

**Landmarks & Urban
Conservation Commission**



**Agenda Number: 5
Case No.: 17-LUCC-50012
Project # 1000026
April 12, 2017**

Staff Report

Agent	Larry Parker	<p>Staff Recommendation</p> <p><i>Approval of Case # 17-LUCC-500112, Project #1000026, a request for Certificate of Appropriateness for Alterations based on the Findings beginning on page 7 and subject to the conditions on page 8.</i></p> <p style="text-align: right;">Leslie Naji, Senior Planner Staff Planner</p>
Applicant	City of Albuquerque KiMo Theatre	
Request	Certificate of Appropriateness for Alterations	
Legal Description	Lot 24, Block 11 Original Townsite	
Address/Location	423 Central Avenue NW	
Size	0.24 acres	
Zoning	SU-3	
Historic Location	City Landmark KiMo	

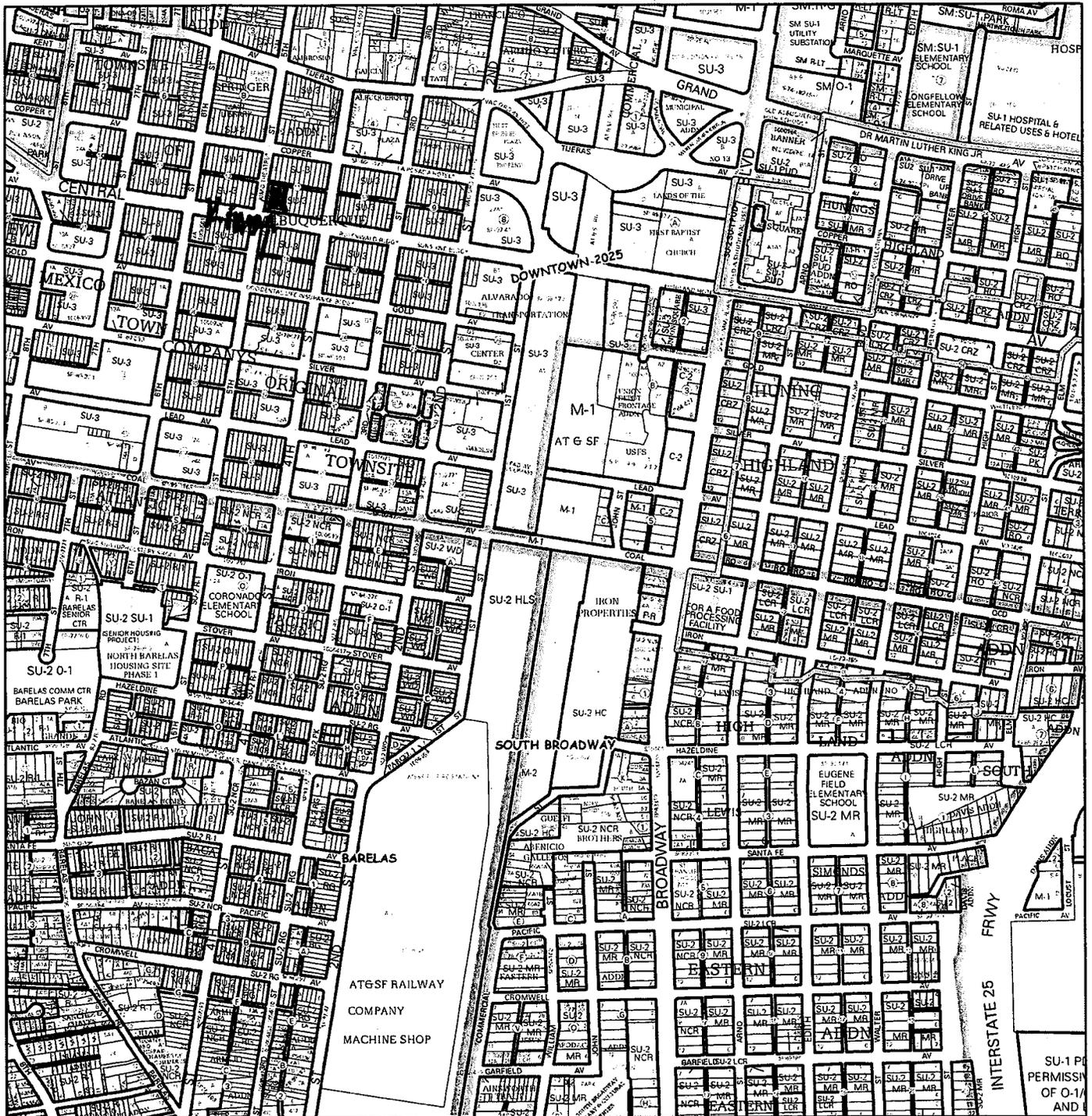
Summary of Analysis

The application is for a Certificate of Appropriateness for the installation of a retractable security gate across the exterior ticket lobby of the KiMo Theatre, a City Landmark. Over the past years, an increase in the number of vagrancies, break-ins and fires set in the outside vestibule area has left the KiMo in a vulnerable state.

In an effort to protect the KiMo from further damage, which could escalate and cause serious harm, the City of Albuquerque requests approval of a retractable gate to be located between two pairs of decorative scrolls at sidewalk level. This would enable the closing off of the outside lobby area at times when no one is on the premises.

This project has been reviewed for consistency with the intent of the Development Guidelines for the KiMo Theatre adopted by the LUCC in 1990.

PRIMARY REFERENCES: LUCC Rules of Procedure, Development Guidelines for the KiMo Theatre.



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

Map amended through: 1/28/2016

Note: Grey Shading Represents Area Outside of the City Limits

Zone Atlas Page:
K-14-Z

Selected Symbols

SECTOR PLANS	Escarpment
Design Overlay Zones	2 Mile Airport Zone
City Historic Zones	Airport Noise Contours
H-1 Buffer Zone	Wall Overlay Zone
Petroglyph Mon.	

