



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

Date: January 15, 2021

OFFICIAL NOTIFICATION OF DECISION

**Project # PR-2018-001843
RZ-2021-00053
Application for Recommendation
to City Council**

City of Albuquerque Planning Dept., requests recommendation of approval of proposed amendments to the IDO text pertaining to review of variances requested for historic properties, Citywide.

On January 13, 2021 the Landmarks Commission voted to **Recommend Approval of Project # PR-2018-001843, RZ-2021-00053**, based on the following findings and conditions.

Findings:

1. The application is a request for review and approval of proposed amendments to the text of IDO Section 14-16-3-5, 6-6(H)(2), 6-6(N)(2), 6-7(C)(1), 6-7(D)(1)(a), 6-7(E)(1)(a), pertaining to adoption or amendments within HPO zones.
2. The proposed amendment to IDO text is similar to the existing ordinance but stipulates LC review and recommendation of changes to the IDO and staff review of applications affecting historic properties.
3. The proposed amendment also includes minor changes to small areas that are of interest to the Landmarks Commission. These are small changes in the Downtown Area, East Downtown and Nob Hill.
4. *IDO Part 14-16-6-7(D)(3) stipulates Review and Decision Criteria for amendments to IDO text. It states that amendments shall be approved if they meet with the requirements of 6-7(D)(3)(a), 6-7(D)(3)(b) and 6-7(D)(3)(c).*

- The proposed amendment to IDO text is similar to the existing ordinance but clarifies some areas of ambiguity.
 - The revised text will be applied uniformly to all properties within the Old Town Historic Protection Overlay Zone (HPO-5)
 - The proposed amendment will promote growth within the Old Town area which supports investment Citywide. It will not create material risks to the public health, safety, and general welfare.
5. The proposed amendments to the IDO text fully accord with the requirements for approval of 6-7(D)(3)(a), 6-7(D)(3)(b) and 6-7(D)(3)(c).
 6. The proposed amendments to the IDO text comply with the LC Ordinance requirements to:

'Preserve, protect, enhance, perpetuate and promote the use of structures and areas of historical, cultural, architectural... 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 to conserve existing urban developments as viable economic and social entities.'
 7. The provision for added review by LC staff of proposals within HPOs, historic properties and City Landmarks, will further the task and goals of the Landmarks Commission.

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 13, 2021 WILL BE MAILED A CERTIFICATE OF APPROPRIATENESS, AFTER THE 15-DAY APPEAL PERIOD HAS EXPIRED ON JANUARY 28, 2021.

Sincerely,

A handwritten signature in black ink, appearing to read 'Leslie Naji', is written over a light gray rectangular background.

Leslie Naji
Planner, Landmarks Commission