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INTER-OFFICE MEMORANDUM

TO: Isaac Benton, President, City Council
FROM: Alan Varela, Planning Director


OVERVIEW

The applicant filed a request for a Certificate of Appropriateness (after the fact) for alterations made to the property located at 301 Romero Street NW, which consists of several buildings including the Old Town Basket Shop, a contributing building constructed between 1893 and 1898, and Plaza Don Luis, a commercial two-story, non-contributing building constructed in 1993 in the Old Town Historic Protection Overlay Zone (HPO-5).

The request was scheduled and heard on January 12, 2022 at the Landmarks Commission public hearing. At the time of the application submittal, the applicant was also requesting to add hand-painted signage throughout Plaza Don Luis.

This application came following a call that work had been done without a Certificate of Appropriateness. A site visit by Landmarks Commission staff found that the second floor handrails/guardrails of Plaza Don Luis had been changed from wood to wrought iron, two murals had been added, a set of stairs were removed, and guardrail fencing was added to the Old Town Basket Shop in order to create a new patio area that would facilitate controlled outdoor alcohol sales as required by the State of New Mexico. The agent for the applicant contacted Staff to inform them that the second floor handrails/guardrails had been changed from wood to wrought iron to provide more visibility of the second floor shops. Staff informed them that the request would be allowed but that they had to come before the Landmarks Commission to justify the remainder of the work performed at Plaza Don Luis.

Typically, the changes done by the applicant would be handled with a Certificate of Appropriateness Minor, a staff decision usually made within a day. Had it been submitted prior to the alterations; the applicant would have been guided as to the work allowable under the Old Town HPO-5.
The work completed in August was not approvable by staff as a Certificate of Appropriateness – Minor; therefore, it was sent to the Landmarks Commission for a public hearing as a Historic Certificate of Appropriateness – Major pursuant to IDO Subsection 14-16-6-6(D). For that hearing, the applicant stated that they were in agreement with most of the Conditions of Approval, except for Condition #2 related to the two murals and Condition #6, requiring the first-floor guardrails of the Old Town Basket Shop needed to be removed.

The Landmarks Commission voted to Approve Project 2021-006235, SI-2021-01904 with Conditions, based on findings in the Notice of Decision.

BASIS FOR APPEAL AND STAFF RESPONSE

Integrated Development Ordinance (IDO) Subsection 14-16-6-4(V)(4) outlines the applicable criteria for the appeal in determining whether the Landmarks Commission erred in its decision:

6-4(V)(4) Criteria for Decision
The criteria for review of an appeal shall be whether the decision-making body or the prior appeal body made 1 of the following mistakes:
6-4(V)(4)(a) The decision-making body or the prior appeal body acted fraudulently, arbitrarily, or capriciously.
6-4(V)(4)(b) The decision being appealed is not supported by substantial evidence.
6-4(V)(4)(c) The decision-making body or the prior appeal body erred in applying the requirements of this IDO (or a plan, policy, or regulation referenced in the review and decision-making criteria for the type of decision being appealed).

The reasons for the appeal, excerpted from the appellant’s letter, are listed below, with a bulleted, italicized response from Silvia Bolivar, the Planner for the Landmarks Commission. Please see the Appellant’s letter (CABQ Revised.3) and submittal packet for further details.

Per 6-4(V)(4)(a): The decision on the removal of railing front of the basket shop should be overturned because the requirements of the Landmarks Commission are arbitrary, capricious. As illustrated in the appeal letter below, the Applicant brought an area up to code and objects to the findings as stated:

**Design guideline #1 is not in conflict with these rails. The space enclosed by the rails are not on the public sidewalk. The patio is elevated above the sidewalk by as much as 24” on the south end. The code would require guardrails and these designed metal rails are the least intrusive design and are found in Old Town. They do not distract from the building and they serve a safety purpose as well as creating an outdoor environment for which to enjoy and control outdoor alcohol sales and providesafety for the patio. The stairs would require handrails of they were the primary access. This design encourages access from the north which meets all the ADA requirements and there are no steps involved.**

- The Landmarks Commission approved the change of material in the rails on Plaza Don Luis, the non-contributing building.
- The Landmarks Commission did not approve the addition of rails on the Old Town Basket Shop, the contributing building.
- The Old Town guidelines specify that “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.”

- Design guideline #1 states: “Every reasonable effort should be made to provide a compatible use for buildings which will require minimum alteration to the building and its environment.”

- Finding #9 in the Notice of Decision states: “Guardrail fencing was added to the first floor area of the Old Town Basket Shop, a contributing building, in order to create a new patio area for controlled outdoor alcohol sales as required by the State of New Mexico. While the enclosure was designed to provide more use of and access to the building, the unapproved alteration conflicts with Design Guideline #1 in that 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 guardrails must be removed in order to bring the building back to its original design.”

- Certificates of Appropriateness are primarily to approve repairs and restorations of historic buildings. Additions as a general rule change the historic nature of a building and are by their nature inappropriate.

- Because the contributing building did not have railings historically, adding rails to the exterior of the building requires a Certificate of Appropriateness, which the Landmarks Commission did not grant in the case of the contributing building. The Landmark Commission’s finding was that the outdoor alcohol sales with railing was in conflict with Design Guideline #1.

- Compliance with codes other than the HPO zone regulations and associated historic standards is outside the purview of the Landmarks Commission.

- A railing around an outdoor alcohol sales area is a requirement from the State based on their liquor license. The license can still be used for alcohol sales inside the building.

- The Integrated Development Ordinance, this use would be “outdoor dining,” which is allowed in MX-T as a conditional accessory use. Use-specific standards in Subsection 14-16-4-3(F)(14) do not require a railing. Previous tenants had used planters as a barrier for public safety.

- The International Existing Building Code (IEBC) Section B101-Qualified Historic Buildings and Facilities, does not require the addition of rails at the stairs for historic buildings if no structural changes are being made.

- The decision criteria for a Certificate of Appropriateness in IDO Subsection 14-16-6-6(D)(3) are based on the Secretary of Interior’s Standards for Treatment of Historic Properties. Outside of an HPO, the applicants’ work would have been fine, but it was not appropriate for a contributing building in the Old Town Historic Protection Overlay zone.

The building has not been altered and the patio is enclosed with a rail design that if found throughout Old Town including at the Church. Guideline #1 states that we should provide a compatible use for the building which we have. Minimum alteration to the building which we have. This patio does not conflict with the guidelines in the HPO-5 and there are other outdoor dining patios in Old Town that add to the experience.

- Attaching rails to the building does alter the building. Anything added to the building that was not present when the contributing building was constructed changes the historic character of the building itself. The building has been changed by adding the railing to enclose the alcohol sales area, and the open air area that the building had
prior to the installation of the rails has been intentionally changed.

- **Design Guideline #5** states, “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 Old Town Basket Shop** was built between 1893 and 1898, when it first appears on the Sanborn Maps as a Post Office and General Store.

- Based on **Design Guideline #5**, the applicant could have added railings that were in the range of the design options possible and commonly chosen between 1880 and 1898, when the contributing building was constructed. Generally, buildings in Old Town did not have railings during this time period.

- The outdoor dining area is an allowable use in this zone district. The Landmarks Commission decided not to allow the railings that was required by the State to demarcate the area for the outdoor alcohol sales.

**The stairs at the east end of the Basket Shop will have code compliant handrails added as shown on the drawing below.**

- **Code compliance with the International Existing Building Code (IEBC)** is handled by the City of Albuquerque Building Safety Division and is not the purview of the Landmarks Commission.

- Whatever rails get added need to meet the historic guidelines to protect the character of the building, as well as the health and safety codes.

- As noted above, adding rails to the exterior of the building requires a Certificate of Appropriateness, which the Landmarks Commission did not grant in the case of the contributing building. The Landmarks Commission’s finding was that the railing added for the outdoor alcohol sales was in conflict with Design Guideline #1.

Per 6-4(V)(4)(a): The decision on the removal of the murals should be overturned because the requirements of the Landmarks Commission are arbitrary, capricious, As illustrated below:

**Guidelines for HPO-5 aesthetics were not specific or readily accessible at the time these murals were commissioned or completed.**

- The Guidelines that the applicant is referring to date back to May 17, 2018 are readily available online.

- As noted above, the Old Town Basket Shop was built between 1893 and 1898. Murals were not a design option possible and commonly chosen in Albuquerque at that time. The muralism movement began at the end of the Mexican Revolution in 1920, when the new government of President Alvaro Obregon fostered a cultural renaissance by commissioning several public murals. American artists and journalists went to Mexico to see the resulting works and at the end of President Obregon’s presidency in 1924, the muralists traveled to American in search of opportunity.

**The restoration of Plaza Don Luis began in February 2021. Over the course of 8 months of renovations, the completion of the first mural on August 15, and the second mural on September 30, After the completion of both murals and months of construction, the Landmarks Commission began to internally update their official guidelines. These**
revisions can be found in red ink beginning in October of 2021.

- The governing guidelines for Old Town date back to May 17, 2018. The revised guidelines that the applicant is referring to were not used for this review and decision of this case.

Per for 6-4(V)(4)(b) The decision demonstrates that the Landmarks Commission is not supported by substantial evidence on the removal of the murals or the railings. As stated in the findings, “The murals visible from Rio Grande Boulevard and within Plaza Don Luis shall be removed as they are not in keeping with the historic integrity and sense of place of Old Town HPO-5”.

**By the Commission's own admission, the October 2021 agenda states:** "Currently the Old Town HPO is without a set of easily accessed guidelines for use by developers and property owners.”

- The Integrated Development Ordinance includes a link to the webpage where the Guidelines in effect can be reviewed in the Old Town HPO-5 Subsection 14-16-3-5(K)(4).

The abundance of other murals in old town setting precedence that are not in question by the commission. Photo reference attached below.

- The applicant has provided documentation that there are other murals in Old Town. These murals are a result of lack of enforcement by the City of Albuquerque Code Enforcement. Currently the City of Albuquerque does not have an inspector specifically assigned to the historic and character protection overlay zones, which has resulted in existing code violations.

The rules have been rewritten since the murals were installed and to determine these two inappropriate would necessitate an audit of the entire HPO-5 zone.

- As noted above, other murals in Old Town are a result of lack of enforcement by the City of Albuquerque. Steps will be taken to rectify the situation.

Countless historic images can be referenced to prove the evolution of aesthetics from 1880 to present time.

- As noted above, the Old Town Basket Shop was built between 1893 and 1898. Murals were not a design option possible and commonly chosen at that time.

Per 6-4(V)(4)(c ) the decision making body erred in applying requirements of this IDO on the murals because:
The artists and murals of Plaza Don Luis were thoughtfully selected to represent and celebrate New Mexico’s rich culture and heritage. They were designed by renowned New Mexican artists Reyes Padilla and Jodie Herrera, whose respective family histories date back hundreds of years to the area on their Spanish side, with indigenous roots that date beyond New Mexico and Mexico as territories. Each mural was thoughtfully commissioned with reference to old town, New Mexico and its culture.

- There is no question that the murals were thoughtfully commissioned, but they require a Certificate of Appropriateness from the Landmarks Commission, and the Landmarks Commission did not approve them.
- Finding #2 in the Notice of Decision states: “The murals visible from Rio Grande Boulevard and within Plaza Don Luis shall be removed as they are not in keeping with the historic integrity and sense of place of Old Town HPO-5.”

Since installation, the murals have received overwhelming community support and adoration as evidenced by local feedback and an extremely successful petition of 1000+ signatures from residents of New Mexico and the surrounding areas.

- The local feedback received in support of the murals are from residents who live outside of Old Town as evidenced in the list of petition signatures provided by the applicant. Comments received from Old Town residents oppose the murals.

Old Town is a tourist destination, an historic hub of commerce, and the murals serve both to advertise these functions and encourage patronage.

- The murals require a Certificate of Appropriateness from the Landmarks Commission, and the Landmarks Commission did not approve them.
- Finding #2 in the Notice of Decision states: “The murals visible from Rio Grande Boulevard and within Plaza Don Luis shall be removed as they are not in keeping with the historic integrity and sense of place of Old Town HPO-5.”

It is the Landmarks Commission: responsibility to disseminate HPO-5 guidelines to new property owners in the Old Town area. It should be done reasonably and in a timely manner. The guidelines should be implemented with the best interest of the community in mind, and not to the detriment of small business owners' limited resources.

- The City provides public notice of new guidelines and regulations when they are submitted to the City’s review and decision process. It is the responsibility of property owners to understand the zoning regulations and historic guidelines that apply on their property.
- Old Town is a well-known historic area. The applicant was aware that the property was located in Old Town, as the applicant previously sought a waiver from City Council in September and October 2021 in order to obtain approval for the State liquor license, because the property is located within 300 feet of a church (San Felipe del Neri). The murals are painted on non-historic structures and were carefully considered to fit the historic aesthetic while effectively elevating contemporary small business. The murals are not only profoundly beautiful, but they represent the future of a vibrant
creative economy.

- The murals are painted on a non-contributing building, but they require a Certificate of Appropriateness from the Landmarks Commission because the building is located in a Historic Protection Overlay zone, and the Landmarks Commission did not approve them.
- Finding #2 in the Notice of Decision states “The murals visible from Rio Grande Boulevard and within Plaza Don Luis shall be removed as they are not in keeping with the historic integrity and sense of place of Old Town HPO-5.”
- Property owners must follow the review procedures adopted by City Council in the Integrated Development Ordinance.

Per 6-4(V)(4)(c) the decision making body erred in applying requirements of this IDO on the railings because:

The building has not been altered and the patio is enclosed with a rail design that if found throughout Old Town including at the Church. Guideline #1 states that we should provide a compatible use for the building which we have. Minimum alteration to the building which we have. This patio does not conflict with the guidelines in the HPO-5 and there are other outdoor dining patios in Old Town that add to the experience.

- Design Guideline #5 states, “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.”
- As stated above, the applicant could have added railings that were in the range of design options possible and commonly chosen between 1880 and 1898, when the contributing building was constructed. Generally, buildings in Old Town did not have railings during this time period.

/s/ Silvia Bolivar / Silvia
Bolivar, Planner
Landmarks Commission
City of Albuquerque Planning Department
AC-22-5 Memo
Final Audit Report

Created: 2022-02-23
By: Lucinda Montoya (lucindamontoya@cabq.gov) Signed
Status: CBJCHBCABAACxLH0M_EPBO95icQEWZM2UcRHeoQgGFb
Transaction ID:

"AC-22-5 Memo" History

✉️ Document created by Lucinda Montoya (lucindamontoya@cabq.gov)
2022-02-23 - 8:58:36 PM GMT- IP address: 98.48.4.34

✉️ Document emailed to Alan Varela (avarela@cabq.gov) for signature
2022-02-23 - 8:58:50 PM GMT

✉️ Document e-signed by Alan Varela (avarela@cabq.gov)
E-signature obtained using URL retrieved through the Adobe Sign API
Signature Date: 2022-02-23 - 9:44:26 PM GMT - Time Source: server- IP address: 143.120.133.65

✅ Agreement completed.
2022-02-23 - 9:44:26 PM GMT
Please check the appropriate box and refer to supplemental forms for submittal requirements. All fees must be paid at the time of application.

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<th>Policy Decisions</th>
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Appeals
☒ Decision by EPC, LC, ZHE, or City Staff (Form A)

APPLICATION INFORMATION

Applicant: Plaza Don Luis Jasper Riddle Owner
Phone: 575 937 1296
Email: jriddle@noisywaterwinery.com
Address: 301 Romero St NW
City: Albuquerque State: NM Zip: 87104

Professional/Agent (if any):
Phone: Email: City: State: Zip:

Proprietary Interest in Site:
Owner List all owners: Jasper Riddle and Luke Schneider

BRIEF DESCRIPTION OF REQUEST

Appeal of Landmarks Hearing decision information attached

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

Lot or Tract No.: Block:
Subdivision/Addition:
MRGCD Map No.:
UPC Code:
Zone Atlas Page(s):
Existing Zoning:
Proposed Zoning:
# of Existing Lots:
# of Proposed Lots:
Total Area of Site (acres):

LOCATION OF PROPERTY BY STREETS

Site Address/Street: 301/303 Romero St NW Between: Romero St and: Rio Grande BLVd

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

Signature: Date: 1/27/22
Printed Name: Jasper Riddle ☒ Applicant or ☐ Agent

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<th>Fees</th>
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Meeting/Hearing Date: Fee Total:
Staff Signature: Date: Project #
FORM A: Appeals

Complete applications for appeals will only be accepted within 15 consecutive days, excluding holidays, after the decision being appealed was made.

☐ APPEAL OF A DECISION OF CITY PLANNING STAFF (HISTORIC PRESERVATION PLANNER) ON A HISTORIC CERTIFICATE OF APPROPRIATENESS – MINOR TO THE LANDMARKS COMMISSION (LC)

☐ APPEAL OF A DECISION OF CITY PLANNING STAFF ON AN IMPACT FEE ASSESSMENT TO THE ENVIRONMENTAL PLANNING COMMISSION (EPC)

☐ APPEAL TO CITY COUNCIL THROUGH THE LAND USE HEARING OFFICER (LUHO)

___ Interpreter Needed for Hearing? ____ if yes, indicate language: ________________

☐ A Single PDF file of the complete application including all 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. PDF shall be organized with the Development Review Application and this Form A at the front followed by the remaining documents in the order provided on this form.

☐ Project number of the case being appealed, if applicable: __PR-2021-006235 SI-2021-01904 -

☐ Application number of the case being appealed, if applicable: ______________________

☐ Type of decision being appealed: __Certificate of Appropriateness____________________

NA Letter of authorization from the appellant if appeal is submitted by an agent

☐ Appellant’s basis of standing in accordance with IDO Section 14-16-6-4(V)(2)

☐ Reason for the appeal identifying the section of the IDO, other City regulation, or condition attached to a decision that has not been interpreted or applied correctly, and further addressing the criteria in IDO Section 14-16-6-4(V)(4)

☐ Copy of the Official Notice of Decision regarding the matter being appealed

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: ___________________________ Date: ___________________________

Printed Name: ___________________________ ☐ Applicant or ☐ Agent

FOR OFFICIAL USE ONLY

Case Numbers: ___________________________ Project Number: ___________________________

Staff Signature: ___________________________ Date: ___________________________
Jan 27, 2022

Jay Rodenbeck
City of Albuquerque
Via email only: jrodenbeck@cabq.gov

Re: Appeal for Plaza Don Luis ABQ Submission

Dear Mr. Rodenbeck:

My name is Zach Cook and I’m an attorney in Ruidoso. I represent Plaza Don Luis and its owner, Jasper Riddle.

Mr. Riddle forwarded me your email of 4:04 p.m. this afternoon requesting that he elaborate how he has standing to bring the appeal of this matter.

Section 6-4(v)(2)(a)(1) of your IDO provides that the owner of the property listed in the application has standing to bring the appeal.

Mr. Riddle is the owner of Plaza Don Luis. Therefore, based on Section 6-4(v)(2)(a)(1) of your IDO, Mr. Riddle has standing to bring the appeal.

Please feel free to contact me if you have additional questions.
Sincerely,

Zach Cook
This letter is written as an appeal to the decision rendered by the Landmarks Commission on January 12, 2022. Some items were approved but the **guardrail fencing** at the Old Town Basket Shop and the **two murals** were required to be removed by the findings and conditions.

Standing for appeal as follows:

Based off Section 6-4(v)(2)(a)(1) of IDO provides that the owner of the property listed in the application has standing to bring the appeal. I am the owner of Plaza Don Luis, therefore based on Section 6-4(v)(2)(a)(1) of your IDO. I have standing to bring the appeal

In regard to the basis of the appeal, the appeal is based on 6-4(V)(4)(a), (b), and (c)

Per 6-4(V)(4)(a): The decision on the removal of railing front of the basket shop should be overturned because the requirements of the Landmarks Commission are arbitrary, capricious, as illustrated in the appeal letter below, the Applicant brought an area up to code and objects to the findings as stated:

> "Guardrail fencing was added to the first-floor area of the Old Town Basket Shop, a contributing building in order to create a new patio area for controlled outdoor alcohol sales as required by the State of New Mexico. While the enclosure was designed to provide more use of and access to the building, the unapproved alteration conflicts with Design Guideline #1 in that 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 guardrails must be removed in order to bring the building back to its original design."

1. Design guideline #1 is not in conflict with these rails. The space enclosed by the rails are not on the public sidewalk. The patio is elevated above the sidewalk by as much as 24" on the south end. The code would requires guardrails and these designed metal rails are the least intrusive design and are found in Old Town. They do not distract from the building and they serve a safety purpose as well as creating an outdoor environment for which to enjoy and control outdoor alcohol sales and provide safety for the patio. The stairs would require handrails of they were the primary access. This design encourages access from the north which meets all the ADA requirements and there are no steps involved.

2. The building has not been altered and the patio is enclosed with a rail design that if found throughout Old Town including at the Church. Guideline #1 states that we should provide a compatible use for the building which we have. Minimum alteration to the building which we have. This patio does not conflict with the guidelines in the HPO-5 and there are other outdoor dining patios in Old Town that add to the experience.

3. The stairs at the east end of the Basket Shop will have code compliant handrails added as shown on the drawing below.
South end of patio @ alley / 24" dropoff

City sidewalk is not affected by patio

18" drop-off

Proposed Handrails
Per 6-4(V)(4)(a): The decision on the removal of the murals should be overturned because the requirements of the Landmarks Commission are arbitrary, capricious, As illustrated below:

1. Guidelines for HPO-5 aesthetics were not specific or readily accessible at the time these murals were commissioned or completed.
2. The restoration of Plaza Don Luis began in February 2021. Over the course of 8 months of renovations, the completion of the first mural on August 15, and the second mural on September 30. After the completion of both murals and months of construction, the Landmarks Commission began to internally update their official guidelines. These revisions can be found in red ink beginning in October of 2021.

Per for 6-4(V)(4)(b) The decision demonstrates that the Landmarks Commission is not supported by substantial evidence on the removal of the murals or the railing. As stated in the findings “The murals visible from Rio Grande Boulevard and within Plaza Don Luis shall be removed as they are not in keeping with the historic integrity and sense of place of Old Town HPO-5”

1. By the Commission's own admission, the October 2021 agenda states: ‘Currently the Old Town HPO is without a set of easily accessed guidelines for use by developers and property owners.’
2. The abundance of other murals in old town setting precedence that are not in question by the commission. Photo reference attached below.
3. The rules have been rewritten since the murals were installed and to determine these two ‘inappropriate’ would necessitate an audit of the entire HPO-5 zone.

4. Countless historic images can be referenced to prove the evolution of aesthetics from 1880 to present time.

Per 6-4(V)(4)(c ) the decision making body erred in applying requirements of this IDO on the murals because:

1. The artists and murals of Plaza Don Luis were thoughtfully selected to represent and celebrate New Mexico’s rich culture and heritage. They were designed by renowned New Mexican artists Reyes Padilla and Jodie Herrera, whose respective family histories date back hundreds of years to the area on their Spanish side, with indigenous roots that date beyond New Mexico and Mexico as territories. Each mural was thoughtfully commissioned with reference to old town, New Mexico and its culture.

2. Since installation, the murals have received overwhelming community support and adoration as evidenced by local feedback and an extremely successful petition of 1000+ signatures from residents of New Mexico and the surrounding areas.

3. Old Town is a tourist destination, an historic hub of commerce, and the murals serve both to advertise these functions and encourage patronage.

4. It is the Landmarks Commission’s responsibility to disseminate HPO-5 guidelines to new property owners in the Old Town area. It should be done reasonably and in a timely manner. The guidelines should be implemented with the best interest of the community in mind, and not to the detriment of small business owners' limited resources.

5. The murals are painted on non-historic structures and were carefully considered to fit the historic aesthetic while effectively elevating contemporary small business. The murals are not only profoundly beautiful, but they represent the future of a vibrant creative economy.

Per 6-4(V)(4)(c ) the decision making body erred in applying requirements of this IDO on the railings because:

1. The building has not been altered and the patio is enclosed with a rail design that if found throughout Old Town including at the Church. Guideline #1 states that we should provide a compatible use for the building which we have. Minimum alteration to the building which we have. This patio does not conflict with the guidelines in the HPO-5 and there are other outdoor dining patios in Old Town that add to the experience.
City of Albuquerque  
Planning Department  
Landmarks Commission  
P.O. Box 1293  
Albuquerque, New Mexico 87103

OFFICIAL NOTIFICATION OF DECISION

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

RBA Architecture PC, 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 January 12, 2022 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, 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:
- Second floor guardrails – The second-floor guardrails and handrails were changed from wood to wrought iron.
- A set of stairs were removed that were not part of the original Plaza Don Luis plans.
- 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.
- The building was re-stuccoed.

5. The applicant is requesting approval to add new, hand-painted signage throughout Plaza Don Luis to include:
   - Self-standing Orientation and Tenant Directory;
   - Wall affixed Tenant Directory and Happenings Bulletin;
   - “Heart of Old Town” plaque on the second level breezeway;
   - “Welcome” signs on pillars facing Romero Street;
   - “More to See” Wayfinding attached to handrails or pillars;
   - Amenities signage (restroom, elevators, etc).
   - Possible Pole banners for Rio Grande Boulevard

6. The second floor guardrails/handrails located at Plaza Don Luis will be allowed to remain as they are appropriate and compatible with the scale of the building and the character of the area.

7. The removal of the stairs does not detract from the architectural character of the building and has allowed for the building to be brought back to its’ original design.

8. The two murals impair the integrity of the building and are not in keeping with the character of the area. The murals shall be removed.

9. Guardrail fencing was added to the first-floor area of the Old Town Basket Shop, a contributing building in order to create a new patio area for controlled outdoor alcohol sales as required by the State of New Mexico. While the enclosure was designed to provide more use of and access to the building, the unapproved alteration conflicts with Design Guideline #1 in that 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 guardrails must be removed in order to bring the building back to its’ original design.

10. The proposed self-standing orientation and tenant directory shall abide by Table 3-5-1: On premises Signs in Old Town HPO-5. The maximum allowable freestanding sign at this location shall be 4 square feet and shall comply with the Old Town sub-area IDO subsection 3-5(K)(3)(c).

11. The tenant directory/happenings sign shall include colors appropriate to the Old Town HPO-5 and shall adhere to the design standards in Table 3-5-1.

12. The proposed plaque on the second floor breezeway will not adversely affect the character of the building.
13. The “welcome” signs on pillars facing Romero Street are not allowed in Old Town HPO-5 as per IDO 14-16-3-5(K)(3).

14. The “More to See” wayfinding attached to handrails or pillars are not allowed in Old Town HPO-5 as per IDO 14-16-3-5(K)(3).

15. The amenities signage (restrooms, elevators, etc.). will not detract from the Old Town HPO-5 character.

16. Possible pole banners for Rio Grande Boulevard are not allowed in Old Town HPO-5 as per IDO subsection 14-16-3-5(K)(3).

17. 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 any historic zone or urban conservation overlay zone in which it is located will not be significantly impaired or diminished”.

18. 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. The murals visible from Rio Grande Boulevard and within Plaza Don Luis shall be removed as they are not in keeping with the historic integrity and sense of place of Old Town HPO-5.

3. The “self-standing orientation and tenant directory” along with the “wall affixed tenant directory and happenings bulletin” shall adhere to the design standards in Table 3-5-1.

4. No signs shall be displayed on railings/pillars and streamers shall not be installed as they are prohibited in Old Town HPO-5.

5. The proposed pole banners for Rio Grande Boulevard shall not be installed as they are prohibited in Old Town HPO-5.

6. The first-floor guardrails of the Old Town Basket Shop shall be removed.

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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 JANUARY 12, 2022 WILL BE MAILED A CERTIFICATE OF APPROPRIATENESS, AFTER THE 15-DAY APPEAL PERIOD HAS EXPIRED ON JANUARY 27, 2022.