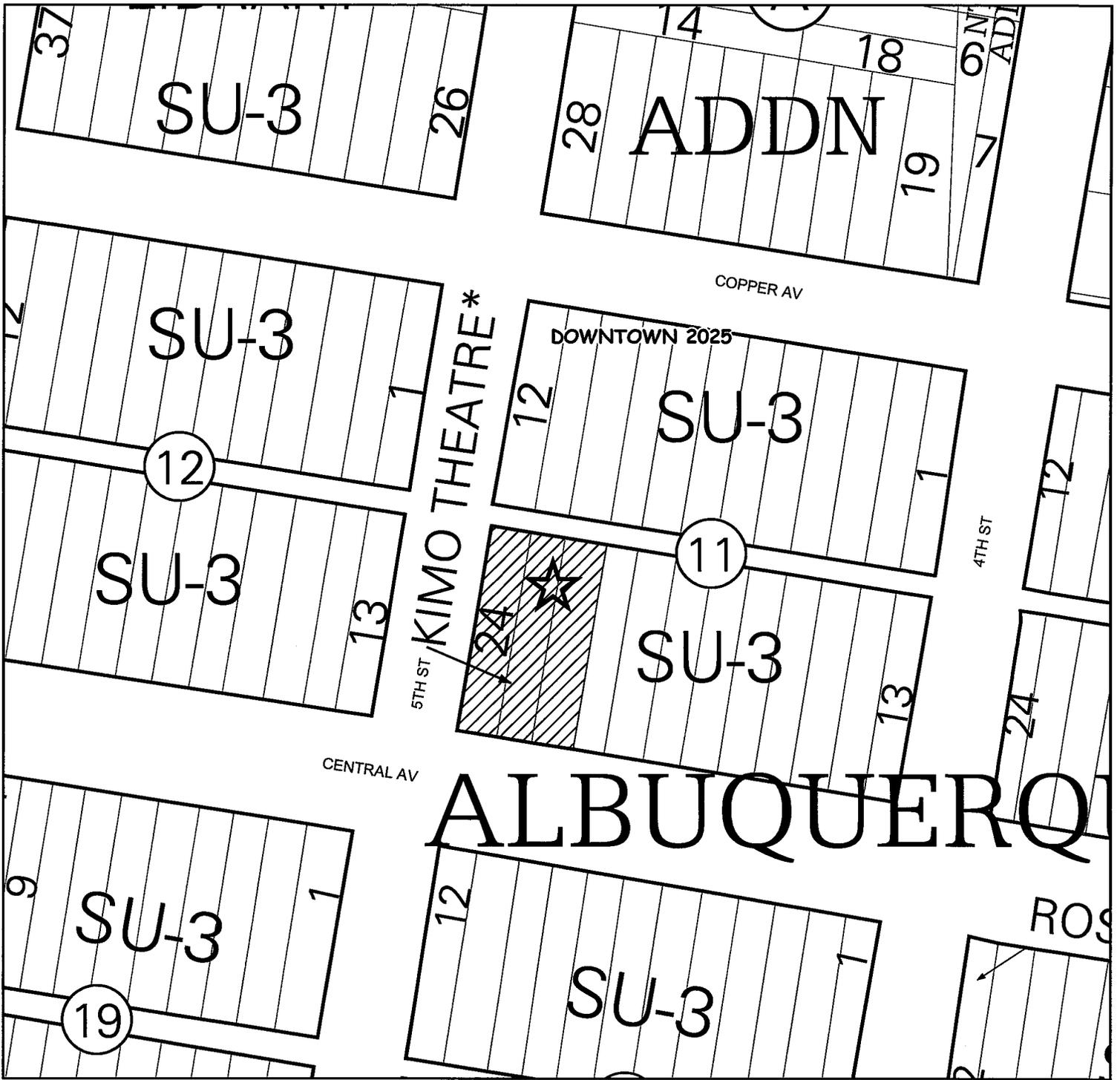
0 750 1,500 Feet



Public Facilities Map with One-Mile Buffer

- | | | | | | | | |
|--|----------------------|--|-------------------------|--|--------------------------|--|-----------------------------|
| | COMMUNITY CENTER | | FIRE | | Public Schools | | Landfill Buffer (1000 feet) |
| | MULTI-SERVICE CENTER | | POLICE | | Proposed Bike Facilities | | Landfills designated by EHD |
| | SENIOR CENTER | | SHERIFF | | ABQ Bike Facilities | | Developed County Park |
| | LIBRARY | | SOLID WASTE | | ABQ Ride Routes | | Undeveloped County Park |
| | MUSEUM | | Albuquerque City Limits | | | | Developed City Park |
| | | | | | | | Undeveloped City Park |

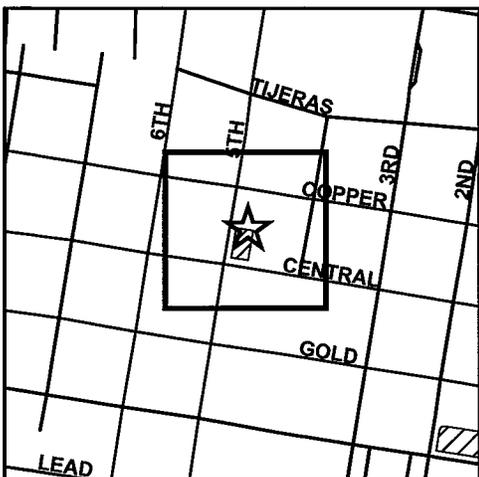




ALBUQUERQUE

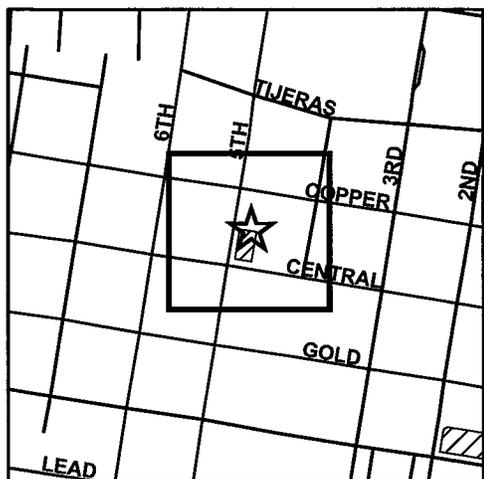
ZONING MAP

Note: Grey shading indicates County.



1 inch = 92 feet

Project Number:
1000026
Hearing Date:
04/12/2017
Zone Map Page: K-14
Additional Case Numbers:
17LUCC-50012



LAND USE MAP

Note: Grey shading indicates County.

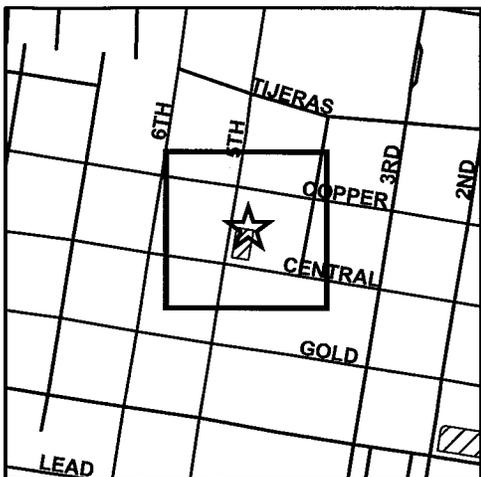
KEY to Land Use Abbreviations

- AGRI Agriculture
- COMM Commercial - Retail
- CMSV Commercial - Service
- DRNG Drainage
- MFG Manufacturing
- MULT Multi-Family or Group Home
- PARK Park, Recreation, or Open Space
- PRKG Parking
- PUBF Public Facility
- SF Single Family
- TRAN Transportation Facility
- VAC Vacant Land or Abandoned Buildings
- WH Warehousing & Storage



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HISTORY MAP

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1 inch = 92 feet

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SUMMARY OF REQUEST

<i>Request</i>	<i>Certificate of Appropriateness for Alterations to a City Landmark</i>
<i>Historic Location</i>	<i>Downtown, KiMo Theatre City Landmark</i>

AREA HISTORY AND CHARACTER

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

	<i># of Stories</i>	<i>Roof Configuration, Architectural Style and Approximate Year of Construction</i>	<i>Historic Classification & Land Use</i>
<i>General Area</i>	2-3	Decorative brick, Flat roofed commercial and mixed use buildings. 1910-135 Largely brick faced with zero setbacks from property line. Some International style, 1948	Contributing & Non-contributing Commercial
<i>Site to the North</i>	5	Flat Roof. Parking Structure, Concrete w/ Pebble finish	Non-Contributing, Commercial
<i>Sites to the South</i>	2	Flat roof with cornice. Bracketed Style. 1914	Contributing, Commercial
<i>Sites to the East</i>	2	Flat roof with parapet. Brick storefront, 1935	Contributing Commercial
<i>Site to the West</i>	4	International Style. Flat Roof 1948	Contributing, Public/Gov't

INTRODUCTION

Proposal and History

The applicant seeks a Certificate of Appropriateness for the installation of a retractable security gate at the KiMo Theatre. Since the summer of 2016, there has been an increase in the number of act of vandalism toward the Theatre. The coming of colder weather has also led to the increased usage of the outer foyer to be used as shelter by the homeless and as a result, there have also been a number of small fires utilized to keep warm. While these fires have not caused any permanent damage thus far, there has been evidence of charring on the wall tiles and it may be a matter of time before something more serious transpires.

