



Landmarks Commission

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

Date: June 11, 2020

## Notice of Decision

**PR-2020-003622**  
**SI-2020-00259**  
**Application for Certificate of**  
**Appropriateness**

**City of Albuquerque CSD, Kimo Theatre,**  
requests approval of a Certificate of  
Appropriateness for new alterations at 423 Central  
Ave. NW, described as Townsite of ABQ Addition  
lot 24 block 11 in the Down Town Area. (K-14-Z)

**On June 10, 2020 the Landmarks Commission voted to Approve, Project PR-2020-003622  
SI-2020-00259, based on the following findings and conditions.**

### Findings for Approval:

1. This application is a request for a Certificate of Appropriateness for the property described as Lot 24, Block 11 Original Townsite, located at 423 Central Avenue NW and zone MX-FB-UD.
2. The subject property is approximately 0.24 acres and contains the historic KiMo Theater. It is listed on the National Register of Historic Properties, the New Mexico State Register of Cultural Properties and is a City of Albuquerque Landmark.
3. The proposal is for the installation of retractable security shutters at the KiMo Theatre to allow for the closure over all windows and entryways at street level along Central Avenue and Fifth Street. Shutters will only be down when the theater has no staff on site. The proposal includes a new service door along Fifth Street to match other service doors.
4. The proposed project is consistent with the landmark designation ordinance. The proposed work complies with a number of the relevant development guidelines for the historic landmarks and ABC Comp Plan goals and policies as described in the staff report and Findings 6 – 8 below.
5. Section 14-16-3-5(D) of the Integrated Development Ordinance states that on a City landmark, the appearance of any structure, including but not limited to interior and

exterior elements, landscaping, and signs, shall not be altered; new structures shall not be constructed; and existing structures shall not be demolished until a Certificate of Appropriateness is approved pursuant to Subsection 14-16-6-5(D) (Historic Certificate of Appropriateness – Minor) or Subsection 14-16-6-6(D) (Historic Certificate of Appropriateness – Major).

6. Section 14-16-6-6(D) of the Integrated Development Ordinance specifies that an application for a Certificate of Appropriateness shall be approved if it complies with several specified criteria. The IDO Section 14-16-6-6(D)(3)(a) 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 the specific HPO zone where the property is located”*

The installation of retractable security shutters will not damage any of the defining architectural details of the KiMo. It is consistent with the designating ordinance as it is meant to protect the historic feature of the building.

7. The IDO Section 14-16-6-6(D)(3)(b) 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 proposal will cause no harm to the significance of the theater. At this time it will require the removal of the historic awnings; however, it is the intension of the applicant to reinstall the awnings once the shutter housing has been installed so proper connections can be made.

8. The IDO Section 14-16-6-6(D)(3)(d) states that a Certificate of Appropriateness shall be approved if *“The structure or site’s distinguished original qualities or character will not be altered. Original shall mean at the time of initial construction or developed over the course of history of the structure.”*

The proposal will cause no harm to the original, distinguishing qualities of the contributing building or its site.

### **Conditions of Approval Recommended for Case No. SI-2020-00130/ Project # 2020-003622**

1. Applicant is responsible to acquire, and approval is contingent upon, approval of all applicable permits and related approvals.
  2. Final review of installation of shutters and exterior treatment will be reviewed and approved by a subcommittee of Commissioners Solares and McKinney and coordinated through staff.
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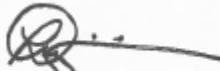
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APPEAL: IF YOU WISH TO APPEAL A **FINAL DECISION** YOU MUST DO SO IN THE MANNER DESCRIBED BELOW. A NON-REFUNDABLE FILING FEE WILL BE CALCULATED AT THE LAND DEVELOPMENT COORDINATION COUNTER AND IS REQUIRED AT THE TIME THE APPEAL IS FILED.

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.

Sincerely,

A handwritten signature in black ink, appearing to read 'Leslie Naji', with a long horizontal stroke extending to the right.

Leslie Naji

Senior Planner, Landmarks Commission