Sincerely,

Silvia Bolivar
Silvia Bolivar, PLA, ASLA
Planner, Landmarks Commission
City of Albuquerque
Planning Department
Landmarks Commission
P.O. Box 1293
Albuquerque, New Mexico 87103

Date January 13, 2022

OFFICIAL NOTIFICATION OF DECISION

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

On January 12, 2022 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, 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:
• Second floor guardrails – The second-floor guardrails and handrails were changed from wood to wrought iron.
• A set of stairs were removed that were not part of the original Plaza Don Luis plans.
• 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.
• The building was re-stuccoed.

5. The applicant is requesting approval to add new, hand-painted signage throughout Plaza Don Luis to include:
   • Self-standing Orientation and Tenant Directory;
   • Wall affixed Tenant Directory and Happenings Bulletin;
   • “Heart of Old Town” plaque on the second level breezeway;
   • “Welcome” signs on pillars facing Romero Street;
   • “More to See” Wayfinding attached to handrails or pillars;
   • Amenities signage (restroom, elevators, etc).
   • Possible Pole banners for Rio Grande Boulevard

6. The second floor guardrails/handrails located at Plaza Don Luis will be allowed to remain as they are appropriate and compatible with the scale of the building and the character of the area.

7. The removal of the stairs does not detract from the architectural character of the building and has allowed for the building to be brought back to its’ original design.

8. The two murals impair the integrity of the building and are not in keeping with the character of the area. The murals shall be removed.

9. Guardrail fencing was added to the first-floor area of the Old Town Basket Shop, a contributing building in order to create a new patio area for controlled outdoor alcohol sales as required by the State of New Mexico. While the enclosure was designed to provide more use of and access to the building, the unapproved alteration conflicts with Design Guideline #1 in that 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 guardrails must be removed in order to bring the building back to its’ original design.

10. The proposed self-standing orientation and tenant directory shall abide by Table 3-5-1: On premisses Signs in Old Town HPO-5. The maximum allowable freestanding sign at this location shall be 4 square feet and shall comply with the Old Town sub-area IDO subsection 3-5(K)(3)(c).

11. The tenant directory/happenings sign shall include colors appropriate to the Old Town HPO-5 and shall adhere to the design standards in Table 3-5-1.

12. The proposed plaque on the second floor breezeway will not adversely affect the character of the building.
13. The “welcome” signs on pillars facing Romero Street are not allowed in Old Town HPO-5 as per IDO 14-16-3-5(K)(3).

14. The “More to See” wayfinding attached to handrails or pillars are not allowed in Old Town HPO-5 as per IDO 14-16-3-5(K)(3).

15. The amenities signage (restrooms, elevators, etc.) will not detract from the Old Town HPO-5 character.

16. Possible pole banners for Rio Grande Boulevard are not allowed in Old Town HPO-5 as per IDO subsection 14-16-3-5(K)(3).

17. 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 any historic zone or urban conservation overlay zone in which it is located will not be significantly impaired or diminished”.

18. 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. The murals visible from Rio Grande Boulevard and within Plaza Don Luis shall be removed as they are not in keeping with the historic integrity and sense of place of Old Town HPO-5.
3. The “self-standing orientation and tenant directory” along with the “wall affixed tenant directory and happenings bulletin” shall adhere to the design standards in Table 3-5-1.
4. No signs shall be displayed on railings/pillars and streamers shall not be installed as they are prohibited in Old Town HPO-5.
5. The proposed pole banners for Rio Grande Boulevard shall not be installed as they are prohibited in Old Town HPO-5.
6. The first-floor guardrails of the Old Town Basket Shop shall be removed.

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Sincerely,

Silvia Bolivar
Silvia Bolivar, PLA, ASLA
Planner, Landmarks Commission
Summary of Analysis

The application for a Certificate of Appropriateness is for alterations made to the property without making application for Historic Preservation Review. At this time, the applicant is also requesting to add hand-painted signage throughout Plaza Don Luis.

The subject site, located at 301 Romero Street NW, consists of several buildings including the Old Town Basket Shop, a building of the railroad brick era and Plaza Don Luis, a commercial two-story, non-contributing building built in 1993.

The request for a Certificate of Appropriateness for alterations has been reviewed against the Old Town Historic Protection Development Guidelines and the criteria for approval of a Certificate or Appropriateness in the Integrated Development Ordinance (IDO).

Staff considers that the request partially complies with the applicable guidelines for Old Town HPO-5 and the criteria for approval of Certificate of Appropriateness.

PRIMARY REFERENCES: Integrated Development Ordinance; Design Guidelines for Old Town HPO-5.
SUMMARY OF REQUEST

<table>
<thead>
<tr>
<th>Request</th>
<th>Certificate of Appropriateness of Unapproved Alterations</th>
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<td>Historic Location</td>
<td>Old Town Historic Protection Overlay Zone (HPO-5)</td>
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I AREA HISTORY AND CHARACTER

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

<table>
<thead>
<tr>
<th></th>
<th># of Stories</th>
<th>Roof Configuration, Architectural Style and Approximate Age of Construction</th>
<th>Historic Classification &amp; Land Use</th>
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<tr>
<td>General Area</td>
<td>1-2</td>
<td>New Mexico Vernacular, Spanish-Pueblo revival and contemporary interpretations; Territorial Revival, Modern Brick Commercial; 1796 – 1990’s</td>
<td>Contributing; Neutral; residential &amp; commercial</td>
</tr>
<tr>
<td>Site to the North</td>
<td>2</td>
<td>Stucco Adobe, New Mexico Vernacular, gabled roof, raised entry</td>
<td>Contributing; commercial</td>
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<tr>
<td>Site to the South</td>
<td>1</td>
<td>Hipped red tile, Box Prairie Style, 1915</td>
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<tr>
<td>Sites to the East</td>
<td>1</td>
<td>Adobe walls, wood vigas, carved corbels/Pueblo Revival Style with Gothic Revival style elements, 1793</td>
<td>Contributing; Church</td>
</tr>
<tr>
<td>Site to the West</td>
<td>1</td>
<td>New Mexico Vernacular Revival</td>
<td>Non-contributing; Commercial</td>
</tr>
</tbody>
</table>

II INTRODUCTION

Proposal

The request is for a Certificate of Appropriateness for alterations made to the property without making application for Historic Preservation Review.

The applicant proceeded with the following activities:
1. Second floor guardrails/handrails were added to Plaza Don Luis. The guardrails and handrails were changed from wood to wrought iron.
2. A set of stairs were removed that were not part of the original Plaza Don Luis. The stairs in question were installed by the previous owner and removed by the applicant in order to bring the building back to its’ original design.
3. A new mural was added to Plaza Don Luis that is visible from Rio Grande Boulevard. A second mural was added that is visible from within Plaza Don Luis.
4. Guardrail fencing was added to the first-floor area of the Old Town Basket Shop to create a new patio area that will facilitate controlled outdoor alcohol sales as required by the State of New Mexico.

5. The building was re-stuccoed.

At this time, the applicant is requesting approval to add new, hand-painted signage throughout Plaza Don Luis that would include:
   a. Self-standing Orientation and Tenant Directory;
   b. Wall affixed Tenant Directory and Happenings Bulletin;
   c. “Heart of Old Town” plaque on the second level breezeway;
   d. “Welcome” signs on pillars facing Romero Street;
   e. “More to See” Wayfinding attached to handrails or pillars;
   f. Amenities signage (restroom, elevators, etc);
   g. Possible Pole banners for Rio Grande Boulevard

The site is located in an Area of Consistency as designated by the ABC Comprehensive Plan and is part of the Old Town Historic Protection Overlay Zone (HPO-5). Within the Old Town HPO-5, all changes to the exterior of contributing buildings must first be reviewed by planning staff for appropriateness within the historic district. That review did not take place and work was performed illegally.

The staff report will evaluate the changes made for appropriateness.

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 Hispanic 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.

**History**

The subject site, located at 301 Romero Street NW, consists of several buildings that include the Old Town Basket Shop (Charlie Mann Store), a contributing building of the railroad brick era and Plaza Don Luis, a commercial, two-story, non-contributing building built in 1993.

The Charlie Mann Store, 301 Romero Street NW – Railroad era brick. Franz Huning’s mercantile establishment is supposed to have been on this site, though not in this house, before 1880. The present brick building was built between 1893 and 1898, when it appears on the Sanborn Maps as a Post Office and General Store. For years, the building housed the Charlie Mann grocery store, an important Old Town institution.

The Charlie Mann Store is unique to Old Town as it typifies styles more often found along the railroad or in the Huning Highlands. Large segmental arched windows and elaborate brick work on the building’s cornice give it 1890’s style.

Dating back to 1893, the Old Town Basket Shop was originally occupied by Florencio Zamora, who operated a butcher shop in the building until the 1930’s. From 1930 to 1973 the shop operated as a grocery store and Post Office.

**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 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.

The wrought iron guardrails/handrails installed on the second floor of Plaza Don Luis, a non-contributing building are of a simple, traditional architectural style that are appropriate and compatible with the scale of the building. However, the murals and some of the proposed signage proposed for Plaza Don Luis are not in keeping with the character of Old Town HPO-5 and not allowed under the IDO.

The guardrail fencing added to the first-floor area of the Old Town Basket Shop, a contributing building in order to create a new patio area are not in keeping with the character of Old Town HPO-5 as they do not maintain the original character of the building.

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.

Plaza Don Luis: The removal of the stairs to Plaza Don Luis have not diminished the architectural character. However, the murals and proposed hand-painted signage throughout Plaza Don Luis will significantly impair and diminish the architectural character of Old Town HPO-5.

Old Town Basket Shop: The first floor guardrails impair the architectural character of the contributing building and district and diminish its’ character-defining features.

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 original qualities and character of the structure have been altered by adding guardrail/handrails to the Old Town Basket Shop, a contributing building to Old Town HPO-5.

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.

Deteriorated features such as the handrails and guardrails of Plaza Don Luis were replaced and do not match the original. However, the replacement material of wrought iron was chosen over the original material (wood) so as to not impede visibility of the second floor shops.

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.

Not applicable.

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. The application is not for a Historic Certificate of Appropriateness – Major for demolition of a landmark or a contributing structure.

Development Guidelines for the Old Town Historic Zone

Design Guidelines (as amended through April 9, 1998) have been adopted by the Landmarks Commission for building projects in the Old Town History Protection Overlay Zone (HPO-5). 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. Design Standards and Guidelines (amended 2018) also apply to new and replacement signage.

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.
Guardrail fencing was added to the first-floor area to create a new patio area for controlled outdoor alcohol sales as required by the State of New Mexico. While the enclosure was designed to provide more efficient use of and access to the building, the unapproved alteration conflicts with this design guideline in that 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 building where the alteration was performed is a contributing building and the façade facing Old Town Plaza, is original to the design.

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 building is unaffected by the second-floor replacement wrought iron guardrails/handrails. The stairs were not part of the original Plaza Don Luis design and their removal has not distinguished the quality of the building and is consistent with the proposed use.

The first-floor guardrails have altered the distinguishing qualities of the Old Town Basket Shop, a historic building as the railings are inconsistent with the historic character of the building and district.

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.

The guardrails/handrails were replaced rather than repaired but wrought iron was in use before the coming of the railroad and are compatible with other wrought iron work in the area.

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 use of wrought iron was in use before the coming of the railroad. The second-floor guardrails/handrails were originally made out of wood but the replacement work is typical to that seen in Old Town. The second-floor guardrails/handrails are appropriate and compatible with the scale of the building and the character of the area.

The first-floor guardrails are inconsistent with the character of the Old Town Basket Shop, a historic building and conflict with the Development Guidelines for the Old Town HPO-5.

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 alteration of the second-floor guardrails/handrails is of a simple, good quality design with durable modern materials. The stucco finish of the walls will match that of the building and surrounding area. If the guardrails/handrails were to be removed in the future, the essential form and integrity of the original building would be unimpaired.

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.

The first-floor, wrought-iron enclosure does not present a potential hazard but the enclosure creates a visual maze and detracts from the building and its historic character.

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.

Integrated Development Ordinance - Old Town Historic Protection Overlay, HPO-5

3-5(K)(3)(c) Signs
1. Sign Sub-Area
The following map illustrates the Sign Sub-Area, which contains the area within 150 feet in any direction of the Old Town Plaza Park. Where the Sign Sub-area boundary crosses a lot line, sign standards in this Subsection 14-16-3-5(K)(3)(c) that reference the Sign Sub-area apply only to portions of the lot that are within the Sign Sub-area.

2. Prohibited Signs
a. Internally lit signs.
b. Signs that flash or blink or signs with visible bulbs, neon tubing, luminous paint, or plastics (with the exception of vinyl lettering), except for neon signs allowed pursuant to Subsection 14-16-3-5(K)(3)(c)4.b below.
c. Signs with wind-activated parts or signs that rotate or move in any manner.
d. Signs or part of any sign that changes its message or picture.
e. Signs displayed on railings.
f. Streamers

3. Maximum Number of Signs

A maximum of 2 signs that meet the type, dimension, and location requirements in Table 3-5-1 are allowed per establishment, with the following exceptions:

a. The following sign types do not count toward the maximum number of signs that are allowed:
   i. Window signs
   ii. temporary signs displayed on the day of an outdoor demonstration of the creation of retail goods

b. Additional signs are allowed as follows:
   i. Restaurants are allowed 1 additional wall sign not to exceed 6 square feet.
   ii. Establishments that face 2 or more streets are allowed 1 additional sign.
   iii. The LC may approve 1 additional sign per establishment where the LC determines that there is not reasonable visibility of the establishment from the public right-of-way or adjacent property without such an additional sign. Such signs shall not exceed the maximum sign area in Table 3-5-1 as relevant to the type and location of the sign.
   iv. Premises with 2 or more establishments, at least 1 of which does not face the public right-of-way, are allowed significant additional signs as follows:
      a. total sign area of any additional sign(s) allowed pursuant to this Subsection iv. shall not exceed 25 square feet, not to exceed 2 square feet per establishment.
      b. Within the Sign Sub-Area, establishments are allowed 1 additional wall sign.
      c. Establishments in other locations are allowed either 1 additional wall sign or 1 additional freestanding sign that shall not exceed a height of 10 feet above finished grade.
   v. An additional wall or freestanding sign that meets the following requirements is allowed no more than 20 feet in any direction from where the edges of two public rights-of-way intersects a parking lot with over 20 parking spaces.
      a. The sign area shall not exceed 2 square feet per establishment or 18 square feet total. Any freestanding sign allowed pursuant to Subsection v. shall not exceed a height of 9 feet above finished grade.
      b. The sign may advertise establishments on- or off-premises, as determined by the property owner where the sign is located, but all establishments advertised must be located within Old Town HPO-5 boundary.
      c. Within the Sign Sub-area, where freestanding signs are not allowed, any sign provided pursuant to this Subsection v. must be a wall sign.
4. On-premises Signs
   a. Sign types are allowed pursuant to Table 3-5-1.
   b. Neon signs are allowed as window signs but shall not flash or blink.
   c. No sign shall exceed the height of the façade, eaves, or fire wall of a building, whichever is lower.

<table>
<thead>
<tr>
<th>Sign Type</th>
<th>All Zone Districts</th>
<th>Sign Sub-area</th>
<th>All Other Locations</th>
</tr>
</thead>
<tbody>
<tr>
<td>Wall Sign</td>
<td>On a façade facing an arterial or collector street and that is wholly visible from an arterial street:</td>
<td>20 sq. ft.</td>
<td>Other locations: 10 sq. ft.</td>
</tr>
<tr>
<td>Window Sign</td>
<td>Area, maximum [1]</td>
<td>2 sq. ft.</td>
<td></td>
</tr>
<tr>
<td>Canopy Sign</td>
<td>Area, maximum</td>
<td>Ground floor: 4 sq. ft.</td>
<td>Other floors: 5 sq. ft.</td>
</tr>
<tr>
<td>Projecting Sign</td>
<td>Area, maximum</td>
<td>Prohibited</td>
<td>Ground floor: 4 sq. ft.</td>
</tr>
<tr>
<td>Freestanding Sign</td>
<td>Area, maximum</td>
<td>Prohibited</td>
<td>4 sq. ft.</td>
</tr>
<tr>
<td>Temporary Sign</td>
<td>Area, maximum [1]</td>
<td>3 sq. ft. per sign</td>
<td></td>
</tr>
<tr>
<td>Portable Sign</td>
<td>Area, maximum [1]</td>
<td>Per Subsection 14-16-5-12(F)(4)(b)</td>
<td></td>
</tr>
</tbody>
</table>

[1] For window signs, the maximum size in this table is the sign area allowed per establishment and may be achieved through one or multiple signs.

An analysis of the proposal’s conformance with the adopted relevant development guidelines is provided. The unapproved alterations and proposed alterations are broken down into components for analysis purposes.

**POLICY – SITE FEATURES & STREETSCAPES**

Historic site features should be retained. New site features should be compatible with the architectural character of the historic district.
Completed Alterations Without a Certificate of Appropriateness:

1. Second floor guardrails – The second-floor guardrails and handrails were changed from wood to wrought iron.

   Plaza Don Luis was built in 1993, is two stories in height with a territorial style trim. The building, while in keeping with the character of Old Town, is not historic. The use of wrought iron was in use before the coming of the railroad. The second-floor guardrails/handrails were originally made out of wood but the replacement work is typical to that seen in Old Town. The guardrails/handrails are appropriate and compatible with the scale of the building. This request does not conflict with the Development Guidelines for the Old Town HPO-5.

2. A set of stairs were removed that were not part of the original Plaza Don Luis plans.

   The stairs were not part of the original building design and were installed by the previous owner. Removal of the stairs in order to bring the building back to its’ original design has facilitated the use of the space and would not detract from the architectural character of the building or the wider area facing Old Town Plaza.

3. 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.

   Plaza Don Luis has experienced a number of changes over the years but murals have not been a part of the changes. The applicant has added murals that are visible from Rio Grande Boulevard and within Plaza Don Luis and are not in keeping with the character of the area. The size and color palette used for the murals are not typical of colors found in the area or colors used in the 1890’s through 1940’s, or even in the 1990’s. The alteration impairs the integrity of the building.

4. 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.

   Guardrail fencing was added to the first-floor area to create a new patio area for controlled outdoor alcohol sales as required by the State of New Mexico. While the enclosure was designed to provide more use of, and access to the building, the unapproved alteration conflicts with Design Guideline #1 in that 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 building where the alteration was performed is a contributing building and the façade facing Old Town Plaza, is original to the design. The alteration should be removed in order to allow for the building to be returned to its’ original design.

5. The building was re-stuccoed.

   The re-stuccoing of the building does not detract from the architectural character of the building or the wider area facing Old Town Plaza.
Proposed Alterations:


The proposed self-standing orientation and tenant directory shall abide by Table 3-5-1: On-premises Signs in Old Town HPO-5. The maximum allowable freestanding sign at this location shall be 4 square feet but cannot be placed within the Sign Sub-area of Old Town HPO-5. The Sign Sub-Area contains the area within 150 feet in any direction of the Old Town Plaza Park.


The tenant directory/happenings sign shall include colors appropriate to the Old Town HPO-5 and shall adhere to the design standards in Table 3-5-1. The wall affixed sign shall comply IDO subsection 14-16-3-5(K)(3)(c)(3)((b)(v)(a). On a façade facing an arterial or collector street and that is wholly visible from an arterial street: 20 sq. ft. Other locations: 10 sq. ft.


The proposed plaque on the second floor breezeway will not adversely affect the character of the building or Old Town HPO-5.

4. “Welcome” signs on pillars facing Romero Street.

As per IDO Subsection 14-16-3-5(K)(3) signs displayed on railings and streamers is prohibited in Old Town HPO-5. As such, the “Welcome” signs proposed for the pillars facing Romero Street are also not allowed.

5. “More to See” Wayfinding attached to handrails or pillars.

As per IDO Subsection 14-16-3-5(K)(3) signs displayed on railings and streamers is prohibited in Old Town HPO-5. As such, the “More to See” signs proposed for the handrails or pillars facing Romero Street are not allowed.

6. Amenities signage (restroom, elevators, etc.).

The amenities signage will not detract from the Old Town HPO-5 character. The signage shall comply with IDO standards for signage in Old Town HPO-5.


The “possible pole banners” for Rio Grande Boulevard are not allowed in HPO-5.
Neighborhood Notification and other Considerations.

Notification requirements are found in 14-16-6-4, in the Procedures Table 6-1-1 and are further explained in 14-16-6-4(K), Public Notice. The affected, registered neighborhood organizations are the Historic Old Town Property Owners Association and the West Old Town Neighborhood Association. Property owners within 100 feet of the subject site were also notified, as required (see attachments). As of this writing, Staff has not received comments in support or opposition to the request.

Conclusions

As discussed in the analysis above, the request partially complies with the applicable guidelines for Old Town HPO-5 and the criteria for approval of Certificate of Appropriateness.

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

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, 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:
   - Second floor guardrails – The second-floor guardrails and handrails were changed from wood to wrought iron.
   - A set of stairs were removed that were not part of the original Plaza Don Luis plans.
   - 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.
   - The building was re-stuccoed.

5. The applicant is requesting approval to add new, hand-painted signage throughout Plaza Don Luis to include:
   - Self-standing Orientation and Tenant Directory;
   - Wall affixed Tenant Directory and Happenings Bulletin;
   - “Heart of Old Town” plaque on the second level breezeway;
   - “Welcome” signs on pillars facing Romero Street;
   - “More to See” Wayfinding attached to handrails or pillars;
   - Amenities signage (restroom, elevators, etc).
   - Possible Pole banners for Rio Grande Boulevard

6. The second floor guardrails/handrails located at Plaza Don Luis will be allowed to remain as they are appropriate and compatible with the scale of the building and the character of the area.

7. The removal of the stairs does not detract from the architectural character of the building and has allowed for the building to be brought back to its’ original design.

8. The two murals impair the integrity of the building and are not in keeping with the character of the area. The murals shall be removed.
9. Guardrail fencing was added to the first-floor area of the Old Town Basket Shop, a contributing building in order to create a new patio area for controlled outdoor alcohol sales as required by the State of New Mexico. While the enclosure was designed to provide more use of and access to the building, the unapproved alteration conflicts with Design Guideline #1 in that 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 guardrails must be removed in order to bring the building back to its original design.

10. The proposed self-standing orientation and tenant directory shall abide by Table 3-5-1: On premises Signs in Old Town HPO-5. The maximum allowable freestanding sign at this location shall be 4 square feet and shall comply with the Old Town sub-area IDO subsection 3-5(K)(3)(c).

11. The tenant directory/happenings sign shall include colors appropriate to the Old Town HPO-5 and shall adhere to the design standards in Table 3-5-1.

12. The proposed plaque on the second floor breezeway will not adversely affect the character of the building.

13. The “welcome” signs on pillars facing Romero Street are not allowed in Old Town HPO-5 as per IDO 14-16-3-5(K)(3).

14. The “More to See” wayfinding attached to handrails or pillars are not allowed in Old Town HPO-5 as per IDO 14-16-3-5(K)(3).

15. The amenities signage (restrooms, elevators, etc) will not detract from the Old Town HPO-5 character.

16. Possible pole banners for Rio Grande Boulevard are not allowed in Old Town HPO-5 as per IDO subsection 14-16-3-5(K)(3).

17. 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 any historic zone or urban conservation overlay zone in which it is located will not be significantly impaired or diminished”.

18. 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.

RECOMMENDATION

Case SI-2021-01404/Project #2021-006235 – January 12, 2022

APPROVAL of a Certificate of Appropriateness – Major for Alterations for the property described as Lot 186, Block 000, in the Old Town Historic Protection Overlay Zone (HPO-5), located at 301...
Romero Street NW and zoned, MX-T based on the above eighteen (18) Findings and subject to the following Conditions.

**Recommended Conditions of Approval for Case #SI-2021-01904/Project #PR-2021-006235**

1. Applicant is responsible to acquire, and approval is contingent upon, all applicable permits and related approvals.
2. The murals visible from Rio Grande Boulevard and within Plaza Don Luis shall be removed as they are not in keeping with the historic integrity and sense of place of Old Town HPO-5.
3. The “self-standing orientation and tenant directory” along with the “wall affixed tenant directory and happenings bulletin” shall adhere to the design standards in Table 3-5-1.
4. No signs shall be displayed on railings/pillars and streamers shall not be installed as they are prohibited in Old Town HPO-5.
5. The proposed pole banners for Rio Grande Boulevard shall not be installed as they are prohibited in Old Town HPO-5.
6. The first-floor guardrails of the Old Town Basket Shop shall be removed.

Silvia Bolivar, PLA, ASLA
Historic Preservation Planner
Urban Design and Development Division
Figure 1: First floor rail fencing (patio area) to facilitate outdoor liquor sales.

Figure 2: Area where stairs were removed & “Heart of Old Town” plaque.

Figure 3: Mural visible from Rio Grande Boulevard.
Figure 4: Mural visible from within Don Luis Plaza.

Figure 5: Area of “catchy” signage

Figure 6: Mural visible from within Plaza Don Luis.
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 14-16-3-5(K) for the Old Town – HPO-5
**APPLICATION INFORMATION**

Applicant: Old Town ABQ, LLC  
Address: 7516 N. Camino Sin Vacas  
City: Tucson  
State: AZ  
Zip: 85718  
Professional/Agent: RBA Architecture, PC  
Address: 1104 Park Ave SW  
City: Albuquerque  
State: NM  
Zip: 87102

**BRIEF DESCRIPTION OF REQUEST**

Changed 2nd floor Guard rail from wood to wrought iron, Removed Stairs, Add new guardrail at 1st floor exterior for new patio (does not impede public sidewalk) New painted murals, New exterior signage

**SITE INFORMATION**

Lot or Tract No.: 186  
Block: 0  
Unit: 0  
Subdivision/Addition: MGRCD Map 38  
MRGCD Map No.: 38  
UPC Code: 1013081143921302  
Zone Atlas Page(s): J13  
Existing Zoning: MX-T  
Proposed Zoning: N/A  
# of Existing Lots: 1  
# of Proposed Lots: N/A  
Total Area of Site (acres): 0.71

**LOCATION OF PROPERTY BY STREETS**

Site Address/Street: 301 Romero St NW  
Between: Rio Grande Blvd and: Central Ave.

**CASE INFORMATION**

Signature:  
Printed Name: Rick Bennett  
Date: 11/9/21  
Applicant or Agent

**Fees**

<table>
<thead>
<tr>
<th>Case Numbers</th>
<th>Action</th>
<th>Fees</th>
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</thead>
<tbody>
<tr>
<td></td>
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</tbody>
</table>

**Meeting/Hearing Date:**

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.

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<thead>
<tr>
<th>Type of Request</th>
<th>Historic Zone or Designation</th>
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<tbody>
<tr>
<td>Alteration</td>
<td>□ East Downtown – HPO-1</td>
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<tr>
<td>□ Sign (see note below)</td>
<td>□ Downtown Area</td>
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<tr>
<td>□ Demolition</td>
<td>□ Eighth &amp; Forrester – HPO-2</td>
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<td>□ City Landmark Designation</td>
<td>□ Downtown Neighborhood Area – CPO-3</td>
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<tr>
<td>□ New Construction</td>
<td>□ Fourth Ward – HPO-3</td>
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<tr>
<td>□ City Overlay Designation</td>
<td>□ Hurting Highland – HPO-4</td>
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<tr>
<td>Number and Classification of Structures on Property</td>
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<td>Contributing Structures:</td>
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<td>□ Silver Hill – HPO-6</td>
<td>□ Nob Hill/Highland – CPO-8</td>
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<tr>
<td>Noncontributing Structures:</td>
<td>□ City Landmark</td>
</tr>
<tr>
<td>Unclassified Structures:</td>
<td>Residential Property? □ Yes □ No</td>
</tr>
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</table>

*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 mailed notice to affected Neighborhood Association representatives
- Sign Posting Agreement

☐ INFORMATION REQUIRED FOR ALL LANDMARKS COMMISSION PUBLIC HEARING APPLICATIONS
- Interpreter Needed for Hearing? L/0; if yes, indicate language:
- Proof of Pre-Application Meeting with City staff per IDO Section 14-16-5-4(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 14-16-5-4(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 14-16-6-6(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:                        Date: 11/9/21
Printed Name:                    □ Applicant or X Agent
                                  [Signature]
FOR OFFICIAL USE ONLY

<table>
<thead>
<tr>
<th>Project Number:</th>
<th>Case Numbers</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
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</tbody>
</table>

Staff Signature:

Date: 5/17/18
Site: 303 Romero Ave NW
Don Luis Plaza

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

Address Map Page:

J-13-Z

Map Amended through:
3/17/2017

These addresses are for informational purposes only and are not intended for address verification.
November 3, 2021

City of Albuquerque
Planning Department
600 Second Street NW
Albuquerque, NM 87102

Re: LETTER OF AUTHORIZATION
Plaza Don Luis

To Whom It May Concern:

RBA Architecture, PC is authorized to act as the agent for Plaza Don Luis for obtaining a Historic Certificate of Appropriateness and/or Building Permit as referenced above. This letter does not restrict our Agent from any necessary business required for our project.