In an effort to thwart any further damage and keep the KiMo as a pristine landmark of the City of Albuquerque, some method of preventing the homeless and others from using the vestibule as a shelter and public restroom needs to be put into place. Considering the limited clearance between the ticket booth, often a target of vandalism, and column scrolls, which is level with the innermost decorative scrolls, the applicant is proposing placing a roll-up security gate from east to west between the two pairs of scrolls. This will minimize the appearance of the security gate when it is raised and block off from the street the most vulnerable areas of the foyer when no-one is on site.

This placement may require some shaving of the scrolls to fit the mechanism; however, should the security gate no longer be required, the plaster could be repaired.

Context

Built in 1927 and designated a City Landmark in 1979, the Pueblo-Deco styled KiMo Theatre is one of the most historically significant structures in Albuquerque. The Pueblo-Deco was a unique and flamboyant regional blend of ornamental details of Mexican and Native American designs with *art moderne* elements that were popular in the 1920s and 1930s.

As stated in the City Landmark designation file, the KiMo was the first movie palace in Albuquerque and opened its doors with a showing of *Painting the Town*, the same year the first *talkie* opened to moviegoers across the country. It hosted not only motion pictures, but vaudeville road shows as well. Pablo Abeita, Governor of the Isleta Pueblo, won a fifty dollar prize for naming the Theatre. KiMo is the combination of two Tewa words meaning “mountain lion” but liberally interpreted as “King of its Kind.”

The interior includes plaster ceiling beams to mimic actual wood vigas, colorful Indian symbols, air vents disguised as hanging Navajo rugs, war-drums, Native American death canoe chandeliers, wrought iron bird railings, shields and buffalo skulls with red glowing eyes. The crowning touch of the lobby remains the seven murals painted by Carl von Hassler depicting the Seven Cities of Gold that conquistador Coronado was searching for during his expeditions in New Mexico from 1540-1542.

A large fire in the early 1960's nearly destroyed the stage and severely damaged adjacent areas at the front of the auditorium. Added to that was the urban blight of the 1960s, which left the KiMo to fall into disrepair and disuse. By 1977 it was scheduled for demolition, as were many of the nation's elaborate early downtown theatres. In an effort to save it, the City of Albuquerque purchased the building and citizens voted to renovate and preserve this unique structure.

In 1990, the LUCC adopted development guidelines for the City Landmark.

APPLICABLE PLANS, ORDINANCES, DESIGN GUIDELINES & POLICIES

ANALYSIS

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

Ordinance No. 29-1990 Designating KiMo Theatre a City Landmark

This resolution designated the City Landmark. The ordinance was designated by the City Council on May 7, 1990 effective on 11 June, 1990. The ordinance included the significance of the structure both culturally and historically and refers to features worthy of preservation and general preservation guidelines for the landmark as issued by the LUCC.

The proposal does not conflict with the designation ordinance.

Development Guidelines for the KiMo Theatre City Landmark

Adopted by the Landmarks and Urban Conservation Commission on August 1, 1990:

The initial building analysis conducted for the KiMo Theatre identifies the following significant architectural features:

1. Design details of the south and west facades
2. Design details and fixtures of the entryway, lobby, mezzanine, auditorium and stage areas.

Since the completion of its National Register of Historic Places nomination and its original designation as a City Landmark, the KiMo Theatre has been carefully renovated. In any future rehabilitation of the KiMo:

Interior and exterior design details and fixtures shall be preserved. The colors, materials and motifs used in the 1982 renovation should be retained and any new work should be compatible with the features already in place.

The proportions and shape of the marquee, which closely match those of the original, shall also be retained.

Any alterations to this property shall retain these significant features. Where necessary, these elements should be repaired rather than replaced; any replacement should utilize materials and design matching the original. In addition to these guidelines, the Secretary of the Interior's

Standards for Historic Preservation projects should be utilized in reviewing proposed changes to the property.

Additions to the building could be allowed if necessary to facilitate reuse of the property. Additions shall be compatible in scale, massing and exterior material with the original structure and should be designed so that it is clearly possible to distinguish the original structure from the later addition.

City staff is authorized to review and approve proposals for minor changes that do not require a building permit, as well as proposals for changes to freestanding walls, fences and signs. Staff may refer applications for these items to the LUCC if there are concerns regarding potential impacts on the architectural or historical character of the property.

Although the proposal is for a relatively minor alteration to the property, staff has opted to submit to the LUCC for final approval. The need for the added security is apparent; however, as the proposed gate will be apparent when it is in use and will require minor alterations to the exterior for attachment, it is believed that the LUCC should have a voice in the matter.

Landmarks and Urban Conservation Ordinance

This site consists of a City Landmark and as such is subject to certain provisions of the Landmarks and Urban Conservation Ordinance (Article 12, R.O.A., 1994). The purpose of this ordinance is to:

“Preserve, protect, enhance, perpetuate and promote the use of structures and areas of historical, cultural, architectural, engineering, archeological or geographic significance located in the city; to strengthen the city’s economic base by stimulating the tourist industry; to enhance the identity of the city by protecting the city’s heritage and prohibiting the unnecessary destruction or defacement of its cultural assets; and to conserve existing urban developments as viable economic and social entities.”

Section 14-12-8 (A) of the LUC ordinance provides that

“Within the boundaries of a historic zone, urban conservation overlay zone, or landmark site, 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,”

Section 14-12-8 (A) of the LUC ordinance provides criteria for approval of a Certificate of Appropriateness:

§14-12-8-B (1) The change is consistent with the designation ordinance and specific development guidelines for the historic overlay zone.

§14-12-8 (B) (2) The architectural character, historical value, or archaeological value of the structure or site itself or of any historic zone in which it is located will not be significantly impaired or diminished.

§14-12-8 (B) (3) The change qualified as a “certified rehabilitation: pursuant to the Tax Reform Act of 1976.

§14-12-8 (B) (4) The structure or site’s distinguished original qualities or character will not be altered. Original shall mean at the time of initial construction or developed over the course of history of the structure.

§14-12-8 (B) (5) Deteriorated architectural features should be repaired rather than replaced, if possible. If replacement is necessary, the new material shall match the original as closely as possible in like material and design.

§14-12-8 (B) (6) Additions to existing structure and new construction may be of contemporary design if such design is compatible with the historic zone in which it is to be located.

The LUC ordinance criteria have been reviewed for compliance against this proposal where it is relevant. The KiMo is a valued City Landmark and it is the intension of this request for security to further its preservation and safety. The proposal is compliant with the LUC Ordinance.

