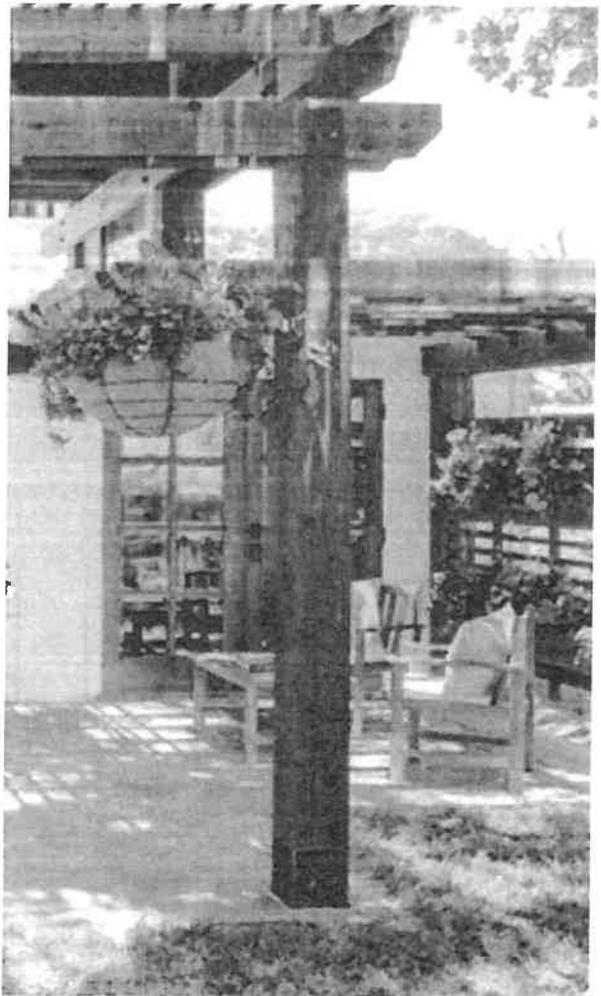
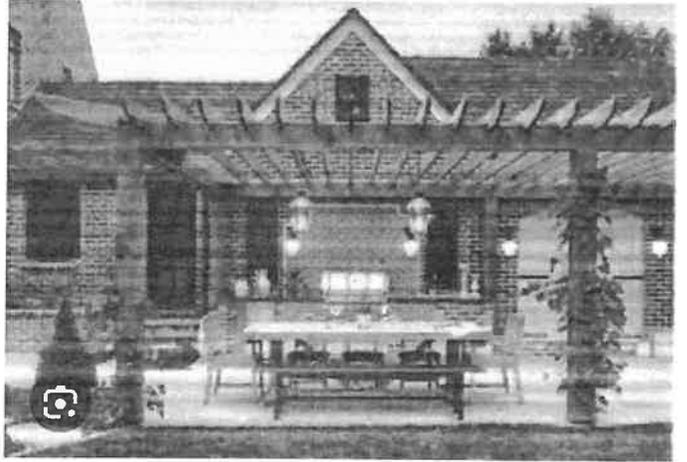
⁵ Available online here: <http://data.cabq.gov/business/zoneatlas/>



May 2023

Shade structure without permit







THE CANDY LADY

424 SAN FELIPE ST. NW
ALBUQUERQUE, NM 87104
(505)243-6239



Rochelle + Alois Wagner
11809 El Solindo Ave. N.E.
Alb., N.M. 87111

THE CANDY LADY

424 SAN FELIPE ST. NW
ALBUQUERQUE, NM 87104
(505)243-6239



Maree E. Coleman
Trustee Coleman RVI
211 Church St NW.
Albuquerque, NM 87104

THE CANDY LADY

424 SAN FELIPE ST. NW
ALBUQUERQUE, NM 87104
(505)243-6239



Patio Escondido LLC
171 Still Rd.
W. Hartford, Ct 06117

THE CANDY LADY

424 SAN FELIPE ST. NW
ALBUQUERQUE, NM 87104
(505)243-6239



George + Eiken Sandoval Co-Trustees
1726 Avenida Cristo Rey NW.
Albuquerque, N.M. 87107