If you have any questions, please feel free to call or email.

Sincerely,

Luke Schneider &
Jasper Riddle
November 9, 2021

City of Albuquerque
Landmarks Commission
600 Second NW
Albuquerque, NM 87102

Re: Plaza Don Luis

Dear Leslie,

We are requesting approval from the Landmarks Commission for the following items.

A. Second floor Guard Rails and Hand Rails were changed out from wood to wrought iron, which was discussed with staff and the new rails match the Church Rails.

B. A set of stairs was removed. The original Plaza Don Luis plans did not have these stairs. The previous owner had installed the stairs, the current owner removed them back to the original look. This was discussed with staff.

C. New mural added and is visible from Rio Grande Blvd.

D. Guard rail fencing was added to the first-floor east exterior 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. This new patio does not impede the public sidewalk accessibility. See sheet A-1.
E. The Center was Re-Stuccoed.

F. We would like to add new hand-painted signage throughout Plaza Don Luis. The signs will be classic, earthy NM colors, where contemporary meets tradition.

1. Self-standing Orientation and Tenant Directory
2. Wall affixed Tenant Directory and Happenings Bulletin
3. “Heart of Old Town” plaque on the second level breezeway
4. “Welcome” Signs on pillars facing Romero St.
5. “More to See” Wayfinding attached to handrails or pillars
6. Amenities Signage (Restroom, Elevators, Etc.)
7. Possible Pole Banners for Rio Grande Blvd
8. Prospective mural

Sincerely,
Rick Bennett
Architect
A. Second floor guard rails and hand rails were changed out from wood to wrought iron, which was discussed with staff and the new rails match the Church rails.

B. A set of stairs was removed. The original Plaza Don Luis plans did not have these stairs. The previous owner had installed the stairs, the current owner removed them back to the original look. This was discussed with staff.

C. New mural added and is visible from Rio Grande Blvd.

D. Guard rail fencing was added to the first floor east exterior 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. This new patio does not impede the public sidewalk accessibility. See sheet A-1.

E. The Center was re-stuccoed.

F. We would like to add new hand-painted signage throughout Plaza Don Luis. The signs will be classic, earthy NM colors, where contemporary meets tradition.
   1. Self-standing Orientation and Tenant Directory
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   7. Possible Pole Banners for Rio Grande Blvd
   8. Prospective mural
# Welcome!

Welcome to Plaza Don Luis!

<table>
<thead>
<tr>
<th>Upper Level</th>
<th>Lower Level South</th>
<th>Lower Level North</th>
</tr>
</thead>
<tbody>
<tr>
<td>Suite 107:</td>
<td>Suite 107:</td>
<td>Suite 107:</td>
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<tr>
<td>Outpost 1700</td>
<td>Ghost Tours</td>
<td>Bakery</td>
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<tr>
<td>PH Bar</td>
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<td>Empty Spot</td>
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<tr>
<td></td>
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<td>Fat T's</td>
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<tr>
<td>Tenant</td>
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<td>Oaxacan House</td>
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<td>Photographers Gallery</td>
<td>Empty Spot</td>
<td>Warpath</td>
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<td>AirBnB Stays</td>
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<td></td>
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</table>

**Plaza Don Luis**
Welcome to Plaza Don Luis

**SHOP**
(U) Oaxacan Zapotec House - Rugs  
(U) NM Treasures - Gift Shop  
(U) Roots Ruidoso - Home Goods  
(U) Art on Warpath - Art Gallery  
(U) Lapis Room - Art and Gifts  
(U) Happy Hiker - Outdoor Gear  
(U) Turquoise Tree Flower Shop  
(U) Luna y Luz - Gift Shop

**FOOD & DRINK**
(U) Downshift Brewing  
(U) Fat T's BBQ  
(U) Noisy Water Winery  
(U) Shehan Winery  
(U) Flying Roadrunner Bakery  
(U) The PH Bar  
(U) Senor Murphy Candymaker

XX XXXXX

**SPECIALITY**
Restroom  
USPS  
ABQ Tours  
AirBNB NW-118  
AirBNB - N-206, N-207, S-201

**Legend**
(U) Restroom  
(U) Ground Level  
(U) Upper Level  
(U) Backyard
To Whom it May Concern,

In accordance with the procedures of the City of Albuquerque’s Integrated Development Ordinance (IDO) Subsection 14-16-6-4(K)(2) Mailed Public Notice, we are notifying you as a Neighborhood Association Representative that RBA Architecture, PC will be submitting an application for A Fence Permit to be reviewed and decided by the City of Albuquerque Building and Safety City Staff. The application is for a new fence added to the exterior of an existing building for a patio.

1. Property Owner - Old Town ABQ LLC
2. Agent - RBA Architecture
3. Subject Property Address - 301 Romero St
4. Location Description - Property Located in Old town
5. Zone Atlas Page - J13
6. Legal Description - Lot 186, Subdivision MRGCD MAP 38
7. Area of Property - .71 acres
8. IDO Zone District - MX-T
9. Overlay Zone - N/A
10. Center or Corridor Area - N/A
11. Current Use - Winery
12. Deviation(s) Requested - N/A
13. Variance(s) Requested - N/A
14. More detailed Description of the Request/Project - Added a fence to the exterior of an existing building for a patio, Changed out Guardrails/Handrails from wood to wrought iron, Removed center stairs, New Mural, and the addition of new signage. Please see attached letter of explanation

NOTE: Anyone may request and the City may require an applicant to attend a City-sponsored facilitated meeting with Neighborhood Associations, based on the complexity and potential impacts of a proposed project [IDO Section 14-16-6-4(D)]. To request a Facilitated Meeting regarding this project, contact the Planning Department at devhelp@cabq.gov or 505-924-3955. To view and download the Facilitated Meetings Criteria, visit http://www.cabq.gov/planning/urban-design-development/facilitated-meetings-for-proposed-development.

Please contact me with any questions or concerns at 505-242-1859 or via david@rba81.com.

--
David McEachern
RBA Architects, PC
1104 Park Ave SW
Albuquerque, NM 87102
Ph. 505-242-1859
Fax 505-242-6630
david@rba81.com

Please find the neighborhood contact information listed below. Please make certain to read the information further down in this e-mail as it will help answer other questions you may have.

<table>
<thead>
<tr>
<th>Association Name</th>
<th>First Name</th>
<th>Last Name</th>
<th>Email</th>
<th>Address Line 1</th>
<th>City</th>
<th>State</th>
<th>Zip</th>
<th>Mobile Phone</th>
<th>Phone</th>
</tr>
</thead>
<tbody>
<tr>
<td>Historic Old Town Property Owners</td>
<td>Kathy</td>
<td>Hiatt</td>
<td><a href="mailto:historicoldtown@gmail.com">historicoldtown@gmail.com</a></td>
<td>110 San Felipe Street NW</td>
<td>Albuquerque</td>
<td>NM</td>
<td>87104</td>
<td>5057151609</td>
<td>5052427204</td>
</tr>
<tr>
<td>Association</td>
<td></td>
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<td></td>
<td></td>
</tr>
<tr>
<td>Historic Old Town Property Owners</td>
<td>Jim</td>
<td>Hoffsis</td>
<td><a href="mailto:treahobooks@yahoo.com">treahobooks@yahoo.com</a></td>
<td>2012 South Plaza Street NW</td>
<td>Albuquerque</td>
<td>NM</td>
<td>87104</td>
<td>5059800964</td>
<td>5058426620</td>
</tr>
<tr>
<td>Association</td>
<td></td>
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<td></td>
<td></td>
</tr>
<tr>
<td>West Old Town NA</td>
<td>Glen</td>
<td>Effertz</td>
<td><a href="mailto:gteffertz@gmail.com">gteffertz@gmail.com</a></td>
<td>2918 Mountain Road NW</td>
<td>Albuquerque</td>
<td>NM</td>
<td>87104</td>
<td>5059800964</td>
<td>5058426620</td>
</tr>
<tr>
<td>Association</td>
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<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>West Old Town NA</td>
<td>Gil</td>
<td>Clarke</td>
<td><a href="mailto:g.clarke45@comcast.net">g.clarke45@comcast.net</a></td>
<td>2630 Aloysia</td>
<td>Albuquerque</td>
<td>NM</td>
<td>87104</td>
<td>5059800964</td>
<td>5058426620</td>
</tr>
</tbody>
</table>
PLEASE NOTE: The ONC does not have any jurisdiction over any other aspect of your application beyond this neighborhood contact information. We can’t answer questions about sign postings, pre-construction meetings, permit status, site plans, buffers, or project plans, so we encourage you to contact the Planning Department at: 505-924-3857 Option #1, e-mail: devhelp@cabq.gov, or visit: https://www.cabq.gov/planning/online-planning-permitting-applications with those types of questions.

You will need to e-mail each of the listed contacts and let them know that you are applying for an approval from the Planning Department for your project. Please use this online link to find the required forms you will need to submit. https://www.cabq.gov/planning/urban-design-development/public-notice. Once you have e-mailed the listed contacts in each neighborhood, you will need to attach a copy of those e-mails AND a copy of this e-mail from the ONC to your application and submit it to the Planning Department for approval.

If your application requires you to offer a neighborhood meeting, you can click on this link to find required forms to use in your e-mail to the neighborhood association(s):

http://www.cabq.gov/planning/urban-design-development/neighborhood-meeting-requirement-in-the-integrated-development-ordinance

If your application requires a pre-application or pre-construction meeting, please plan on utilizing virtual platforms to the greatest extent possible and adhere to all current Public Health Orders and recommendations. The health and safety of the community is paramount.

If you have questions about what type of notification is required for your particular project or meetings that might be required, please click on the link below to see a table of different types of projects and what notification is required for each:


Thanks,

Dalaina L. Carmona
Senior Administrative Assistant
Office of Neighborhood Coordination
Council Services Department
1 Civic Plaza NW, Suite 9087, 9th Floor
Albuquerque, NM 87102
505-768-3334
dcarmona@cabq.gov or ONC@cabq.gov
Website: www.cabq.gov/neighborhoods

Confidentiality Notice: This e-mail, including all attachments is for the sole use of the intended recipient(s) and may contain confidential and privileged information. Any unauthorized review, use, disclosure or distribution is prohibited unless specifically provided under the New Mexico Inspection of Public Records Act. If you are not the intended recipient, please contact the sender and destroy all copies of this message.
11 attachments

- image004.png 5K
- image003.png 3K
- image002.png 6K
- image001.png 13K
- image007.png 2K

4. Emailed-Mailed-Notice-PublicMeetingHearing-Print&Fill.pdf 646K
A-1 Floor Plan.pdf 43K
Letter of Explanation.pdf 9348K
AS-1 Site Plan.pdf 262K
ZONE ATLAS PG J-13.pdf 2424K
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*: ___November 09, 2021 ____________________________

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)*: __________________________________________________________

Name of NA Representative*: ____________________________________________________________

Email Address* or Mailing Address* of NA Representative*: ________________________________

**Information Required by IDO Subsection 14-16-6-4(K)(1)(a)**

1. Subject Property Address* 301 Romero St NW
   Location Description In Old Town - Plaza Don Luis

2. Property Owner* Old Town ABQ, LLC

3. Agent/Applicant* [if applicable] RBA Architecture, PC

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 Major**

Summary of project/request2*:

Change 2nd floor rail from Wood to Wrought Iron, Remove stairs, Add guardrail to 1st floor exterior for new patio (Does not impede public sidewalk), New Murals, and New exterior signage

---

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.
[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)
   x Landmarks Commission (LC)

   Date/Time*: __December 8, 2021 at 3PM via Zoom________________________
   Location*: ___ (See agenda at link below)____________________________

   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*:

   _____________________________________________________________________

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

1. Zone Atlas Page(s)* 5 ________________________

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:
   _____________________________________________________________________
   _____________________________________________________________________
   _____________________________________________________________________
   _____________________________________________________________________
   _____________________________________________________________________

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)
   x Landmarks Commission (LC)

   Date/Time*: __December 8, 2021 at 3PM via Zoom________________________
   Location*: ___ (See agenda at link below)____________________________

   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*:

   _____________________________________________________________________

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

   1. Zone Atlas Page(s)* 5 ________________________

   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/
5. **For Site Plan Applications only**, attach site plan showing, at a minimum:
   - a. Location of proposed buildings and landscape areas.
   - b. Access and circulation for vehicles and pedestrians.
   - c. Maximum height of any proposed structures, with building elevations.
   - d. **For residential development**: Maximum number of proposed dwelling units.
   - e. **For non-residential development**:
     - Total gross floor area of proposed project.
     - Gross floor area for each proposed use.

**Additional Information [Optional]:**

From the IDO Zoning Map:

1. Area of Property *(typically in acres)*__0.71________________________________________
2. IDO Zone District __MX-T________________________________________________________
3. Overlay Zone(s) *(if applicable)* __HPO-5__________________________________________
4. Center or Corridor Area *(if applicable)* __________________________________________
   Current Land Use(s) *(vacant, if none)* __Winery, Shops, Restaurants_________________
   _____________________________________________________________________________
   __________________________________________

**NOTE:** Pursuant to **IDO Subsection 14-16-6-4(L)**, property owners within 330 feet and Neighborhood Associations within 660 feet may request a post-submittal facilitated meeting. If requested at least 15 calendar days before the public meeting/hearing date noted above, the facilitated meeting will be required. To request a facilitated meeting regarding this project, contact the Planning Department at devhelp@cabq.gov or 505-924-3955.

**Useful Links**

Integrated Development Ordinance (IDO):
https://ido.abc-zone.com/

IDO Interactive Map
https://tinyurl.com/IDOzoningmap

Cc: ______________________________________ [Other Neighborhood Associations, if any]
   _____________________________________________________________________________
PART I - PROCESS
Use Table 6-1-1 in the Integrated Development Ordinance (IDO) to answer the following:

Application Type: Certificate of Appropriateness Major
Decision-making Body: Landmarks Commission

Pre-Application meeting required: ☒ Yes ☐ No
Neighborhood meeting required: ☐ Yes ☐ No
Mailed Notice required: ☐ Yes ☐ No
Electronic Mail required: ☒ Yes ☐ No
Is this a Site Plan Application: ☐ Yes ☒ No  Note: if yes, see second page

PART II - DETAILS OF REQUEST
Address of property listed in application: 301 Romero St NW
Name of property owner: Old Town ABQ, LLC
Name of applicant: Luke Schneider & Jasper Riddle
Date, time, and place of public meeting or hearing, if applicable: December 8, 2021 at 3PM via Zoom

Address, phone number, or website for additional information:
www.cabq.gov/planning/boards-commissions/landmarks-commission

PART III - ATTACHMENTS REQUIRED WITH THIS NOTICE
☒ Zone Atlas page indicating subject property.
☒ Drawings, elevations, or other illustrations of this request.
☐ Summary of pre-submittal neighborhood meeting, if applicable.
☒ Summary of request, including explanations of deviations, variances, or waivers.

IMPORTANT: PUBLIC NOTICE MUST BE MADE IN A TIMELY MANNER PURSUANT TO SUBSECTION 14-16-6-4(K) OF THE INTEGRATED DEVELOPMENT ORDINANCE (IDO).
PROOF OF NOTICE WITH ALL REQUIRED ATTACHMENTS MUST BE PRESENTED UPON APPLICATION.

I certify that the information I have included here and sent in the required notice was complete, true, and accurate to the extent of my knowledge.

(Applicant signature) 11/9/21 (Date)

Note: Providing incomplete information may require re-sending public notice. Providing false or misleading information is a violation of theIDO pursuant to IDO Subsection 14-16-6-9(B)(3) and may lead to a denial of your application.
PART IV.—ATTACHMENTS REQUIRED FOR SITE PLAN APPLICATIONS ONLY

Provide a site plan that shows, at a minimum, the following:

- □ a. Location of proposed buildings and landscape areas.
- □ b. Access and circulation for vehicles and pedestrians.
- □ c. Maximum height of any proposed structures, with building elevations.
- □ d. For residential development: Maximum number of proposed dwelling units.
- □ e. For non-residential development:
  - □ Total gross floor area of proposed project.
  - □ Gross floor area for each proposed use.
Public Notice of a Proposed Project in the City of Albuquerque for Decisions Requiring a Meeting or Hearing Mailed to a Property Owner

Date of Notice*: _______________________________________

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:

Property Owner within 100 feet*: _______________________________________

Mailing Address*: ______________________________________________________________________

Project Information Required by IDO Subsection 14-16-6-4(K)(1)(a)

1. Subject Property Address* _301 Romero St NW_________________
   Location Description _In Old Town - Plaza Don Luis ________________________________

2. Property Owner* _Old Town ABQ, LLC ________________________________

3. Agent/Applicant* [if applicable] RBA Architecture, PC ________________________________

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 Major ________________________________

Summary of project/request*: _Change 2nd Floor rail from wood to wrought iron, Remove Stairs, Add rail to 1st floor exterior for new patio (does not impede public sidewalk), new Murals, New Exterior Signage______________________________

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)

___ Attach additional information, as needed to explain the project/request.
Date/Time*: _________________________________________________________________

Location* 2: ___________________________________________________________________

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* 3:
______________________________________________________________________________

Project Information Required for Mail/Email Notice by IDO Subsection 6-4(K)(1)(b):

1. Zone Atlas Page(s)* 4: J-13___________________

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)
Explaination*: ________________________________________________________________________________
______________________________________________________________________________

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:
______________________________________________________________________________
______________________________________________________________________________
______________________________________________________________________________
______________________________________________________________________________
______________________________________________________________________________

5. For Site Plan Applications only*, attach site plan showing, at a minimum:
□ a. Location of proposed buildings and landscape areas.*
□ b. Access and circulation for vehicles and pedestrians.*
□ c. Maximum height of any proposed structures, with building elevations.*

---

2 Physical address or Zoom link
3 Address (mailing or email), phone number, or website to be provided by the applicant
4 Available online here: http://data.cabq.gov/business/zoneatlas/
[Note: Items with an asterisk (*) are required.]

- d. For residential development*: Maximum number of proposed dwelling units.
- e. For non-residential development*:
  - Total gross floor area of proposed project.
  - Gross floor area for each proposed use.

Additional Information:

From the IDO Zoning Map:

1. Area of Property [typically in acres] __0.71______________________________________________
2. IDO Zone District __MX-T______________________________________________________________
3. Overlay Zone(s) [if applicable] HPO-5_________________________________________________
4. Center or Corridor Area [if applicable] ________________________________________________
   Current Land Use(s) [vacant, if none] __Winery__________________________________________

NOTE: Pursuant to IDO Subsection 14-16-6-4(L), property owners within 330 feet and Neighborhood Associations within 660 feet may request a post-submittal facilitated meeting. If requested at least 15 calendar days before the public meeting/hearing date noted above, the facilitated meeting will be required. To request a facilitated meeting regarding this project, contact the Planning Department at devhelp@cabq.gov or 505-924-3955.

Useful Links

Integrated Development Ordinance (IDO):
https://ido.abc-zone.com/

IDO Interactive Map
https://tinyurl.com/IDOzoningmap

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* Available here: https://tinurl.com/idozoningmap
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 December 28, 2021 To January 27, 2022

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.

(Applicant or Agent) [Signature] 12/13/21

(Date) (Date) (Staff Member)

I issued 3 signs for this application,

(Date)

PROJECT NUMBER: SI-2021-01904/PR-2021-006235

Rev. 1/11/05
Dear City Councilors,

The decision by the Landmarks Commission to remove two murals in Plaza Don Luis is wrong. Please do not allow the removal of these murals.

Albuquerque has a growing arts community that is making history. These murals add to the significance of these historical buildings, it doesn't take away. By removing these murals you will be creating a new historical statement. One that disrespects and devalues Albuquerque's art community. Jodie Herrera and Reyes Padilla's murals should be celebrated by Albuquerque, not penalized! Both murals are in a New Mexican style, by New Mexican artists. The artwork not only fits the aesthetic of Plaza Don Luis, but truly belongs there.

Please stop the removal before it is too late.

Thank you.

Aaron Stromberg
Fine Artist | Designer of Pretty Things
505-235-5392
www.aaronstrombergart.com
Hello,

I am a lifelong Albuquerque resident, currently residing in District 6.

I'm writing to share my objection to the removal of murals painted by Jodie Herrera and Reyes Padilla at Plaza Don Luis. As I understand it, the City approved these murals in Old Town not knowing that they required Landmarks Commission approval. This seems to be an honest mistake to me, as the building these murals were painted on was constructed in 1993 and is not a historic building in our Old Town.

While there can be beauty in simplicity - such as in a blank wall - I argue that the true beauty of New Mexico and Albuquerque, is in their people and in their nature. The targeted works in Albuquerque's Old Town, represent both. The monarch butterfly and the prickly pear flower that it is understandably attracted to are timeless symbols of Albuquerque and the Southwest. I know less about Reyes Padilla's mural, but I do know that both of these artists have deep family ties to the history of this State and the people of this land.

To remove these murals would be an attempt to remove a piece of our story. I urge the Commission to stand down. I urge all of the Councillors of our City to stand up for our culture, to stand up for our story. Leave the Plaza Don Luis murals in place.

Chase Stearnes
505 934 1615
To the Landmarks Commission of ABQ,

It has come to my attention that you are attempting to remove the mural painted by Jodie Herrera in Plaza Don Luis. Please do not do this! Albuquerque is in dire need of a forward thinking community that supports arts and innovation. Even to hear that this removal is under consideration makes me sick. I have lived all over the world, from NYC to Tokyo, to Mexico City. I have never encountered a more backwards thinking nepotistic government than exists in NM. Please show that you have even the slightest bit of vision by encouraging our artistic community rather than stomping on it in favor of your childish and thinly veiled power play.

Best,

--
Colin H. Sillerud
csillerud@gmail.com
212-203-6462
Please Don't Devalue the Arts

1 message

Aaron Stromberg <aaronstrombergart@gmail.com> Thu, Jan 20, 2022 at 2:24 PM
To: lnaji@cabq.gov, lesanchez@cabq.gov, ibenton@cabq.gov, kpena@cabq.gov, bbassan@cabq.gov, danlewis@cabq.gov, patdavis@cabq.gov, tfiebelkom@cabq.gov, trudyjones@cabq.gov, rgrout@cabq.gov
Cc: contact@lapisroom.com, Jodie Herrera <Chromaj@gmail.com>

Dear City Councilors,

The decision by the Landmarks Commission to remove two murals in Plaza Don Luis is wrong. Please do not allow the removal of these murals.

Albuquerque has a growing arts community that is making history. These murals add to the significance of these historical buildings, it doesn't take away. By removing these murals you will be creating a new historical statement. One that disrespects and devalues Albuquerque's art community. Jodie Herrera and Reyes Padilla's murals should be celebrated by Albuquerque, not penalized! Both murals are in a New Mexican style, by New Mexican artists. The artwork not only fits the aesthetic of Plaza Don Luis, but truly belongs there.

Please stop the removal before it is too late.

Thank you.

Aaron Stromberg
Fine Artist | Designer of Pretty Things
505-235-5392
www.aaronstrombergart.com
I am a lifelong Albuquerque resident, currently residing in District 6.

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While there can be beauty in simplicity - such as in a blank wall - I argue that the true beauty of New Mexico and Albuquerque, is in their people and in their nature. The targeted works in Albuquerque's Old Town, represent both. The monarch butterfly and the prickly pear flower that it is understandably attracted to are timeless symbols of Albuquerque and the Southwest. I know less about Reyes Padilla's mural, but I do know that both of these artists have deep family ties to the history of this State and the people of this land.

To remove these murals would be an attempt to remove a piece of our story. I urge the Commission to stand down. I urge all of the Councillors of our City to stand up for our culture, to stand up for our story. Leave the Plaza Don Luis murals in place.
Plaza Don Luis Mural

Colin s <csillerud@gmail.com>  

To: contact@lapisroom.com, lesanchez@cabq.gov, ibenton@cabq.gov, kpena@cabq.gov, bbassan@cabq.gov, danlewis@cabq.gov, patdavis@cabq.gov, tfiebelkorn@cabq.gov, trudyjones@cabq.gov, rgrout@cabq.gov

Wed, Feb 16, 2022 at 1:58 PM

To the Landmarks Commission of ABQ,

It has come to my attention that you are attempting to remove the mural painted by Jodie Herrera in Plaza Don Luis. Please do not do this! Albuquerque is in dire need of a forward thinking community that supports arts and innovation. Even to hear that this removal is under consideration makes me sick. I have lived all over the world, from NYC to Tokyo, to Mexico City. I have never encountered a more backwards thinking nepotistic government than exists in NM. Please show that you have even the slightest bit of vision by encouraging our artistic community rather than stomping on it in favor of your childish and thinly veiled power play.

Best,

--

Colin H. Sillerud

csillerud@gmail.com
212-203-6462
To whom it may concern,

I am a resident of downtown and purchased my first home in the Forrester Historic district three years ago. I deliberately purchased my home in this neighborhood to build my life and raise my family in a historic neighborhood full of art and rich community. The place that has shown the most growth in creating this community is in the Plaza Don Luis. The gorgeous murals by Jodie Herrera and Reyes Padilla represent the community of Albuquerque. They welcome both tourists and locals alike. Until Plaza Don Luis and the artistic growth of Old Town, I never went to Old Town. I didn’t take out of town visitors nor recommend it to friends. Now, I can proudly recommend Plaza Don Luis to everyone I know. The murals represent the respectful growth of Old Town into a community space for the next generation of Burquenos. To erase these murals is to say the historic council does not believe in the growth of Old Town to fit the needs of generations to come, an unwillingness to connect the “historic” to the welcome the current, modern community. To say these artistic murals must be erased is quite hypocritical given some of the unsightly, non-historic development that has recently been allowed in my neighborhood. Please make the right decision and allow the amazingly beautiful, welcoming, inspiring murals of Jodie Herrera and Reyes Padilla to remain and respectfully connect us to the beauty of historic Old Town.

Sincerely,

Danielle Draper, MD
This letter is in support of Ms. Jodie Herrera and her mural located in Old Town that your department wants to remove and destroy.

Jodie Herrera’s work is extraordinary and globally recognized. She has been commissioned to work on projects in Western and Central Europe, including recording in her art work the stories of women refugees from various countries in Africa and in the Middle East while working in both Germany and Poland. Frankly, Ms. Herrera’s work stands for itself and you should be commissioning more of her work not trying to destroy it. She represents the best of Native American and Hispanic culture. She is moving culture and society ahead, not promoting the racist colonialism of New Mexico’s not so proud past. Her work should be supported not denigrated by short-sighted bureaucrats.

Apparently, your Arts and Culture people, trying to do the right thing, gave permission for the murals to be painted. They did not say the Landmarks Commission approval also was necessary. Apparently, because of a bureaucratic slip-up, the artist, the public, and the gallery, who commissioned the work, should not be punished for your error.