Additional Considerations

The applicant notified the Silver Platinum Neighborhood Association of this request. No comment has been received to date.

Conclusions

FINDINGS for APPROVAL of a request for a Certificate of Appropriateness for new construction - Case 17-LUCC-50012 / Project # 1000026 (April 12, 2017)

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.

RECOMMENDATION - Case No. 17-LUCC-50012/ Project # 1000026– April 12, 2017

APPROVAL of 17-LUCC-50012/Project #1000026, an application for a Certificate of Appropriateness for alterations, located at 423 Central Avenue NW, described Lot 24, Block 11 of the Original Townsite of Albuquerque, a City Landmark, zoned SU-3 based on the above eight findings and subject to the following conditions.

Conditions of Approval Recommended

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



**Leslie Naji, Planner
Urban Design and Development Division**

APPLICATION MATERIAL

City of Albuquerque



DEVELOPMENT/ PLAN REVIEW APPLICATION

Supplemental Form (SF)

SUBDIVISION

- Major subdivision action
- Minor subdivision action
- Vacation
- Variance (Non-Zoning)

SITE DEVELOPMENT PLAN

- for Subdivision
- for Building Permit
- Administrative Amendment/Approval (AA)
- IP Master Development Plan
- Cert. of Appropriateness (LUCC)

STORM DRAINAGE (Form D)

- Storm Drainage Cost Allocation Plan

S Z ZONING & PLANNING

- Annexation
- Zone Map Amendment (Establish or Change Zoning, includes Zoning within Sector Development Plan boundaries)
- Sector Plan (Phase I, II, III)
- Amendment to Sector, Area, Facility or Comprehensive Plan
- Text Amendment (Zoning Code/Sub Regs)
- Street Name Change (Local & Collector)
- L A APPEAL / PROTEST of...**
 - Decision by: DRB, EPC, LUCC, Planning Director or Staff, ZHE, Board of Appeals

PRINT OR TYPE IN BLACK INK ONLY. The applicant or agent must submit the completed application in person to the Planning Department Development Services Center, 600 2nd Street NW, Albuquerque, NM 87102. Fees must be paid at the time of application. Refer to supplemental forms for submittal requirements.

APPLICATION INFORMATION:

Professional/Agent (if any): Larry Pauller PHONE: 331-6338
 ADDRESS: 423 Central Ave NW FAX: _____
 CITY: ABQ STATE NM ZIP 87102 E-MAIL: _____

APPLICANT: City of Albuquerque / Kimo Theatre PHONE: 505-769-3595
 ADDRESS: 423 Central Ave NW FAX: 505-769-3542
 CITY: ALBUQUERQUE STATE NM ZIP 87102 E-MAIL: lpauller@cityofabq.gov
 Proprietary interest in site: _____ List all owners: _____

DESCRIPTION OF REQUEST: INSTALL SECURITY GATES (RETRACTABLE) ACROSS OUTSIDE TICKET VESTIBULE

Is the applicant seeking incentives pursuant to the Family Housing Development Program? Yes. No.

SITE INFORMATION: ACCURACY OF THE EXISTING LEGAL DESCRIPTION IS CRUCIAL! ATTACH A SEPARATE SHEET IF NECESSARY.

Lot or Tract No. 24 Block: 11 Unit: _____
 Subdiv/Addn/TBKA: ORIGINAL TOWNSITE OF ABQ
 Existing Zoning: SU-3 Proposed zoning: _____ MRGCD Map No _____
 Zone Atlas page(s): K-14 UPC Code: 101405714244524002

CASE HISTORY:

List any current or prior case number that may be relevant to your application (Proj., App., DRB, AX_Z, V, S, etc.): 10000026, 1008859, 1001620

CASE INFORMATION:

Within city limits? Yes Within 1000FT of a landfill? No
 No. of existing lots: 1 No. of proposed lots: _____ Total site area (acres): 0.24
 LOCATION OF PROPERTY BY STREETS: On or Near: 423 Central Ave NW
 Between: 4th St. and 5th St.

Check if project was previously reviewed by: Sketch Plat/Plan or Pre-application Review Team (PRT) Review Date: _____

SIGNATURE [Signature] DATE 3/21/17
 (Print Name) LARRY D. PAULLER Applicant: Agent:

FOR OFFICIAL USE ONLY

- INTERNAL ROUTING
- All checklists are complete
- All fees have been collected
- All case #s are assigned
- AGIS copy has been sent
- Case history #s are listed
- Site is within 1000ft of a landfill
- F.H.D.P. density bonus
- F.H.D.P. fee rebate

Application case numbers	Action	S.F.	Fees
<u>17 LUCC-50012</u>	<u>COA</u>	_____	\$ <u>0</u>
_____	<u>CME</u>	_____	\$ <u>0</u>
_____	<u>ADU</u>	_____	\$ <u>0</u>
_____	_____	_____	\$ _____
_____	_____	_____	\$ _____
_____	_____	_____	\$ _____
Total			\$ <u>0</u>

Hearing date April 12, 2017

[Signature] 3-8-17 Staff signature & Date

Project # 10000026

Revised: 6/2011

FORM L: LANDMARKS AND URBAN CONSERVATION COMMISSION

- CERTIFICATE OF APPROPRIATENESS PUBLIC HEARING
- CERTIFICATE OF APPROPRIATENESS STAFF DECISION
- CERTIFICATE OF COMPLIANCE (HH-Edo UCOZ)

- | | |
|--|--|
| Historic Zone or Designation:
<input type="checkbox"/> Historic Old Town
<input type="checkbox"/> Historic Old Town Buffer Zone
<input type="checkbox"/> Huning Highland
<input type="checkbox"/> Fourth Ward
<input type="checkbox"/> Eighth & Forrester
<input checked="" type="checkbox"/> City Landmark
<input type="checkbox"/> HH-Edo UCOZ | Type of Request:
<input checked="" type="checkbox"/> Alteration
<input type="checkbox"/> New Construction
<input type="checkbox"/> Sign (Please read the note below)*
<input type="checkbox"/> Relocation
<input type="checkbox"/> Demolition
<input type="checkbox"/> National Register Nomination Review
<input type="checkbox"/> City Landmark Designation
<input type="checkbox"/> City Overlay Designation
<input type="checkbox"/> Other _____ |
|--|--|

- Number and Classification of structures on property:**
- | | |
|---|--|
| # <input type="checkbox"/> Significant Structures | Does this request involve a residential property? |
| # <input type="checkbox"/> Contributing Structures | <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No |
| # <input type="checkbox"/> Noncontributing Structures | Are tax credits or preservation loan funds applied for in connection with this proposal? |
| # <input type="checkbox"/> Unclassified Structures | <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No |

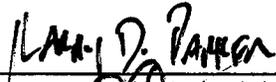
Attention applicants:
 A conference with the LUCC Planner is advised prior to application. Call the LUCC Administrative Assistant at 924-3883 for an appointment. At the conference, the planner will determine if your project may be approved administratively or if a public hearing before the Commission is required. The planner will also determine what materials are required to complete an application. These requirements will be indicated on the "Project Drawing Checklist" that the planner will complete during your pre-application conference. For public hearings, the applicant will prepare packets containing one each of the items with drawings folded to fit into an 8.5" by 14" pocket.

