



Landmarks Commission

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

Date: September 11, 2020

## OFFICIAL NOTIFICATION OF DECISION

**Project 2020-004269**  
**SI-2020-00762**  
**Application for Certificate of**  
**Appropriateness**

**Clint Wiley, 66Architect, agent for De Anza**  
**Turquoise LLC**, requests approval of a Certificate of Appropriateness for new construction at Lt 3 Plat of Lots 1 Thru 4 De Anza, located at 4303 Central Ave. NE, a City Landmark. (K-17)

On September 9, 2020 the Landmarks Commission voted to **Approve Project 2020-004269, SI-2020-00762** based on the following Findings and Conditions of Approval.

### FINDINGS

1. This application is a request for a Certificate of Appropriateness for the property described as Lot 3, de Anza Subdivision, located at 4303 Central Avenue NE and zone MX-M.
2. The subject property is approximately 0.55 acres and contains the historic De Anza Motor Lodge. 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 construction of a temporary (5 years) neighborhood 'beer garden' utilizing portable containers for food and beverage sale, restrooms and storage, wood decking for outside dining, large sunshade sails for protection from sun and rain, a children's play area and landscaping
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.

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 proposed project will not damage any of the defining architectural details of the De Anza. It is consistent with the designating ordinance as it will create activity on the site similar to some of the site’s original purpose of dining and gathering.

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 De Anza. Eventually a two-story restaurant will be built to represent the original two-story office and registration building. Until then this will help activate the site making the permanent building more likely,

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**

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

2. Applicant shall submit final exterior paint colors and graphics of containers to planning staff for approval.
3. This approval shall remain valid for a period of two years only from the date a Certificate of Occupancy is acquired, unless a request for an extension is received and approved by the Landmarks Commission prior to the two-year expiration.
4. All containers shall be removed from the site should the project as described and approved cease to function.

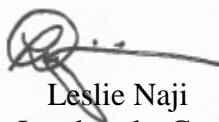
---

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  
Planner, Landmarks Commission