I lived in New Mexico for over 10 years. I left the Land of Enchantment because of short-sighted, tunnel-vision, unimaginative views of many people in positions of power. Considering that the state promotes it’s love and support of the arts, I hope you reconsider your decision and allow her mural to remain in the current location and commission more of her work.

Sincerely yours,

Richard Bryant

Dr. Richard Bryant, Professor of Neuroscience, Retired
Lote 4B, Urbanização Montinho,
Caldas de Monchique
8550-232 Monchique
Portugal

TM: +351 91 870 6869
Tel: +351 282 096 787
February 13, 2022

City of Albuquerque Landmarks Commission
Planning Department
600 2nd Street NW
Albuquerque, NM 87102

Dear Commissioners:

I am writing in support of the murals that were recently painted on the building at the rear of the Don Luis Plaza in Old Town. As a resident in the neighborhood, I frequently visit Old Town and I appreciate its historic value and attraction to tourists. However, I also have many friends, long time residents of the city, who have admitted that they have not visited Old Town in decades. Therefore, I am excited to see the new shops and owners who are trying to revive Old Town as a destination not only for tourists but for local residents as well.

I believe the Don Luis Plaza murals not only enhance the area, bringing new interest and focus to the plaza, but are not inconsistent with other installations in Old Town such as the beautiful mosaics that surround the arches at the east entrances. Therefore, I respectfully request that you consider allowing the murals to remain.

Sincerely,

Janet Stephenson
515 16th Street NW
Albuquerque, NM 87104

Cc: Meg, Contact@Lapisroom.com
Please keep the murals! Please!!! For 100s of years they have been a staple in Mexico. They are a true art form and a true bloodline. Please don't paint over. Thank you.

In Gratitude,

Jenny Curran Swain

Jenny Curran Swain
513-439-5549
Save the Murals in Old Town

1 message

Kate Bolintineanu <kate.bolintineanu@gmail.com> Thu, Jan 20, 2022 at 10:43 AM
To: lnaji@cabq.gov, lesanchez@cabq.gov, ibenton@cabq.gov, kpena@cabq.gov, bbassan@cabq.gov, danlewis@cabq.govc, patdavis@cabq.gov, tfiebelkorn@cabq.gov, trudyjones@cabq.gov, rgrout@cabq.gov
Cc: contact@lapisroom.com

Hello,

My name is Kate Bolintineanu and I am an Albuquerque resident, artist, teacher, and small business owner. I was recently made aware of the City Landmarks Commission's hasty and poorly thought through decision to remove the beautiful murals in Old Town Plaza.

The artwork of Jodie Herrera and Reyes Padilla represent the new generation of artists in our community. The visionaries who made these artworks possible represent the way forward as we look to grow and change and truly encapsulate what it means to be a resident of this beautiful city and member of our diverse community.

The recent changes to the Old Town Plaza have only been positive- breathing life into what was becoming a stagnant district. The artists featured in Old Town galleries, the new businesses, and new owners of the plaza are helping bring a new vibrancy and culture to this area that has long been needed, and I hope this will only continue.

I have loved bringing my family and children to see the new art in the plaza, to hear the music, and to share the visions of contemporary New Mexican artists with my children. The reactions of my family and children have only been positive- no doubt one of the big reasons my kids (ages 2, 5, and 7) ask to go to Old Town so much is to see the beautiful artwork and visit all of the new exciting spaces popping up.

If anything, the City of Albuquerque needs to tap into our local artists MORE and be doing everything it can, spending MORE money to support artists' work. It should be everywhere around town- these beautiful murals shouldn't be confined to Downtown. Let's see murals lining Tramway, decorating the highway entrance and exit ramps, let's see art everywhere in this city! Let our city become the cultural hub for artists it was always meant to be, and let it become the travel destination it deserves to be by giving artists opportunities to color our world. Please do not get in the way and destroy this beautiful work.

I hope that the City Landmarks Commission will reverse this regrettable decision and embrace a vision for Albuquerque that harnesses both the history, present, and future of our great city.

Yours,

Kate Bolintineanu
To Whom It May Concern:

I am so sad, disappointed, and utterly heartbroken to learn that the city plans to remove the two new murals at Plaza Don Luis in Old Town. As an Albuquerque local and Old Town business owner, I have seen the new businesses and murals at Plaza Don Luis revitalize a part of our historic neighborhood that has long been a sleepy corner of tchotchke shops rarely visited by locals. This now bustling plaza has created a real sense of community and has breathed new life into this area, with the beautiful murals helping to draw locals and tourists alike into the locally run businesses on the plaza. Many of these local small businesses support and share the work of New Mexican artists and artisans, and provide a community space that I have not seen anywhere else in Albuquerque in the many years I have lived here. If you have not yet been to Plaza Don Luis and visited the new wineries, taproom, art galleries, shops - and the murals that create a sense of community and character between them all - I strongly encourage you to do so.

The artists and murals of Plaza Don Luis were thoughtfully selected to represent and celebrate New Mexico’s rich culture and heritage. They were designed by renowned New Mexican artists Reyes Padilla and Jodie Herrera, whose respective family histories date back hundreds of years to the area on their Spanish side, with indigenous roots that date beyond New Mexico and Mexico as territories.

The murals are painted on non-historic structures (built in the 1990s), and were carefully considered to fit the historic aesthetic while effectively elevating contemporary small business. The murals are not only profoundly beautiful, but they represent the future of a vibrant creative economy.

According to the Landmarks Commission website, one of the main duties of the committee is to “Disseminate information to the public concerning historic preservation and urban conservation.” The deep restoration of Plaza Don Luis began in February 2021.

Over the course of 8 months of renovations, the completion of the first mural on August 15, and the second mural on
September 30, the commission did not approach or offer guidance to the merchants or owners of Plaza Don Luis. After the completion of both murals and months of construction, the Landmarks Commission began to internally update their official guidelines. These revisions can be found in red ink beginning in October of 2021. By the Commission's own admission, the October 2021 agenda states: “Currently the Old Town HPO is without a set of easily accessed guidelines for use by developers and property owners.”

We request an appeal for the following reasons:

1. Guidelines for HPO-5 aesthetics were not specific or readily accessible at the time these murals were commissioned or completed.
2. The rules have been rewritten since the murals were installed and to determine these two ‘inappropriate’ would necessitate an audit of the entire HPO-5 zone. We believe the Commission would find many other examples of ‘paint on stucco’ in Old Town predating the two murals in Plaza Don Luis. Countless historic images can be referenced to prove the evolution of aesthetics from 1880 to present time.
3. Since installation, the murals have received overwhelming community support and adoration as evidenced by local feedback and an extremely successful petition of 1000+ signatures from residents of New Mexico and the surrounding areas.
4. Old Town is a tourist destination, an historic hub of commerce, and the murals serve both to advertise these functions and encourage patronage.
5. It is the Landmarks Commission’s responsibility to disseminate HPO-5 guidelines to new property owners in the Old Town area. It should be done reasonably and in a timely manner. The guidelines should be implemented with the best interest of the community in mind, and not to the detriment of small business owners' limited resources.

Thank you for your consideration,

Kelly Siebe
Save Our Don Luis Plaza Murals
1 message

Lance Smith <thefoundartifacts@gmail.com> Thu, Jan 20, 2022 at 8:58 AM
To: Inaji@cabq.gov
Cc: Contact@lapisroom.com, Lesanchez@caba.gov, Ibenton@cabq.gov, Kpena@cabq.gov, Bbassan@cabq.gov, Danlewis@cabq.gov, Patdavis@cabq.gov, Tfiebelkorn@cabq.gov, Trudyjones@cabq.gov, Rgrout@cabq.gov

To whom it may concern:

I am writing you all today because of the very real concern that the wrong decision was made to remove two beautiful murals in the Don Luis Plaza that represent the New Mexico art community.

I am one of the local New Mexico vendors that is represented in the Don Luis Plaza. I created my business to uplift and highlight the beauty of what my state is, I am very proud of where I am from. Today, when I walk into the plaza, I feel the beautiful artistic expressions of those artists, artists who are an integral part of our community, truly represents the vibrant culture that embodies New Mexico. I am extremely proud and honored to also be represented there.

These murals do not take away from the historic importance of the Don Luis Plaza, it breaths new life into a part of Old Town that is often overlooked by the millions of visitors that walk the square. Removing them is not only taking that breath of fresh air away, it is removing who we are as New Mexicans. I can only hope and pray you see the importance of keeping these murals up. You all received a petition of over 1,000 signatures, gathered within days, of people who hold the same sentiment. This petition will continue to grow as news gets out of this grave error made by the Landmarks Commission and city council, and as representatives, you were voted in to represent the people of Albuquerque.

The choice to remove these is compounded by also not realizing the direct impact removing these murals would be to the small businesses within the plaza, who are doing all they can to attract customers and business. Again, I will reiterate that the success of the businesses in the Don Luis Plaza DIRECTLY IMPACTS small businesses and artists across the state. My hope is that you listen to what the people want, which is to save the Don Luis Plaza murals. Removing them is an act of cultural destruction, and that act is unforgivable.

Regards,

Lance Smith
The Found Artifacts
Owner/Designer/New Mexican
A letter of support

1 message

ms.Mary*Elizabeth <watermonkey@gmail.com> Thu, Feb 17, 2022 at 12:59 PM
To: lesanchez@cabq.gov, ibenton@cabq.gov, kpena@cabq.gov, bbassan@cabq.gov, danlewis@cabq.gov, patdavis@cabq.gov, tfiebelkorn@cabq.gov, trudyjones@cabq.gov, rgrout@cabq.gov, contact@lapisroom.com

Landmarks Commission,

Hello, I’m sure you’ve had your inbox flooded with letters concerning the murals at Plaza Don Luis in Old Town & this one here is no different. I’m disheartened by the fact that this is an issue to begin with. The fact that we need to fight for beautiful & meaningful art in this town deeply upsets me. The backbone of New Mexico is the art culture itself & it should never be broken.

I no longer live in Albuquerque, but I was recently back for a visit & when I heard about new art pieces in Old Town, I was eager to check it out. Honestly, I stopped going down there years ago because it was always the same thing. It never changes, there’s no progression & it’s almost identical to the one in Santa Fe, so why bother? This though, this was a start. A great start & I’ve got to say, it’s certainly a step up from the bare brown stucco wall that is in fact, a restroom. A restroom that was built in the 90s. It’s almost hysterical to call that historical. Right now, it’s the most gorgeous restroom in the state!

In all seriousness, the paintings bring a vibrancy to that spot that has people engaged, taking photos, admiring it as they walk by & the amount of effort that went into them is immeasurable because it was done with love & respect. Two things that carry no weight. So why must this be so heavy? The artists were chosen because they represent the culture of New Mexico & have blood lines that run deep. The fact that permission was granted by the owners & city, they should stay up. Your lack of staffing shouldn’t be the artists’ burden to fight. MURALS ARE FOR EVERYONE, not a singular person, no committee but to ALL OF US & I truly hope you reconsider covering up the beauty & make room for inclusion. The people want the art to stay & we want our voices respectively heard. Thank You for your time.

p.s. What could possibly look better on that wall? Have you ever asked the artists what the art represents to them? We can live in the present, think about the future & respect the past simultaneously if we choose to.

-Mary
Dear Leslie Naji,

I wanted to write in support of the new murals in Old Town. My husband and I have had the pleasure of visiting Albuquerque twice last year (in May and December). We loved our visits to Old Town. The historic and artistic charm creates a beautiful blend. The artists are so talented who have painted the murals.

Murals enhance a building and do not detract from historic significance.

From visitAlbuquerque.org:

"Old Town was Albuquerque's first neighborhood. More than 300 years after its founding, it remains a center for culture, architecture, shopping, art and cuisine."

Clearly the appeal of Old Town involves much more than history.

I've been to Williamsburg, Virginia which is a historical destination because of the educational experience involving re-enactors and classes. Old Town's historical charm is different and special and can't really be classified as a singular historical destination. I observed people totally enjoying Old Town as it is with the colorful murals and adobe buildings. The many different experiences available in Old Town are unique, as the Visit Albuquerque site explained so well.

Please reconsider the ruling on the murals.

Thank you.
Sincerely,

Mary Wagner
Pittsburgh, PA
Hello,

I’m writing to express my disappointment with the intention to remove the murals at the Plaza Don Luis in Old Town.

I have watched the restoration and development of this shopping venue since the folks from the Noisy Water Winery took on the project. In every way it’s been an upgrade and welcome change to what had been an underutilized and sloppy looking structure.

As a local artist who sells my wares to shops like those in Plaza Don Luis, I know how important the “vibe” can be to draw in visitors. The winery and the adjacent gallery, Lapis Room create this welcoming feel. The property’s new beautiful lighting, safety improvements and patio upgrades are a benefit to tourists and locals alike. The addition of live music and large murals created by local artists help to complete the picture.

Have you visited on a nice evening when there are events? I see people sitting in front of the murals taking photos, noticing the large shapes that draw your eye upward, to the beautiful New Mexico sky. The murals perfectly complement the blend of new, vintage and handmade products being offered in the surrounding stores. They help to locate the best bathrooms in Old Town. And PDL as a whole has become a new and inviting hangout for locals!

Unlike SO MANY murals around town, those at Plaza Don Luis are well-done and appropriate. If the issue is that the murals are not historic I would point to the other shops in Old Town with plastic chile ristras, day glow signage and other ugly (non-period) decor.

I encourage you to consider what message this sends to the young and talented artists who painted the murals. The Plaza Don Luis shop owners have invested a lot by taking on a space and should be commended for responsibly improving Albuquerque and it’s image.

I hope you will reconsider this matter of the murals at PDL and remember that betterment may come in a form we don’t immediately identify with— AND that’s OK!

Respectfully,

Nicky Ovitt
Concerned citizen, artist, Nob Hill resident
Mural in Old Town
1 message

Olivia Herrera <oherrera.bsn@gmail.com>  
To: "Patdavis@cabq.gov" <Patdavis@cabq.gov>, "bbaskan@cabq.gov" <bbaskan@cabq.gov>, "contact@lapisroom.com" <contact@lapisroom.com>, "danlewis@cabq.gov" <danlewis@cabq.gov>, ibenton@cabq.org, kpena@cabq.gov, "lesanchez@cabq.gov" <lesanchez@cabq.gov>, rgrout@cabq.gov, "tfiebelkorn@cabq.gov" <tfiebelkorn@cabq.gov>, trudyjones@cabq.gov

To whom it may concern,

The murals done by Jodie Herrera in Plaza Don Luis in Old Town are important and deserve to stay. I live in Old Town and have for several years. I have watched the quaint little plaza blossom in this last year and I have no doubt that its because of the hands and craft of artists, business owners and visionaries. Murals have popped up all over NM in these last years of the pandemic and they mark this moment. A sign of solidarity in a community of hurting people dreaming for better days and unity. It's a part of history.

This mural was done by artists who understand the importance of celebrating a strong culture, community and identity deeply with NM. This art is needed and loved and has brought new life into a space that is yearning for people gathered on benches in the plaza, locals and visitors dancing together under a sandia colored sky and summer nights full of music. This art is kindness, it's celebration and it is permission. Permission for everyone to love our great state and specifically this treasured place in Albuquerque. On the nights where we walk our dog through Old Town we smile at the time and energy invested in this sweet space. This mural is needed. This mural deserves to stay. Please consider fighting for this art.

Old town has long been a gathering place for this community to connect through music, celebration and art. This mural and others like it, signify the continuation of this conversation by embracing new and diverse voices. I strongly urge you to review the Landmarks Commission's stance on this mural.

Thank you for your time,
Olivia

https://mail.google.com/mail/u/0/?ik=3f4dfc175c&view=pt&search...f%3A1724986648728250299&simp=ms-f%3A1724986648728250299&mb=1  Page 1 of 1  094
Preservation of Murals in Old Town

phoy.stjohn@gmail.com <phoy.stjohn@gmail.com>  
Tue, Feb 1, 2022 at 10:10 PM

To: lnaji@cabq.gov
Cc: Lesanchez@cabq.gov, ibenton@cabq.gov, kpena@cabq.gov, bbassan@cabq.gov, "Dan P. Lewis" <danlewis@cabq.gov>, Rgrout@cabq.gov, Patdavis@cabq.gov, Trudyjones@cabq.gov, contact@lapisroom.com

Good day,

I write this letter today in regards to the murals in the Plaza Don Luis in Old Town.

As a former resident of the Old Town area and a current employee, I had watched Old Town degrade slowly as the businesses in the area had neglected how the plaza looked. The walls were cracked, bricks were out of place, and occasional graffiti would crop up just out of eyeshot of the street. Walking in the area was not visually pleasing, the feel of the area was uneasy, and many stores and restaurants were bypassed and areas remained unexplored because there was nothing to draw people into these areas.

When I returned to working in the area after my military deployment, the area, especially Plaza Don Luis, had a major facelift with the creation of the murals done by local artists. Their initial presence brought interest into the area and business increased. When they were complete, there was visual appeal to explore and the area felt more comfortable to walk through.

The removal of these murals would be detrimental to not only the employees and businesses in the area, but the comfort and visual appeal of these area would decrease. With the decrease of foot traffic, the businesses would suffer and the area will once again fall into disrepair.

I urge you to keep these murals in place and let them become a piece of history in Old Town.

Thank you for your time,

Phoy St. John
Lieutenant Junior Grade, United States Navy
Support the Old Town Murals

1 message

Rebecca Sisneros <bza1212@gmail.com> Wed, Feb 16, 2022 at 12:38 PM
To: lesanchez@cabq.gov, ibenton@cabq.gov, kpena@cabq.gov, bbassan@cabq.gov, danlewis@cabq.gov, patdavis@cabq.gov, tfiebelkorn@cabq.gov, trudyjones@cabq.gov, rgrout@cabq.gov, contact@lapisroom.com

SUPPORTER OF THE OLD TOWN MURALS

As a lifelong ABQ resident, I am writing in support of the newest art pieces added to our Old Town Plaza. I believe that removing these beautiful murals will impact the history of our plaza more than painting them one solid color.

I am a mother of a young artist, who is hoping her creativity can bring joy to the masses for long periods of time. I also work as a community partner, inspiring young people to find their passion and their place in the workforce. Hundreds of our students and future leaders are inspired by art and are looking to leave their mark on the world. Please do not delete what these two extremely talented, New Mexican artists have contributed to our Old Town community.

Also… I have been to Old Town more in the last 6-8 months with the new activities, venues, and art than I have ever been in my 37 years living less than 2 miles away.

Thank you,

Rebecca Sisneros
505-934-1440
Bza1212@gmail.com
To whom it may concern,

I am a resident of downtown and purchased my first home in the Forrester Historic district three years ago. I deliberately purchased my home in this neighborhood to build my life and raise my family in a historic neighborhood full of art and rich community. The place that has shown the most growth in creating this community is in the Plaza Don Luis. The gorgeous murals by Jodie Herrera and Reyes Padilla represent the community of Albuquerque. They welcome both tourists and locals alike. Until Plaza Don Luis and the artistic growth of Old Town, I never went to Old Town. I didn't take out of town visitors nor recommend it to friends. Now, I can proudly recommend Plaza Don Luis to everyone I know. The murals represent the respectful growth of Old Town into a community space for the next generation of Burquenos. To erase these murals is to say the historic council does not believe in the growth of Old Town to fit the needs of generations to come, an unwillingness to connect the “historic” to the welcome the current, modern community. To say these artistic murals must be erased is quite hypocritical given some of the unsightly, non-historic development that has recently been allowed in my neighborhood. Please make the right decision and allow the amazingly beautiful, welcoming, inspiring murals of Jodie Herrera and Reyes Padilla to remain and respectfully connect us to the beauty of historic Old Town.

Sincerely,

Danielle Draper, MD
Herrera Mural--Old Town--SAVE MURAL

1 message

sapo <rwba@sapo.pt>
To: lesanchez@cabq.gov, contact@lapisroom.com
Cc: ibenton@cabq.gov, kpena@cabq.gov, bbassan@cabq.gov, danlewis@cabq.gov, patdavis@cabq.gov, tfiebelkorn@cabq.gov, trudyjones@cabq.gov, rgrout@cabq.gov

City Councilors, District 9, Albuquerque, NM et al.

This letter is in support of Ms. Jodie Herrera and her mural located in Old Town that your department wants to remove and destroy.

Jodie Herrera’s work is extraordinary and globally recognized. She has been commissioned to work on projects in Western and Central Europe, including recording in her art work the stories of women refugees from various countries in Africa and in the Middle East while working in both Germany and Poland. Frankly, Ms. Herrera’s work stands for itself and you should be commissioning more of her work not trying to destroy it. She represents the best of Native American and Hispanic culture. She is moving culture and society ahead, not promoting the racist colonialism of New Mexico’s not so proud past. Her work should be supported not denigrated by short-sighted bureaucrats.

Apparently, your Arts and Culture people, trying to do the right thing, gave permission for the murals to be painted. They did not say the Landmarks Commission approval also was necessary. Apparently, because of a bureaucratic slip-up, the artist, the public, and the gallery, who commissioned the work, should not be punished for your error.

I lived in New Mexico for over 10 years. I left the Land of Enchantment because of short-sighted, tunnel-vision, unimaginative views of many people in positions of power. Considering that the state promotes it’s love and support of the arts, I hope you reconsider your decision and allow her mural to remain in the current location and commission more of her work.

Sincerely yours,

Richard Bryant

Dr. Richard Bryant, Professor of Neuroscience, Retired
Lote 4B, Urbanização Montinho,
Caldas de Monchique
8550-232 Monchique
Portugal

TM: +351 91 870 6869
Tel: +351 282 096 787
February 13, 2022

City of Albuquerque Landmarks Commission
Planning Department
600 2nd Street NW
Albuquerque, NM 87102

Dear Commissioners:

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I believe the Don Luis Plaza murals not only enhance the area, bringing new interest and focus to the plaza, but are not inconsistent with other installations in Old Town such as the beautiful mosaics that surround the arches at the east entrances. Therefore, I respectfully request that you consider allowing the murals to remain.

Sincerely,

Janet Stephenson
515 16th Street NW
Albuquerque, NM 87104

Cc: Meg, Contact@Lapisroom.com
Jennifer Curran Swain <jennifercswain@gmail.com>
To: contact@lapisroom.com

Thu, Feb 17, 2022 at 12:38 PM

Please keep the murals! Please!!! For 100s of years they have been a staple in Mexico. They are a true art form and a true bloodline. Please don't paint over. Thank you.

In Gratitude,

Jenny Curran Swain

Jenny Curran Swain
513-439-5549
Hello,

My name is Kate Bolintineanu and I am an Albuquerque resident, artist, teacher, and small business owner. I was recently made aware of the City Landmarks Commission's hasty and poorly thought through decision to remove the beautiful murals in Old Town Plaza.

The artwork of Jodie Herrera and Reyes Padilla represent the new generation of artists in our community. The visionaries who made these artworks possible represent the way forward as we look to grow and change and truly encapsulate what it means to be a resident of this beautiful city and member of our diverse community.

The recent changes to the Old Town Plaza have only been positive- breathing life into what was becoming a stagnant district. The artists featured in Old Town galleries, the new businesses, and new owners of the plaza are helping bring a new vibrancy and culture to this area that has long been needed, and I hope this will only continue.

I have loved bringing my family and children to see the new art in the plaza, to hear the music, and to share the visions of contemporary New Mexican artists with my children. The reactions of my family and children have only been positive- no doubt one of the big reasons my kids (ages 2, 5, and 7) ask to go to Old Town so much is to see the beautiful artwork and visit all of the new exciting spaces popping up.

If anything, the City of Albuquerque needs to tap into our local artists MORE and be doing everything it can, spending MORE money to support artists' work. It should be everywhere around town- these beautiful murals shouldn't be confined to Downtown. Let's see murals lining Tramway, decorating the highway entrance and exit ramps, let's see art everywhere in this city! Let our city become the cultural hub for artists it was always meant to be, and let it become the travel destination it deserves to be by giving artists opportunities to color our world. Please do not get in the way and destroy this beautiful work.

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Yours,

Kate Bolintineanu
To Whom It May Concern:

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The artists and murals of Plaza Don Luis were thoughtfully selected to represent and celebrate New Mexico’s rich culture and heritage. They were designed by renowned New Mexican artists Reyes Padilla and Jodie Herrera, whose respective family histories date back hundreds of years to the area on their Spanish side, with indigenous roots that date beyond New Mexico and Mexico as territories.

The murals are painted on non-historic structures (built in the 1990s), and were carefully considered to fit the historic aesthetic while effectively elevating contemporary small business. The murals are not only profoundly beautiful, but they represent the future of a vibrant creative economy.

According to the Landmarks Commission website, one of the main duties of the committee is to “Disseminate information to the public concerning historic preservation and urban conservation.” The deep restoration of Plaza Don Luis began in February 2021.

Over the course of 8 months of renovations, the completion of the first mural on August 15, and the second mural on
September 30, the commission did not approach or offer guidance to the merchants or owners of Plaza Don Luis. After the completion of both murals and months of construction, the Landmarks Commission began to internally update their official guidelines. These revisions can be found in red ink beginning in October of 2021. By the Commission's own admission, the October 2021 agenda states: "Currently the Old Town HPO is without a set of easily accessed guidelines for use by developers and property owners."

We request an appeal for the following reasons:

1. Guidelines for HPO-5 aesthetics were not specific or readily accessible at the time these murals were commissioned or completed.
2. The rules have been rewritten since the murals were installed and to determine these two 'inappropriate' would necessitate an audit of the entire HPO-5 zone. We believe the Commission would find many other examples of 'paint on stucco' in Old Town predating the two murals in Plaza Don Luis. Countless historic images can be referenced to prove the evolution of aesthetics from 1880 to present time.
3. Since installation, the murals have received overwhelming community support and adoration as evidenced by local feedback and an extremely successful petition of 1000+ signatures from residents of New Mexico and the surrounding areas.
4. Old Town is a tourist destination, an historic hub of commerce, and the murals serve both to advertise these functions and encourage patronage.
5. It is the Landmarks Commission's responsibility to disseminate HPO-5 guidelines to new property owners in the Old Town area. It should be done reasonably and in a timely manner. The guidelines should be implemented with the best interest of the community in mind, and not to the detriment of small business owners' limited resources.

Thank you for your consideration,

Kelly Siebe
To whom it may concern:

I am writing you all today because of the very real concern that the wrong decision was made to remove two beautiful murals in the Don Luis Plaza that represent the New Mexico art community.

I am one of the local New Mexico vendors that is represented in the Don Luis Plaza. I created my business to uplift and highlight the beauty of what my state is, I am very proud of where I am from. Today, when I walk into the plaza, I feel the beautiful artistic expressions of those artists, artists who are an integral part of our community, truly represents the vibrant culture that embodies New Mexico. I am extremely proud and honored to also be represented there.

These murals do not take away from the historic importance of the Don Luis Plaza, it breathes new life into a part of Old Town that is often overlooked by the millions of visitors that walk the square. Removing them is not only taking that breath of fresh air away, it is removing who we are as New Mexicans. I can only hope and pray you see the importance of keeping these murals up. You all received a petition of over 1,000 signatures, gathered within days, of people who hold the same sentiment. This petition will continue to grow as news gets out of this grave error made by the Landmarks Commission and city council, and as representatives, you were voted in to represent the people of Albuquerque.