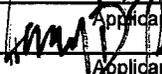
- LUCC public hearing applications:**
 - Project drawing checklist completed during a consultation with LUCC planner
 - All materials indicated on the project drawing checklist. **15 packets for residential projects 18 for nonresidential or multi-use projects.**
 - Letter detailing the scope of the proposal including:
 1. Extent of work to be done
 2. Use(s) of existing and/or proposed site(s) and structure(s)
 3. Square footage of proposed structure(s)
 4. Proposed phasing of improvements and provisions for interim facilities
 5. Relevant historic facts
 - Zone Atlas map with the entire property precisely and clearly outlined and crosshatched
 - Office of Neighborhood Coordination inquiry response, notifying letter, certified mail receipts
 - Sign Posting Agreement (provided upon application)

- Administrative (Staff) Approval checklist:**
 - Project drawing checklist completed during consultation with LUCC planner
 - All materials indicated on the project drawing checklist and required by the LUCC planner
 - Letter detailing the scope of the proposal including:
 1. Extent of work to be done
 2. Use(s) of existing and/or proposed site(s) and structure(s)
 3. Square footage of proposed structure(s)
 4. Proposed phasing of improvements and provisions for interim facilities
 5. Relevant historic facts
 - Zone Atlas map with the entire property precisely and clearly outlined and crosshatched
 - Administrative Approval (LUCCS) Sign Posting Agreement
 - LUCC building permit waiver signed by the applicant (provided upon approval)

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

I, the applicant, acknowledge that any information required but not submitted with this application will likely result in deferral of actions.



 Applicant name (print)


 Applicant signature/date

<input type="checkbox"/> Checklists complete	Application case numbers	Form revised October 2007
<input type="checkbox"/> Fees collected	17-LUC-50012	 3-8-17
<input type="checkbox"/> Case #s assigned	_____	Dev Review Division signature/date
<input type="checkbox"/> Related #s listed	_____	PROJECT# 1000026

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 March 28, 2017 to April 12, 2017

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.

[Signature]
(Applicant or Agent)

3/6/17
(Date)

I issued 1 signs for this application, 3-8-17 (Date) [Signature] (Staff Member)

PROJECT NUMBER: 1000026



423 Central Ave NW • Albuquerque, NM 87102
505-768-3522 • kimoabq.org

March 8, 2017

Leslie S. Naji
Planner- Historic Preservation
Planning Department
Urban Design & Development
600 2nd Street NE/3rd Floor.
Albuquerque, NM 87102

I have included the following for our LUCC Application:

10 Copies for Hearing and 1 for staff Review:

- 11 Copies of the Application (*3 pages)
- 11 Copies of the cover letter and summary of recent damage (4 pages)
- 11 Copies of elevation drawing and pictures (1 page)
- 11 Copies of sample gates (1 page)
- 11 Copies of Office of Neighborhood Coordination cover letter & checklist (2 pages)
- 11 Copies of Attachment A- Silver Platinum Downtown NA Contact list (1 page)
- 11 Copies of completed Notification Inquiry Form (1 page)
- 11 Copies of Zone Atlas Map with KiMo highlighted in RED (1 page)
- 11 Copies of letters to Silver Platinum Downtown NA members: (2 pages)
 - Ron Casias
 - Leonard Marin

Copy of USPO receipt for certified mail, return receipt requested for two Letters to Silver Platinum Downtown NA members Casias and Marin.

I believe this should be a complete application from the KiMo Theatre to the LUCC.

Thanks for your invaluable assistance in this matter.

Cordially,

Larry Parker
Manager
KiMo Theatre



423 Central Ave NW • Albuquerque, NM 87102
505-768-3522 • kimoabq.org

March 7, 2017

Leslie S. Naji
Planner- Historic Preservation
Planning Department
Urban Design & Development
600 2nd Street NE/3rd Floor.
Albuquerque, NM 87102

Dear Leslie,

Attached is the KiMo Theatre's application to LUCC for a Certificate of Appropriateness to install A protective gate to the front of the KiMo Theatre, 423 Central Ave NW, Albuquerque, New Mexico.

Since last August, the KiMo has seen an alarming increase in vandalism at the theatre. There have also been several instances where the homeless have been sleeping in the outer foyer/entrance of the theatre. We are especially concerned over the increasing number of small fires which have been started in this area. These acts of vandalism are outlined in the attached report.

Our request to LUCC is to install a protective gate in the opening of the outer foyer/entrance on Central Avenue. Our hope is to find something that can be installed either between or directly below corbels at the front of the theatre near the marquee. The casing for this gate will be painted to match the brown trim over the front entrance of the theatre. Further discussion will be planned with LUCC to discuss these details. Photos of this area are included with the front elevation of the theatre.

While the KiMo Theatre and management of the City's Cultural Services Department are committed to maintaining the historic nature of the iconic facility, we are feel it is imperative that we place a priority to protecting this valuable city asset.

We will be happy to meet with you or any member of the LUCC to discuss this project in greater detail.

Cordially,

Larry Parker
Manager
KiMo Theatre
City of Albuquerque



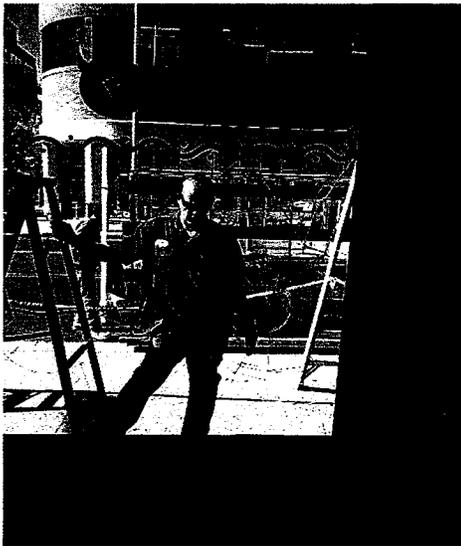
423 Central Ave NE • Albuquerque, New Mexico 87102

505-768-3544 • www.KiMoTickets.com

Security Issues at the KiMo - Broken Glass

Since the summer of 2016, there has been an alarming increase in security and vandalism issues which will require actions be considered and approved in order to protect the iconic and historic KiMo Theatre. A summary of these events include:

- **Sunday, August 7, 2016** - A break in occurred at about 5:30 a.m. The individual forced open the two center doors facing Central Avenue. The hardware was adjusted and there have been no further break-ins. However, the door hardware may need to be replaced soon on all six doors.
- **Saturday, October 23, 2016** - Shortly after the downtown bars closed at 2 a.m. a man put his fist through the large window on the NW corner of the Box Office. APD was called and he was arrested. The graffiti film on this window kept the remaining glass from shattering and kept the window mostly in place until it was replaced a few days later. A photo of the damage is below:



23-Oct-16



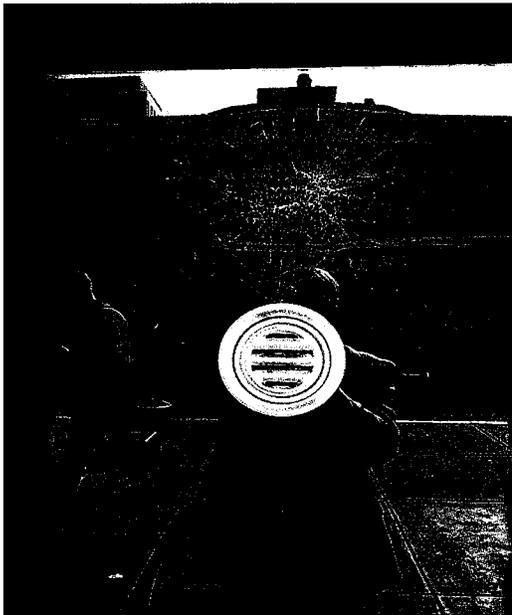
16-Nov-16

- **Wednesday, November 16, 2016**- Shortly before the downtown bars closed at around 2 a.m. a man threw a garbage can lid through the SE window of the Box Office. The interior video captured the vandalism, but the individual can not be identified. Graffiti film on the window kept the remaining glass from shattering and kept the window mostly in place until it was replaced a few days later. A photo of the damage is above to the right.