THE CANDY LADY

424 SAN FELIPE ST. NW
ALBUQUERQUE, NM 87104
(505)243-6239



CANDY LADY

SAN FELIPE ST. NW
ALBUQUERQUE, NM 87104
(505)243-6239

Lorinda Estella Zook
133 Old Jackson Rd
Goose Creek, SC. 29445



THE CANDY LADY

424 SAN FELIPE ST. NW
ALBUQUERQUE, NM 87104
(505)243-6239

THE CANDY

424 SAN FELIPE
ALBUQUERQUE,
(505)243-6

Lovetta R. & John M. Carroll
PO Box 7624
Albuquerque, NM. 87194



THE CANDY LADY

424 SAN FELIPE ST. NW
ALBUQUERQUE, NM 87104
(505)243-6239



SVN / Walt Arnold Comm Bro.
Rumi Muenala / Janet Horton
6200 Seagull Ln. N.E.
Alb., N.M. 87109



THE CANDY LADY

424 SAN FELIPE ST. NW
ALBUQUERQUE, NM 87104
(505)243-6239



Joshua Cook & Britni Williams
403 San Felipe St NW.
Alb., N.M. 87104

THE CANDY LADY

424 SAN FELIPE ST. NW
ALBUQUERQUE, NM 87104
(505)243-6239



Cee Vee Old Town LLC
515 Maple St SE
Alb., N.M. 87106

THE CANDY LADY

424 SAN FELIPE ST. NW
ALBUQUERQUE, NM 87104
(505)243-6239



Patrick Frank Gonzales
Frances Gonzales
6127 Elvis Circle
Colorado Springs, Co. 80921

THE CANDY LADY

424 SAN FELIPE ST. NW
ALBUQUERQUE, NM 87104
(505)243-6239



First American Bank Trustee
Garcia RVT
4301 The 25 Way N.E.
Albuquerque NM 87109-5895

THE CANDY LADY
424 SAN FELIPE ST. NW
ALBUQUERQUE, NM 87104
(505) 243-6239

Thomas Jenkins
46 R.E. Mount Way
PO Box 4397
Albuquerque, NM 87146

THE CANDY LADY
424 SAN FELIPE ST. NW
ALBUQUERQUE, NM 87104
(505) 243-6239

Sylvia M. Ramos MD
2110 Charlevoix St. NW.
Albuquerque, NM 87104

THE CANDY LADY
424 SAN FELIPE ST. NW
ALBUQUERQUE, NM 87104
(505) 243-6239

Shirley Jaramillo
315 Iron Ave S.W.
Albuquerque, N.M. 87102

THE CANDY LADY
424 SAN FELIPE ST. NW
ALBUQUERQUE, NM 87104
(505) 243-6239

Katherine M. Sawyer
Trustee Sawyer RPT
14505 Club Villa Dr. Unit F
Colorado Springs, Co 80921



THE CANDY LADY
424 SAN FELIPE ST. NW
ALBUQUERQUE, NM 87104
(505)243-6239



City of Albuquerque
PO Box 1743
Albuquerque, NM 87103

THE CANDY LADY
424 SAN FELIPE ST. NW
ALBUQUERQUE, NM 87104
(505)243-6239



James Jenkins
46 RFS Mount View
PO Box 4397
Albuquerque, NM 87196

THE CANDY LADY
424 SAN FELIPE ST. NW
ALBUQUERQUE, NM 87104
(505)243-6239



Sylvia M. Ramos MD
2110 Charlevoix St. NW.
Alb., N.M. 87104

THE CANDY LADY
424 SAN FELIPE ST. NW
ALBUQUERQUE, NM 87104
(505)243-6239



Shirley Jaramillo
315 Iron Ave S.W.
Albuquerque, N.M. 87102

THE CANDY LADY
424 SAN FELIPE ST. NW
ALBUQUERQUE, NM 87104
(505)243-6239



Katherine M. Sawyer
Trustee Sawyer RRT
14505 Club Villa Dr. Unit F
Colorado Springs, Co 80921