The choice to remove these is compounded by also not realizing the direct impact removing these murals would be to the small businesses within the plaza, who are doing all they can to attract customers and business. **Again, I will reiterate that the success of the businesses in the Don Luis Plaza DIRECTLY IMPACTS small businesses and artists across the state.** My hope is that you listen to what the people want, which is to save the Don Luis Plaza murals. **Removing them is an act of cultural destruction, and that act is unforgivable.**

Regards,

Lance Smith
The Found Artifacts
Owner/Designer/New Mexican
A letter of support
1 message

ms.Mary*Elizabeth <watermonkey@gmail.com> Thu, Feb 17, 2022 at 12:59 PM
To: lesanchez@cabq.gov, ibenton@cabq.gov, kpena@cabq.gov, bbassan@cabq.gov, danlewis@cabq.gov, patdavis@cabq.gov, tfiebelkorn@cabq.gov, trudyjones@cabq.gov, rgrout@cabq.gov, contact@lapisroom.com

Landmarks Commission,

Hello, I’m sure you’ve had your inbox flooded with letters concerning the murals at Plaza Don Luis in Old Town & this one here is no different. I’m disheartened by the fact that this is an issue to begin with. The fact that we need to fight for beautiful & meaningful art in this town deeply upsets me. The backbone of New Mexico is the art culture itself & it should never be broken.

I no longer live in Albuquerque, but I was recently back for a visit & when I heard about new art pieces in Old Town, I was eager to check it out. Honestly, I stopped going down there years ago because it was always the same thing. It never changes, there’s no progression & it’s almost identical to the one in Santa Fe, so why bother? This though, this was a start. A great start & I’ve got to say, it’s certainly a step up from the bare brown stucco wall that is in fact, a restroom. A restroom that was built in the 90s. It’s almost hysterical to call that historical. Right now, it’s the most gorgeous restroom in the state!

In all seriousness, the paintings bring a vibrancy to that spot that has people engaged, taking photos, admiring it as they walk by & the amount of effort that went into them is immeasurable because it was done with love & respect. Two things that carry no weight. So why must this be so heavy? The artists were chosen because they represent the culture of New Mexico & have blood lines that run deep. The fact that permission was granted by the owners & city, they should stay up. Your lack of staffing shouldn’t be the artists’ burden to fight. MURALS ARE FOR EVERYONE, not a singular person, no committee but to ALL OF US & I truly hope you reconsider covering up the beauty & make room for inclusion. The people want the art to stay & we want our voices respectively heard. Thank You for your time.

p.s. What could possibly look better on that wall? Have you ever asked the artists what the art represents to them? We can live in the present, think about the future & respect the past simultaneously if we choose to.

-Mary
Laura Houghton <contact@lapisroom.com>

Old Town murals
1 message

Mary Wagner <WagnersPA3@msn.com>  Fri, Jan 21, 2022 at 7:15 AM
To: "lnaji@cabq.gov" <lnaji@cabq.gov>
Cc: "contact@lapisroom.com" <contact@lapisroom.com>, "lesanchez@cabq.gov" <lesanchez@cabq.gov>, "ibenton@cabq.gov" <ibenton@cabq.gov>, "kpena@cabq.gov" <kpena@cabq.gov>, "bbassan@cabq.gov" <bbassan@cabq.gov>, "danlewis@cabq.gov" <danlewis@cabq.gov>, "patdavis@cabq.gov" <patdavis@cabq.gov>, "tfiebelkorn@cabq.gov" <tfiebelkorn@cabq.gov>, "trudyjones@cabq.gov" <trudyjones@cabq.gov>, "rgrout@cabq.gov" <rgrout@cabq.gov>

Dear Leslie Naji,

I wanted to write in support of the new murals in Old Town.

My husband and I have had the pleasure of visiting Albuquerque twice last year (in May and December). We loved our visits to Old Town. The historic and artistic charm creates a beautiful blend. The artists are so talented who have painted the murals.

Murals enhance a building and do not detract from historic significance.

From visitAlbuquerque.org:

"Old Town was Albuquerque's first neighborhood. More than 300 years after its founding, it remains a center for culture, architecture, shopping, art and cuisine."

Clearly the appeal of Old Town involves much more than history.

I've been to Williamsburg, Virginia which is a historical destination because of the educational experience involving re-enactors and classes. Old Town's historical charm is different and special and can't really be classified as a singular historical destination. I observed people totally enjoying Old Town as it is with the colorful murals and adobe buildings. The many different experiences available in Old Town are unique, as the Visit Albuquerque site explained so well.

Please reconsider the ruling on the murals.

Thank you.
Sincerely,

Mary Wagner
Pittsburgh, PA
Hello,

I’m writing to express my disappointment with the intention to remove the murals at the Plaza Don Luis in Old Town.

I have watched the restoration and development of this shopping venue since the folks from the Noisy Water Winery took on the project. In every way it’s been an upgrade and welcome change to what had been an underutilized and sloppy looking structure.

As a local artist who sells my wares to shops like those in Plaza Don Luis, I know how important the “vibe” can be to draw in visitors. The winery and the adjacent gallery, Lapis Room create this welcoming feel. The property’s new beautiful lighting, safety improvements and patio upgrades are a benefit to tourists and locals alike. The addition of live music and large murals created by local artists help to complete the picture.

Have you visited on a nice evening when there are events? I see people sitting in front of the murals taking photos, noticing the large shapes that draw your eye upward, to the beautiful New Mexico sky. The murals perfectly complement the blend of new, vintage and handmade products being offered in the surrounding stores. They help to locate the best bathrooms in Old Town. And PDL as a whole has become a new and inviting hangout for locals!

Unlike SO MANY murals around town, those at Plaza Don Luis are well-done and appropriate. If the issue is that the murals are not historic I would point to the other shops in Old Town with plastic chile ristras, day glow signage and other ugly (non-period) decor.

I encourage you to consider what message this sends to the young and talented artists who painted the murals. The Plaza Don Luis shop owners have invested a lot by taking on a space and should be commended for responsibly improving Albuquerque and it’s image.

I hope you will reconsider this matter of the murals at PDL and remember that betterment may come in a form we don’t immediately identify with— AND that’s OK!

Respectfully,

Nicky Ovitt
Concerned citizen, artist, Nob Hill resident
Mural in Old Town
1 message

Olivia Herrera <oherrera.bsn@gmail.com> Wed, Feb 16, 2022 at 10:24 PM
To: "Patdavis@cabq.gov" <Patdavis@cabq.gov>, "bbassan@cabq.gov" <bbassan@cabq.gov>, "contact@lapisroom.com" <contact@lapisroom.com>, "danlewis@cabq.gov" <danlewis@cabq.gov>, ibenton@cabq.org, kpena@cabq.gov, "lesanchez@cabq.gov" <lesanchez@cabq.gov>, rgrout@cabq.gov, "tfiebelkom@cabq.gov" <tfiebelkom@cabq.gov>, trudyjones@cabq.gov

To whom it may concern,

The murals done by Jodie Herrera in Plaza Don Luis in Old Town are important and deserve to stay. I live in Old Town and have for several years. I have watched the quaint little plaza blossom in this last year and I have no doubt that its because of the hands and craft of artists, business owners and visionaries. Murals have popped up all over NM in these last years of the pandemic and they mark this moment. A sign of solidarity in a community of hurting people dreaming for better days and unity. It's a part of history.

This mural was done by artists who understand the importance of celebrating a strong culture, community and identify deeply with NM. This art is needed and loved and has brought new life into a space that is yearning for people gathered on benches in the plaza, locals and visitors dancing together under a sandia colored sky and summer nights full of music. This art is kindness, it's celebration and it is permission. Permission for everyone to love our great state and specifically this treasured place in Albuquerque. On the nights where we walk our dog through Old Town we smile at the time and energy invested in this sweet space. This mural is needed. This mural deserves to stay. Please consider fighting for this art.

Old town has long been a gathering place for this community to connect through music, celebration and art. This mural and others like it, signify the continuation of this conversation by embracing new and diverse voices. I strongly urge you to review the Landmarks Commission's stance on this mural.

Thank you for your time,
Olivia
Preservation of Murals in Old Town

1 message

phoy.stjohn@gmail.com <phoy.stjohn@gmail.com>  
Tue, Feb 1, 2022 at 10:10 PM
To: lnaji@cabq.gov
Cc: Lesanchez@cabq.gov, ibenton@cabq.gov, kpena@cabq.gov, bbassan@cabq.gov, "Dan P. Lewis" <danlewis@cabq.gov>, Rgrout@cabq.gov, Patdavis@cabq.gov, Trudyjones@cabq.gov, contact@lapisroom.com

Good day,

I write this letter today in regards to the murals in the Plaza Don Luis in Old Town.

As a former resident of the Old Town area and a current employee, I had watched Old Town degrade slowly as the businesses in the area had neglected how the plaza looked. The walls were cracked, bricks were out of place, and occasional graffiti would crop up just out of eyeshot of the street. Walking in the area was not visually pleasing, the feel of the area was uneasy, and many stores and restaurants were bypassed and areas remained unexplored because there was nothing to draw people into these areas.

When I returned to working in the area after my military deployment, the area, especially Plaza Don Luis, had a major facelift with the creation of the murals done by local artists. Their initial presence brought interest into the area and business increased. When they were complete, there was visual appeal to explore and the area felt more comfortable to walk through.

The removal of these murals would be detrimental to not only the employees and businesses in the area, but the comfort and visual appeal of these area would decrease. With the decrease of foot traffic, the businesses would suffer and the area will once again fall into disrepair.

I urge you to keep these murals in place and let them become a piece of history in Old Town.

Thank you for your time,

Phoy St. John
Lieutenant Junior Grade, United States Navy
Support the Old Town Murals

1 message

Rebecca Sisneros <bza1212@gmail.com>  
Wed, Feb 16, 2022 at 12:38 PM

To: lesanchez@cabq.gov, ibenton@cabq.gov, kpena@cabq.gov, bbassan@cabq.gov, danlewis@cabq.gov, patdavis@cabq.gov, tfiebelkorn@cabq.gov, trudyjones@cabq.gov, rgrout@cabq.gov, contact@lapisroom.com

SUPPORTER OF THE OLD TOWN MURALS

As a lifelong ABQ resident, I am writing in support of the newest art pieces added to our Old Town Plaza. I believe that removing these beautiful murals will impact the history of our plaza more than painting them one solid color.

I am a mother of a young artist, who is hoping her creativity can bring joy to the masses for long periods of time. I also work as a community partner, inspiring young people to find their passion and their place in the workforce. Hundreds of our students and future leaders are inspired by art and are looking to leave their mark on the world. Please do not delete what these two extremely talented, New Mexican artists have contributed to our Old Town community.

Also… I have been to Old Town more in the last 6-8 months with the new activities, venues, and art than I have ever been in my 37 years living less than 2 miles away.

Thank you,

Rebecca Sisneros
505-934-1440
Bza1212@gmail.com
February 13, 2022

City of Albuquerque Landmarks Commission
Planning Department
600 2nd Street NW
Albuquerque, NM 87102

Dear Commissioners:

I am writing in support of the murals that were recently painted on the building at the rear of the Don Luis Plaza in Old Town. As a resident in the neighborhood, I frequently visit Old Town and I appreciate its historic value and attraction to tourists. However, I also have many friends, long time residents of the city, who have admitted that they have not visited Old Town in decades. Therefore, I am excited to see the new shops and owners who are trying to revive Old Town as a destination not only for tourists but for local residents as well.

I believe the Don Luis Plaza murals not only enhance the area, bringing new interest and focus to the plaza, but are not inconsistent with other installations in Old Town such as the beautiful mosaics that surround the arches at the east entrances. Therefore, I respectfully request that you consider allowing the murals to remain.

Sincerely,

Janet Stephenson
515 16th Street NW
Albuquerque, NM 87104

Cc: Meg, Contact@Lapisroom.com
To Whom It May Concern,

I am writing to express disappointment in the decision to remove the murals in the Old Town Plaza. While I respect the commitment to maintaining Old Town Plaza as a historic landmark, the murals serve as a beautiful and culturally significant enhancement to the space. Albuquerque is unique in its celebration of local artists, who have adorned our city with displays of local pride and beauty. Please reconsider replacing these amazing murals with another lifeless brown wall.

My regards,
Ashley Willman
Hello,

I’m writing to express my disappointment with the intention to remove the murals at the Plaza Don Luis in Old Town.

I have watched the restoration and development of this shopping venue since the folks from the Noisy Water Winery took on the project. In every way it’s been an upgrade and welcome change to what had been an underutilized and sloppy looking structure.

As a local artist who sells my wares to shops like those in Plaza Don Luis, I know how important the “vibe” can be to draw in visitors. The winery and the adjacent gallery, Lapis Room create this welcoming feel. The property’s new beautiful lighting, safety improvements and patio upgrades are a benefit to tourists and locals alike. The addition of live music and large murals created by local artists help to complete the picture.

Have you visited on a nice evening when there are events? I see people sitting in front of the murals taking photos, noticing the large shapes that draw your eye upward, to the beautiful New Mexico sky. The murals perfectly complement the blend of new, vintage and handmade products being offered in the surrounding stores. They help to locate the best bathrooms in Old Town. And PDL as a whole has become a new and inviting hangout for locals!

Unlike SO MANY murals around town, those at Plaza Don Luis are well-done and appropriate. If the issue is that the murals are not historic I would point to the other shops in Old Town with plastic chile ristras, day glow signage and other ugly (non-period) decor.

I encourage you to consider what message this sends to the young and talented artists who painted the murals. The Plaza Don Luis shop owners have invested a lot by taking on a space and should be commended for responsibly improving Albuquerque and it’s image.

I hope you will reconsider this matter of the murals at PDL and remember that betterment may come in a form we don’t immediately identify with— AND that’s OK!

Respectfully,

Nicky Ovitt
Concerned citizen, artist, Nob Hill resident
To whom it may concern,

I don't normally do things like this, writing a letter for something, but i feel this is the time to do it. Very simply, don't take these murals down. It makes no sense to destroy (because that's what you will be doing) these breathtaking murals. I love taking my daughter to see these specific murals. New Mexico has always been known for art and culture. Taking these down is taking down who we are as a community, as New Mexicans. Keep them up! Thank you for your time.

Sincerely,
Gerrad Burdick.
Dear City Councilors,

The decision by the Landmarks Commission to remove two murals in Plaza Don Luis is wrong. Please do not allow the removal of these murals.

Albuquerque has a growing arts community that is making history. These murals add to the significance of these historical buildings, it doesn't take away. By removing these murals you will be creating a new historical statement. One that disrespects and devalues Albuquerque's art community. Jodie Herrera and Reyes Padilla's murals should be celebrated by Albuquerque, not penalized! Both murals are in a New Mexican style, by New Mexican artists. The artwork not only fits the aesthetic of Plaza Don Luis, but truly belongs there.

Please stop the removal before it is too late.
Thank you.

Aaron Stromberg  
Fine Artist | Designer of Pretty Things  
505-235-5392  
www.aaronstrombergart.com
Dear Ms. Naji

First of all, thank you for your work on behalf of the community.

I am in favor of keeping the murals and work done at Plaza Don Luis.

I recently visited Old Town with some guests. None of them commented on the stucco color or historical roofing but DID say, "hey, let's go check out those cool murals." This then turned into sales for a few of the businesses.

There is a young energy in that Plaza wanting and working on doing good things. I would hate to see that energy squelched as a result of procedure. I see the need for rules and regulations but understand that new rules were put into place after this work was completed.

The artwork is beautiful, please do not destroy it over procedural concerns. It would not be a benefit to anyone.

Thank you for your time.

Robert J Gusch

Bob Gusch
505 363-3500
www.bobgusch.wordpress.com
www.reverbnation.com/saudadeabq
https://www.youtube.com/user/bgusch/videos
Twitter
Instagram
Facebook
Good day,

I write this letter today in regards to the murals in the Plaza Don Luis in Old Town.

As a former resident of the Old Town area and a current employee, I had watched Old Town degrade slowly as the businesses in the area had neglected how the plaza looked. The walls were cracked, bricks were out of place, and occasional graffiti would crop up just out of eyeshot of the street. Walking in the area was not visually pleasing, the feel of the area was uneasy, and many stores and restaurants were bypassed and areas remained unexplored because there was nothing to draw people into these areas.

When I returned to working in the area after my military deployment, the area, especially Plaza Don Luis, had a major facelift with the creation of the murals done by local artists. Their initial presence brought interest into the area and business increased. When they were complete, there was visual appeal to explore and the area felt more comfortable to walk through.

The removal of these murals would be detrimental to not only the employees and businesses in the area, but the comfort and visual appeal of these area would decrease. With the decrease of foot traffic, the businesses would suffer and the area will once again fall into disrepair.

I urge you to keep these murals in place and let them become a piece of history in Old Town.

Thank you for your time,

Phoy St. John
Lieutenant Junior Grade, United States Navy
Dear Ms. Naji,

I am writing to you because I saw the news story about Don Luis Plaza and historic preservation. I was struck by the new owner's statements that he thought he was beautifying the area.

I'm not opposed to sprucing up that plaza, but today I saw signage that was appalling to me as a long-time neighbor of Old Town that I feel denigrates the area. It looks like the owner wants Old Town to become the next drinking destination, and right across from the Church.

1. Directly up the stairs beside the post office -- a portable blackboard sign that says, "Come on in, let's make POUR decisions"

2. Another portable blackboard blocking the lower sidewalk in front the old Basket Shop building -- "Noisy Water Winery. I made it for you" and on the opposite side "Delicious New Mexico made wines! Wine tastings daily and Cheese & Wine? Say Less!" with a picture of a wine glass

3. Directly above the post office, hanging from the balcony, a big vinyl sign reading "Cold Beer Here" in bold letters.

4. Another sign next to it, at the top of the stairs "Now Open... Serving NM Craft Beer, Wine

5. Two additional blackboard/sandwich signs just inside the plaza, "Enjoy a taste, a glass, a bottle, Sheehan Winery," and "Should I have a beer? Beer upstairs."

6. This is in addition to numerous other signs for other new shops. In fact, there are sandwich signs all over Old Town now and I thought that was against city ordinance because of the wind?

The concrete sidewalk in front of Noisy Water is blocked by their tables and by a gated fence, with the lower sidewalk blocked by the sandwich sign. There was rock music blaring from one of the new upstairs stores. The tables where a group of retired Old Town neighbors used to sit (where the Christmas tree is during the holidays) have been removed, so those neighbors have to bring folding chairs to sit in the center of the Plaza. Instead, the only tables are directly in front of the wine tasting place (currently in the shade all the time, no one sits there now). The wrought iron benches have been replaced by cold slabs of concrete for benches, that no one sits on either. It appears that the owners only want drinking customers in the plaza.

I have attached a few photos of what I saw today. I really think these signs should come down. It doesn't go with the historical significance of Old Town and the signs look terrible right across
from the church. The owners pitched the new basket shop as an upscale wine place with food, the area looks more like a regular brewery.

Hopefully you can reply if I should contact someone else about this, thank you for reading.

Sincerely,
Mary Tafoya
(27 year resident of West Old Town who uses the post office several times a week and supports the local shops there whenever possible and dances on the Plaza in the summer. Can provide address, phone if needed.)
[EXTERNAL] Forward to phishing@cabq.gov and delete if an email causes any concern.
Agree with your ruling on the Plaza Dob Luis issues.

Thanks for looking out for Old Town.

Ruth at Penfield Gallery
Good afternoon and thank you for taking the time to thoughtfully review the petition to preserve the murals by Jodie Herrera and Reyes Padilla in Old Town Plaza.

I'm a new New Mexican (moved here a year ago in January!) and have been delighted to see the progress made in Old Town's Plaza in that short period. Through the efforts of small business owners and the community, it's truly a hub where cultural traditions are honored and new businesses are welcomed and supported.

The addition of the two murals to some of the more recently built buildings in the plaza has added to that, helping foster a sense of investment and pride in the area.

Below is a letter shared by one plaza business that I support, which I feel reasonably and cogently makes a case to preserve these murals. I hope you'll take their appeal into account as you make your final decision.

Thank you for serving our community,

Hayley

TWO MURALS

As stated in the findings: "The murals visible from Río Grande Boulevard and within Plaza Don Luis shall be removed as they are not in keeping with the historic integrity and sense of place of Old Town HPO-5"

The artists and murals of Plaza Don Luis were thoughtfully selected to represent and celebrate New Mexico’s rich culture and heritage. They were designed by renowned New Mexican artists Reyes Padilla and Jodie Herrera, whose respective family histories date back hundreds of years to the area on their Spanish side, with indigenous roots that date beyond New Mexico and Mexico as territories.

The murals are painted on non-historic structures, and were carefully considered to fit the historic aesthetic while effectively elevating contemporary small business. The murals are not only profoundly beautiful, but they represent the future of a vibrant creative economy.

According to the Landmarks Commission website, one of the main duties of the committee is to "Disseminate information to the public concerning historic preservation and urban conservation." The deep restoration of Plaza Don Luis began in February 2021.

Over the course of 8 months of renovations, the completion of the first mural on August 15, and the second mural on September 30, the commission did not approach or offer guidance to the merchants or owners of Plaza Don Luis. After the completion of both murals and months of construction, the Landmarks Commission began to internally update their official guidelines. These revisions can be found in red ink beginning in October of 2021. By the Commission's own admission, the October 2021 agenda states: “Currently the Old Town HPO is without a set of easily accessed guidelines for use by developers and property owners.”

We request an appeal for the following reasons:
1. Guidelines for HPO-5 aesthetics were not specific or readily accessible at the time these murals were commissioned or completed.

2. The rules have been rewritten since the murals were installed and to determine these two ‘inappropriate’ would necessitate an audit of the entire HPO-5 zone. We believe the Commission would find many other examples of ‘paint on stucco’ in Old Town predating the two murals in Plaza Don Luis. Countless historic images can be referenced to prove the evolution of aesthetics from 1880 to present time.

3. Since installation, the murals have received overwhelming community support and adoration as evidenced by local feedback and an extremely successful petition of 1000+ signatures from residents of New Mexico and the surrounding areas.

4. Old Town is a tourist destination, an historic hub of commerce, and the murals serve both to advertise these functions and encourage patronage.

5. It is the Landmarks Commission’s responsibility to disseminate HPO-5 guidelines to new property owners in the Old Town area. It should be done reasonably and in a timely manner. The guidelines should be implemented with the best interest of the community in mind, and not to the detriment of small business owners’ limited resources.
Hello,

My name is Kate Bolintineanu and I am an Albuquerque resident, artist, teacher, and small business owner. I was recently made aware of the City Landmarks Commission's hasty and poorly thought through decision to remove the beautiful murals in Old Town Plaza.

The artwork of Jodie Herrera and Reyes Padilla represent the new generation of artists in our community. The visionaries who made these artworks possible represent the way forward as we look to grow and change and truly encapsulate what it means to be a resident of this beautiful city and member of our diverse community.

The recent changes to the Old Town Plaza have only been positive- breathing life into what was becoming a stagnant district. The artists featured in Old Town galleries, the new businesses, and new owners of the plaza are helping bring a new vibrancy and culture to this area that has long been needed, and I hope this will only continue.

I have loved bringing my family and children to see the new art in the plaza, to hear the music, and to share the visions of contemporary New Mexican artists with my children. The reactions of my family and children have only been positive- no doubt one of the big reasons my kids (ages 2, 5, and 7) ask to go to Old Town so much is to see the beautiful artwork and visit all of the new exciting spaces popping up.

If anything, the City of Albuquerque needs to tap into our local artists MORE and be doing everything it can, spending MORE money to support artists' work. It should be everywhere around town- these beautiful murals shouldn't be confined to Downtown. Let's see murals lining Tramway, decorating the highway entrance and exit ramps, let's see art everywhere in this city! Let our city become the cultural hub for artists it was always meant to be, and let it become the travel destination it deserves to be by giving artists opportunities to color our world. Please do not get in the way and destroy this beautiful work.

I hope that the City Landmarks Commission will reverse this regrettable decision and embrace a vision for Albuquerque that harnesses both the history, present, and future of our great city.

Yours,

Kate Bolintineanu
Dear Ms. Naji:

I am utterly horrified at the Landmarks Commission's decision to destroy the gorgeous murals at Plaza Don Luis. That's a travesty. The murals add greatly to the artistic ambience of the area and fit well with the themes of indigenous art and the Southwestern landscape. They take NOTHING away from the environment. Removing them would be pointless and wasteful.

I am not connected with the business that hired the artists, nor with the artists themselves, but as a native of Albuquerque and someone who loves Old Town-- and a local small business owner-- I want those murals to stay!

I totally concur with these statements from the Lapis Room owners:

"The artists and murals of Plaza Don Luis were thoughtfully selected to represent and celebrate New Mexico's rich culture and heritage. They were designed by renowned New Mexican artists Reyes Padilla and Jodie Herrera, whose respective family histories date back hundreds of years to the area on their Spanish side, with indigenous roots that date beyond New Mexico and Mexico as territories.

"The murals are painted on non-historic structures, and were carefully considered to fit the historic aesthetic while effectively elevating contemporary small business. The murals are not only profoundly beautiful, but they represent the future of a vibrant creative economy."

It appears that new rules were put in place AFTER the murals were finished. The owners should not be expected to comply with rules that did not even exist when the work was done.

Sincerely,

Elene Gusch, DOM
Proprietor, Kuan Yin Acupuncture
(505) 255-0373
[EXTERNAL] Forward to phishing@cabq.gov and delete if an email causes any concern.

I am writing to strongly oppose the removal of the newly installed and absolutely beautiful murals at Don Luis Plaza. I am a volunteer for Visit Albuquerque at the Old Town Visitors Center on Romero. Often, visitors come in looking for the restrooms. I am actually proud to point them to the building with the beautiful and not-to-be-missed mural. Do you recall how downtrodden that building was before? It truly would be an affront to the artists and the town to remove these works that bring smiles to and admiration from our residents and visitors alike.

Respectfully submitted,
Joanne Loris

Sent from my iPhone= 
Naji, Leslie

From: Kelly Siebe <ksiebe@gmail.com>
Sent: Wednesday, February 16, 2022 4:31 PM
To: Sanchez, Louie E.; Benton, Isaac; Pena, Klarissa J.; Bassan, Brook; Lewis, Dan P.; Davis, Pat; Fiebelkorn, Tammy; Jones, Trudy; Grout, Renee; Naji, Leslie
Cc: contact@lapisroom.com
Subject: Old Town Murals

To Whom It May Concern:

I am so sad, disappointed, and utterly heartbroken to learn that the city plans to remove the two new murals at Plaza Don Luis in Old Town. As an Albuquerque local and Old Town business owner, I have seen the new businesses and murals at Plaza Don Luis revitalize a part of our historic neighborhood that has long been a sleepy corner of tchotchke shops rarely visited by locals. This now bustling plaza has created a real sense of community and has breathed new life into this area, with the beautiful murals helping to draw locals and tourists alike into the locally run businesses on the plaza. Many of these local small businesses support and share the work of New Mexican artists and artisans, and provide a community space that I have not seen anywhere else in Albuquerque in the many years I have lived here. If you have not yet been to Plaza Don Luis and visited the new wineries, taproom, art galleries, shops - and the murals that create a sense of community and character between them all - I strongly encourage you to do so.

The artists and murals of Plaza Don Luis were thoughtfully selected to represent and celebrate New Mexico’s rich culture and heritage. They were designed by renowned New Mexican artists Reyes Padilla and Jodie Herrera, whose respective family histories date back hundreds of years to the area on their Spanish side, with indigenous roots that date beyond New Mexico and Mexico as territories.

The murals are painted on non-historic structures (built in the 1990s), and were carefully considered to fit the historic aesthetic while effectively elevating contemporary small business. The murals are not only profoundly beautiful, but they represent the future of a vibrant creative economy.

According to the Landmarks Commission website, one of the main duties of the committee is to “Disseminate information to the public concerning historic preservation and urban conservation.” The deep restoration of Plaza Don Luis began in February 2021. Over the course of 8 months of renovations, the completion of the first mural on August 15, and the second mural on September 30, the commission did not approach or offer guidance to the merchants or owners of Plaza Don Luis. After the completion of both murals and months of construction, the Landmarks Commission began to internally update their official guidelines. These revisions can be found in red ink beginning in October...
of 2021. By the Commission’s own admission, the October 2021 agenda states: “Currently the Old Town HPO is without a set of easily accessed guidelines for use by developers and property owners.”