Security Issues at the KiMo - Broken Glass

- **Tuesday, December 20, 2016** - The window in the old Box Office/Kiosk facing Central was damaged sometime between Sunday, December 19th and Tuesday morning, December 20th. We have no video of this due to where the APD exterior cameras are located. Again, the graffiti film on this window kept the remaining glass from shattering and kept the window mostly in place until it was replaced a few days later.

A photo of the damage is below:



20-Dec-16



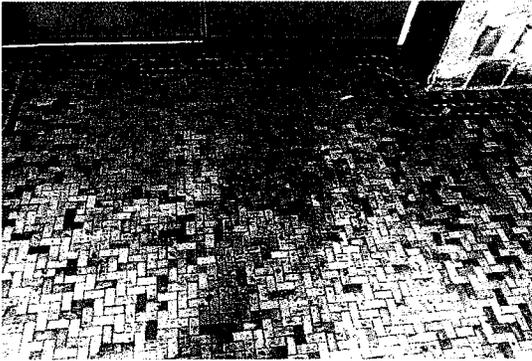
7-Feb-17

- **Tuesday, February 7, 2017** - The window in the door to old Box Office/Kiosk facing the entrance to the KiMo was damaged sometime between Sunday, February 5th and Tuesday morning, February 7th. We have no video of this due to where the APD exterior cameras are located. Again, the graffiti film on this window kept the remaining glass from shattering and kept the window mostly in place until it was replaced a few days later.

A photo of the damage is above to the right.

Security Issues at the KiMo - Fires in the Foyer

- **Thursday, January 5, 2017** -When the KiMo staff arrived on Thursday, January 5, 2017 the remnants of a small fire were found in the outer foyer near the east doors of the main entrance to the theatre.
- **Tuesday, February 14, 2017** -When the KiMo staff arrived on Tuesday, February 14, 2017 the remnants of a larger fire were found in the outer foyer near the west doors of the main entrance to the theatre. Using a power washer, most of the soot from this fire has been cleaned. There has been one small additional fire in late January. Photos are below



5-Jan-17



14-Feb-17

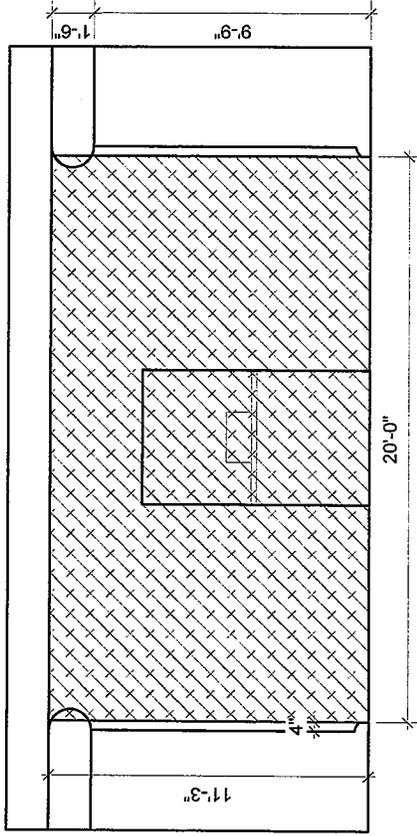


CLEANED TILE

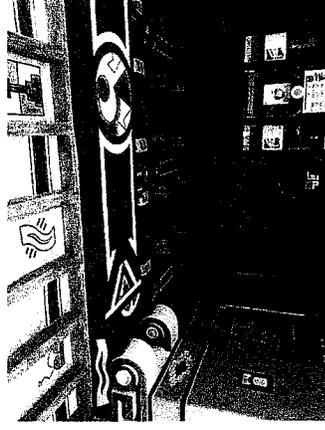
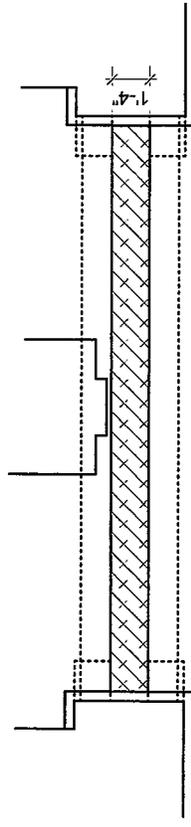
Central Avenue Protective Gate Proposal



Front Elevation with Dimensions - KiMo Theatre



Top Elevation with Dimensions - KiMo Theatre

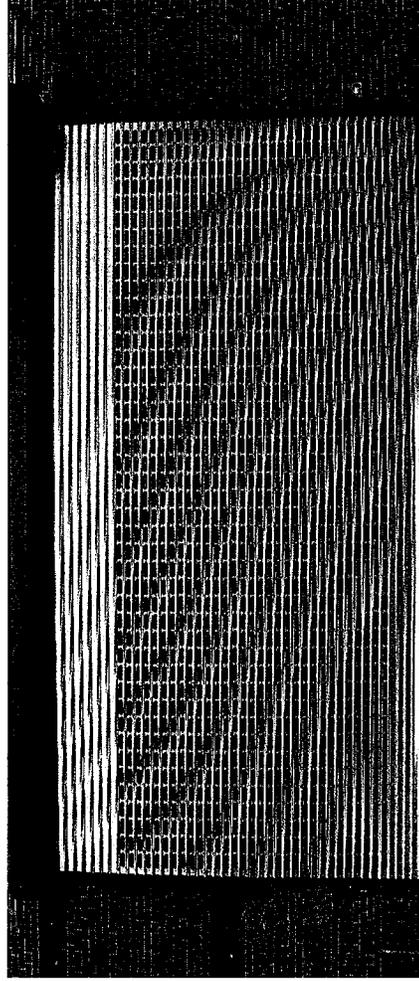
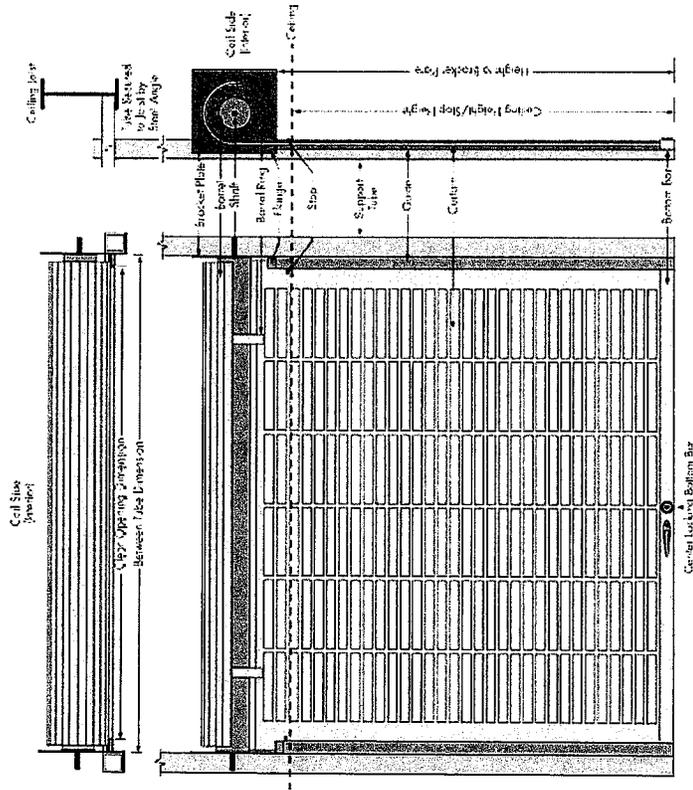
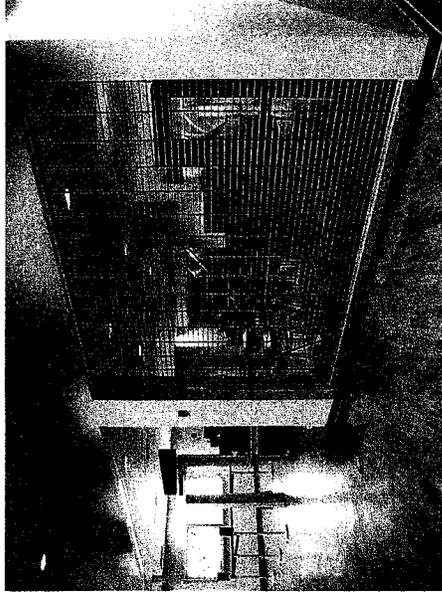


