



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

Date: April 13, 2017

OFFICIAL NOTIFICATION OF DECISION

Project # 1000026
17-LUCC-50012
Application for Certificate of
Appropriateness

Larry Parker, requests approval of a Certificate of Appropriateness for Alteration at 423 Central Ave. NW, described as Tract 24 Block 11 city Landmark. (K-14)

On April 12, 2017 the Landmarks and Urban Conservation Commission voted to **Approve Project # 1000026 17-LUCC-50012**, based on the following findings and conditions.

Findings for Approval:

1. This application is a request for a Certificate of Appropriateness for alterations at 423 Central Avenue NW, described as Lot 24, Block 11 of the Original Townsite of Albuquerque, a City Landmark, and zoned SU-3.
2. The proposal is to install a roll down security gate at the front of the KiMo Theatre between the two pairs of plaster scrolls at the east and west edges of the entry vestibule.
3. Section 14-12-8(A) of the Landmarks and Urban Conservation Ordinance states that within the boundaries of a historic zone, the exterior appearance of any structure shall not be altered, new structures shall not be constructed, and existing structures shall not be demolished until a Certificate of Appropriateness has been duly approved.
4. The LUC Ordinance specifies that an application for a Certificate of Appropriateness shall be approved if it complies with several specified criteria. The LUC Ordinance Section 14-12(8) (B) (1) states that a Certificate of Appropriateness shall be approved if "*The change is consistent with*

the designation ordinance and specific development guidelines for the landmark or historic zone”.

5. The proposed work is consistent with the designation ordinance 29-1990. The proposed work does not conflict with the relevant development guidelines for the KiMo Theatre City Landmark as described in the staff report and in Findings 6 through 8 below.
6. The proposal will provide for the safety and security of the KiMo Theatre with minimal alteration to the original structure,
7. The alterations are removable and reversible should such a security device no longer be required.
8. 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 of any historic zone or urban conservation overlay zone in which it is located will not be significantly impaired or diminished”. The architectural character, historical value of the KiMo Theatre will not be significantly impaired or diminished due to the proposal’s conformance with the specific development guidelines.

Conditions of Approval Recommended

1. Applicant to return to LUCC at next meeting with design specifics for approval.
2. Applicant is responsible to acquire, and approval is contingent upon, approval of all applicable permits and related approvals.

APPEAL: IF YOU WISH TO APPEAL A FINAL DECISION YOU MUST DO SO IN THE MANNER DESCRIBED BELOW. A NON-REFUNDABLE FILING FEE WILL BE CALCULATED AT THE LAND DEVELOPMENT COORDINATION COUNTER AND IS REQUIRED AT THE TIME THE APPEAL IS FILED.

The applicant or any person aggrieved by decision of city staff may appeal the decision of the city staff designated by the Mayor relative to a Certificate of Appropriateness to the Commission. The applicant or any person aggrieved by decision of the Commission (LUCC) 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 April 12, 2017 WILL BE MAILED A CERTIFICATE OF APPROPRIATENESS, AFTER THE 15-DAY APPEAL PERIOD HAS EXPIRED ON April 27, 2017.

Sincerely,

A handwritten signature in black ink, appearing to read "Leslie Naji", is written over a light gray rectangular background. The signature is cursive and includes a long horizontal stroke extending to the right.

Leslie Naji
Planner, Landmarks and Urban Conservation Commission