We request an appeal for the following reasons:

1. Guidelines for HPO-5 aesthetics were not specific or readily accessible at the time these murals were commissioned or completed.
2. The rules have been rewritten since the murals were installed and to determine these two ‘inappropriate’ would necessitate an audit of the entire HPO-5 zone. We believe the Commission would find many other examples of ‘paint on stucco’ in Old Town predating the two murals in Plaza Don Luis. Countless historic images can be referenced to prove the evolution of aesthetics from 1880 to present time.
3. Since installation, the murals have received overwhelming community support and adoration as evidenced by local feedback and an extremely successful petition of 1000+ signatures from residents of New Mexico and the surrounding areas.
4. Old Town is a tourist destination, an historic hub of commerce, and the murals serve both to advertise these functions and encourage patronage.
5. It is the Landmarks Commission’s responsibility to disseminate HPO-5 guidelines to new property owners in the Old Town area. It should be done reasonably and in a timely manner. The guidelines should be implemented with the best interest of the community in mind, and not to the detriment of small business owners' limited resources.

Thank you for your consideration,

Kelly Siebe
Naji, Leslie

From: Mary Wagner <WagnersPA3@msn.com>
Sent: Friday, January 21, 2022 7:16 AM
To: Naji, Leslie
Cc: contact@lapisroom.com; Sanchez, Louie E.; Benton, Isaac; Pena, Klarissa J.; Bassan, Brook; Lewis, Dan P.; Davis, Pat; Fiebelkorn, Tammy; Jones, Trudy; Grout, Renee
Subject: Old Town murals
Importance: High

[EXTERNAL] Forward to phishing@cabq.gov and delete if an email causes any concern.

Dear Leslie Naji,

I wanted to write in support of the new murals in Old Town.

My husband and I have had the pleasure of visiting Albuquerque twice last year (in May and December). We loved our visits to Old Town. The historic and artistic charm creates a beautiful blend. The artists are so talented who have painted the murals.

Murals enhance a building and do not detract from historic significance.

From visitAlbuquerque.org:

"Old Town was Albuquerque's first neighborhood. More than 300 years after its founding, it remains a center for culture, architecture, shopping, art and cuisine."

Clearly the appeal of Old Town involves much more than history.

I've been to Williamsburg, Virginia which is a historical destination because of the educational experience involving re-enactors and classes. Old Town's historical charm is different and special and can't really be classified as a singular historical destination. I observed people totally enjoying Old Town as it is with the colorful murals and adobe buildings. The many different experiences available in Old Town are unique, as the Visit Albuquerque site explained so well.
Please reconsider the ruling on the murals.

Thank you.

Sincerely,

Mary Wagner
Pittsburgh, PA
[EXTERNAL] Forward to phishing@cabq.gov and delete if an email causes any concern.

To whom it may concern:

I am writing you all today because of the very real concern that the wrong decision was made to remove two beautiful murals in the Don Luis Plaza that represent the New Mexico art community.

I am one of the local New Mexico vendors that is represented in the Don Luis Plaza. I created my business to uplift and highlight the beauty of what my state is, I am very proud of where I am from. Today, when I walk into the plaza, I feel the beautiful artistic expressions of those artists, artists who are an integral part of our community, truly represents the vibrant culture that embodies New Mexico. I am extremely proud and honored to also be represented there.

These murals do not take away from the historic importance of the Don Luis Plaza, it breathes new life into a part of Old Town that is often overlooked by the millions of visitors that walk the square. Removing them is not only taking that breath of fresh air away, it is removing who we are as New Mexicans. I can only hope and pray you see the importance of keeping these murals up.
From: Laura Houghton <contact@lapisroom.com>
Sent: Friday, February 18, 2022 9:25 AM
To: Sanchez, Louie E. <lesanchez@cabq.gov>; Benton, Isaac <ibenton@cabq.gov>; Pena, Klarissa J. <kpena@cabq.gov>; Bassan, Brook <bbassan@cabq.gov>; Lewis, Dan P. <danlewis@cabq.gov>; Davis, Pat <pattdavis@cabq.gov>; Fiebelkorn, Tammy <tfiebelkorn@cabq.gov>; Jones, Trudy <trudyjones@cabq.gov>; Grout, Renee <rgrou@cabq.gov>; Naji, Leslie <lnaji@cabq.gov>; Bolivar, Silvia A. <sabolivar@cabq.gov>; Salas, Alfredo E. <ASalas@cabq.gov>; Rodenbeck, Jay B. <jrodenbeck@cabq.gov>
Cc: Jasper Riddle <jriddle@noisywaterwinery.com>; Luke Schneider <luke@pdlabq.com>
Subject: Plaza Don Luis Murals + Handrails // Community Letters of Support + Petition Signatures

[EXTERNAL] Forward to phishing@cabq.gov and delete if an email causes any concern.

Dear Planning Department and Council Members,

Please find enclosed 16 letters and 1400 petition signatures in support of Plaza Don Luis handrails and murals by celebrated New Mexico artists Jodie Herrera and Reyes Padilla.

CITY COUNCIL APPEAL NUMBER: AC-22-5
PLANNING DEPARTMENT CASE FILE NUMBER:

Additional community comments can be found at the petition site:
https://chng.it/KrT9MXfV

We appreciate your careful consideration of the remarkable support we have received from the community. Feel free to reach out if you have any questions. We look forward to working with you and finding resolve on this appeal.

Kind regards,
Laura Houghton
--
Laura Houghton
Lapis Room
Owner / Director

303 Romero St NW
Suite 107
Albuquerque, NM 87104
602.695.0239

www.lapisroom.com
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Lynne Willi  Oklahoma  OK  73170  US
Jeff Monto  Santa Fe  NM  87506  US
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BEFORE THE LANDMARKS COMMISSION

FOR THE CITY OF ALBUQUERQUE

MINUTES

Agenda Item 4

Project Number PR-2021-006235/SI-2021-01904

January 12, 2022

THE COMMISSIONERS:

ROSIE DUDLEY, Chair
LAUREN AUSTIN, Vice Chair
JOE MCKINNEY, Member
DAMON MADDOX, Member
DANIEL SOLARES, Member
ROBERT BELLO, Member

STAFF:

SILVIA BOLIVAR, Planner
LESLIE NAJI, Senior Planner
ALFREDO SALAS, Hearing Monitor
CHAIR DUDLEY: So to begin, Item Number 4, PR-2021-006235, SI-2021-01904, certificate of appropriateness.

This is presented by RBA Architecture, PC, agent for Old Town Albuquerque, LLC, requests approval of a certificate of appropriateness for alteration at 301 Romero Street, Northwest, described as Lot 186, MGRCD Map 38, Old Town HPO-5, J-13.

So we would like to hear from staff to present the staff report. Will that be Ms. Najji or Ms. Bolivar?

MS. BOLIVAR: That'll be me, Silvia Bolivar.

CHAIR DUDLEY: Okay. Thank you.

MS. BOLIVAR: Good afternoon, Madam Chair, Madam Chair, Commissioners.

The request is for a certificate of appropriateness for alterations made to the property without submitting an application for historic preservation review. The applicant proceeded with the following activities: Second-floor wood guardrails/handrails were changed to wrought iron at Plaza Don Luis; the stairs were removed that were not part of the original design. Two new murals were added to Plaza Don Luis; guardrail fencing was added to the first-floor area of the Old Town Basket Shop in order to create a new patio area that will facilitate controlled outdoor alcohol sales, as required by the State of New Mexico; and the building was also restuccoed.

At this time, the applicant is also requesting approval to add new hand-painted signage throughout Plaza Don Luis that would include self-standing directories, wall-affixed tenant directory, a welcome plaque, welcome signs and "More to See" signs attached to pillars and handrails, along with possible pole banners facing Rio Grande Boulevard.

As the alterations made without approval, the second-floor wrought iron guardrails/handrails are simple, traditional architectural style that are appropriate and compatible with the scale of the building. The removal of the stairs and the restuccoing have not diminished the character of the plaza, but the murals and some of the proposed signage are not in keeping with the character of Old Town HPO-5. Of the proposed signage, the welcome signs on pillars, the "More to See" way finding and pole banners are not allowed as part of IDO Subsection 14-16-3-5(K)(3).

The guardrail fencing installed at the Old Town Basket Shop is not in keep with the character of Old Town and does not maintain the original character of the building and diminishes its character defining features.

The site is located in an area of consistency, as designated by the comprehensive plan and is part of the Old Town Historic Protection Overlay Zone.

The neighboring association and neighboring properties within 100 feet were notified of this application.

As discussed in the staff report, the request partially complies with all applicable guidelines of Old Town HPO-5 and the criteria for approval for a certificate of appropriateness major in Section 6-6(D)(3) of the Integrated Development Ordinance.
**Landmarks Minutes, Agenda Item 4**  
**January 12, 2022**

Regarding Case SI-2021-01904, Project Number R-2021-006235, staff concludes that the project is eligible for a certificate of appropriateness, subject to the recommended conditions of approval.

With that, I stand for questions.

**CHAIR DUDLEY:** Thank you, Ms. Bolivar.  
Commissioners, do you have any questions? Staff? No questions?  
Okay. We're going to move on to the applicant. You have 10 minutes to present, and you can share your screen if you wish to.

**MR. RIDDLE:** Yeah, hi. Hello. I'm Jasper Riddle, and I'll be presenting on behalf of Plaza Don Luis, along with our architect, Rick Bennett, from RBA architect group.

Thank you for the opportunity to speak on our behalf. And we wanted to cover this. We have a couple items that we'd like to enter into the record. And I don't know who to e-mail those to enter these into the record.

But essentially what we have is we have some historical photos of the area and signage in the area from -- to match. And then we also have a petition that we have gathered in the past 24 hours for the -- to keep the handrails and also to keep the murals in the plaza. Last I checked, it has gained 750 signatures in the past 24 hours.

So I don't know who to send those to to enter those into the record.

**CHAIR DUDLEY:** You would send them to Mr. Salas.

Alfredo Salas, can you please put your -- I believe this is correct. Can you just correct me if I'm wrong. And put your e-mail in chat for the applicant.

**MR. SALAS:** Yes, ma'am.

**CHAIR DUDLEY:** Thank you.

**MR. RIDDLE:** I'll wait for that. And I'll go ahead and get going, just because I know we're starting here. And I'll submit that over as soon as we have it.

But I'm Jasper, one of the owners of Plaza Don Luis. And we -- essentially, as far as this is all concerned, I'd like to start and say at this point, up to this point in time, we had no knowledge that we were doing anything out of step or out of turn.

It was my full understanding (inaudible) conversation with Mrs. Naji about the proposed railing that was going into the plaza that had been spoke about, about the stairwells and everything, as well.  

Ourselves, we have also -- we also talked to the City of Albuquerque about the railing in front of our -- our -- in front of the businesses that was put up. We also talked to the State of New Mexico about the railing that was in front of our businesses, as well. And we also have e-mailed out to the city as well about the proposal for the mural to at least arts and culture and said that no permitting was need was needed for the murals.
Landmarks Minutes, Agenda Item 4  
January 12, 2022

So I do want to just go ahead and start off by stating that this is not something that we did on our end and thinking that we're going to sneak this past anyone or anything of that. We thought we were being fully transparent and going through all the channels. So I'm a little disheartened to hear that after this has all been done that this is coming up to this point.

At that point in time, our group had -- by the time we're done with the renovations of Plaza Don Luis, we've taken a property that was at 50 percent -- it was at 50 percent vacancy whenever we came in a year ago. We're now approaching 100 percent occupancy. We brought in local vendors, we brought in New Mexico based businesses. We brought in New Mexico craft wineries and breweries. And I think we've added quite a bit of benefits to Old Town area. And I hope that you can see that via some of the petitions of support that we'll be able to share here in a little bit.

All that being said, the -- we agree with staff as far as the banners go on signage. We agree with staff as far as the temporary signage goes. Those are two things that we understand fully. So we're not contesting that.

What we are contesting are the murals. We're contesting the railing, the railing in front, and then we're hoping for the approval of the other railing and our other signage.

I'll tell you this, the patios are a life blood of craft alcohol producers, of restaurants and bars coming out of COVID into this new modern era in which we're living. We have a lot of customers that feel that they're very uncomfortable to taste indoors, and that is where these patios have not done.

We asked for approval. We matched railing that we saw across the street at the church, who, mind you, we spoke to up front before alcohol approval was on board with this. And we -- to my understanding, Mr. Benefit had sent and prepared everything over to Mrs. Naji at that point in time for what we were trying to and trying to achieve.

In front of the basket shop, that seems to be the patio that's in question, I would like to make the point that that was unsafe, it was not compliant, and that the railing was above -- it was above grade. And the railing, without that railing, people could fall off of that and injure themselves.

So that railing needs to be there for overall safety. It does not impede ingress or egress, and it matches the architectural styles of what has been there and -- up to this point. So this is not some new modern era.

The murals, themselves, to me is extremely disheartening that those are up for review because we got the approval for arts and culture at the city that said we needed no permit for private property for murals. The change in the past on that has been done after the fact.

And for me, it's something that we thought we were adding with New Mexico artists, that we were adding with culturally rich, diverse background to the plaza. Art should be the background of our community, and we thought what we had been doing was enriching Old Town and enriching the area.

These are something that we took -- you know, for me, if you want to go back into what this building was before we got there, this was full of vacant buildings and trinket shops. The slat board
walls covered, and there was exposed lighting. It was -- you
know, we -- we went in and we exposed the old adobe. We showed
the beauty of the plaza. We've done nothing but try to be
restorative and tried to be thoughtful based off the
considerations that are being taken with this whole entire
property as a whole.

So we -- I really hope that you're -- you're in agreeance [sic]
that we're doing this for the best of Old Town, we're doing this
for the best of the community, and that we want to be rich in
arts and culture. We want to have New Mexicans come down there.
We want this to be something that's not just trinket shops and
selling goods made in China. And everything we've done up to
this point, we thought was done thoughtfully and being done
in accordance with everything up to here.

And you'll see and you'll hear from some of our other tenants.
We had hundreds that wanted to come on. We asked people to
condense down so we didn't waste your time. But we appreciate
the opportunity to do so.

I -- I'm excited and encouraged about the opportunity to give
life back into the Old Town area. I think this is a vibrancy
that's been needed down there. And I think the other -- the
other tenants that you'll hear from and the other people you'll
hear from feel the same way. And I hope that you guys can work
with us on this. Which want to work with you. We want to help
bring in arts and culture to the area, and we want to do it
tastefully.

And at this point in time, you know, if you were to ask me to
remove the patio in front of my business, this is something that
could -- that could take the business away. If you were to ask
anyone to move their patio, this is something that would be
detrimental to their business, to small producers coming out of a
pandemic.

You know, we weren't going in with traffic cones and orange tape
and saying, here's our temporary patios. We did everything
tastefully to match, and we thought, to the best of our
abilities, we thought with full approval.

So with that, you know, I will turn it over to Mr. Bennett, who
can speak a little more to his process and our understanding.

But I thank you all very much for your time today and your
understanding and hopefully that you understand that we're here
to stay, here investing over a million dollars into a property
that was pretty dilapidated and was built in the '90s and that
we're trying to make it and bring it back to its glory. So I
hope that you all see what we're trying to do.

With that, Mr. Bennett, if you'd like to take over, please, sir.

MR. BENNETT: Thank you. Can everybody hear me?

CHAIR DUDLEY: Yes.

MR. BENNETT: Good. Yeah, I'm Rick Bennett. We were the
original architects on Plaza Don Luis for the Estevez family, and
so we're glad to see new life come to the center.

The railings were in need. They were wood and they were not
working well. So basically, and I think we -- I think we've
about covered it. I want to thank staff for working with us, for
being so cooperative.
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We basically have gone through the findings and the recommendations -- recommended conditions of approval. And we agree with staff, except for on the Conditions Item Number 2, which is the murals, and Item Number 6, which is the guardrails at the front entrance.

One thing I'd like to add about that guardrail is, if you look at the front elevation of the -- of the basket shop, you see a series of stairs, but on either side of the stairs, the landing drops off 24 inches. And so really, by code, we need some kind of barrier or rail on the sides of the stairs.

So with that said, it felt like the rail was also a safety factor in terms of meeting code. By doing that, then the stairs meet code because they're 7-inch -- or 6-inch risers, there's four of them. But on either side of the stairs, there's a -- a drop-off of 24 inches.

So with that said, when you consider, you know, the pros and cons of railings, we'd like you to consider the fact that we're probably going to need some kind of railing on the sides, no matter which way we go.

But with that, I know there's a lot of people that Jasper wanted to bring on. I'd just like to summarize that as the original architect on the project, we felt like all of the items that staff recommended approval were valid and we appreciate the hard work. And particularly bringing back the life to the center.

So with that, Jasper, I think if you had some people to speak (inaudible).

CHAIR DUDLEY: Well, next step is this -- I'll thank you for your presentation, both of you, Mr. Riddle and Mr. Bennett.

So the next step is for commissioners to ask any questions of the two of you, now that you've presented. And once those questions and answers -- that period is over, then I'll open it up to all other interested parties, who will each be given two minutes to state your opinions and your thoughts on this item. Okay?

So with that, I'm going to open it up to commissioners who do you have any questions for Mr. Riddle or Mr. Bennett?

COMMISSIONER AUSTIN: I have a question, Mr. Riddle.

CHAIR DUDLEY: Vice Chair Austin.

COMMISSIONER AUSTIN: Mr. Riddle, you said you owned this property for approximately a year? What attracted you to this property? Location? What?

MR. RIDDLE: Yeah, great question. I've -- I've wanted to -- so my winery, I've wanted to have a tasting room in Albuquerque since our inception, and have looked -- have looked all over Albuquerque.

My wife has a business in Old Town. And I thought Old Town, quite honestly, was a vibrant plaza and a vibrant part of Albuquerque that was being underserved and underutilized at that time.

So I saw this property as added benefit that I could bring in friends, other craft producers, New Mexico-based businesses, and coming together, there's strength in numbers, coming out of the pandemic and give something that was really unique and something
that I thought New Mexicans and Albuquerque natives could be proud of.

Because I thought realistically what you were seeing down there was essentially just tourists. And tourists are I think a lot of lifeblood of Old Town, but I wanted to bring in something more dynamic. And this property really fit a lot of those needs.

It's a beautiful property. I love the historic significance of the basket shop, with the (inaudible) and some of those in there. But it was also one for me that I thought needed some new life and needed a new chapter. And it was something that really -- I was lucky that I was able to involve friends to come and jump in with me, because it was too big of a project to take on by ourselves. We're now approaching those next phases.

But I -- I loved the fact that it was -- it was in the heart of the city and that I think that it had the ability to attract people down there. That being said, I think from -- from what I saw in the past year and what we're continuing to see, is there's still work to be done in the area, and there's still a lot of upswing that we can do.

Quite honestly, I've -- we've had a massive problem with vandalism and homeless since we've come in. I know that that's not a landmarks issue, but it has been a massive issue. We've spent tens of thousands of dollars in replacing damage since we've down there.

So there, even though I see a big opportunity, I do see an uphill fight that we'll continue to have to really try to bring this to a community-based space that people can come in and enjoy and hopefully be proud of. We're proud of what we've done to the plaza, but I do think there's still a lot of opportunity for us to bring in.

COMMISSIONER AUSTIN: Okay. I'd like to continue.

So I -- I appreciate the fact that you wish to make, as you said, this historic area more desirable to city residents. And I think that is a noble thing.

But I'm having a lot of trouble wrapping my head around the fact that -- as you said, your wife works in Old Town, you know it's a historic neighborhood. And why you thought you could do this work and totally ignore this commission is very upsetting to me, very upsetting.

MR. RIDDLE: Well, Mrs. Austin, that was never the intention, and never was there -- I mean, we hired Mr. Bennett on it and he was in communication. So us doing the work and not being in communication with this commission is not the truth.

I believe that Mr. Bennett had had full conversation with staff, and something was lost in translation. But we were never trying to circumvent the wheel here (inaudible). We thought we were doing everything right.

This was honestly pretty shocking to me, myself, to see this. So that was not our intent whatsoever, as I said up front, nor was it the purpose of this. I thought we were doing everything right up to this point. So I was pretty shocked to see all this come through because I thought these were approvals we've already had.

And I think Mr. Bennett can speak to that, as well. But we didn't think that there was anything being done that was
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circumventing any sort of action at this point in time.

COMMISSIONER AUSTIN: So you are saying that -- that the staff never told you that they -- with this extensive amount of -- of remodeling, you would have to come in front of the board to have this looked at? Is that -- is that your statement, that you just -- they didn't do their job; is that what you're trying to tell me?

MR. RIDDLE: No. My statement is, is that we were not -- we were told that everything was okay and that we had approval. I didn't know -- we didn't understand that there was a board review that had to happen.

I quite honestly thought that, you know, like per the murals, we were told okay by -- you know, by -- by a different department, that that was fine, that we needed no work permit or application. So I feel like interdepartmentally, people were not speaking.

When I've gone through this process for alcohol permitting, usually it's upon the city to make sure that the other boxes are checked, which we did when we went through this.

So, you know, at this point in time, no, I don't -- I don't think it was a staff fault or anything. I just think somewhere there was a loss of communication. But that's -- that's -- that's -- I mean, that's -- Mr. Bennett might be able to speak to that more, but I don't think we've done anything.

COMMISSIONER AUSTIN: Well, I appreciate that and I understand during COVID that perhaps communication between departments hasn't been as great.

But when you are in the premier historic neighborhood of Albuquerque, to think that an arts commission can tell you that this is okay, is more than a little upsetting to me. So thank you for answering my questions.

CHAIR DUDLEY: Are there any other questions from commission?

COMMISSIONER MCKINNEY: Madam Chairman, Commissioner McKinney for Mr. Bennett.

That, Rick, I don't know if you remember, I was on the landmarks commission when Plaza Don Luis went through -- I think we had at least three plus meetings on that.

MR. BENNETT: I remember it well.

COMMISSIONER MCKINNEY: I do remember, and I called attention -- because I'm an Old Town resident, basically, and I did call attention to our staff when I saw that the metal railings were going -- had gone in and the wood railings were replaced.

I remember -- I do remember, even though I'm getting old and my memory is not failing me all that much, that we did have discussions about use materials at Plaza Don Luis, and it was determined that wood was an appropriate balustrade and railings at the time. And I -- I do remember that.

So I did question staff, and staff said that -- felt that it was appropriate; that there was some deterioration. It's -- the facility is -- has been more than -- than Mr. Riddle has allowed to it. It's quite a bit of work was done on the basket shop, the replacement of the front to a large degree; a lot of things that really have occurred that I felt probably should have come to
Although I think staff was probably appropriate in saying that because of the type of materials used, metal, which does meet -- or is within the criteria of what we work with as allowable materials to be used in Old Town on historic properties and non-historic properties, if you will. So I just wanted to kind of point that out.

I felt that at that point in time that things had -- had occurred to such a degree that that was about it. I'm -- I stand corrected. But I just wanted to mention that I've been with Plaza Don Luis since the inception, so I -- I feel like I know the property pretty well.

CHAIR DUDLEY: Commissioner Bello or Solares, do you have any questions of the applicant?

UNIDENTIFIED COMMISSIONER: None at this time.

CHAIR DUDLEY: All right. With that, I am going to turn it off to Mr. Salas to call on those who wish to speak on this item.

CHAIR DUDLEY: Ms. Chair and Commissioners, the first speak is going to be Alexander Carey.

MR. CAREY: Good afternoon. My name is Alexander Carey. My address the be 1701 San Carlos Road, 87104. I am the co-owner of Lapis Room in Old Town, and I am an active-duty officer in the United States Air Force.

I speak today in support of all alterations made over the last year in Plaza Don Luis, and I am especially in support of the hand-painted murals designed and created by renowned New Mexican artists, Reyes Padilla and Jodie Herrera.

This agenda aims to implement new rules and guidelines I believe to be directly targeted at Plaza Don Luis and all of its business tenants. If approved, you will not only be removing murals intended to honor the historical roots and brilliance of the New Mexican people, but you will be doing so at the financial expense of local Albuquerque business owners, artists and workers.

These potential new rules and guidelines set the precedent that any intent to improve the Old Town and support local artists and workers will be met with stringent rules and subjective ideals set forth by the landmarks commission.

As the country continues to try and move forward in a paper-thin economy, rattled by never-ending pandemic, we must remind ourselves what is best for the community.

I'd like to reference the very first function of the landmarks commission listed on the City of Albuquerque website. I quote: To conduct studies and programs designed to identify and evaluate structures in areas worthy of conservation.

That is the very first function listed. I feel this is especially important right now. There are multiple businesses in Old Town that did not survive the pandemic and closures. There are historic buildings which continue to rot away, vacant and unused. These buildings becomes havens for animals and rodents. They are frequented by homeless and transient individuals whom feel free to continue their substance and drug abuse. It creates significant safety hazards that pose potential risks of violent
attacks of Old Town employees and patrons.

It is very disheartening that city members are targeting local business owners to remove thoughtfully made custom signage, fencing and beautiful handmade murals, while across the plaza, you allow these buildings to rot and the safety of individuals to be jeopardized.

I think it is time for the landmarks commission and its members to do some soul searching on the manner in which they are performing their duties for the people of New Mexico. We have sacrificed countless hours of our time and money to make these changes in Plaza Don Luis, to bring the beauty and life to Old Town, not to destroy the historical significance of it.

I support the changes that have been made and I hope that the landmarks commission will use their positions to better the Albuquerque community and its citizens and not take away from them. Thank you.

MR. SALAS: On to the next speaker, Chair?

CHAIR DUDLEY: Yes, please, Mr. Salas. Can you go to the next speaker.

MR. SALAS: Yes. The next speaker is going to be Luke Schneider.

And just a reminder, if you hear the bell go off, that's the time.

MR. SCHNEIDER: Thank you. My name is Luke Schneider. 7516 North Camino Sin Vacas, Tucson, Arizona, 85718, is my address. I'm a business partner with Jasper, helping to manage the plaza.

And just to -- to highlight, you know, some of the key points that have been mentioned, you know, we started out with this project with maintaining the historic integrity of this property as our primary concern. That's why we -- we wanted to make sure to hire the original architect of the plaza and to consult with local businesses and other building owners along the way to ensure that all the processes were being followed.

You know, it came to our attention, as has been previously mentioned with the railing that, you know, there's a code violation, so it's -- it's a bit altering that -- that the city has allowed that for this long. I'm not sure where, you know, that slipped through city code somewhere. But Alex touched on this, as well.

The stairs were essentially crumbling when we bought the place. It's -- it's very fortunate that the stairs didn't fall down prior to us buying it and, you know, cause a significant damage to someone. When we were talking with insurance companies, they were reluctant to even insure this building.

And I'm concerned, looking at some of the other properties in Old Town that, you know, this -- this wood rot is becoming a very significant problem and -- and dangerous. And, you know, I just hope that, you know, that's being considered with -- with these types of evaluations.

I was a little confused on the opening comments about how one railing fits with the historic nature of the property up above, but the same exact railing down below doesn't fit with the historic nature up above.
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It does not impede the right-of-way in any way. If you look at the width of walkways in the Old Town area, even with the railings, it's well within the -- the similar width that's throughout Old Town.

And, you know, again, I just -- I -- we want to work with you. We thought we were working with you originally. I think some of the conversation with Rick and the committee was done verbally. And, you know, I regret that, because I wish we would have had more of this in writing up front. So I'm sorry for some of that miscommunication.

And, you know, we -- we are submitting -- as soon as we found out that verbal doesn't work, we've been submitting the signs ever since. We plan to work with you. And, you know, we hope that -- that, you know, we can have a good working relationship going forward. Thank you.

CHAIR DUDLEY: Thank you.

Mr. Salas, can you call --

MR. SALAS: Yes. The next speaker is going to be Bridget Condon.