Front Entrance - KiMo Theatre

Central Avenue Protective Gate Proposal



Sample Gates to be considered for KIMMO Theatre.



Open Pattern Rolling Gate

General Looking Bottom Bar



City of Albuquerque

P.O. Box 1293, Albuquerque, NM 87103

***PLEASE NOTE:** The NA/HOA information listed in this letter is valid for one (1) month. If you haven't filed your application within one (1) month of the date of this letter - you will need to get an updated letter from our office.

March 8, 2017

Larry D. Parker
City of Albuquerque, KiMo Theatre, Cultural Services Department
423 Central Ave.
Albuquerque, NM 87102
(505) 331-6338
lparker@cabq.gov

Dear Larry:

Thank you for your inquiry requesting the names of ALL Neighborhood and/or Homeowner Associations who would be affected under the provisions of *§14-8-2-7 of the Neighborhood Association Recognition Ordinance* by your proposed **[LUCC Submittal]** project recorded as **[LOT 24, BLOCK 11, ORIGINAL TOWNSITE OF ALBUQUERQUE]** located on **[Central Ave. between 4th Street and 5th Street]** zone map **[K-14]**.

This correspondence serves as your "Notification Inquiry Letter" from the Office of Neighborhood Coordination, and must be included as part of your application. Please see "ATTACHMENT A" for a list of NA's / HOA's that must be contacted regarding this submittal.

Please note that according to Section *§14-8-2-7 of the Neighborhood Association Recognition Ordinance* you are required to notify **both** of these contact persons by **certified mail, return receipt requested**, before the Planning Department will accept your application. Please see Page 2 of this letter for additional requirements. If you have any questions about the information provided please contact our office at (505) 924-3914 or ONC@cabq.gov

Sincerely,
OFFICE OF NEIGHBORHOOD COORDINATION
Planning Department

Neighborhood Notification Letters Must Include the Following:

Prior to filing an application with the Planning Department, all applicants requesting approvals through the Environmental Planning Commission (EPC), Development Review Board (DRB), Landmarks & Urban Conservation Commission (LUCC), or approval of a Wireless Telecommunication Facility (WTF) are required to notify any affected neighborhood and/or homeowner associations via certified mail.

1. The street address for the subject property;
2. The currently recorded legal description of the property, including lot or tract number (if any), block number (if any), and name of the subdivision;
3. A physical description of the location, referenced to streets and existing land uses;
4. A complete and detailed description of the action(s) being requested;
5. ***** NEW*** Facilitated Meeting Information** – All notification letters must include the following text:

Affected Neighborhood Associations and Homeowner Associations may request a Facilitated Meeting regarding this project by contacting the Office of Neighborhood Coordination (ONC) by email at ONC@cabq.gov or by phone at (505) 924-3914.

A facilitated meeting request must be received by ONC by: **Friday, March 17, 2017.**

Neighborhood Notification Checklist

The following information must be included for **each** application packet submitted to the City of Albuquerque Planning Department.

1. ONC's "Notification Inquiry Letter" outlining any affected Neighborhood and/or Homeowner Associations.

*Note: If your ONC letter is more than 30 days old, you must contact ONC to ensure that the contact information is still current.

2. Copies of Letters sent to any affected Neighborhood and/or Homeowner Associations.
3. Copies of certified receipts mailed to any affected Neighborhood and/or Homeowner Associations.

Any questions, please feel free to contact our office at (505) 924-3914 or ONC@cabq.gov.

Thank you for your cooperation on this matter.

(ONC use only)

Date Processed: **03/08/17** ONC Staff Initials: **VMQ**

ATTACHMENT A

SILVER PLATINUM DOWNTOWN N.A. (SPD) "R"

***Ron Casias** *e-mail:* rc@silverplatinumdowntown.org

205 Silver Ave. SW, Apt. #428/87102 319-0958 (c)

Leonard Morin *e-mail:* lennie@silverplatinumdowntown.org

100 Silver Ave. SW, Apt. #401/87102 319-1169 (c)

Website: www.silverplatinumdowntown.org



Notification Inquiry Form

Use this form to submit a request to the Office of Neighborhood Coordination to obtain neighborhood or homeowner association contact information for application submittal to the Planning Department.

Instructions: Please fill out this form completely and include a zone atlas map that is marked to indicate where the subject site is located. Then, submit this form and your map in one of the following ways: 1) In person at the Office of Neighborhood Coordination, 5th Floor, 600 2nd Street NW; or 2) Email it to ONC@cabq.gov.