MS. CONDON: Hi. Thank you, everyone for having me. Sorry, just one moment.

My name is (inaudible). Sorry, guys. I hope you're not hearing the same feedback that we are over here.

CHAIR DUDLEY: It's probably because two audios are on.

MS. CONDON: Sorry. Yeah. Sorry about that. I hope that's better for everyone and not painful.

My name is Bridget Condon. My address is 7255 Pajarito Road, Northeast, Rio Rancho, 87144. I work for Noisy Water Winery, and I'm the one who started the petition that was referenced by Jasper. And, again, we will be sure that that's on the record so that everyone can access it.

But that petition was only published yesterday, and when I just looked, we had more than 750 signatures. So that's an incredible amount of support in less than a day.

And nonetheless, I'm not surprised, because that's the enthusiasm that I hear when I'm speaking with visitors and tourists who feel that new energy and sensible belonging now with these improvements.

And you'll be able to read all of the comments, but I just wanted to highlight a couple of them that I think really show that enthusiasm for mixing old and new so that everyone can enjoy Old Town.

Phil Leckman writes that Plaza Don Luis renovations are a breath of life Old Town sorely needs, part of a wave of new businesses that could finally allow Old Town to become a living, breathing part of Albuquerque's urban fabric, instead of a diorama for tourists. Let's allow Old Town to build a sense of place that participates and interacts with the city around it, rather than trying to keep the neighborhood beholden to some outmoded concept of an imaginary past.
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Natalie Voelker writes: We best honor the past by continuing to support New Mexico's enduring traditions of vibrant artistic expression, skillfully executed craft and celebration of community through beautification projects such as this one. Tradition dies if we do not continue to nourish and support the valuable and beautiful contributions of local artists. I love that Old Town is once again becoming a vibrant community hub that welcomes all: families, young people, elders, visitors and locals. Please, don't crush this bright revitalization, just as it's taking off and becoming something we can all enjoy.

And last, Mikell McGuire wrote: I love the Old Town area and we frequent there all the time. I love the new changes and I love the combination of old and new. The artwork is so beautiful and it's a welcome sight in this area. Please keep up the good work. Change is hard, but it's always a good thing.

So, again, I hope that everyone will review those comments.

And I, myself, who have worked in government, and I know that those of you who have showed up to serve for this commission do so because you care, and I know that there's really not a lot of glamour in it. But I hope that in the work that you're doing that we cannot lose sight of the real purpose of this commission, which is to make sure that Old Town can be enjoyed and that we don't let rules make the area stagnant and unenjoyable for those who want to visit.

So on behalf of myself and the other hundred -- 750 signees of that petition, we believe that these changes made at Plaza Don Luis are in -- in alignment with rules that are in Old Town and hope that you will keep the additions that have been made. Thank you.

CHAIR DUDLEY: Thank you.

MR. SALAS: Next speaker is going to be Laura Houghton.

MS. HOUGHTON: Thank you, everyone. I'm happy to be here. I am the co-owner and director of Lapis Room, a new contemporary art gallery located in Plaza Don Luis.

My background is in public art, and I helped the owners and merchants of Plaza Don Luis commission Reyes Padilla and Jodie Herrera to paint these murals.

I'm going to bring some cold hard facts to the table.

In August of 2021, I worked directly with the department of arts and culture at the City of Albuquerque to discuss their conception. And as part of this discussion, I confirmed that there were no permits or permissions needed to paint these significant pieces.

Then, with these acclaimed New Mexican artists, we carefully considered timeless subject matter that is representative of the New Mexico landscape and the neighborhood.

Indigenous plants, important pollinators, soft patterns and, in fact, the beloved color, Taos blue, are woven throughout these remarkable pieces.

I think it is important to mention that the landmarks commission is currently revising their manuscript for design standards and guidelines for Old Town. And I must say, it looks like you put a great deal of work towards revising this document that is

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confusing and has been subjective for a long time.

As someone who looked for guidance and permission for the matter at hand, I hope that you find sensible term, a considered historic preservation, and that also protect and support the small business owners. I would also recommend that you distribute the manuscript interdepartmentally, throughout the city, so that your mission is widely understood.

I'm going to reference a few of the amended documents. This is on October 13th. Your proposal for revision states: For several years, Old Town has been without clear guidance as to what is appropriate and what is not within the Old Town area.

Again, you mention that -- in the conclusion on the October 8th document: Currently, the Old Town HPO is without a set of easily accessed guidelines for use by developers and property owners.

These statements were written one month after our second mural was completed. I think it's even more pertinent that the landmark commission acknowledges that written in red on November 10th: Painted wall murals are not appropriate for the Old Town district.

That -- these revisions were made two months after our second mural was completed.

Now, I have a great -- great deal of appreciation for historic preservation and the services you are providing, but only when it operates symbiotically with the best interests of the community.

This new motion to outlaw murals is a contemporary revision. It's a moving target and it is simply unethical to retroactively enforce.

I appreciate your time. Thank you.

CHAIR DUDLEY: Thank you. Ms. Houghton, could you just state your address for the record. I'm sorry.

MS. HOUGHTON: Yes. I'm sorry about that. My name is Laura Houghton. My address is 1701 San Carlos Road. It is Albuquerque, 87104.

CHAIR DUDLEY: Thank you.

Alfredo, can you say who is next, please.

MR. SALAS: Yes. The next speaker is going to be Sean Patrick Sheehan.

MR. SHEEHAN: Yes, hello. My name is Sean Patrick Sheehan. I'm the owner of Sheehan Family Winery, located here in the historic South Valley of Albuquerque. We have a tasting room located in Plaza Don Luis, and I'm here to speak specifically to the patio railing.

My wife is an ICU doctor at UNM Hospital. She works almost exclusively with COVID patients. She has also been tasked with running the post-COVID clinic at University of New Mexico Hospital.

I feel as though we really need to support people's ability to congregate outside in a place where it is safe. She -- a lot of people have said over the course of this discussion we are coming out of a pandemic. But the ICU is still at 150 percent capacity,
and they expect the peak for the current variant to happen between the middle and end of February, and they expect it to be higher than any peak that we have seen up to this point.

So while I do have a lot of respect -- I do have respect for the preservation of this -- of the historic district and also for Old Town as a whole, to be honest, this tasting room in Old Town is a dream come true for me.

We started working on having a tasting room in Old Town, which is located about two miles from our -- from our homestead winery here in the South Valley. We started doing -- you know, we started this process years and years ago, and finally, through getting approvals from the city and the state, we finally have this, and we've struggled through COVID, but we're hoping that we're going to come out stronger.

And I guess my message to the commission is, please don't take our patios away. Please help keep people safe.

Oh my address, right? My address, yeah, yeah, you got it. Sean Sheehan, 1544 Cerro Vista Road, Southwest, Albuquerque, New Mexico, 87105.

CHAIR DUDLEY: Thank you.

MR. SHEEHAN: Thank you.

MR. SALAS: Commissioners, the next speaker is going to be Reyes Padilla.

MR. PADILLA: Hi. Thanks for letting me speak today. My name is Reyes Padilla. I am one of the muralists. My address is 1208 Granite Avenue, Albuquerque, New Mexico, 87102.

I also show my work at Lapis Room. I'm a full-time artist and my family stretches back in New Mexico generations.

I feel that these murals are highly representative of us New Mexican artists who, for a long time, have been placed in a box in colonial, Spanish traditional art, and we strive to be seen by the world as not painting by candlelight anymore. We do -- we do all kinds -- more than that, you know.

So basically, I just have been honored to work with Laura and Alex and be in conversations as things evolved with Lapis Room and with Noisy Water Winery. It is a breath of fresh air to see new life in Old Town, and to see so much thoughtful investment into local artists, the local businesses.

And I see historic preservation as a very important part of culture in New Mexico, but I also don't believe that becoming entrenched in it is going to help us move forward and embrace the artists and the local businesses that are starting out now today.

So I feel that the best way to honor the past is to move forward with the present, embrace the people that are representative of the culture here and now. And there is a happy balance in all of that. Thank you for your time.

CHAIR DUDLEY: Thank you.

MR. SALAS: Next speaker is going to be Tess Coats.

MS. COATS: Hello, good afternoon everybody. I'm Tess Coats, and I have the co-founder, Ben Adams, sitting by my side. We own one
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of the small businesses that just opened here at Plaza Don Luis in Old Town. Generations -- of generations of New Mexicans here, of course.

We live at 829 Silver Avenue, Southwest, Albuquerque, New Mexico, 87102.

My personal background as always been in activating spaces, specifically in retail. I have also helped a number of current and previous businesses in developing their retail programming. And now I get to do it myself here, independently, in Old Town.

It's been a long time goal of Ben and I to be part of a community in Old Town that is activating for the locals, not just for our tourists. And that is what Plaza Don Luis is all about, and we're very excited to be part of it.

Just our store alone, we showcase almost 60 local artisans and brands alone, in our small space alone. And I can't speak for everyone else. I know that they're close if not more. So it's extremely important to us to have visibility adding to the vibrancy. It's key to success for us as small businesses owners. This includes, you know, evolving with time, while keeping with the true New Mexican aesthetic.

As a shop owner, it's absolutely key and important to us to have the ability to be inviting and have our store experience pour out of the doors, which helps to provide a sense of place. The murals at Plaza Don Luis, especially the one on the bathroom that we provide for all of Old Town, is a compelling and a -- and is very attractive, kind of -- it definitely -- excuse me -- it's driven traffic for us. They become photographable moments and quite a sense of discovery.

This comes to me -- it feels like a very targeted attack against Plaza Don Luis, being that these are the only murals highlighted, when there's a number of them in Old Town. It's an important issue, you know, involving preservation and we absolutely are on board with that. But essentially, we do need -- you know, I'm worried that efforts have gone in the wrong direction when we see a number of thing that have been allowed over time, including mounds of pigeon droppings on display at former businesses, building facades in ill repair. There's a number of holiday embellishments that are allowed to last year-round, just to name a few items, without -- it also goes without saying, just overall safety is a major concern that we have to fight every single day here as business owners.

But we choose to be here. This is a choice. We're not made to. We want to be part of this -- this community.

We are not asking for you to find offenders but are welcoming you to walk around the Old Town district to find numerous businesses with a wide variety of murals, paintings, signage that are colorful and of different scales and sizes. Frankly, we fit right in.

The fact is that one has to enter our plaza to actually see the mural. You can't actually see it as just a passerby, is something to be considered.

But in closing, we choose to do business in Old Town and are working to elevate the experience of being in Old Town for tourists and locals alike.
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The efforts that have been put towards these murals could be better utilized in creating a safe place for guests and employees in Old Town, as well as enforcing maintenance of buildings of these public spaces that we’re trying to historically preserve. And I appreciate the time. Thank you.

CHAIR DUDLEY: Thank you.

MR. SALAS: Commissioners, the next speaker is going to be Sylvia Ramos Cruz.

DR. RAMOS CRUZ: Hello, everybody. I'm Dr. Sylvia Ramos Cruz. I own the property and I live at 2110 Charlevoix, Northwest, right in historic Old Town.

When I purchased this property in 1999, I was told by our Realtor and contractor, that any changes to the property would have to go through the landmarks commission. I have done that for everything I've done on this property, including putting up a shed in my fully enclosed backyard.

I really approve the work of the commission because I think we need rules in place that will keep us all working not only to further our businesses, but also to improve the -- the historic conditions in Old Town and the lives of not only the business owners but people who live here every day.

I am concerned about changes that alter the character of Old Town, though I appreciate fully the need for businesses to be in this community.

As far as I can tell, since I have owned this property and been in Old Town over 20, now almost 25 years, there never was a rail in the front of the basket shop. Now, I'm not saying that that would not be needed, but I would like to know if you done a study or look into whether there were any falls or any injuries caused by that steep little wall there. To say that, you know, it's a danger, yes, but what happened in the past is also important.

Although one of the murals has elements of the New Mexico landscape and culture and it is very colorful, and it can be seen by passersby on the road in front, neither of the murals, to me, relate to the history of Old Town or even Albuquerque, itself.

I'd like to know, who are the 750 people who have signed the petition in support of the murals. Are they residents of Old Town? Are they owners in Old Town? I expect they are many owners, as we have here today of the businesses in Plaza Don Luis. But who are the other people? How are they invested in making sure that this community stays not only alive economically, but socially, culturally and historically.

In terms of COVID, yes, we are going through this difficult time, but we all know that it will end. Even the 1918 great influenza pandemic ended, and we then become accustomed to perhaps a new normal. To really say that we're opening these spaces because of COVID, to me, is a bit disingenuous. This will not always be here. And, of course, I have been to the properties, and I see there are people inside the businesses, also, sitting there. So I would not use COVID as a long term need for making changes in these historic properties.

I thank you very much for listening today.

CHAIR DUDLEY: Thank you.
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MR. SALAS: The next speaker is going to be Jesse Ehrenberg.

MR. EHRENBERG: Thank you. I'm sorry my screen is blank.

My name is Jesse Ehrenberg. I am at 2110 Charlevoix, Northwest. And I've heard some really interesting things: The best way to honor to past is to change it. Interesting.

The murals are -- it's a matter of opinion whether those murals are beautiful, and they're certainly not appropriate. They're modern art. Old Town draws tourists because it's a representation of the past. That's why people come here. And the fact that you're bringing art to Old Town, Old Town is full of art galleries, always has been, wonderful art in those galleries, not on the walls of buildings in Old Town.

That's all I really want to say. Thank you very much.

CHAIR DUDLEY: Thank you.

MR. SALAS: The final speaker that we have signed up is Carla Villa.

If anybody else wishes to be speak, please raise your virtual hand.

MS. VILLA: Hello. I'm Carla Villa, and I'm the owner of High Noon Restaurant at 425 San Felipe, Northwest.

We have been here for 47 years. I'm really only wanting to address that I'm hearing this false equivalency, I feel, as we're sitting here.

It's not that there's a correlation between zoning and -- and it being anti-business or anti-new business, or anti-growth. We're talking about a .8 square mile in the city that is really the living history of -- of the city. And so yeah, there are zoning requirements that have been in place for a long time.

We've been working with them for, as I said, 40-some years, and yeah, you do have to get approval for the things that you do, and -- and I understand all that.

I just -- I really just want to say that I disagree with the basic premise that enforcing previous zoning codes or even modified zoning codes is in some way a deliberate attempt to thwart new business or new life or new anything in Albuquerque -- I mean, I'm sorry, in Old Town.

And quite specifically, I mean, we've been doing our very best, providing an excellent dining experience and other things in our little corner of Old Town for 40-some years. And so yeah, I do get a significant number of locals and lots of people who come down. And -- and I just say that there are -- you know, I think we are trying to keep -- to keep a certain -- just to be respectful of the past. And yes, of course, things need to be updated and there are safety concerns, and all of that is very true.

But please don't create the equivalency that those zoning rules were in any way meant to thwart business or that there has been no life in Old Town. I find that, you know, not to have been my experience for 40-some years. That's all I have to say. Thank you.

CHAIR DUDLEY: Thank you.
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I'm sorry, did you provide your address?

MS. VILLA:  My home address --

CHAIR DUDLEY:  Yes.

MS. VILLA:  -- is 607 Solano Drive, Southeast, Albuquerque 87108.

CHAIR DUDLEY:  Thank you

MR. SALAS:  Thank you. The next speaker is going to be iPhone, and it's Marie.

MS. COLEMAN:  Can you hear me? Can you hear me?

CHAIR DUDLEY:  Yes.

MS. COLEMAN:  Hello.

MR. SALAS:  Yes, ma'am.

MS. COLEMAN:  I just wanted to make sure.

I'm Marie Coleman. I own the Church Street Cafe in Old Town. And I have been there since 1993. I have seen a lot of changes in Old Town, and I really welcome Plaza Don Luis and their new ideas and what's going on. I think that it has been needed here in Old Town, some kind of a change to move us forward.

I know it has been difficult to be in Old Town. I bought an old 19- -- oh, it's 1709 old hacienda that was just melting into the ground, and I restored it into the beautiful restaurant, with -- and it's been a work in progress for years.

But, you know, it has been difficult. It took me six years just to get a wine and beer license in Old Town. It took me ten years just to be able to serve it on my patio. So I know what kind of difficulties you can have in starting a business in Old Town.

And I welcome the murals. I think they're beautiful. They're a beautiful representation of art here in New Mexico. And that's my opinion. Thank you.

And my address is 2111 Church Street, Northwest, 87104. Thank you.

CHAIR DUDLEY:  All right. So --

MR. SALAS:  Chair, Commissioners, we don't have any more speakers.

If anybody else wishes to speak, please say so now. I believe that's --

MR. SIMON:  This is Robert Simon. I think Carla and Marie speaking and Ms. Cruz speaking has prompted me to simply say something. And I was going to wait until we get to 524, but I can speak now, if the commissioners would find that appropriate.

CHAIR DUDLEY:  Yes, please. Please just state your -- your address and go ahead and proceed. Thank you.

MR. SIMON:  Thank you. I live at 1415 Park Avenue, Southwest, and my family owns the property at 524 Romero that used to be the Candy Lady. And we have owned that property for 20 years.
And it has been my fond wish for many years that Old Town become a more urbanistic, new urban environment that would attract evening traffic with amenities that would be suitable for all persons, including locals, as has been stated by Carla and Marie.

I think that it's beginning to be that. And I -- I am not sure, and I really do not have a strong opinion, as to whether that requires a rejuvenation of any kind to what has existed. But I do want to suggest that there needs to be some thinking about how we respond to this wave of new urbanism that has swept the country. Because if we make our properties more attractive and provide more amenities to people to come to Old Town in the evening to recreate, to design, to have a glass of wine or a cocktail, that we have aided and benefited our city.

And I think that we're moving that direction, and I just would hope that whatever is decided with regard to murals and other amenities that are added to properties, that that be considered. And I'll speak again when we get to 524. But thank you for your time.

CHAIR DUDLEY: Thank you.

Looks like we have one more person that's interested in speaking, just known as iPhone.

Can you state your name and your address, please.

MR. SALAS: You're muted, ma'am. iPhone, you're muted. If you could press star 9, it should unmute your phone. I'm sorry, star 6 should unmute your phone.

CHAIR DUDLEY: Okay. Did we lose that person? I guess so.

MR. SALAS: Yes.

CHAIR DUDLEY: Is there anyone else wishing to speak on this item before we turn it back to the applicant for a rebuttal?

Okay. Seeing none, I'm going to turn it back to you, Mr. Riddle. Between you and Mr. Bennett, you have five minutes to rebut anything you've heard in the comments thus far.

MR. RIDDLE: Yes. And thank you for all the comments. And I wanted to clarify a little bit.

What we're looking to do is not to come in and change Old Town. What we're looking to do is revitalize a property that -- that needed love and needed care. And I think if you see what we put in that property, you see it's there.

As I said before, this was not some orchestrated attempt for us to undermine this commission or anyone. And we thought we were doing our best, doing everything by the book to pay attention to the rules.

To the comments I heard about were the patios needed, were the handrails needed, the -- the patios, the handrails were needed to be compliant with code. That's the study, that you need something there to be compliant with code.

To the -- to the comments I heard about if somebody, you know, was -- was this, was this this, was this that, you know, some of the things that I see, if you'll please walk through the property and see that the slat board's been removed off the walls, and you
can see the pug mill, see the tape was taken off the floors, and you can -- you can see the old history of the floors, that we're really trying to showcase that in what we're doing. We're trying to tell the story of the history of Old Town by bringing in New Mexico businesses, selling New Mexico products.

We want your support, we want to work with you and we hope that you all understand that what we're trying to do is bring in nothing but good to the area. But we need help.

For those of you that have said that, "Oh, this is going to go away, COVID is going to go away," it's not been the case for small businesses. We've been spending our time and our resources and pouring our blood and our sweat and our tears into this property and this project, and we'll continue to do so. But where we need help from the city is guidance on how to help with the problems we're seeing with vandalism and theft and -- and all these tens of thousands of dollars that our tenants are having to pour in, we're having to pour in try to just keep a safe place for people to come and enjoy.

Old Town is great, but everything needs to be active, it needs to be vibrant. Vacant buildings without tenants show you have a problem. Vacant buildings without tenants show that there's no demand for people to move into those spaces. You have to bring people in there that are going to try to revitalize and try to help and try something new.

And we want to work with the community. It's not like we're going down there doing something totally abstract. We're trying to benefit the community and work together and have a part of it.

To the comment, where are the 750 people from, I'll tell you this, the large part of them are New Mexicans. We've submitted over that change.org so you can see it. The names are on there. You can see where they came from, you can see the petition. That's in one day. That's one day's worth of support that we've raised 750 people to sign that.

Those are people with who have been to Old Town. Those are people that have seen what we're doing and that are excited about it. Please give us an opportunity to continue to work with you. But please don't shut this down and stifle what we're doing, because these are steps backwards we can't afford to take.

So please -- I turn it over to Mr. Bennett in this, but we ask for your support and help in this.

CHAIR DUDLEY: Thank you, Mr. Riddle. I did want to go back to the iPhone person who got dropped due to technical difficulties.

If you want to speak, you can have that opportunity again before we go to staff. It's not our normal proceeding, but I know that we're dealing with unusual circumstances, given our virtual world these days. So are you on and do you wish to still speak? I believe I saw you come back on.

Somebody mentioned to me in the chat that it's, I don't know the name, one of the artists. Please -- please go ahead and state your name and address for the record, and then your two minutes of comment.

MR. SALAS: Jodie, I believe that you are unmuted, so you could just speak. No, we're still unable to hear you. But it looks like your phone is unmuted.
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Chair, I'm sorry. I'm not sure what the problem is.

CHAIR DUDLEY: Okay. Well, maybe as an alternative, you can type your message in with the chat.

And we'll go ahead and proceed to the applicant -- I mean, to the staff's rebuttal of five minutes before closing the floor. Thank you.

MS. BOLIVAR: Thank you, Madam Chair, Commissioners. I do agree, I mean, the area has been revitalized. I mean, the changes are -- I mean, I think the changes are great. But then again, the only conditions of approval that I had were, you know, the murals.

I mean, at this point, I don't think, I mean, it's going to be a deal breaker for me. I mean, I -- it would be up to the commission in case -- if they want to approve the -- the mural. But then, again, the guardrail at the Old Town Basket Shop, I mean, it is a contributing building, and it was required because the State of New Mexico would not have granted them the -- you know, the liquor license if they didn't have that, because they have to be enclosed.

But I'll leave it up to the commission to decide -- mine were only recommendations. But I'll leave it up to the commissioners to decide whether they want to keep those conditions or if they want me the withdraw them.

Perhaps, Mrs. Naji may be able to speak as to what the process would be at this point.

MS. NAJI: Commissioners, Chair Dudley, this is Leslie Naji.

I would like to make comment in terms of the early discussion that took place relevant to this project. I did speak with Mr. Bennett about the -- about the repairs of the windows in the basket shop and the change of the wooden railings to the iron railings. There was some disconnect, that he didn't think he needed to apply for a certificate of appropriateness. But it was discussed. But that's why this all started coming through.

There were additional work which was not discussed, which included the additional railings in the patio area and in front of the basket shop, as well as the murals.

I do want the applicant and the public to understand that the initial determination that the murals were not appropriate is not an attack on this project. It is a question of looking at what is historically appropriate. And it -- and the determination was made under the existing guidelines and the secretary of the interior standards of historically appropriate for the period of significance.

It is our duty as the staff in support of the landmarks commission to be looking at the long term effects of development in the Old Town area. We certainly are in support of revitalization of Old Town and things that make it a more vibrant community. But we do have to look at the long term effects in terms of how one thing may lead to another and what the overall effect would be for the historic buildings.

The majority of Don Luis, as you know, it's a new structure, and there can -- there can be some -- some different consideration for those buildings. I think how the commission chooses to look at the murals -- these particular murals will not affect the --
the clarification of the -- not permitting murals in the future that are in the guidelines that will be submitted later today.

I do still hold concern about the railings that are put in front of the basket shop, which is one of the oldest brick buildings in Albuquerque. They are not there as safety rails. The height, as you can see, it's 12 inches in the front, at the most, 18 at the sides, and it continues all the way down where there's no drop in the elevation from the patio down to the sidewalk.

I do not believe that there was a site plan ever submitted for this project to show which businesses are using which enclosed patio area. The enclosure on the patios is for exterior alcohol consumption, not for the license, itself. So it wouldn't affect their licensing. It would just not allow alcohol consumption outside and in front of the basket shop.

I do agree that we do need to make some clarification with our other departments. I think they were a little confused at cultural -- the cultural services department. They thought it was like for some sort of event or something, because they don't give any sorts of approvals for construction. And we are always trying to get people to understand that anything that goes on the outside in Old Town does need to get a certificate of appropriateness. And a state liquor license has nothing to do with local guidelines, as some of the other people who have spoken have heard from us lately, as well.

So with that, I will hold my piece for how the commission wishes to evaluate this project.

CHAIR DUDLEY: Thank you, Ms. Naji.

So we're now closing the floor on this item for the commission -- commissioners to discuss.

I do have one question that came up from one of the speakers who was wanting to understand, I also want to understand, the difference between the approval of -- of the railings on the upper floor, versus the ones right in front of the basket shop.

Is it -- is it more -- this is to you, Ms. Naji, because you just touched upon it. Is this difference because of where it's located as opposed to the materiality of the railings?

MS. NAJI: That's correct. We were in discussion with changing the wooden railing to the iron railing to provide greater visibility to upstairs and in terms of maintenance, to which, you know, I had discussed that that could be an appropriate change because of additional metal railings that are over at the church.

There were no railings in front of the basket shop, never have been. There were some planters there to sort of -- you know, if some kid wanted to go, you know, plop off that 18-inch height or 12-inch height. So there was nothing ever discussed about these additional railings that are in the plaza and there in front of the basket shop.

It's a little hard for me to see the extent. It's looks like there's -- there's more of that railing in the center of the plaza. Also like to the south of where the stairs were removed, as you can see from -- from the shot that is up now, the -- the -- part of Ms. Bolivar's presentation.

And we're not really complaining or we don't really have issue, although they weren't applied for, that these railings that were
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even on the ground floor there in the southern half of the plaza for the new construction. It is the railings that are between the street and the building there in front of the basket shop.

CHAIR DUDLEY: Okay. Thank you.

All right. Commissioners, it's up to you. I'm going to open the floor for your discussion. Who would like to start?

COMMISSIONER AUSTIN: Well, I will, if nobody else will, Commissioner Vice Chair.

CHAIR DUDLEY: Yeah, Vice Chair Austin, please proceed.

COMMISSIONER AUSTIN: You know, I feel like there -- I feel like I am a participant in a magic show in a way. We've brought up the art council; got nothing to do with historic preservation. We've come up with, you know, the businesses. We're not the department of business, nor are we the department of tourism. We've had, you know, comments about how unsafe it has been and vacant buildings. We're not, you know, zoning in that -- in that situation, nor are we the police department. Nor are we anything but the historic preservation arm of the zoning department landmarks commission.

We have a charge here, and our charge, which we discussed last month, is to maintain Old Town to the standards, at least on the exterior, of 1880 to 1920 -- or 1912, I guess it was.

I -- I love that people have signed this commission and they -- their petitions. And I would like to start a petition to say, "Gee, I don't want to pay my taxes anymore," and get a lot of people to sign and then I can argue that the law shouldn't matter, the rules shouldn't matter because 750 people said, "Oh, it's cool."

Mostly I am concerned of this do it first and ask for permission later, when we get busted.

The architect was involved in the original thing, so he knew that permission had to be -- had to be given to do these kinds of things. Certainly, the business owners that have spoken are all bright, they all are good business people, I can tell that, so they have to know that there are rules and regulations, and especially in a historic Old Town neighborhood, that were blown away.

I really think that this is a very important case. I don't dislike the murals, but murals did not appear 1880 to 1912. And I really think that yes, to have a bar and make more money, you have to have the rails, but that's got not nothing to do with us either. Our one and only issue is, is this historically correct, is it historical preservation. And I don't want to see all the little (inaudible) come out trying to distract us as to what the problems is of business. Yes, the problem -- business is a problem everywhere right now, and probably for another six months will continue to be.

I -- I am not happy with this entire project for those very reasons. So that's what I'd like to say.

CHAIR DUDLEY: Thank you, Ms. Vice Chair.

Commissioner McKinney or Maddox.
There's some déjà vu things that are going on with -- Vice Chairman, I agree with you. It's like we're -- it's a knee-jerk reaction after -- after someone -- it's better to ask for forgiveness than ask for permission, I think.

And I -- I'm feeling some of that in Old Town and the other historic districts that come under the landmarks jurisdiction, if you will.

And it's -- it's control. And zoning is control, and historic overlay, the historic district, it certainly has to have control.

We have -- we've had guidelines. I just ran it on my calculator, because I'm not all that good in math anymore, but I have I have been in Old Town historic district for 57 years. I was -- in 1965, I was the staff to the Old Town Architectural Review Board. I knew the guidelines that we had at that point in time, and the guidelines included permission -- well, review and seeking permission to do anything to the exterior of any of the structures in Old Town. And that included signage, it included painting on adobe or stuccoed walls, which I think these murals would come under -- under that.

I don't -- and I have not followed all the guidelines and the regulations since 1965 up to the present. I think what we were asked to do with the current -- that we will do at the end of -- towards the end of this session, we will be looking at -- we have reviewed and we'll be making comments and proposals concerning guidelines for Old Town, specifically for Old Town.

It's the other -- the other districts seem to have -- to be in pretty good condition on the conditions and the guidelines for them. Old Town was -- was lacking. And I guess someone felt that it needed to be updated, and so that's what we're looking at.

I did extensive research as best I could through the university, through the Internet, et cetera, et cetera, through as many photos that I could absolutely get, also through -- is my two minutes up, Alfredo? -- that of looking at -- at Old Town and that period of significance that -- that we are tasked to adhere to, and nowhere, nowhere did I find any indication of murals in Old Town.

Now, I'm really surprised that -- and I'll keep going here a little bit. I'm really surprised that no one brought up the mural that is at La Hacienda. Well, it's a simple matter of fact. That mural was actually completed in 1955, and we didn't have the historic district and Old Town ordinance until 1959. It was grandfathered and it was actually brought up in various meetings about, well, it was grandfathered and we can't do anything about that.

Any painting on any building in Old Town, other than -- than signage that is allowed within what we have -- and the signage, I understand, is the IDO. That's not part of what we're going to be reviewing today. That has already gone to the city council and that is in existence, that -- so I'm really specifically kind of talking about, quote, the murals at this point in time, in Plaza Don Luis, that they're painted on the stucco. They're painted on. That should have come to the commission for a -- you know, for a certificate, certainly for a review and for a certificate if -- if so deemed that -- that it was permissible. It did not.
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The -- and I kind of meander here a little bit. I want to get over to the -- the basket -- the basket shop, which I -- I think was the Charlie Mann store, because I -- I was around before it became the basket shop, that -- well, anyway, what -- what we addressed in the last meeting, and what I addressed in the last meeting and what is in the guidelines now on murals was not specific to these two murals. I want to make that perfectly clear. It's that we had never had that situation where murals had come about. And it seems to be, you know, I feel that they are not significant to -- to what Old Town -- what we are tasked to maintain and protect in Old Town. And -- and that's why that appears now.

As far as the railings in front of the Charlie Mann store, the basket shop, I think Ms. -- Ms. Cruz and -- and Sylvia has been around for a very long time in Old Town. And, like I said I've been 57 years and several times on the Old Town Architectural Review Board, and I'm on my third tour of duty on the landmarks commission now. I don't remember anyone ever having any -- any incidents there.

Now, I was not there all the time. But I think, yes, there probably is a -- the 18 inches that staff said to the 12 inches, I would really have to look and see what -- what the requirements are. But denying insurance based on that, which was proposed earlier by someone, I really, really question.

I would like to hear more discussion, I think, from the other commissioners as to their feelings on the -- the two items that are before us on this. And I will -- I'll reserve my extra two minutes later.

Thank you, Ms. Chairman.

CHAIR DUDLEY: Thank you, Commissioner McKinney.

COMMISSIONER SOLARES: Thank you. Where do I start on this one. This was -- this was a big one here.

First off, I wanted to thank everybody for attending this meeting. We had up to what, 38 persons attending that meeting. That was -- that's quite a bit of involvement from citizens of Albuquerque and we welcome that here. We want to see people attend this. We want people to -- you know, to look and review the projects that are going through our commission. So I do thank you again.

I guess the first item off the top was, you know, we got -- as the public was speaking, there's quite a few things that I don't think the public even understands what the role of our board is for, our commission is for.

You know, we did get -- we got challenged by rotting buildings, you know, pigeon droppings on signage, you know, quite a few items that have nothing to do with -- with this board -- with this commission here. So I just wanted to put that out there that, like Vice Chairman Austin said, you know, we -- our focus is landmarks and, you know, protecting and preserving the city in Old Town here.

So let me get on with this. Since walking through Old Town, I never thought that this pathway right through the front of the basket shop here was private. 'Well, I'm talking specifically
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about the brick walkway as you come up and you pass the -- the new gates or the fence that has been put up there. I thought that was public walkway.

And as you approach it, it indicates on the plan that there's a ramp there, kind of coming up, and along with, as they said, that -- that this railing needed to be installed because that area right there was not code compliant. And as I look at it now, and as discussed before, really, it's just part of enclosing this area for more alcohol assumption, which I -- I have no issues with at all. But I have issues with how this guardrail has been put up and the stairs that are adjacent to it and closing that off and a lack of a landing as you come up the -- the stairs.

And then, on top of that, if it was -- if you were trying to be code compliant with this, then you would have handrails on the side of the stairs as you come up so that somebody has somebody -- something to hold them. You know, if they have a disability then they would need that handrail to help themselves up the steps. So I don't see any of that in here.

So I don't know why the gates are turned towards the inside of the -- of the patio area. I don't know what the occupancy is of the -- the -- the tasting room or the patio area. And it seems that -- and then you have doors that are -- are opening towards the patio and not opening towards, you know -- towards the direction of the exiting. So I'm kind of concerned on that one, too.

And it's really unfortunate, because I think this is a great concept, great idea, but it never came before us. So it's -- it's kind of, you know, concerning.

So that's all I have to say at this point right now.

CHAIR DUDLEY: Thank you, Commissioner Solares.

Commissioner Maddox.

COMMISSIONER MADDOX: It's all been hashed, so I'm not going to repeat what everybody else is saying. But I'm in agreement. This was -- it should have come before us first, and the idea of asking for permission after the fact is -- is ridiculous.

CHAIR DUDLEY: Okay. Commissioner Bello.

COMMISSIONER BELLO: I'm of the same mind. I don't think we need to rehash this. We've gone over most of it.

I think the murals are not historically appropriate (inaudible). I think that's something aside. And the -- the rails don't make very much sense to me, either.

So, again, this all came up after the fact, so we're sort of approving something that we didn't look at or didn't talk to.

CHAIR DUDLEY: Okay. I'll -- I'll add my -- my two cents.

So I really appreciate how many folks showed up today, like Commissioner Solares said. It's really encouraging to see so many people so compassionate about this area of our city and what it means. And I do appreciate all the comments that we've heard about the need to support our small businesses and also to allow Old Town to grow instead of remaining or, in some people's eyes, serving tourists more than they are -- more than it is currently
serving locals. So I do appreciate all the comments that we've heard today.

And I know Mr. Riddle's company is really serving the state. I've seen it in Ruidoso, I've seen it in Red River. And I appreciate the life that you've brought to Old Town. I do agree that -- with some of the comments that were -- were mentioned and -- and restated from your petition. I agree with a lot of the comments that were shared there.

I think the architect, Mr. Bennett, put it into two -- brought it down to two items that are really in question here, that are within our purview, as numerous commissioners have said.

You know, a lot of us are unhappy with, let's say, the workings of enforcement or the lack of staff that can get out there and deal with whatever issues may be with the vagrants or with dilapidated buildings. But our purview here at the commission is really just to review applications in historic districts or for historic landmarks and give our opinion as architects, as Realtors and as planners, so -- and as residents of a historic district. So that's our role. We can't go beyond that in -- in our review of this application.

But what I'm hearing from -- from the architect is that we're in agreement on the conditions that are written in the staff report, with the exception of Item Number 2, the murals, and Item Number 6, the guardrails in front of the basket shop.

Now, there's been a lot of chatter in the chat box, which isn't really our norm. You know, we're not really operating in a Zoom call, and we're -- we can take into account the one comment from -- from the artist who got cut off and we couldn't hear her. But the rest of it is not on record, so the opportunity to share those comments was during the two-minute speaking period.

But I did want to say that some -- I did notice some questioning about and heard it verbally, that there's question about the date in which the guidelines that are still to come during this hearing are -- were amended to prohibit murals versus the time when the two murals on your property were completed.

And not being a lawyer, but I would say from our previous correspondence with -- with legal from the city, that we are not allowed to enforce guidelines on existing murals if -- if those guidelines were not set forth prior to their erection.

So I'm thinking there's a caveat on Item Number 2 that we may not be able to enforce Item Number 2. And that I'm going to punt to legal and we'll have to probably get back to that.

In terms of Item Number 6, it sounds like all the commissioners are opposed to those guardrails being where they are, in front of the basket shop. I personally didn't have as much of a problem, although I do agree with Commissioner Solares about if they're truly going to be ADA compliant, they need to follow to ADA guidance and -- and -- and make it easier for people with disabilities to come in and out and get out in any -- any circumstance, but primarily in a fire, during a fire.

But in looking at the plan, I can see that the -- the sidewalk is the -- is the public right-of-way and these stairs have always been used as the public right-of-way. But it is part of the property of -- of the basket shop. And I do agree that we need more outdoor seating in our city. I'm constantly looking for a place where we can do -- have outdoor seating, and I think that
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your choice of materials is a very good one and a very appropriate one. So I don't -- I don't want to contest that.

But I guess I would say it sounds like I'm alone on Item Number 6 in thinking that they're okay to remain as long as they're considered code compliant from the other entities of City of Albuquerque, not our -- which is not our entity, to determine whether they're ADA compliant.

So having said that, does anyone -- do any other commissioners have any other comment or want to make a motion?

COMMISSIONER AUSTIN: I have -- I have another question, actually.

Commissioner McKinney said something about those stucco colors that were accepted prior to this, which definitely -- I would like him to reiterate about that, because if it is -- if it has been historically that they have to be of a specific color or, you know, plain stucco, then I think we have a very good argument to say the murals have to go.

It doesn't matter when they were done prior to 19- -- if they'd be done post 1959, they have to go, period. But I'd like to hear McKinney's comment

COMMISSIONER MCKINNEY: Okay. Specifically, I -- yeah, that's really not what I intended, if it came out that way, to say. What -- it's not on the color. I remember the guidelines, and I think prior to even those that we're reviewing today to finalize indicates about painting directly on stucco. Not the color of stucco, but painting on stucco, applying anything to -- to -- anything that is -- that is visible to the public, if you will, should -- I think was required to come before this -- this commission. And what I was saying is, it did not.

COMMISSIONER AUSTIN: I see. Thank you.

Yes, I agree with you, Mr. McKinney, Commissioner McKinney. They -- all of the murals should have been brought to our attention immediately because it was painting on stucco, and that's the end of the story. It's painting on stucco and has traditionally not been allowed.

COMMISSIONER MCKINNEY: That -- that's -- that's correct. That's my understanding.

Staff might -- Ms. Naji, could you clarify? Is Ms. Naji still with us?

CHAIR DUDLEY: Or, Ms. Bolivar, are you able to clarify that question.

MS. NAJI: Sorry, I thought I hit -- this is Leslie Naji. I thought I hit unmuted before, but I guess I hadn't.

Previously, you have been talking about appropriate colors and you've talked about any exterior changes being historically appropriate.

COMMISSIONER MCKINNEY: Ms. Naji, what I was referring to was -- was the applying of paint to exterior surfaces, including the stucco services -- surfaces. I thought that was in -- in the -- even the previous guidelines prior to those that we're reviewing now.
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MS. NAJI: The guidelines --

CHAIR DUDLEY: Part of it, though, is that before we started this process back in October, he's saying.

COMMISSIONER MCKINNEY: Yes.

MS. NAJI: Yeah.

CHAIR DUDLEY: Were there -- were there restrictions already made on painting your structure prior to us first receiving this revised draft back in October?

MS. NAJI: Although there may have been restrictions prior to the IDO, from the IDO until now, it was listing to just appropriate colors, textures, within Old Town.

And that's one of the reasons why we are defining the -- clarifying the guidelines, to make it clearer, so that we can talk about specifically what we are considering appropriate and what are approved colors and what is considered -- what is considered appropriate for Old Town.

But we did not have something that said if you paint the outside of your building, you have to come -- we did say that changes in color needed to be appropriate to historical colors

COMMISSIONER MCKINNEY: Okay.

COMMISSIONER AUSTIN: Commissioner -- Vice Chair Austin.

So therefore, we have had a long tradition of -- of not allowing multiple colors on stucco, being painted on a stucco wall; is that correct? Is that what you're saying?

MS. NAJI: Could you repeat that. Could you repeat that, please.

COMMISSIONER AUSTIN: I said, we have had a long tradition of not allowing multiple colors to be painted over the stucco; is that correct?

MS. NAJI: That is correct.

COMMISSIONER AUSTIN: So basically, we have an issue here that has been a longstanding rule that's got nothing to do about the murals. It has to do with painting multiple colors or painting stucco, cut and dry.

The artistic worth of them is not the issue. The issue is it breaks a -- it has broken a longstanding rule of not painting multiple colors on stucco.

MS. NAJI: I know that if you -- I know that there had been a previous incident where some -- I don't know if it was fetishes or what had been painted in front of the -- what is it, the Covered Wagon, along the front of that facade, basically wall murals, prior to when I started working at the city. So it's -- it's been more than six years ago. And they were required to paint over them.

COMMISSIONER AUSTIN: Yes, I remember that case also.

So I think we do have precedent that's got nothing to do with the artistic concept of mural. It has to do with painting stucco. Not allowed.
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MS. NAJI: Unless it is with a sign, which you will understand --

COMMISSIONER AUSTIN: Yes.

MS. NAJI: -- before the end of the day.

CHAIR DUDLEY: So what I'm seeing -- I just pulled up -- let me share my screen. This is the existing guidelines prior to their edits that have come before us since the month of October.

So exterior walls are not to be modified in ways that are not consistent with the historic character of the structure and masonry materials, stucco or paint colors and texture.

Now, one of the items that the applicant submitted via e-mail, and I don't know if any of you commissioners have been able to check your e-mail since we've been in the hearing, were a series of historic buildings and walls that have wall paintings on them. So I'm just going to walk through those.

We all know this one. I -- I walked through Old Town, as well, since we've been considering these new guideline updates. There are a couple of other ones, none -- none as large as the two in question today. But certainly there is some precedent of having murals and paint on walls.

COMMISSIONER AUSTIN: I think that there is some precedent for signage on walls, and that's what I am seeing all these things to be. It's not a picture of -- of a food basket. It says "Groceries."

CHAIR DUDLEY: Well, there is a little mask painted even today on one of the buildings. I have a picture, but I don't have it pulled up. I mean, there are other things other than signs on walls today. But none of them are as noticeable as the two murals in Don Luis.

COMMISSIONER MCKINNEY: Madam Chair, the -- the Stover one, the first one, is actually by the railroad tracks in -- in new town. That one.

CHAIR DUDLEY: Okay.

COMMISSIONER MCKINNEY: That's not in Old Town.

And on -- on -- concerning -- concerning the photograph that is on the La Placita, I think one of the things that I'm really concerned about and -- and we need to do -- finalize the guidelines, is that there are two major properties in Old Town that front the plaza, to a large degree, such as the Charlie Mann store, the basket shop, that one is under new -- new ownership.

And I don't think anything has come before this commission. I would hope that the person knows that any -- anything that they do to La Placita or patio market should be reviewed, should come to the commission. I'd hate to be in this same situation again of having something done and then the knee-jerk reaction of us having to be the bad people.

CHAIR DUDLEY: Well, I guess I'll say that I do think the quality of the murals that were put in, whether or not they were done through the proper channels, were attempted to -- I feel like today's discussion from the applicant and the community that's been present to talk about -- about their opinions on this property show that there was due diligence done.
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I do think it's a disservice, you know, that it is so difficult to maneuver through the city's functions. As a resident, you know, I see it myself with, you know, trying to get a simple thing done, whether it's from traffic or parking or whoever, whichever way you have to go. I know it's a complicated process and you don't always come across the right answers in the way that you think that you should.

So anyway, from today's discussion, I do think that the two local artists' work is a valuable contribution. I think that there is some precedent for murals in -- in Old Town. And I would -- I would recommend that we -- we not require those to be repainted, painted back over.

I know Commissioner Solares in the past has said that he supports murals in Old Town. I know that's also something that we're going to be talking about in a couple items from now, the Old Town guidelines, themselves.

But that's where my opinions are right now on this project. But I do -- I gather that I am in the minority, and we do need to make a -- make a decision on this case before us.

Commissioner Solares.

COMMISSIONER SOLARES: Commissioner Dudley, I'm in agreement with you. And I just wanted to bring up the -- the comment of the patio once more.

I am actually for the patio. I'm just concerned about the whole guardrail and existing and access from it, because, like I said, I thought it initially was a public walkway. So with that being said, the -- I am in agreement with Commissioner Dudley.

CHAIR DUDLEY: Would someone like to make a motion?

COMMISSIONER MCKINNEY: I'm re-reading the recommendation, conditions of approval for the case per staff. I will make a motion at this point, but I will say that I -- I don't want to be -- to leave the impressions that Commissioner McKinney does not like murals.

Federico Vigil is a very dear friend and I think he does wonderful murals, and these two murals, I think, in an appropriate place, I would like. I just don't think that it's appropriate in the historic district of Old Town.

I will say one thing, and I think I mentioned this before when I talked about the murals not being, I felt, appropriate in Old Town, was the -- the trip that I had to Boise, Idaho, where I saw a fantastic grouping in a two-block area of murals downtown in Boise. I think it's misnamed, it's called Freak Alley. But I would -- I would highly recommend that you check it online, because it is -- it's -- it's really entertaining and it does bring in some vitality to an area that is under -- under development within Boise. And the number of murals is absolutely phenomenal. There must be probably 40 or 50.

You know, I -- the other thing that I'm -- I'm concerned about on the -- and I -- I'm not anti-wine either. Let me -- let me state that I was an officer for the New Mexico Vine and Wine Society. It was a State Fair wines judge for 12 years.

I've done my, I've done my picking, I've done my corking and I've done my drinking. And so definitely, I'm not anti-wine. So I'm not anti-mural, I'm not anti-wine.
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I think there is a problem with the railings in front of the — the Mann store, the basket shop, in that it changes the — the appearance tremendously of — of that particular building as viewed from the plaza and from public right-of-way.

I have no idea how the configuration of it ever came about. To my knowledge, nothing has ever come up about that. It was inappropriate in — in how you have the platform in front of the store. And then when — when the city, I assume, during the WPA era, actually lowered the area around the plaza for better drainage is — is where that grade change appeared. And that was done in 1933, '34, I think, that — but if — if someone is going make a motion, I would make a motion basically on the recommendation and conditions of approval for Case Number S-1-2021-01904/Project Number PR-2021-00623 to be in accordance with the recommendation conditions of the staff report, and of its findings.

COMMISSIONER AUSTIN: You came very close to making a motion there.

COMMISSIONER MCKINNEY: I did make a motion. I did make a motion. That was the motion.

COMMISSIONER AUSTIN: That was the motion? Okay.

CHAIR DUDLEY: Do we have a — do we have a second?

COMMISSIONER BELLO: Commissioner Bello, second.

CHAIR DUDLEY: Commissioner Maddox, do you approve? You're muted.

COMMISSIONER MADDOX: Are we voting now?

COMMISSIONER AUSTIN: Yes.

CHAIR DUDLEY: Yes. There's been a motion made by Ms. — by Commissioner McKinney and seconded by Bello.

COMMISSIONER MADDOX: Okay. I vote yes on the motion.

CHAIR DUDLEY: Commissioner Solares.

COMMISSIONER SOLARES: Yes. Can I add something to it, a finding —

CHAIR DUDLEY: You can propose an amended motion.

COMMISSIONER SOLARES: I propose an amendment.

COMMISSIONER MCKINNEY: And if I agree to it.

COMMISSIONER SOLARES: Yes. Is that the fact that that patio needs to be reviewed, you know, for exiting and ADA access, now that they've enclosed it with that — that fence, if we're going to approve it.

CHAIR DUDLEY: Well, Commissioner Solares, what — what McKinney is proposing is that all the conditions that are listed in the staff report Items 1 through 6 are adhered to. That's the motion on the table. So that would mean the removal of the first floor guardrails in front of the basket shop.

COMMISSIONER MCKINNEY: That is correct.
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CHAIR DUDLEY: The old basket shop.

COMMISSIONER SOLARES: Okay. Then I --

CHAIR DUDLEY: (Inaudible) not be there anymore.

COMMISSIONER SOLARES: I misunderstood, then.

CHAIR DUDLEY: Do you approve -- do you approve of the motion?

COMMISSIONER SOLARES: No, I do not approve of taking those guardrails down.

CHAIR DUDLEY: And Commissioner Austin.

COMMISSIONER AUSTIN: I approve.

CHAIR DUDLEY: And I'm not in favor of the motion. So that's 2 to 4.

(Motion approved.)

And, Ms. Naji, can you just confirm that that is adequate to move on?

MS. NAJI: Yes, that vote would pass the motion.

CHAIR DUDLEY: Okay. So the motion is passed. The applicant is required to follow the related conditions, Items 1 through 6, in the staff report.

Thank you all for your time.

COMMISSIONER MCKINLEY: I would like to also thank staff for due diligence and a wonderful report on this. They really went into it. I'm just sorry it came out this way.

(Conclusion of partial transcript of proceedings.)
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RE: CITY OF ALBUQUERQUE LANDMARKS COMMISSION HEARING
MINUTES OF JANUARY 12, 2022, AGENDA ITEM 4

TRANSCRIPTIONIST'S AFFIRMATION

I HEREBY STATE AND AFFIRM that the foregoing is a correct transcript of an audio recording provided to me and that the transcription contains only the material audible to me from the recording was transcribed by me to the best of my ability.

IT IS ALSO STATED AND AFFIRMED that I am neither employed by nor related to any of the parties involved in this matter other than being compensated to transcribe said recording and that I have no personal interest in the final disposition of this matter.

IT IS ALSO STATED AND AFFIRMED that my electronic signature here to does not constitute a certification of this transcript but simply an acknowledgement that I am the person who transcribed said recording.

DATED this 9th day of February 2022.

/S/

Kelli A. Gallegos
NOTICE OF APPEAL

January 28, 2022

TO WHOM IT MAY CONCERN:

The Planning Department received an appeal on January 28, 2022. You will receive a Notice of Hearing as to when the appeal will be heard by the Land Use Hearing Officer. If you have any questions regarding the appeal please contact Alfredo Ernesto Salas, Planning Administrative Assistant at (505) 924-3370.

Please refer to the enclosed excerpt from the City Council Rules of Procedure for Land Use Hearing Officer Rules of Procedure and Qualifications for any questions you may have regarding the Land Use Hearing Officer rules of procedure.

Any questions you might have regarding Land Use Hearing Officer policy or procedures that are not answered in the enclosed rules can be answered by Crystal Ortega, Clerk to the Council, (505) 768-3100.

CITY COUNCIL APPEAL NUMBER: AC-22-5
PLANNING DEPARTMENT CASE FILE NUMBER:
PR-2021-006235, SI-2021-01904, VA-2022-00022

APPLICANT: Jasper Riddle
301 Romero St NW
Albuquerque NM, 87104

AGENT: Zach Cook, Attorney at Law LLC
1703 Sudder Rd.
Ruidoso, NM 88345

cc: Crystal Ortega, City Council, City county bldg. 9th floor
Kevin Morrow/Legal Department, City Hall, 4th Floor-
Zach Cook, Attorney at Law LLC, zach@zachcook.com
Jasper Riddile, jriddle@noisywaterwinery.com
LANDMARKS COMMISSION
AGENDA
WEDNESDAY JANUARY 12, 2022
3:00 P.M.

Due to COVID-19 this meeting is a Public Zoom Video Conference
Members of the public may attend via the web at this address:
https://cabq.zoom.us/j/2269592859

or by calling the following number: 1-301-715-8592 and entering Meeting ID:
226 959 2859

MEMBERS
Rosie Dudley – Chair
Lauren Austin – Vice Chair
Joe McKinney – Damon Maddox
Daniel Solares - Robert Bello

Due to the number of cases and the time required for each, a time limit shall be imposed on all parties in interest to each case. Limits are necessary so that the LC may give the last case on the agenda the same attention given the first. Limits shall be as follows:

<table>
<thead>
<tr>
<th>Role</th>
<th>Time Limit</th>
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</thead>
<tbody>
<tr>
<td>Staff Report</td>
<td>Five Minutes</td>
</tr>
<tr>
<td>Applicant</td>
<td>Ten Minutes</td>
</tr>
<tr>
<td>Other Interested Parties</td>
<td>Two Minutes Each</td>
</tr>
<tr>
<td>Applicant Rebuttal</td>
<td>Five Minutes</td>
</tr>
<tr>
<td>Staff Rebuttal</td>
<td>Five Minutes</td>
</tr>
<tr>
<td>Floor Closed</td>
<td>Commissioners’ discussion and vote</td>
</tr>
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1. Call to Order: 3:00
2. Additions and/or Changes to the Agenda.
3. Approval of the November 10, 2021, & December 8, 2021 Minutes.

<table>
<thead>
<tr>
<th>Case Number</th>
<th>Description</th>
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<tbody>
<tr>
<td>PR-2021-006235</td>
<td>RBA Architecture PC, agent for Old Town ABQ LLC, requests approval of a Certificate of Appropriateness for Alteration at 301 Romero St. NW, described as Lot 186, MGRCD Map 38, Old Town HPO-5 (J-13).</td>
</tr>
<tr>
<td>SI-2021-01904 - Certificate of Appropriateness</td>
<td></td>
</tr>
<tr>
<td>PR-2021-006322</td>
<td>Owen Kramme, agent for Marie Coleman, requests approval of a Certificate of Appropriateness for new construction at 522 Romero St. NW, described as Lot 232A, Block 42, MGRCD Map 38, Old Town HPO-5 (J-13).</td>
</tr>
<tr>
<td>SI-2021-02070</td>
<td></td>
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</tbody>
</table>
6. PR-2021-006321
SI-2021-02069
Brian Langwell, requests approval of a Certificate of Appropriateness for new construction and signage at 524 Romero St. NW, described as Lot 232B, Old Town HPO-5 (J-13).

7. PR-2019-002225
SI-2021-01458 – Amendment to Historic Design Standards and Guidelines – Old Town (HPO-5)
The City of Albuquerque Planning Department requests the above action to amend the Historic Design Standards and Guidelines for Old Town - HPO-5 (J-13-Z). Applies to all properties within Old Town – HPO-5.

8. Other Business:

9. Adjourn

INDIVIDUALS WITH DISABILITIES who need special assistance to participate at this hearing should contact the Planning Department, at 924-3860(VOICE) or TTY users may access the voice number via the New Mexico Relay Network by calling 1-800-659-8331.

NOTICES OF DECISION will be mailed only to the applicant or agent. All other interested parties can view and print a copy of the decision at the following website or a hard copy is available at our office on the 3rd floor, City Planning. www.cabq.gov/planning/boards-commissions/landmarks-commission/landmarks-commission-agendas-action-sheets