Developer Inquiry For:

- | | |
|---|--|
| <input type="checkbox"/> Cell Tower Submittal – Type: Select Tower Type | <input type="checkbox"/> ZHE Submittal <i>(need address & zone map only)</i> |
| <input type="checkbox"/> DRB Submittal | <input type="checkbox"/> AA Submittal |
| <input type="checkbox"/> EPC Submittal | <input type="checkbox"/> City Project Submittal |
| <input checked="" type="checkbox"/> LUCC Submittal | <input type="checkbox"/> Liquor License Submittal |
| | <input type="checkbox"/> Other: |

Anticipated Advertised Public Hearing Date: *(list here)* April, 2017

Contact Name: Larry D. Parker, Manager

Company Name: City of Albuquerque- KiMo Theatre, Cultural Services Department

Address: 423 Central Ave

City: Albuquerque

State: NM

Zip Code: 87102

Phone: 505-331-6338 Cell/505-768-3589 Direct Email: lparker@cabq.gov

Legal Description Information:

Describe the legal description of the subject site for this project:

Lot 24 Block 11
Original Townsite of Albuquerque

Located on/between *(street name or other identifying mark):*

Corner of 5th and Central, Downtown

This site is located on the following zone atlas page: K-14



423 Central Ave NW • Albuquerque, NM 87102
505-768-3522 • kimoabq.org

March 8, 2017

Mr. Ron Casias
205 Silver Ave. SW, Apt. #428
Albuquerque, New Mexico 87102

Dear Mr. Casias,

This letter is intended to serve as your notification that the KiMo Theatre has applied to LUCG for a Certificate of Appropriateness to install protective gate to the front of the KiMo Theatre, 423 Central Ave NW, Albuquerque, New Mexico. The KiMo Theatre is in the NE corner of 5th Street and Central Avenue in downtown Albuquerque. The legal description of the KiMo Theatre is: Lot 24 Block 11 Original Townsite of Albuquerque.

Since last August, the KiMo has seen an alarming increase in vandalism at the theatre. There have also been several instances where the homeless have been sleeping in the outer foyer/entrance of the theatre. We are especially concerned over the increasing number of small fires which have been started in this area.

Our request to LUCG is to install a protective gate in the opening of the outer foyer/entrance on Central Avenue. Our hope is to find something that can be installed either between or directly below two curved column capital extinguishers at the front of the theatre near the marquee. The casing for this gate will be painted to match the brown trim over the front entrance of the theatre.

While the KiMo Theatre and management of the City's Cultural Services Department are committed to maintaining the historic nature of the iconic facility, we feel it is imperative that we place a priority to protecting this valuable city asset.

Affected Neighborhood Associations and Homeowner Associations may request a Facilitated Meeting regarding this project by contacting the Office of Neighborhood Coordination (ONC) by email at ONC@cabq.gov or by phone at (505) 924-3914. A facilitated meeting request must be received by ONC by: **Friday, March 17, 2017.**

Cordially,

Larry Parker
Manager
KiMo Theatre
City of Albuquerque



423 Central Ave NW • Albuquerque, NM 87102
505-768-3522 • kimoabq.org

March 8, 2017

Mr. Leonard Morin
100 Silver Ave. SW, Apt. #401
Albuquerque, NM 87102

Dear Mr. Morin,

This letter is intended to serve as your notification that the KiMo Theatre has applied to LUCG for a Certificate of Appropriateness to install protective gate to the front of the KiMo Theatre, 423 Central Ave NW, Albuquerque, New Mexico. The KiMo Theatre is in the NE corner of 5th Street and Central Avenue in downtown Albuquerque. The legal description of the KiMo Theatre is: Lot 24 Block 11 Original Townsite of Albuquerque.

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Cordially,

Larry Parker
Manager
KiMo Theatre
City of Albuquerque

7016 1970 0000 8257 1242

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ALBUQUERQUE LOCAL USE

Certified Mail Fee \$3.35

47.75

Extra Services & Fees (check box, add fee if applicable)

Return Receipt (hardcopy) \$3.00

Return Receipt (electronic) \$0.00

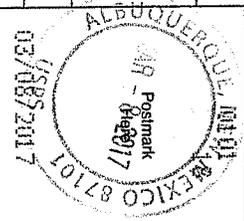
Certified Mail Restricted Delivery \$0.00

Adult Signature Required \$0.00

Adult Signature Restricted Delivery \$0.00

Postage \$0.49

Total Postage and Fees \$6.59



Sent to **Don Chan**
Street and Apt. No. or P.O. Box No. **655 Silver Ln SW #201**
City, State, ZIP+4 **Albuquerque, NM 87102**
PS Form 3800, April 2015 PSN 7530-02-000-9047 See Reverse for Instructions

7016 1970 0000 8257 1259

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ALBUQUERQUE LOCAL USE

Certified Mail Fee \$3.35

47.75

Extra Services & Fees (check box, add fee if applicable)

Return Receipt (hardcopy) \$3.00

Return Receipt (electronic) \$0.00

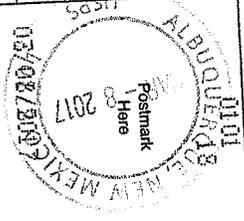
Certified Mail Restricted Delivery \$0.00

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Adult Signature Restricted Delivery \$0.00

Postage \$0.49

Total Postage and Fees \$6.59



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Street and Apt. No. or P.O. Box No. **655 Silver Ln SW #201**
City, State, ZIP+4 **Albuquerque, NM 87102**
PS Form 3800, April 2015 PSN 7530-02-000-9047 See Reverse for Instructions

PROJECT DRAWING CHECKLIST



Landmarks & Urban Conservation Commission

The following checklist is used to indicate the minimum information that will be required for review of your application.
 You must submit all information indicated by the Planner.
 10 copies for residential Public Hearing
 10 for income producing or non-residential Public Hearing
 1 copies for a Staff Decision
 Drawings are to be folded to fit into a 8.5" x 14" pocket.

Site Plan:

- ___ Drawing scaled 1"=10' for 1 or 2 lots, 1"=20' for 3 or more lots. Features must be precisely located and dimensioned. The site plan must indicate ALL the following:
1. Existing and proposed structures on the subject property
 2. Existing structures on adjacent properties if within 10'-0" of the property line for residential projects or within 25'-0" of the property line for nonresidential projects
 3. Walls and fences -- location, height, and material
 4. Property lines
 5. Public and private easements
 6. Public and private streets and alleys -- correct names and dimensions
 7. Graphic scale and dimensions of elements on the site plan
 8. North arrow

Landscape Plan: Site includes 3 lots or more, OR the project is in Old Town or Old Town Buffer Zone.

__ Landscape Plan scaled 1" =10' for 1-2 lots or 1" =20' for 3 or more lots. It should include ALL existing and proposed hard surfaces, gravel or rock surfaces, shrubbery, trees, planting beds, grass areas, ground cover.

Building drawings: Building drawings scaled 1/4" =1' for residential or 1/8" =1' for nonresidential

- 1. Existing and proposed floor plans -- indicate all existing and proposed doors and windows on floor plans *IF SIGNIFICANT AREA*
- 2. Existing and proposed building or structure elevations (side views) -- materials, height must be indicated and the locations of all new and existing window and door openings must be dimensioned

___ This is an infill project. The submittal must include:

1. for multi-unit or single-unit residential projects on 1 or 2 lots, a street elevation which includes adjacent lots on either side
2. for nonresidential or mixed use projects, or for any project on 3 or more lots, or as required by staff, a massing model at a scale of 1"=20'

Door and window schedules including materials, sizes *GATE DETAIL*

___ The project is in Old Town or Buffer Zone. Indicate all signs: locations, heights, dimensions, colors.

Detail Drawings:

- | | | |
|-----------------------|-------------------|--|
| ___ Building Sections | ___ Window detail | <input checked="" type="checkbox"/> Other details specified here |
| ___ Wall Sections | ___ Door details | _____ |

Other supporting documentation:

- Pictures of existing buildings, structures and site conditions
- ___ Financial documents
- ___ Reports from other local, state and/or federal agencies
- Other documentation as specified : *OF DAMAGE*

By : _____
 LUCG Planner